

Local
Development
Framework
AIR
QUALITY
ACTION

Supplementary Planning Document on Air Quality and Development

Adopted May 2008

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1.0. INTRODUCTION

- 1.1** Air quality in parts of Mid Devon District is a cause for concern, as poor air quality is recognised as being damaging to health and quality of life. The Council is committed to improving air quality in the District. This is reflected by the policies within the Adopted Mid Devon Local Plan, the emerging Local Development Framework (LDF) Area Development Plan Documents Issues and Options Reports, and the Adopted LDF Core Strategy. The relevant policies are set out in Appendix 1.
- 1.2** This Supplementary Planning Document (SPD) expands on these policies.
- 1.3** Air quality is a material consideration in determining planning applications. Air pollution and poor air quality have detrimental impacts on health. This SPD provides guidance on the way in which air quality and air pollution issues will be dealt with through the planning system. The SPD has the following objectives:
- To set out the policy framework;
 - To emphasize the importance of air quality as a material planning consideration;
 - To set out those development proposals when an air quality assessment will be required;
 - To provide guidance on the process of air quality assessments;
 - To set out the Council's approach to the use of planning conditions and S106 agreements in respect of air quality;
 - To set out the approach in the District in respect of general policy and location specific measures.
- 1.4** The planning system has a key role in protecting people from unacceptable risks to their health and in providing an adequate protection to the amenity value of land. These considerations must however be balanced against other aims of the planning system such as to secure economic development and provide adequate levels of housing. A balance needs to be achieved between social, economic and environmental considerations.

POLICY FRAMEWORK

National Policy

1.5 The National Air Quality Strategy sets out targets for eight pollutants, seven of which local authorities are obliged to meet. These are:

- benzene;
- 1,3-butadiene;
- carbon monoxide;
- lead;
- nitrogen dioxide (NO₂);
- particles (PM₁₀); and
- sulphur dioxide.

1.6 Of these pollutants, typically two are of specific concern in Mid Devon. The Council designated the Air Quality Management Area for Crediton in September 2004 and an Air Quality Action Plan in 2006. The findings on air quality showed exceedances of Nitrogen Dioxide (NO₂) in the High Street and exceedances of Nitrogen Dioxide (NO₂) and particulates (PM₁₀) along Exeter Road. At Cullompton in 2006 the Council authorised making an Air Quality Management Order in respect of Nitrogen Dioxide (NO₂) concentrations and formally designate an Air Quality Management Area (AQMA). Exceedances of an UK Air Quality Objective for nitrogen dioxide are currently being detected in parts of Station Road, Higher Street and Fore Street.

1.7 Planning Policy Statement 1 (PPS1): Delivering Sustainable Development, sets out objectives for the planning system regarding air quality. In particular it states that policies 'should take account of environmental issues such as air quality and pollution'. PPS1 also contains guidance on general principles for pollution issues, which include:

- Significant adverse impacts on the environment should be avoided and alternative options should be pursued. Mitigatory measures can be used.
- The polluter pays principle should be employed.
- The causes and impacts of pollution should both be addressed.

1.8 PPS 23: Planning and Pollution Control sets out ten principles and approaches. The following are particularly relevant to the consideration of planning and pollution control:

- putting people at the centre;
- taking a long-term perspective;
- taking account of costs and benefits;
- respecting environmental limits;
- applying the precautionary principle;
- using scientific knowledge;
- following procedures which are based on transparency, access to information, effective participation by stakeholders and access to justice; and
- making the polluter pay.

1.9 PPS23 Annex 1 states that any air quality consideration that relates to land use and its development is capable of being a material planning consideration. The 'weight' which can be given to air quality relative to other material considerations will vary in different circumstances. The guidance suggests that greater weight may need to be given in particularly sensitive environments; relatively less weight may be given where there are over-riding economic or social benefits.

1.10 The Statement advises it is not the case that all planning applications for developments inside or adjacent to AQMAs should be refused if the developments would result in a deterioration of local air quality. Such an approach could sterilise development, particularly where authorities have designated their entire areas as AQMAs. The Authority should ensure development has a beneficial impact on the environment, for example by exploring the possibility of securing mitigation measures that would allow the proposal to proceed. It may be appropriate in some circumstances for the developer to fund mitigation measures elsewhere inside the AQMA to offset any increase in local pollutant emissions as a consequence of the proposed development. These measures could be secured through Section 106 Agreements or unilateral undertakings.

Local Plan and Local Development Framework and other policy

Local Plan

1.11 The Local Plan adopted in July 2006 is the principal planning policy document for Mid Devon. Brief summaries of the relevant policies are:

S5

To permit development provided that the operation of the site, including any additional road traffic arising will not be detrimental to health or the wider environment through pollution;

S5

To permit development where the health of the occupants or users of the proposed development will not be harmed by pollution arising from another existing or committed use;

S8

Travel Plans for non residential development.

Draft Regional Spatial Strategy (RSS)

1.12 The draft RSS includes policy on air quality (RE9). 'The impacts of development proposals on air quality must be taken into account and local authorities should ensure, through LDDs, that new development will not exacerbate air quality problems in existing and potential AQMAs.

Local Development Framework (LDF)

1.13 The Adopted Core Strategy (CS) of the LDF is addressing air quality issues through district wide Core Policies and location specific policies to address known air quality issues. The CS is more specific than the Local Plan now taking into account the known air quality issues at Crediton and Cullompton:

Vision

Conserve and enhance clean air. Protect and enhance air quality;

COR1

Support improvements to local air quality levels;

COR14 (Cullompton)

Promote the removal of through traffic by completing a relief road system and implementing air quality action plan initiatives;

COR15 (Crediton)

Promote a reduction of traffic on congested streets and improve local air quality by enhancing walking and cycling opportunities around the town, implementing air quality action plan initiatives, promoting improved public transport links and providing a link road between the A377 and Lords Meadow Industrial Area.

Local Transport Plan (LTP) 2006-2011

1.14 The LTP sets out an objective of improving Air Quality. It sets targets of limiting growth in traffic to 15% by 2010/11 (AQ1) and to reduce local air pollution to below exceedance levels in Exeter and Crediton by 2010/11 (AQ2).

Crediton

1.15 Traffic management measures to reduce queuing and delays in the High Street. Measures to improve the quality of school buses to reduce their emissions.

1.16 Analysis has indicated that assessed options for traffic management are unlikely to resolve the pollution problems in Exeter Road. One possibility is a link road between the Lords Meadow industrial area and the A377, bypassing Exeter Road. Work is proceeding on the options, however, there are significant costs and the assessed benefits are unlikely to justify the level of transport funding required. The District Council is being encouraged to seek contributions towards this scheme from any development that increases traffic in Exeter Road through a Supplementary Planning Document. It may be necessary to identify funding contributions from the Local Transport Plan towards the end of the five year programme.

These policies are more fully reproduced in Appendix 1.

2.0. AIR QUALITY ASSESSMENTS

THE NEED FOR AN ASSESSMENT

- 2.1 An air quality assessment will be required where a significant change in air quality is expected. This change comprises both construction and operational impacts in addition to new exposure. The criteria for determining if an assessment is required can be based upon the scale of the development or changes in traffic flows predicted. In Mid Devon where many developments are of a smaller scale the clearest approach is to use scale of development as the criteria. This obviates the need to predict traffic flows before it can be determined if an assessment is required.
- 2.2 Air Quality Assessments will be required for developments if either of the criteria are met in the following policy:

Policy AQ1

An Air Quality Assessment may be required if any of the following criteria are met:

Development type	Site Area	Gross Floor Area or Units
Retail - Food	0.2 Ha	1000m²
Retail - Non food	0.8 Ha	1000m²
Office (B1)	0.8 Ha	2500m²
Industry (B2/B8)	2.0 Ha	6000m²
Residential	1.0 Ha	75 units
Other	60 + vehicle movements in any hour	

- 1 An assessment may be required if either the site area or gross floor area is exceeded.**
- 2. Any industrial or commercial activity requiring regulation under Pollution Prevention and Control Regulations (PPC) (unless a draft PPC Permit is already in place following a PPC application prior of planning application).**
- 3. Proposals for new developments with 100 parking spaces or more or an increase in existing parking provision of 100 spaces or more.**
- 4. Proposals which significantly alter the composition of traffic such that adverse air quality impacts may arise.**

- 5. Proposals which may result in increased congestion and lower vehicle speeds than is present on the existing network.**
- 6. Proposals for any new developments in areas of air quality objective exceedances within current or potential air quality management areas, where people would be exposed for significant periods of the day.**
- 7. Any other development proposal within or adjacent to an Air Quality Management Area (AQMA) and not listed above which may, in the professional opinion of the officer, be significant in terms of air quality impact and/or may impact on the working of measures detailed in an AQMA Air Quality Action Plan.**

2.3 Developers should see the advice of the Council at an early stage and pre-agree datasets and methodologies prior to submission of a planning application. More information is given below.

Content of an air quality assessment

2.4 This SPD does not set out a prescribed method for developments where an assessment is required. It is therefore important that an appropriate methodology and datasets are agreed with the Council before this work is undertaken. It is considered that to prescribe methods does not allow for the continuous improvements being made in methodology. Current detailed guidance is available in the NSCA publication Development Control: Planning for Air Quality (2006) and in the Defra Technical Guidance LAQM.TG(03) (see references).

2.5 In principle, the intention of an air quality assessment is to demonstrate the likely changes in air quality or exposure to air pollutants, as a result of a proposed development. Some quantitative assessment will be required. The basis of assessments will be to compare the existing situation with that following completion of the development and three basic steps are required:

- Assess the existing air quality (baseline)
- Predict future air quality without the development (future baseline)
- Predict future air quality with the development (with development)

The Council can usually assist with the first two parts and information may be available from one of the Council's own air quality Review and Assessment reports.

2.6 The air quality assessment report will normally be required to detail the following:

- Details of proposed development, including the following;
 - An overview of the development proposal;
 - Identification of on-site sources of pollutants;
 - An overview of expected traffic changes or changes in emissions from the site for a specified year; and
 - Identification of local receptors including residential properties, other sensitive properties, ecologically sensitive areas and any specific locations where people are likely to be exposed for the appropriate averaging time (dependant on the air quality objective being assessed against).
 - Evidence of a site visit and assessment of local issues (as discussed above);
- Set out the relevant air quality standards and objectives (these would normally be UK Air Quality Objectives and/or EU Air Quality Limit Values);
- An overview of the development proposal in the context of any local air quality issues (e.g. within an AQMA or area undergoing a Detailed Assessment), a review of the most recent Updating and Screening or Progress Reports or other Review and Assessment reports published by the Council is therefore essential;
- A justification of which pollutants require an assessment;
- Set out the assessment methodology, including the following local input data and assumptions;
 - Traffic data used in the assessment;
 - Emission data (point source and road traffic);
 - Meteorological data;
 - Baseline pollutant concentrations;
 - Choice of baseline year and whether it is a low, typical or high pollution year (including an examination of any available long-term local air quality monitoring data for trend)

- NO_x:NO₂ relationship used; and
- Other relevant input parameters used.
- Set out the results and provide a summary, including the following as a minimum;
 - Details of the model verification including a comparison of predicted versus measured concentrations used to derive adjustment factors to account of systematic errors;
 - Impacts of the construction phase of the development at local receptor locations;
 - Impacts that changes in emissions will have on ambient air quality at local receptor locations;
 - Any exceedences of the air quality objectives brought about by the development, or any worsening of a current breach (including their geographical extent); and
 - Whether any measures or actions specified in an Air Quality Action Plan will be directly compromised or rendered inoperative by the development proposal.

In the some cases the following additional information may be required;

- Source apportionment (the contribution of specific sources and vehicle classes to the overall contribution)
- Longer-term air quality predictions (e.g. an assessment for 2010 air quality objectives and against EU Limit Values)
- A wider/more detailed assessment scope which takes into account other permitted major development proposal(s) in the same area
- Consideration of potential impact upon neighbouring local authorities
- Set out the significance of the results
- Consider the options for, and effectiveness of, pollution reducing, mitigation or compensating measures.

Agreement of data and assessment methodology

2.7 Prior to undertaking an air quality assessment, it is important that whomever undertakes the assessment obtains an agreement over the scope and methodology. This will include an agreement on appropriate datasets such as local air quality data, meteorological data to be used, background concentrations, traffic flows/trip generation data, model type and verification procedures etc.

Selection of modelling methodology

2.8 Air assessments is a scientific exercise and as such there are continuous improvements and scientific developments within the discipline. Consequently, as discussed above, this SPD does not set out a detailed prescribed method or choice of modeling methodology to be following. However, advice is given below on selecting which of the three main types of assessment methods to use:

- Screening Methods

These are quick to apply, generic approaches based upon a limited set of variables. They are intended to determine if an air quality problem exists and if a more detailed dispersion modeling assessment is required. Since they are based upon a simplification of detailed modeling approaches they will not be suitable for local development proposals which contain features that are not included in the screening method. A local screening study may be applicable for simple proposals involving, flat free-flowing/open roads (i.e. non-congested, non-street canyons without inclines) or for simple industrial point sources, especially where the changes in emissions is likely to be very small. Such methods should only be used in an areas where air quality is not approaching or exceeding the air quality objectives.

- Local Scale Dispersion Models

These are detailed, specialist methodologies with a broad range of local input variables. The models focus on the local road network or industrial source and background concentrations are added to the calculated values to predict the total pollutant concentration. As such, these models are typically the most suitable for the assessment of local development proposals. In any situation where a screening method cannot model specific features of the development proposal or the local topography then a local scale dispersion model should be used unless then assessment area is very large (see below). These models are suitable for use in areas where air quality is approaching or exceeding the air quality objectives.

- Regional Scale Dispersion Models

These are similar to local scale dispersion models but can designed model pollution sources over a very wide area (several square kilometers). Such modeling will rarely be required for local development proposals and should only be used where the study area is large.

Assessing Significance

2.9 Assessing the significance of air quality in the context of a planning application is an important part of the overall process. The aim is to remove as much ambiguity as is possible in how air quality should be considered in the planning process. Currently, there is no definitive, specific Government guidance on assessing the significance however guidance provided by the NSCA (reference Development Control: Planning for Air Quality 2006) offers a consistent approach.

2.10 Significance is typically assessed at two stages in the overall process of examining air quality as a material consideration:

- (1) The requirement to set out the significance of any air quality impacts within the air quality assessment using the professional judgement of the assessment authors;
- (2) An evaluation by the local planning authority of the assessment of the significance of any air quality impacts using the professional judgement of its officers, to help reach a decision on the planning application.

Significance within the Air Quality Assessment

2.11 The main requirement of within an air quality assessment will be to describe significance in terms of the change in concentration of a specific pollutant and the absolute concentration after the change in relation to air quality guidelines. An important aspect of considering significance will therefore be a comparison against the UK air quality objectives and the EU limit values. However, the assessment process also requires the magnitude of the changes to be set out and taken into account and a consistent descriptive terminology should be employed.

2.12 The use of assessment descriptors often has limitations, for example they may not include a judgement of the number of people affected or fail to account for the impacts of the construction phase of a development. Nonetheless, assessment descriptors are an important part of overall assessment. An example of possible descriptors are given in Table 1 below and further examples are given in the NSCA guidance (reference Development Control: Planning for Air Quality 2006).

Table 1

An example of descriptors for changes in ambient concentrations of nitrogen dioxide (NO₂) and particules (PM₁₀)

Magnitude of change	Annual Mean NO₂/PM₁₀	Days PM₁₀ > 50µg.m³
Very Large	Increase/decrease >15%	Increase/decrease >15 days
Large	Increase/decrease 10-15%	Increase/decrease 10-15 days
Medium	Increase/decrease 5-10%	Increase/decrease 5-10 days
Small	Increase/decrease 1-5%	Increase/decrease 1-5 days
Very Small	Increase/decrease <1%	Increase/decrease <1 days

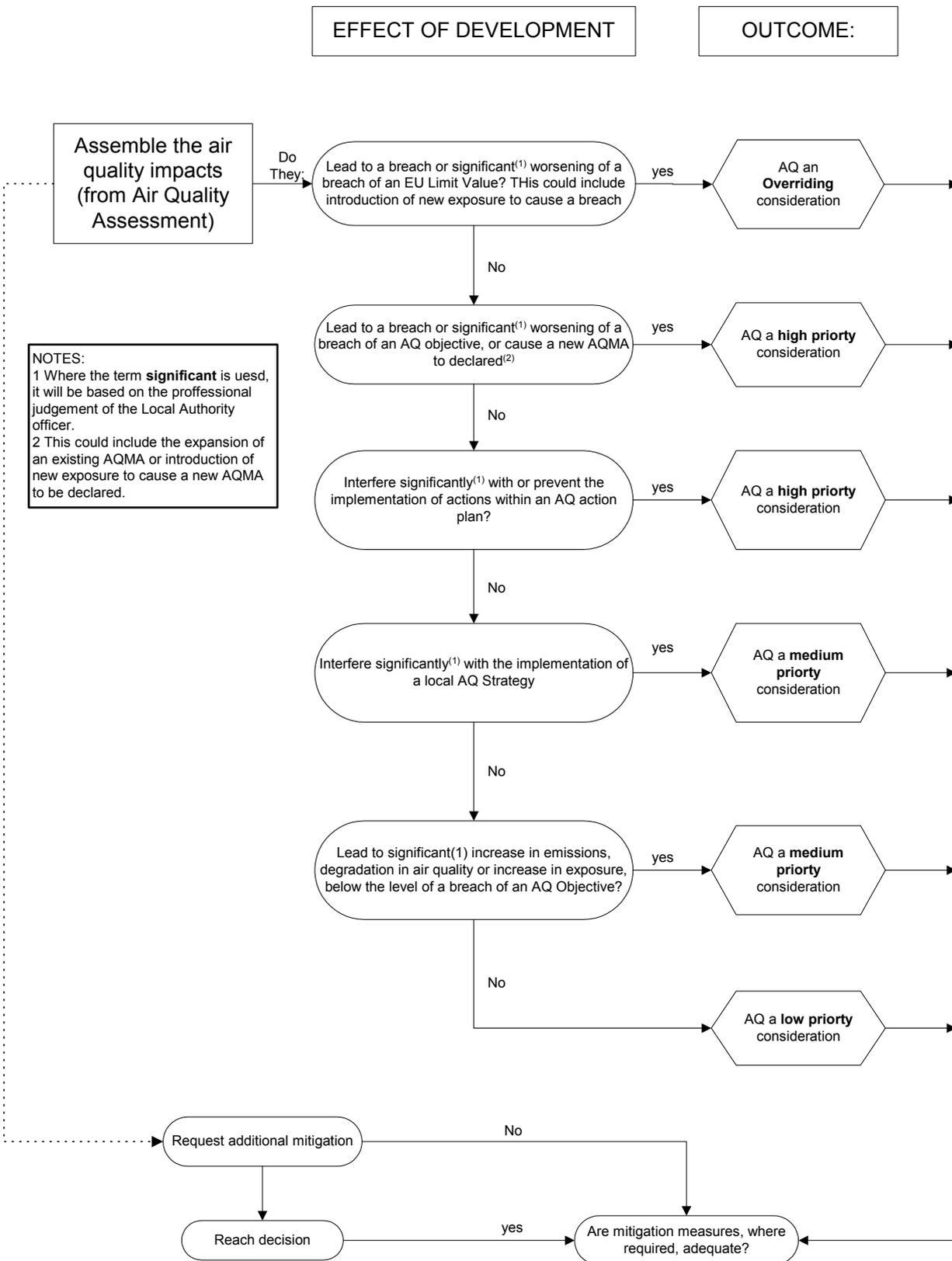
2.13 The above descriptors could be used for different numerical changes or tailored to fit more closely with terminology used by consultants preparing an air quality assessment or a wider environmental statement. Nonetheless, the basic concepts should be adhered to and consistency achieved throughout reports.

Assessment of Significance by the Planning Authority

2.14 The following flow chart (taken from NSCA guidance, in turn derived from the California Resources Agency) has been adopted by this planning authority as an approach to help evaluate the significance of air quality impacts.

Figure 1

Steps for local authority to assess the significance of air quality impacts of a development proposal



2.15 When using the flow chart the local planning authority will also consider the following points:

- ***Air quality has the potential to be a material consideration in all planning applications – this is a site-specific, application-specific judgement in terms of the development location and the nature of the proposed development***
- ***The significance of impacts will also depend on the context of the development***
- ***The flow chart can be used to consider increases in emissions (a deterioration in air quality) as well as increases in exposure***
- ***The respect weight given to EU limit values and UK air quality objectives***
- ***Increases in concentrations of pollutants for which no health-based threshold is apparent may be treated as significant at lower levels of concentration change than for threshold pollutants. Non-threshold pollutants commonly assessed are benzene and particulate. Threshold substances include oxides of nitrogen***
- ***Differences of significance of changes in concentration above an air quality objective than when it is well below an objective***
- ***Allowances should be made for uncertainty, for an example a concentration of 36 $\mu\text{g.m}^3$ nitrogen dioxide may be considered to be significantly close to the air quality objective of 40 $\mu\text{g.m}^3$ owing to uncertainties and therefore may be adopted as conservative figure when evaluating potential exceedances of the objective***

2.16 The NSCA guidance also gives recommendations following an assessment of significance by the Council as follows (Table 2):

Table 2

Impact significance from flow chart	Recommendation
Over-riding consideration	Require mitigation measure to remove 'over-riding' impacts. If the impact is still 'over-riding', there should be a strong presumption for a recommendation for refusal on air quality grounds.
High priority consideration	<p>Ensure that measures to minimise 'high priority' impacts are appropriate in the proposal.</p> <p>Recommend strengthening the measures if appropriate. Consideration may also be given to compensation/offsetting. Depending on the scale of the impacts, taking into account the number of people affected, the absolute levels and the magnitude of the changes, and the suitability of the measures to minimise impacts, it may be appropriate to recommend refusal.</p>
Medium priority consideration	Seek mitigation measures to reduce 'medium priority' impacts. Offsetting and compensation measures may also be considered. It is unlikely that refusal would be recommended.
Low priority consideration	Encourage the use of readily available measures to mitigate, offset or compensate for impacts, where appropriate.

Policy AQ2

The effect of development upon air quality is a material consideration. The determination of the proposal will depend upon the significance of the air quality impact as follows:

1. The development will lead to a breach or significant worsening of a breach of an European Union Limit Value then Air Quality is an over-riding consideration. Mitigation measures must remove over-riding impacts. If the impact remains over-riding there will be a presumption against development;

2. The development will:

lead to a breach or significant worsening of a breach of an Air Quality objective or cause the declaration of an Air Quality Management Area; or

interfere significantly or prevent the implementation of actions within an Air Quality action plan, then there must be measures to minimize high priority impacts with strengthening measures, if appropriate. Consideration to compensation/offsetting may be appropriate; or

In either of these circumstance account will be taken of the scale of the impacts, the number of people affected, the absolute levels and magnitude of the impact.

Determination of the proposal will depend upon the measures to mitigate impacts and the compensation measures proposed.

3. The development will:

Interfere significantly with the implementation of a local Air Quality Strategy; or

lead to a significant increase in emissions, degradation in air quality or increase in exposure, below the level of a breach of an Air Quality objective.

In either of these circumstances mitigation measures will be sought to reduce impacts through offsetting and compensation measures.

4. Elsewhere, the use of readily available measures to mitigate, offset or compensate for the impacts will be sought.

Cumulative Impacts and Mitigation

2.17 In a rural district such as Mid Devon there are a limited number of major developments.

In these circumstances the impact of a number of smaller developments that individually have relatively low polluting potential, but cumulatively result in a significant worsening of air quality are of importance. This SPD seeks to address this at a strategic level to ensure that all developments mitigate their cumulative effects and avoid 'background creep'.

2.18 A significant number of smaller developments may all add traffic to an urban location that already has an air quality problem. A process could be implemented where each development provides a financial contribution to implementing elements of the action plan relative to the nature, size and traffic generation of the proposal. This is further considered below.

Planning Conditions and Obligations

2.19 The Council will use conditions, S106 agreements and unilateral undertakings to mitigate impacts that are detrimental to air quality. The following should be considered although this is not an exhaustive list:

- Measures during the construction of new development including dust control, site monitoring and plant emissions;
- The introduction of new or improved public transport;
- The provision of on and off site facilities for cycling and walking;
- The management of car parking;
- Traffic management;
- Road infrastructure;
- Green Travel Plans;
- Monitoring of air pollution.

3.0. GENERAL METHODOLOGY

- 3.1** PPS23 advises that air quality may be material in the consideration of individual planning applications where pollution considerations arise. Also that the existing, and likely future, air quality in an area, including any Air Quality Management Areas or other areas where air quality is likely to be poor (including the consideration of cumulative impacts of a number of smaller developments on air quality, and the impact of development proposals in rural areas with low existing levels of background air pollution).
- 3.2** The Practice Guidance on Planning Obligations sets out the approach to formulae and standard charges. These are quantitative indications of the level of contribution likely to be sought by a local planning authority, through a planning obligation, towards the provision of infrastructure that is necessitated by a new development.
- 3.3** To establish a standard charge (developer contribution), a common measure for a development unit is established. As the main impact on air quality is vehicles, a common measure is the trip generation for different uses, by unit or floorspace. This is then directly related to the cost of mitigation.
- 3.4** The impact on air quality will be related to the scale of development and trip generation that depends on the use class. The standard national source for trip generation is the TRICS database (Trip Rate Information Computer System). This gives mean trip generation daily rates for the above uses as follows:

Use	Mean Trips per day
Private Houses (units)	9.5
Rented housing (units)	3.5
Employment	14
Retail (Convenience per 100 square metres)	187
Retail (Comparison per 100 square metres)	40.5

3.5 The methodology for determining the contribution sought from different uses will be standard. When an Air Quality Action Plan is approved and costed, the contribution sought by use will be directly related to trip generation. The trips generated will be looked at against the scale of development set out in the Mid Devon Local Development Framework Core Strategy (CS) that is in or adjoining that settlement or in a related settlement that is likely to result in additional trips in a declared Air Quality Area. Although contributions are based on the CS they will be also be sought from windfall sites as well as allocated land.

3.6 It is accepted that different uses generate different values and in some cases the viability of the development may be affected. Therefore, the scale of contribution will be adjusted to take into account development viability.

3.7 The detailed process to be followed to establish contributions for any existing or future declared AQMA will be as set out below for Crediton. However, due to the cost of implementing the Action Plan at Crediton the potential for the County Council to identify funding contributions from the Local Transport Plan towards the end of the five year programme, only 50% funding is sought from development.

In other declared or future declared areas, the cost of implementing any Action Plan is likely to be significantly lower. Therefore, the Action Plan will be fully funded from development.

4.0. LOCATION SPECIFIC MEASURES

Crediton

4.1 The Council designated the Air Quality Management Area for Crediton in September 2004. It has also prepared an Air Quality Action Plan in close liaison with the Highway Authority who refer to the Air Quality Management Area in their Local Transport Plan. This Plan was only recently approved in 2006.

4.2 The findings on air quality showed exceedances of Nitrogen Dioxide (NO₂) in the High Street and exceedances of Nitrogen Dioxide (NO₂) and particulates (PM₁₀) along Exeter Road.

4.3 The Action Plan sets out 31 measures. High impact measures are traffic management for High Street (medium term 2-5 years) and Lords Meadow Link Road (Long term 5-10 years). The Action Plan measures are:

- Lords Meadow Link Road
- Traffic Management High Street
- Resurfacing to Exeter Road
- Stationary engine powers
- Extended Crediton Town Bus Service
- Taxi engine standards
- 'Devon wide' scheme
- School Green Travel Plans
- Walking to School Campaign
- Single site QECC school
- Commercial vehicle roadside emissions testing
- All vehicle roadside emissions testing
- Engine switch-off stationary vehicles
- Secure cycle parking facilities
- Crediton Car Parking Strategy
- High Street Parking Charges
- Other Parking Charges
- Parking Spaces

- Smoke Control Area
- Milk Link Dairy boiler
- Smoke Control Area – residential
- Crediton Walking for Health
- Health inequalities
- Air Quality Information
- Voluntary emissions testing
- Car Share Devon
- Council owned vehicle fleet
- Council Bio-Diesel trial
- Air Quality Planning Policy
- Green Travel Plan
- Energy Efficiency

4.4 The air quality issues at Exeter Road have been analysed and options for traffic management are unlikely to resolve the pollution problems. Heavy Duty Vehicles (HDV) contribute disproportionately to emissions, but have no option but to use this road. Due to the narrow carriageway and listed buildings there are no traffic management options.

4.5 One consideration is the concept of a link road between the Lords Meadow industrial area and the A377, bypassing Exeter Road. Analysis suggests that such a proposal could reduce traffic emissions in Exeter Road by 20%. The County Council is researching options to overcome environmental concerns including the effect of a link road scheme on the flood plain. However, there are significant costs involved in constructing a link road, and the County assess that the benefits are unlikely to justify the level of transport funding required.

4.6 Therefore, the County is encouraging the District Council to seek contributions towards this scheme from any development that increases traffic in Exeter Road through this Supplementary Planning Document.

- 4.7** Subject to progress with planned development in the area, the County consider it may be necessary to identify funding contributions from the Local Transport Plan towards the end of the five year programme.
- 4.8** Traffic management measures to reduce queuing and delays in the High Street have been developed and it has been assessed that intervention will result in reduced concentrations of NO₂ to levels below the exceedance.
- 4.9** The Air Quality Action Plan sets out measures and broad costs of their implementation. Since then more work has been carried out on the costs of improving air quality. There are two alternative routes for a link road between the Lords Meadow industrial area and the A377. The County Council will consult on these and then decide on the preferred route. The cost of the alternative routes are estimated at the moment, but will be firmed up before this SPD is adopted. Implementation of the Air Quality Action Plan is estimated at £5.25m to £10.25m, depending upon the route. The majority of which is for the provision of a link road. This provision is the only measure that has a high impact on reducing air pollution on Exeter Road.
- 4.10** Further development in Crediton and other settlements that would lead to an increase in traffic in Exeter Road or the High Street will have a cumulative and worsening impact on air quality. For development to be acceptable mitigation is required. The implementation of the Action Plan would provide mitigation and allow development to proceed.
- 4.11** PPS23 advises that air quality may be material in the consideration of individual planning applications where pollution considerations arise. Also that the existing, and likely future, air quality in an area, including any Air Quality Management Areas or other areas where air quality is likely to be poor (including the consideration of cumulative impacts of a number of smaller developments on air quality, and the impact of development proposals in rural areas with low existing levels of background air pollution).
- 4.12** The scale of development for different uses in Crediton over the period of the Local Development Framework (LDF) is set out in the Core Strategy. The annualized development rates in Crediton are:

- 25 market dwellings
- 10 affordable dwellings a year
- 2000 square metres employment gross floorspace
- 210 square metres convenience retail net floorspace
- 135 square metres comparison retail net floorspace.
- 15 market dwellings in villages to the west of Crediton (see below)

4.13 In addition policy COR17 of the Core Strategy sets out villages where the local facilities are such that limited development may be permitted. Of these 21 villages, 8 are located where development is likely to increase traffic through Crediton (Bow, Chawleigh, Cheriton Fitzpaine, Copplestone, Lapford, Morchard Bishop, Sandford and Yeoford) Policy COR12 sets annual market housing development rates in rural areas at 39 a year. Thus it can be estimated that development in villages to the west of Crediton will be in the order of 15 a year.

Use	Mean Trips per day
Private Houses (units)	9.5
Rented housing (units)	3.5
Employment	14
Retail (Convenience per 100 square metres)	187
Retail (Comparison per 100 square metres)	40.5

4.14 All development over the next 10 years will be expected to contribute to fund measures set out in the Air Quality Action Plan. The Devon County Council consider it may be necessary to identify funding contributions from the Local Transport Plan towards the end of the five year programme. The target is therefore set at achieving 50% of the cost of implementing the Air Quality Action Plan through developer contributions.

- 4.15** The contributions by development type for the alternative routes is set out in Appendices 2 and 3. These are directly related to the impact of developments on air quality by relating the scale of development to vehicle trip generation. This is appropriate as the air quality problems are primarily caused by traffic. However, the Council accepts that different uses generate different values and in some cases the viability of the development may be affected. Therefore, the scale of contribution is adjusted to take into account development viability. Evidence that clearly demonstrates trip generation will differ from that set out in this SPD will be a material consideration in determining proposals.
- 4.16** In particular, exceptions sites affordable housing (Adopted Local Plan policy H7) would be unviable if contribution is required and this key corporate target of the Council would be adversely affected. Therefore, for purely affordable housing developments, no contributions will be sought.
- 4.17** Housing developments that contain a mix of market and affordable dwellings under policy H6 of the Adopted Local Plan, will be considered in a similar way to policy MHN 5 of the Adopted Meeting Housing Needs SPD. In that on sites of less than 300 dwellings which provide 40% or more affordable housing meeting the definition in policy H6 of the Local Plan, the contributions sought for air quality will be reduced by the affordable housing proportion.
- 4.18** In addition, the provision of employment land has limited viability in Crediton and is also a corporate objective. To a lesser extent non-food retail is considered to have lower viability than food retail and market housing. The Council will take into account evidence submitted with applications that demonstrate that the development would become unviable if contribution is payed.
- 4.19** Although the scale of contributions set out in Appendices 2 and 3 are based upon development rates set out in the Core Strategy, contributions will be sought from windfall sites as well as allocated land. This will apply where development meets the criteria of being in or adjoining Crediton, identified settlements north and west of Crediton as specified in the Core Strategy policy COR17 (Bow, Chawleigh, Copplestone, Lapford, Morchard Bishop, Sandford and Yeoford), and other development in the area where this will have an adverse impact on air quality.
- 4.20** Normally the landowner may apply to the Authority to modify or discharge a planning obligation 5 years after the receipt of contribution. Where this is not accepted there is a right of appeal. The need to secure sufficient funding and the potential long lead in time for action plan measures, especially the link road means that applications to discharge should be set at 10 years. The Authority will incorporate this into any agreement or undertaking.

Policy AQ3

New development in or adjoining Crediton and other settlements identified in policy COR 17 of the LDF Core Strategy that would lead to an increase in traffic that will have a worsening effect on air quality will be required to provide for mitigation through contribution to implement the Air Quality Action Plan as follows:

Use	Cost range*Note 2 (£)	Unit
Market housing *Note 1	2800 – 5509	per Dwelling
Affordable housing (100%)	0	per Dwelling
Employment	1000 – 2030	100 square metres GFA
Retail - food	55500 – 108449	100 square metres GFA
Retail - non food	9000 - 17616	100 square metres GFA

(GFA = Gross Floor Area)

These costs are based upon current estimated costs. The range is due to the different costs of the road, depending upon the route. Until the route is determined and the cost established, the contribution sought will at the lowest end of the cost range.

The contribution payable shall be as set out above, but will be adjusted to meet the cost of implementing 50% of the Air Quality Action Plan when detailed costs of the road are established.

The contribution sought shall be adjusted for inflation on the 1st April 2009 and each succeeding 1st April. The inflation applied will be taken from the Department of Trade and Industry Quarterly Buildings Price and Cost Indices using the Tender Price Index of Road Construction. The inflation rate applied will be the latest 4 quarters available, including using provisional figures.

*Note 1

Housing developments that contain a mix of market and affordable dwellings under policy H6 of the Adopted Local Plan, will be considered in a similar way to policy MHN 5 of the Adopted Meeting Housing Needs SPD. In that on sites of less than 300 dwellings which provide 40% or more affordable housing meeting the definition in policy H6 of the Local Plan, the contributions sought for air quality will be reduced by the affordable housing proportion.

Small houses (one bedroom) and flats (one bedroom) will have a lower trip generation (4.5 trips a day instead of 9.5) and the contribution sought is reduced accordingly to the range £1326 – 2609.

*Note 2

The range is due to the different costs of the alternative link roads. The contributions by use will be established before adoption of this SPD.

Cullompton

- 4.21** Following consideration by the Council, through the Community Services Committee on 2 November 2006, authorisation was given to make an Air Quality Management Order in respect of Nitrogen Dioxide (NO₂) concentrations and formally designate an Air Quality Management Area (AQMA). Exceedances of an UK Air Quality Objective for nitrogen dioxide are currently being detected in parts of Station Road, Higher Street and Fore Street.
- 4.22** The Council has now received a draft of the source apportionment of the nitrogen dioxide pollution. It is clear that the pollutant is caused by road traffic. The apportionment shows that background pollution is low at around 9% and that 91% is from road vehicles. This supports the Core Strategy policy that the completion of a relief road system with associated traffic management measures will virtually eliminate air pollution in the declared area.
- 4.23** Action on exceedances at Cullompton are less advanced than at Crediton. The draft Air Quality Action Plan and related costings is not programmed to be available until September 2008. The draft plan must then be submitted to the Department of the Environment, Food and Rural Affairs (DEFRA) for appraisal and the final action plan will be available when DEFRA have completed this process, estimated to be early 2009.
- 4.24** Funding the Action Plan differs from the position at Crediton. The completion of a relief road is identified in the Core Strategy policy COR14. The relief road will be funded by the development identified in the policy, therefore that cost will not fall upon other un-allocated sites.
- 4.25** The relief road will provide the long term solution to air quality issues. However, other Action Plan measures will be identified that need to be funded by development.

4.26 The methodology to establish contributions for different uses will follow that set out above in Section 3. This will apply where development meets the criteria of being in or adjoining Cullompton, identified settlements in the area as specified in the Core Strategy policy COR17 (Bradninch, Culmstock, Hemyock, Kentisbeare, Uffculme and Willand), and other development in the area where this will have an adverse impact on air quality. Over the next 10 years development will be expected to contribute to fund measures set out in the Air Quality Action Plan. However, as the relief road will be funded by specific allocations, the cost of other measures will be significantly less than that for Crediton. Therefore, the target is therefore set at achieving the whole cost of implementing the Air Quality Action Plan through developer contributions.

Policy AQ4

New development in or adjoining Cullompton and other settlements identified in policy COR 17 of the LDF Core Strategy that would lead to an increase in traffic that will have a worsening effect on air quality will be required to provide for mitigation through contribution to fully implement the Air Quality Action Plan.

Elsewhere

4.27 It is not anticipated that AQMA's of the scale of Crediton and Cullompton will be declared elsewhere in Mid Devon. There may be some localised declarations.

4.28 In these circumstances the methodology to establish contributions for different uses will follow that set out above in Section 3. All development over the next 10 years will be expected to contribute to fund measures set out in the Air Quality Action Plan. Therefore, the target is therefore set at achieving the whole cost of implementing the Air Quality Action Plan through developer contributions.

Policy AQ5

In any future Air Quality Management Area that may be declared new development in or adjoining that settlement and other settlements identified in policy COR 17 of the LDF Core Strategy, that would lead to an increase in traffic that will have a worsening effect on air quality will be required to provide for mitigation through contribution to fully implement the Air Quality Action Plan.

5.0. WIDER ASSESSMENTS FOR ENVIRONMENTAL IMPACTS

- 5.1 Air quality impacts from a development may not always be considered in isolation to other environmental impacts. With more significant or major development proposals or in the case of development proposals in sensitive locations, a wider range of environment impacts may be required in order to have a balanced view on environmental factors. Examples of other impacts that may require assessment include ecological assessments, transport assessment, noise pollution, climate change, health impact assessments and amenity impact. Any relationships or conflicts arising from these assessments and local air quality needs to be clearly examined and provided as supporting information.
- 5.2 Environmental Impact Assessment (EIA) is a formal procedure that must be followed for certain types of development before they are granted development consent. The requirement for EIA comes from a European Directive (85/33/EEC as amended by 97/11/EC). The procedure requires the developer to compile an Environmental Statement (ES) describing the likely significant effects of the development on the environment and proposed mitigation measures. More information and guidance on EIA is available from the planning pages on the Department for Communities and Local Government website <https://www.communities.gov.uk/>
- 5.3 Whether preparing a formal EIA or a series of wider environmental impact assessments to support a planning application, the onus is on the applicant/developer to agree the scope and methodology of such assessments with the Local Planning Authority in advance. The assessment process requires the magnitude of changes to be set out and taken into account. It is also desirable for a consistent descriptive terminology to be used across the range of environmental impacts considered.
- 5.4 From the developer's point of view, the preparation of an environmental statement in parallel with project design provides a useful framework within which environmental considerations and development design can interact. Environmental analysis may indicate ways in which the project can be modified to avoid possible adverse effects, for example through considering more environmentally friendly alternatives.
- 5.5 For the planning authority and other public bodies with environmental responsibilities, wider assessments of environmental impacts or an EIA provides a basis for better, potentially swifter, decision-making.

6.0. CLIMATE CHANGE AND AIR QUALITY

- 6.1** Emissions of pollutants such as oxides of nitrogen and particulates, which are of interest to local, ambient air quality are typically closely linked to emissions of climate change pollutants such as carbon dioxide.
- 6.2** Policy COR 5 of the Core Strategy addresses measures which will be sought to minimise the impact of development on climate change. Such measures include renewable energy, energy efficiency, transport management and carbon neutrality. Consequently, it would be expected that climate change measures would also have a mitigating or beneficial impact on local air quality.
- 6.3** Caution must be exercised however when considering climate change measures in order to ensure that there no conflict with local air quality. For example, some vehicle emission control technologies may reduce emissions of particulates but can lead to reduced fuel efficiency and increased carbon dioxide emissions. In order to avoid conflict it is recommended that consideration of climate change measures be integrated with considerations of local air quality impact when preparing assessment information to support a planning application.

1. ADOPTED LOCAL POLICIES CONTEXT

Policy S5 - General development requirements

Developments will be permitted provided they meet the following criteria in addition to any other Development Plan policies which apply;

- i) In the case of developments with a significant impact on travel, they are located where the majority of trips involved can be undertaken without use of the private car; and
- ii) local roads have sufficient capacity to cater safely for additional road traffic arising;
- iii) the operation of the site, including any additional road traffic arising, will not be detrimental to the amenity, health or safety of nearby occupants or the wider environment through noise, smell, dust, glare, light pollution, heat, vibration, fumes or other forms of pollution or nuisance; and
- iv) the health, safety or amenity of any occupants or users of the proposed development will not be harmed by any pollution arising from another existing or committed use; and
- v) they are located without harm to the historic interest, appearance and character of any affected landscape, settlement, building or street scene; and
- vi) they are located without loss to open spaces important to the character of the area; and
- vii) the proposal will not lead to harm to protected wildlife species or their habitats or lead to an overall decrease in biodiversity and where possible increases biodiversity; and
- viii) the safety of any occupants or users will not be at risk from ground instability or land contamination; and
- ix) the site will be served by utility services and other infrastructure necessary for the development proposed.

Policy S8 - Travel Plans for non residential developments

Non residential developments likely to generate 100 or more vehicular trips a day will be required to provide a Travel Plan addressing the following:

- i) reduced car usage;**
- ii) increased use of public transport, walking and cycling;**
- iii) improved road safety and security, and**
- iv) delivery and freight movements**

If the development is permitted, implementation of the Travel Plan will be required as a condition of that permission.

Local Plan text – Crediton

The completion of the North Devon Link in 1987 has reduced through traffic levels, particularly heavy goods vehicles, and help overall traffic levels. The town however, still suffers through traffic, and access to on its industrial premises and estate is still very poor, reflecting the lack of a bypass or industrial access link road. Proposals for a bypass, contained in the Structure Plan, have yet to come to fruition and currently a comprehensive review of the future transport needs of the town is underway.

2. LOCAL DEVELOPMENT FRAMEWORK – CORE STRATEGY

The Core Strategy was adopted in July 2007.

The Vision set out the following (underlining added):

Conserve and enhance the area

High quality design in new developments

Clean air and water

Wildlife, heritage and history is valued and protected

Attractive countryside providing for biodiversity and employment

Market Towns

The market towns of Tiverton, Cullompton, Crediton and Bampton will be the main focuses of new development, in scale with their individual infrastructures, economies, characters and constraints. Development will be targeted to

- provide a sustainable mix of homes, businesses, shops, leisure, health, education and many other uses, creating a balance that increases self-sufficiency, resolves existing problems where this is feasible and helps to meet rural needs;
 - protect and enhance their environmental assets including their character, biodiversity, heritage, setting and air quality;
 - develop underused and brownfield sites within the towns in preference to greenfield land or public open spaces; and
- enhance town centres as accessible, vital and viable locations for a vibrant mix of uses, and as public transport hubs.

Core Policies make reference to air quality (the following only show relevant criteria and underlining is added):

COR1

Sustainable Communities

Growth will be managed so that development meets sustainability objectives, brings positive benefits, supports the diverse needs of communities and provides vibrant, safe, healthy and inclusive places where existing and future residents want to live and work through:

- j) supporting improvements to local air quality levels.**

COR14

Cullompton

The Council will guide high quality development and other investment to:

- d. Promote the removal of through traffic from the town centre and improve local air quality by enhancing walking and cycling opportunities around the town, completing a relief road system and implementing air quality action plan initiatives.**
- e. Ensure developments within, adjoining or affecting the Air Quality Management Area provide measures to meet air quality objectives, taking full account of cumulative development impacts and based on air quality assessments giving realistic “baseline” and “with development” scenarios.**

The following reasoned justification is relevant:

Cullompton’s air quality problems, arising primarily from traffic flows on Station Road and the High Street, present a strategic issue for the District. The Core Strategy identifies solutions to help resolve the problem such as the completion of a relief road system. This will require careful planning of development in Cullompton to ensure these strategic objectives are met. There is a need to allocate sufficient development in Cullompton to support the necessary solutions. The Local Plan Inspector made longer term recommendations in this respect which the Core Strategy will allow to be addressed.

COR15

Crediton

The Council will guide high quality development and other investment to:

- d Promote a reduction of traffic on congested streets within Crediton and improvements to local air quality by enhancing walking and cycling opportunities around the town and implementing air quality action plan initiatives.**
- e Ensure developments within, adjoining or affecting the Air Quality Management Area provide measures to meet air quality objectives, taking full account of cumulative development impacts and based on air quality assessments giving realistic “baseline” and “with development” scenarios.**
- f Promote improved public transport links to Exeter and Tiverton including the provision of a link road between the A377 and Lords Meadow Industrial Area.**

The following reasoned justification is relevant:

Crediton is a medium sized market town, in the west of the district. It has some local employment and service provision, sufficient for there to be a discernible employment catchment area, covering adjacent rural areas. Whilst about half of the resident workforce also work in the town, the proximity of Exeter exerts a considerable influence. As a result, there is considerable travel into Exeter, both for employment and shopping trips. For example, 26% of residents commuted to Exeter for employment in 2001. One physical implication of this is the air quality problem arising from traffic volumes along Exeter Road. The Devon Local Transport Plan 2006-2016 is considering the feasibility of a link road between the Lords Meadow industrial area and the A377, bypassing Exeter Road. In any case, the District Council will explore the potential for development to contribute towards this and other air quality improvement measures.

Crediton is subject to air quality problems within the town centre as well. An Air Quality Management Plan is being prepared, and some of its proposals are likely to be helped by appropriate planning intervention. Further details of this will be included in the Creedy/Taw Area Plan as they become clearer. The physical expansion of the town is fairly constrained and there are limited potential sites for economic development. Because of the economic pull of Exeter it is important to bring forward employment land to increase self-containment. Constraints to employment growth mean that relatively lower levels of housing growth are proposed for the town in comparison to Cullompton. Accordingly some 10% of the housing and 14% of the employment growth for the district is directed to Crediton.

3. DEVON LOCAL TRANSPORT PLAN

Extracts from Devon Local Transport Plan 2006-2011

Crediton was declared an Air Quality Management Area by Mid Devon District Council in November 2004. Detailed analysis of the sources of pollutants indicates that traffic emissions are a significant contributor to the pollution, both in the High Street, and at Exeter Road. An Air Quality Action Plan is being developed, in partnership with the District Council including measures to address the traffic related pollutants. Public consultation on the draft Action Plan is currently in progress. Links to information regarding the Action Plan are available at www.devon.gov.uk/transport.

Traffic management measures to reduce queuing and delays in the High Street have been developed. It has been assessed that this intervention will result in reduced concentrations of nitrogen dioxide to levels below that which constitutes an exceedance. These measures are included in the Towns, Villages and Rural Communities Programme. In addition measures are being taken to improve the quality of school buses to reduce their emissions as they travel through High Street.

Analysis has indicated that assessed options for traffic management are unlikely to resolve the pollution problems in Exeter Road. One of the proposals to emerge from a "Planning for Real" exercise in Crediton was the concept of a link road between the Lords Meadow industrial area and the A377, bypassing Exeter Road. Analysis has indicated that such a proposal could reduce traffic emissions in Exeter Road by up to 20%.

Work is proceeding, researching options to overcome environmental concerns including the effect of a link road scheme on the flood plain. However, there are significant costs involved in constructing a link road, and the assessed benefits are unlikely to justify the level of transport funding required. The District Council is being encouraged to seek contributions towards this scheme from any development that increases traffic in Exeter Road through Supplementary Planning Guidance.

Subject to progress with planned development in the area, it may be necessary to identify funding contributions from the Local Transport Plan towards the end of the five year programme. If appropriate, this will be incorporated in the Towns, Villages and Rural Communities Programme and reported through the Progress Reports.