

ADOPTION OF THE ‘AIR QUALITY ASSESSMENTS IN NEW DEVELOPMENT’ SUPPLEMENTARY PLANNING DOCUMENT

1. RECOMMENDATIONS

- 1.1 That the Cabinet agree that:
- a. the “Air Quality Assessments in New Development” be adopted as a Supplementary Planning Document (SPD).
 - b. prior to publication, the final editing of the document (attached in Appendix 1 to this report) be agreed by the Executive Head for Planning, Regeneration and Economy in consultation with the Portfolio Holder for Planning, Regeneration and Infrastructure.

2. INTRODUCTION

- 2.1 This Supplementary Planning Document (SPD) sets out an approach to Air Quality Assessment in new development including:
- the type of air quality assessment required to assess the impact of development on local air quality in terms of human health and ecological receptors. Links are provided to further guidance and access to air quality data and information;
 - how to manage and where possible reduce or mitigate activities that unacceptably impact on air quality.
- 2.2 Cabinet agreed at its 2 February 2022 meeting that the draft Supplementary Planning Document be consulted on. The period of public consultation ran from 18th February 2022 to 1st April 2022.
- 2.3 This is a planning document prepared jointly between Planning and Environmental Health, accordingly the views of the Environment and Sustainability Overview and Scrutiny Panel were also sought in advance of the public consultation.

3. BACKGROUND

- 3.1 Air pollution impacts on everyone’s health and is a major public health concern with the young, elderly and those with chronic health conditions being particularly susceptible. Whilst the New Forest District has the lowest deaths of people over 25 attributed to long term exposure to particulate matter in Hampshire nevertheless it is a material planning consideration.
- 3.2 In broad terms the air quality in the New Forest is generally good and is reflected in the air quality statistics reported by New Forest District Council¹ and Public Health England². The main concerns regarding impacts on local air quality in the New Forest are from:

¹ Air pollution - New Forest District Council

² Air Quality Library - Defra, UK

- increases in vehicles on the local road network (nitrogen dioxide (NO₂) and particulate matter (PM))
- industrial developments (NO₂, PM and sulphur dioxide (SO₂))
- mineral extraction sites (NO₂ and PM)
- construction sites (PM)

3.3 Air quality is a material consideration within the planning regime. All development will have some impact on local air quality and therefore public health and deterioration of the natural environment and nature. To make development acceptable the Council will expect mitigation measures to be implemented by the applicant to reduce emissions to air from all proposed development. The mitigation measures implemented should be proportionate and dependent on the determined impact of the proposed development.

4. CONTENT OF THE SUPPLEMENTARY PLANNING DOCUMENT

4.1 The SPD provides supplementary guidance to the Local Plan for the New Forest District Council area. In particular it provides guidance to support Objective SO2 (Biodiversity and environmental quality) and Policy CCC1 (Safe and healthy communities) which aims to prevent pollution or hazards which prejudice the health or safety of communities.

4.2 The SPD provides guidance on when an Air Quality Assessment will be needed to support a planning application and what the assessment needs to address. It also confirms when an Air Quality Statement is required. Where necessary to enable development to take place, appropriate mitigation measures will be required, the document contains suggested mitigation measures.

5. MAIN ISSUES RAISED IN THE CONSULATION

5.1 There were 14 respondents to the consultation.

- Local residents (3)
- Town and Parish Councils (3)
- Other organisations, including the National Highways, Natural England, New Forest National Park Authority, Cranborne Chase AONB, and Hampshire County Council (7)
- Developers and Landowners (1)

5.2 The comments received ranged from general views on the overall content and guidance contained in the document, to more specific elements of detail or apparent errors. There was broad support for the content of the SPD, with a small number of suggestions that will aid clarity.

5.3 A few of the respondents noted that the guidance does not cover the full spectrum of air quality impacts, in particular in relation to nitrogen and ammonia on ecological sites. This is being managed through a contribution to fund monitoring in relation to impacts on protected ecological sites in the New Forest. This is explained in Section 9 (Air Quality and the Natural Environment) of the SPD.

5.4 The full representations received, together with a response to the comments made can be viewed on the website at: <https://www.newforest.gov.uk/article/2934/Air-Quality-in-New-Development>.

5.5 The comments referred to above have been reviewed by officers and taken into account in preparing the final version of the Supplementary Planning Document. Whilst minor amendments have been made (set out in red text in the Cabinet version at Appendix 1), the approach set out in the document has remained largely unchanged. The main amendments can be summarised as:

- Paragraph 1.5 - relating to the geographical area covered by the SPD: clarification is provided that the guidance relates to applications within the NFDC planning area but that the assessments may well extend beyond the New Forest Local Plan area.
- Paragraphs 4.1 and 4.2 – correction to the paragraph numbers referenced in the National Planning Policy Framework.
- Paragraph 8.6 – with regard to the criteria for judging whether an assessment or statement is required: an example is provided to aid clarity.
- Paragraph 8.9 – in relation to how traffic figures are to be agreed: further content is added to make clear that assessments must use up to date information or be re-run to reflect the latest position.
- Paragraphs 8.13 – 8.14 (Appropriate Mitigation section) – this section is unchanged but has been moved further up the document to a more appropriate location in the guidance.

6. NEXT STAGES

- 6.1 Subject to Cabinet agreeing to adopt this Supplementary Planning Document, the document will be published as soon as practicable in its final form.
- 6.2 Following adoption, there is also a statutory 3-month period for legal challenges, during which any person with sufficient interest in the decision to adopt the Supplementary Planning Document may apply to the High Court for permission to apply for judicial review of that decision.

7. FINANCIAL IMPLICATIONS

- 7.1 The measures set out in the SPD will be directly funded by applicants and therefore there are no direct financial implications for the Council.

8. CRIME & DISORDER IMPLICATIONS

- 8.1 There are none.

9. ENVIRONMENTAL IMPLICATIONS

- 9.1 Poor air quality can have a significant impact on both the health of the public and the natural environment. It is important that the Council ensure that when granting planning permission for new development it is satisfied that the development will have a neutral impact or through infrastructure delivered through the development will improve air quality.

10. EQUALITY & DIVERSITY IMPLICATIONS

- 10.1 Poor air quality tends to occur in more densely populated areas of the District, there is often a link between air quality and economic, social and health inequalities. Ensuring air quality is made no worse through development or is improved supports addressing some of these inequalities.

11. DATA PROTECTION IMPLICATIONS

- 11.1 There are none.

12. PORTFOLIO HOLDER COMMENTS

- 12.1 As Portfolio Holder for Planning, Regeneration and Infrastructure and Portfolio Holder for Partnering and Wellbeing we are both encouraged by this Air Quality SPD as a way of ensuring that the developers within the District are clear about the information they need to submit to enable our officers to fully assess the impact proposed development will have on air quality. Further it clearly sets out infrastructure that can be put in place to reduce emissions and ensure that sustainable development is delivered in our District.

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Background Papers:

Consultation Statement and Schedule of
Responses: [Air Quality in New
Development - New Forest District Council](#)