

Nicky Morgan MP



HOUSE OF COMMONS
LONDON SW1A 0AA

Mr R Watson
Department for Communities and Local Government
Zone 1/H1
Eland House
Bressenden Place
London
SW1E 5DU

BY LETTER & EMAIL

10 May 2012

Dear Mr Watson

Appeal by Biffa Waste Services Ltd – Newhurst Quarry, Ashby Road East, Shepshed LE12 9BU

Thank you for your letter dated 19 April 2012 requesting comments in respect of the above application on the impact of the National Planning Policy Framework (“NPPF”) on the case presented at the inquiry .

I entirely endorse the comments being made by CHAIN in response to your request and would add the following comments:

1. Sustainable Development – described as the golden thread running through the planning system I believe that had the NPPF been in force in Autumn 2011 the unsustainable nature of the proposed facility alone would have been sufficient to necessitate a refusal of planning permission. Paragraph 7 of the NPPF makes it clear there are three dimensions to sustainable development – economic, social and environmental.

In my opinion the siting of an incinerator at Newhurst Quarry makes neither economic, social nor environmental sense. For reasons already rehearsed at both planning stages there is no need for the proposed incinerator. The presence of an incinerator will not make a contribution to the growth of the local economy. The social dimension requires a “high quality built environment...that reflects the community’s needs and support its health, social and cultural well-being.” The proposed design is not high-quality, there are continuing questions about the health impacts of an incinerator near a built up area such as Shepshed and, indeed, having an incinerator near the town will not support anyone’s well-being. The environmental dimension is addressed below.

2. Heritage assets – paragraph 17 (Core planning principles) includes “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.” Again, it is clear from evidence already heard at both prior planning stages that nearby heritage assets in Garendon Park will be adversely affected by the proposed incinerator and would mean they are less likely to be enjoyed by this and future

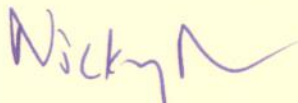
Please address correspondence to:
House of Commons, London SW1A 0AA
Telephone 020 7219 7224 E-mail: nicky.morgan.mp@parliament.uk www.nickymorgan.com

generations. English Heritage made it clear in their report that what is proposed by Biffa is still harmful to the nearby heritage assets.

3. Visual amenity – paragraph 58 of the NPPF states that “Planning policies and decisions should aim to ensure that developments...are visually attractive as a result of good architecture and appropriate landscaping.” I fail to see how an incinerator of the size proposed could in any way be described as visually attractive as a result of good architecture and appropriate landscaping.
4. Integration – paragraph 61 of the NPPF requires planning policies and decisions “[to] address the connections between people and places and the integration of new development into the natural, built and historic environment.” As I said in my speech at the appeal hearing “It is clear that the local community, local councils and their elected councillors do not want Biffa’s incinerator near Shepshed and have refused or opposed two applications for it.” The sheer size and scale of the proposed incinerator make it impossible to see how it will be integrated into the natural, built and historic environment.
5. Effect on the natural environment – most constituents, when contacting me with their objections to the proposed incinerator, have mentioned their worries about the impact the incinerator would have on the health of those living in the vicinity. At previous planning stages the health concerns were very much left to the Environment Agency and not explored as part of the planning process. Paragraph 110 of the NPPF states that “the aim should be to minimise pollution and other adverse effects on the local and natural environment”. Paragraph 120 focuses on cumulative effects of pollution on health, the natural environment or general amenity. Had the NPPF been in force in Autumn 2011 I believe these paragraphs would have allowed more of the health and pollution concerns to be examined as part of the planning process and I feel these matters deserve further consideration now that the NPPF is in force.
6. Low carbon – paragraph 95 of the NPPF requires “to support the move to a low carbon future, local planning authorities should...plan for new development in locations and ways which reduce greenhouse gas emissions.” Paragraph 1.8 of the UK Bioenergy Strategy (published on the 26th of April 2012) states that “bioenergy is not automatically low carbon, renewable or sustainable”. Again, if the original application/appeal were being considered in May 2012 I believe that there would be more scrutiny of whether the incinerator would support a move to a low carbon future as required by the NPPF.

I hope this is of assistance and would be happy to provide further details if required.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Nicky Morgan', with a stylized flourish at the end.

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