

Report to Planning Committee

Subject: Air Quality and Emissions Mitigation: Guidance for Developers

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1. Purpose of the Report

To inform Members of Planning Committee of the preparation of the Air Quality and Emissions Mitigation: Guidance for Developers (the Guidance).

To inform Members of Planning Committee of the intention to use the Guidance in dealing with planning applications on an informal, voluntary basis.

2. Background

As set out in paragraph 1.1 of the Guidance long term exposure to air pollution is estimated to cause 29,000 premature deaths each year in the UK at an average loss of life expectancy of 6 months. Like most local authorities, especially those in urban areas, Gedling Borough has particular problems with air quality. The main cause of this is 'tail-pipe' emissions from vehicles.

This problem has led to the designation of part of Mansfield Road (A60) as an Air Quality Management Area (AQMA) due to the high level of nitrogen dioxide in the area.

The impact on air quality is material consideration in making planning decisions. Paragraph 124 of the National Planning Policy Framework highlights that planning decision should ensure that new development in AQMAs is consistent with the local action plan and that policies should contribute to EU limit values and national objectives. The National Planning Practice Guidance includes a section on air quality which identifies that concerns on air quality could arise if a development is likely to generate an impact where air quality is known to be poor and particular where it could lead to a breach of EU legislation.

As part of the Action Plan required by the designation of the AQMA, Guidance has been prepared to set out the measures which will be taken to help reduce vehicle emissions which occur as a result of development proposals. The

guidance will apply across the whole Borough in order to improve air quality and avoid other areas having to be designated as AQMAs. It sets out a number of actions to be taken depending on the scale of the development. This include:

- The provisions of charging points for electric vehicles;
- Mitigation measures during construction periods;
- Mechanisms in Travel Plans to discourage high emissions vehicles; and
- Financial contributions towards bike/e-bike schemes or Air Quality Monitoring programmes.

As the Guidance has not been tested through the Local Plan process we are unable, at this stage, to require developers to include the mitigation measures in their proposals. The Guidance will carry some weight as a material consideration in determining planning applications and we will seek agreement with developers to include many of the mitigation measures on a voluntary basis.

In the longer term, it is proposed to incorporate the Guidance into the Local Planning Document. This will bring the requirements of the Guidance into the statutory Development Plan giving it more weight. There will need to be further consultation on the Local Planning Document and a need to assess the requirements of the Guidance in terms of its implications for financial viability. Ultimately, the Local Planning Document will be subject to independent examination by a Planning Inspector and adoption is expected to take place in December 2015.

3. Proposal

In the short term it is proposed to use the Guidance as the basis to seek agreement with developers to include the mitigation measures on a voluntary basis, where possible.

In the longer term, it is proposed to look to incorporate the guidance into the Local Planning Document.

4. Resource Implications

Negotiating with developers may increase the time spent on an application by Development Management officers. There will also be a staff time implication due to the increased monitoring required by the requirements of the Guidance.

5. Recommendation

It is recommended that:

- a. Members note the use of the Guidance on an informal, voluntary basis prior to adoption of the Local Planning Document; and
- b. Note the intention to include the Guidance in the Local Planning

Document.

6. Appendices

Appendix 1 - Air Quality and Emissions Mitigation: Guidance for Developers