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|  Executive 27 June 2018 | | Agenda Item No. <h1 style="text-align: center;">6</h1> |
| Title | Air Quality SPD | |
| For further information about this report please contact | Hayley Smith: Senior Planning Officer Hayley.smith@warwickdc.gov.uk 01926 546331 | |
| Wards of the District directly affected | All | |
| Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006? | No | |
| Date and meeting when issue was last considered and relevant minute number | N/A | |
| Background Papers | Warwick District Local Plan (2011-2029) | |

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| Contrary to the policy framework: | No |
| Contrary to the budgetary framework: | No |
| Key Decision? | Yes |
| Included within the Forward Plan? (If yes include reference number) | Yes |
| Equality Impact Assessment Undertaken | Yes |
| The Local Plan has been subject to an equalities impact assessment which assessed the implications of consultations on equalities. | |

| | | |
|---|-------------|------------------------------------|
| Officer/Councillor Approval | | |
| Officer Approval | Date | Name |
| Chief Executive/Deputy Chief Executive | | Chris Elliott/ Bill Hunt |
| Head of Service | | Dave Barber |
| CMT | | Chris Elliott/Andy Jones/Bill Hunt |
| Section 151 Officer | | Mike Snow |
| Monitoring Officer | | Andy Jones |
| Finance | | Mike Snow |
| Portfolio Holder(s) | | Cllr Alan Rhead |
| Consultation & Community Engagement | | |
| The documents are submitted to committee with a recommendation that it be subject to public consultation | | |
| Final Decision? | No | |
| Suggested next steps (if not final decision please set out below) | | |
| Consultation results will be reported back to Executive with any relevant amendments to the documents and a recommendation to adopt | | |

1. **Summary**

- 1.1 The Warwick District Local Plan 2011 – 2029, adopted in September 2017, requires relevant applications to provide an air quality assessment (Policy TR2). These assessments are in turn required to use guidance, currently the Low Emission Strategy Guidance, published in 2014. Working with authorities in the sub-region this Guidance has been reviewed and revised and the document (Appendix 1) prepared.

2. **Recommendation**

- 2.1 That the Executive agree the content of the Draft Air Quality SPD attached as Appendix 1 and recommends that this be made subject to a public consultation for no less than 6 weeks.
- 2.2 That Executive note that following the public consultation a final version of the SPD will be brought before them to formally approve, following which it will assist in the determination of planning applications.

3. **Reasons for the Recommendation**

- 3.1 The policies within the NPPF and the Local Plan supersede those quoted throughout the current Low Emission Strategy Guidance.
- 3.2 The draft SPD gives clear criteria for applicants to follow and also demonstrates the mitigation required dependant on the air quality issues caused by the development.
- 3.3 The SPD has been developed in conjunction with other local authorities in the sub-region (with the exception of North Warwickshire) to ensure that a consistent methodology and mitigation process is used across the area.
- 3.4 The Council's 'Statement of Community Involvement' (SCI) adopted in January 2016, outlines in Table 2, guidance on community involvement in stages of Supplementary Planning Document (SPD) production. The SCI states that once guidance, such as the Air Quality SPD, has been prepared, comments will be invited from all interested parties and the wider community. This document has now reached this stage and consultation is required to progress the document.

4. **Policy Framework**

4.1 **Fit for the Future (FFF)**

"The Council's FFF Strategy is designed to deliver the Vision for the District of making it a Great Place to Live, Work and Visit. To that end amongst other things the FFF Strategy contains several Key projects.

"The FFF Strategy has 3 strands – People, Services and Money and each has an external and internal element to it. The table below illustrates the impact of this proposal if any in relation to the Council's FFF Strategy."

| FFF Strands | | |
|--------------------|-----------------|--------------|
| People | Services | Money |
| External | | |

| Health, Homes, Communities | Green, Clean, Safe | Infrastructure, Enterprise, Employment |
|---|--|---|
| <u>Intended outcomes:</u> Improved health for all Housing needs for all met Impressive cultural and sports activities Cohesive and active communities | <u>Intended outcomes:</u> Area has well looked after public spaces All communities have access to decent open space Improved air quality Low levels of crime and ASB | <u>Intended outcomes:</u> Dynamic and diverse local economy Vibrant town centres Improved performance/productivity of local economy Increased employment and income levels |
| Impacts of Proposal | | |
| The Air Quality SPD will ensure appropriate mitigation is in place to deliver better air quality. | The Air Quality SPD will ensure appropriate mitigation is in place to deliver better air quality | Not applicable |
| Internal | | |
| Effective Staff | Maintain or Improve Services | Firm Financial Footing over the Longer Term |
| <u>Intended outcomes:</u> All staff are properly trained All staff have the appropriate tools All staff are engaged, empowered and supported The right people are in the right job with the right skills and right behaviours | <u>Intended outcomes:</u> Focusing on our customers' needs Continuously improve our processes Increase the digital provision of services | <u>Intended outcomes:</u> Better return/use of our assets Full Cost accounting Continued cost management Maximise income earning opportunities Seek best value for money |
| Impacts of Proposal | | |
| The SPD will assist staff assessing planning proposals and provides a tool by which advice can be given to applicants for planning permission | Some of the required mitigation will help Environmental Services deliver better air quality management. | Not applicable |

4.2 **Supporting Strategies**

Each strand of the FFF Strategy has several supporting strategies. The Local Plan is one of the key strategies, cutting across many of the FFF strands.

4.3 **Changes to Existing Policies**

This document seeks to support the policies adopted within the Local Plan and adheres to national policies. It is intended that the Air Quality SPD would replace the Low Emission Strategy Guidance (2014).

4.4 **Impact Assessments**

The Consultation will be undertaken in line with the Council’s Statement of Community Involvement (SCI) 2016 approved by Executive in January 2016. The SCI specifically seeks to ensure that all relevant sectors of the community are consulted. The Local Plan has been subject to an equalities impact assessment which assessed the implications of consultations on equalities.

5. Budgetary Framework

5.1 The costs of conducting the consultations and reviewing the responses are covered within the existing budget framework.

6. Risks

6.1 There are no specific risks related to taking the proposed SPD out to public consultation

7. Alternative Option(s) considered

7.1 The Executive could decide not to pursue the adoption of an Air Quality SPD but this would have a detrimental affect overall on the health and wellbeing of residents by depriving officers of the support required to ensure that developments are designed with appropriate air quality mitigation.

8 Background

8.1 The draft SPD has been jointly prepared with partners in Warwickshire and Coventry. It represents an evolution of the Low Emission Strategy Guidance for Developers published in 2014, and will directly supplement policies in the adopted local plan. The table below summarises key principles in the SPD and key differences between the existing 2014 guidance and the draft SPD.

Summary of key points and key differences

| Key point/principle | Has/How has this changed? | Why? |
|--|--|--|
| A glossary of terms has been included at the beginning of the document | Not included in the 2014 guidance | Intended to make the SPD more user friendly as there are multiple technical definitions and acronyms which are used throughout the document. |
| Purpose of the guidance <i>“The guidance establishes the principle of Warwick District as an emission reduction area and requires developers to use reasonable endeavours to minimise emissions, and where necessary, offset the impact of development on the environment.”</i> | The purpose is the same as the 2014 guidance. | The purpose remains the same. The document represents an evolution of the guidance and seeks to give it greater weight in the planning process. It includes greater detail on specific types of development and specific issues. |
| Section 2 of the document sets out local context on air quality, including each of the Air Quality Management Areas (AQMAs) in the district. | This was not previously included in full in the 2014 guidance, though references were made to the AQMAs. | To set out the local context for users of the document, and for ease of cross-referencing. |
| Section 3 – National policy and practice | The draft also takes account of the consultation changes to | To illustrate the increasing emphasis nationally on air |

| Key point/principle | Has/How has this changed? | Why? |
|---|---|--|
| | the NPPF. Whilst clearly not adopted policy at the time of writing, they do suggest a renewed emphasis on air quality. | quality. |
| Section 4 – Local plan | The local plan had not been adopted at the time the 2014 guidance was published. The 2014 guidance did not directly supplement adopted local policies. | The 2014 guidance was published prior to the adoption of the current local plan. The new SPD is intended to supplement policies TR1 and TR2 within the adopted local plan. |
| <p>There is a 3 stage process to assessing air quality for relevant planning applications:</p> <ul style="list-style-type: none"> • Determining the classification of the development proposal. • Assessing and quantifying the impact of air quality. • Determining the level of mitigation required by the proposal to make the scheme acceptable. | The 3 stage process is the same as in the 2014 guidance, though some detail in the classification of development has been updated (see below) | Consistent approach to the process of assessment. |
| Stage 1 – development type classification (see page 17 of the draft SPD). | <ul style="list-style-type: none"> • The threshold for minor classification is the same as the 2014 guidance. • The threshold for medium classification has been amended and no longer includes “where the development is for any B2 or B8 use falling below major classification.” • The threshold for major development – 2 out of 3 criteria have been amended. • In addition, table 2 of the draft SPD includes 14 additional trigger criteria for major developments | To reflect current best practice and experience. |
| Stage 2 – impact assessment | <p>No changes to the type of assessment required for any development classification.</p> <p>A set of criteria for assessing the likelihood of additional exposure are set out. This</p> | <p>Consistent approach to assessment</p> <p>Provides additional detail and clarification to the principle established in the 2014 guidance.</p> |

| Key point/principle | Has/How has this changed? | Why? |
|--|--|--|
| | develops on from the 2014 guidance. | |
| Stage 3 - mitigation | <ul style="list-style-type: none"> • The <u>types</u> of mitigation required for different development classifications remain the same as the 2014 guidance. • Examples of mitigation measures for each type of mitigation are included in tables 3-5. This gives additional detail compared with the 2014 guidance. | To provide additional detail and guidance for all involved on the most likely examples of mitigation measure in each type of mitigation. |
| Non-road mobile machinery controls | Specifications required for construction machinery are included (table 6) as these can have a significant impact during the construction phase. These would typically guide the expectations of a Construction Management Plan, often required by condition to large scale planning permissions. | To try and provide further mitigation during the construction phase. |
| Specific issues have been included which can have an impact on air quality. These include: <ul style="list-style-type: none"> • Heating • Biomass boilers • Standby/back-up power generation • Mechanical ventilation • Green Infrastructure and planting | These specific issues were not all specifically addressed in the 2014 guidance. Each subsection sets out, as appropriate, particular assessment requirements. | To clarify the way planning applications which incorporate these matters will be considered. |
| S106 and CIL | The draft SPD sets out how infrastructure for air quality improvement may be funded, which was not previously included in the 2014 guidance. | To clarify how air quality infrastructure might be funded. |