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For Office Use Only:	
Library Reference	133/16
Date Received	30/08/16
Bulletin	Aug 16



proposed local development plan
technical note 12 2016

PLANNING FOR AIR QUALITY

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LIST OF ABBREVIATIONS

ABBREVIATION	FULL TITLE
AQMA	Air Quality Management Area
AQS	Air Quality Strategy
CAFS	Cleaner Air for Scotland
CO2	Carbon Dioxide
EIA	Environmental Impact Assessment
EPUK	Environmental Protection United Kingdom
EU	European Union
LAQM	Local Air Quality Management
LAQM.PG	Local Air Quality Management Planning Guidance
LDP	Local Development Plan
NH12	Natural Heritage Policy 12 – Air Quality
NLEF	National Low Emission Framework
NMF	National Modelling Framework
NO2	Nitrogen Dioxide
PAN	Planning Advice Note
PM10	Particulate Materials
SPP	Scottish Planning Policy
TN	Technical Note

1 INTRODUCTION

1.1 East Lothian Council's Proposed Local Development Plan (LDP) is accompanied by a series of Technical Notes that explain how key aspects of the Local Development Plan for East Lothian have been developed. They describe the approach taken by the Council to various planning strategy or policy issues.

1.2 This Technical Note explains the considerations that underlie the air quality issues in the LDP. Air Quality is a material planning consideration in the Development Management process. New developments may increase the emission of pollutants that are harmful to human health and impact on the quality of life. Well designed developments can actively help to enhance air quality, manage exposure and reduce overall emissions.

1.3 This Technical Note provides guidance on the way in which air quality and air pollution issues will be dealt with through the Local Development Plan. The Technical Note has the following objectives:

- To set out the policy framework
- To ensure air quality is properly considered in the planning process and highlight developments where air quality may be a material consideration
- To identify development proposals that will require an air quality assessment
- To provide guidance on the process of air quality assessment
- To set out the Council's approach to the use of planning conditions and S75 agreements in respect of air quality

1.4 This Technical Note sets out the background on air quality across East Lothian. It explains the approach that the proposed LDP takes to meet the Scottish Planning Policy (SPP) and Strategic Development Plan Air Quality requirements.

2 NATIONAL AND REGIONAL PLANNING POLICY, GUIDANCE AND ADVICE

The UK Air Quality Strategy (AQS)

2.1 The UK Air Quality Strategy (AQS) was developed by Government in 1997 and has subsequently been revised in 2003 and 2007. This sets out the national policy approach to air quality across the UK. The AQS sets out a series of air quality objectives which Local Authorities must work towards achieving. The UK air quality objectives are derived from legally binding limit values set in EU legislation. Council obligations in this regard are laid down in the Environment Act 1995 which prescribes a system called Local Air Quality Management (LAQM). It should be noted that although the objectives are policy targets (the Council are not legally obliged to achieve them), all of the UK objectives are at least as stringent as the European Limit Values for the various pollutants. The Limit Values carry legal standing and have been written into UK law through the various Air Quality Standards Regulations. Scottish Government has adopted a PM10 annual mean objective that is lower than the UK or EU standard. The Scottish PM10 standard is written into regulation and therefore carries equivalent weight to the Limit Value based standards.

2.2 The LAQM framework requires Local Authorities who find exceedances of air quality objectives within their geographical area to designate Air Quality Management Areas (AQMAs) and

produce an Air Quality Action Plan setting out measures they intend to take to work towards the objectives.

2.3 The Scottish Government's air quality policy guidance has recently been updated (LAQM.PG(S)(16)) and sets out the relationship between air quality management and planning in Scotland. Scottish Government advice is that air quality is likely to be a material consideration for large scale proposals or if they are likely to be occupied by sensitive groups, such as the elderly or young children, or are likely to have cumulative effects. A study of air quality may be warranted, particularly for proposals which are likely to have a significant impact on air quality.

PAN51 - Planning, Environmental Protection and Regulation

2.4 Planning Advice Note 51 (PAN 51) advises on the policies and practices that should be adopted by planning authorities and others involved in planning new developments and redevelopments. It explains the role of the planning system in relation to the LAQM and environmental protection regimes.

Cleaner Air for Scotland – The Road to a Healthier Future

2.5 In November 2015 the Scottish Government published a national strategy on air quality, which sets out how the Government, and its partner organisations, aim to achieve further reductions in air pollution. Cleaner Air for Scotland (CAFS) sets out six key objective areas, including transport, health, legislation & policy, place-making, communication and climate change, and introduces the proposed National Modelling Framework (NMF) and the National Low Emission Framework (NLEF). The strategy notes that local authority action plans will continue to play an essential role as part of the LAQM system in particular, as well as in wider efforts to improve air quality.

3 Air Quality and Land Use Planning

3.1 Local authorities should integrate air quality considerations within the planning process at the earliest possible stage. To facilitate this they should consider developing specific policy responses or protocols. Although the land use planning system does not offer any quick-fix solutions to areas of poor air quality, it can do much to improve local air quality in the longer term, as well as ensuring in the short term that existing air quality does not deteriorate.

3.2 Some issues that should be considered in the preparation of development plans, and may also be material in the consideration of individual planning applications, are as follows:

- Ensuring that the land use planning system makes an appropriate contribution to the achievement of air quality objectives;
- the need to identify land, or establish criteria, for the location of potentially polluting developments and the availability of alternative sites;
- inclusion of policies on the appropriate location for new development, including reducing the need to travel and promoting public transport;
- the potential effects of particular types of developments on existing and likely future air quality, particularly in and around AQMAs; and
- the requirements of air quality action plans.

3.3 In considering whether a site within the vicinity of an AQMA is an appropriate location for new housing, planning authorities should consider where within the AQMA likely exceedences have been identified, how great these exceedences are and when it is forecast that the objectives will be met. It should also consider the potential effect on air quality of the new housing development.

3.4 The 2010 EPUK guidance document: 'Development Control, Planning for Air Quality' states that a significant change in traffic volume within an AQMA is considered to be 5% or more. Accordingly, East Lothian Council request that an assessment of the impact of any new development and also any cumulative impact of this development upon the AQMA be carried out. Further traffic management measures are required to manage cumulative impact on the local road network as well as air quality concerns because of the additional trips that will be generated by new development in the area.

3.5 The Council has assessed mitigation measures necessary to address the associated impacts of planned new development and will assess any windfall proposals on merit. The need for an Air Quality Assessment will be confirmed on a case-by-case basis. Where such an assessment indicates that air quality is likely to be an issue, there will be a need for mitigation. Additional air quality mitigation measures can be incorporated within planned developments, for example providing infrastructure to support modes of transport with low impact on air quality to help reduce cumulative impacts arising from unplanned developments.

Air Quality in East Lothian

3.6 Currently air quality in East Lothian is very good. The Council has been annually reviewing and assessing local air quality since 2003. The majority of pollutants (Benzene, 1,3-Butadiene, Carbon monoxide, Sulphur dioxide and Lead) have been screened out in assessments and exceedences of air quality objectives for these pollutants across East Lothian are not considered likely.

3.7 The pollutants of greater concern are Particulate Material (PM10) and Nitrogen Dioxide (NO₂), principally from road traffic sources. For both of these pollutants air quality objectives are unlikely to be exceeded across most of East Lothian. PM10 levels are not considered likely to breach objectives at this time but monitoring continues in the Musselburgh area.

3.8 The main issue relates to Nitrogen Dioxide (NO₂). In June 2012, the Air Quality Detailed Assessment for Musselburgh was completed. It concluded that the highest annual average NO₂ concentrations, using monitoring data from 2011 and also computer modelling, were predicted at receptors located on High Street and Bridge Street close to bus stops and that the majority of the predicted annual mean exceedences were marginal.

3.9 Additional monitoring of NO₂ levels took place in 2012-13 to verify the computer modelling. The results confirmed that parts of the High Street are just exceeding the Nitrogen Dioxide Annual Mean Objective which is a measure of possible longer term exposure. The 1-hour mean Objective for NO₂ (a measure of short term exposure) is unlikely to be breached. Monitoring of NO₂ levels in other parts of Musselburgh (including Bridge Street) will continue.

3.10 Additionally Monitoring of NO₂ in Tranent will continue as many of the vehicle trips that generate issues at Tranent High Street (A199) originate from development along the B6414 (e.g. Elphinstone) the B6371 (e.g. Ormiston) and the B6355 (e.g. Pencaitland) road corridors. Trips also originate from further east along the A199 (e.g. Macmerry) although the Gladsmuir A1(T) Interchange provides an alternative route to access the trunk road for trips that originate further east. The cumulative impact of new development in these areas will introduce a significant amount of additional vehicle trips to Tranent High Street and to the Bankton and Dolphinstone A1(T) Interchanges. Current monitoring does not indicate any exceedence of air quality objectives at this time.

4 THE PROPOSED LDP APPROACH

4.1 In association with other plans the LDP will help to maintain or enhance air quality objectives. It will do this because it has taken these factors into account when selecting locations for development and by ensuring its development strategy is complemented by air quality mitigation measures. It will seek to integrate land use and transport and minimise the need to travel as well as the distance travelled. It will do this by promoting town centres as accessible locations for a mix of land uses and services and providing community services locally. It will help promote active travel choices and public transport as alternatives to other motorised transport, and seek to reduce the need to travel as well as distances that need to be travelled. While overall CO₂ emissions and transport based particulate matter is likely to increase as a result of overall growth requirements in the area, the preferred strategy would focus development in the most accessible parts of East Lothian where there is good public transport accessibility and good local access to facilities, services and employment. This will promote the use of public transport as well as active travel options, and thus help minimise the need to travel by car as well as associated air quality impacts and CO₂ emissions.

4.2 However, there are currently air quality issues in Musselburgh. Any impact of additional development on air quality in Musselburgh will require mitigation, and the impact of the preferred strategy may be more acute in certain locations such as Musselburgh High Street. An Air Quality Action Plan is being developed which will focus on effective, feasible, proportionate and quantifiable measures as the top priority in ensuring improvement in local air quality and future compliance with air quality objectives, including the impact of new development planned for by the LDP.

4.3 The approved Air Quality Action Plan will, inter-alia, set out short and longer term measures for improving local air quality and shall likely include measures such as seeking emissions improvements to local bus and commercial fleets and also the relocation of bus stops. This will be concluded in association with the LDP and will take into account the secondary effects of proposed LDP sites, based on detailed transport and air quality modelling work, and will ensure that the mitigation takes into account the likely cumulative impact of the Plan. An Urban Traffic Control system will be introduced to Musselburgh to regulate the flow of vehicles through the town centre. This will ensure that levels of through traffic, and thus vehicle emissions, are minimised in future and that air quality is not compromised, while maintaining appropriate and acceptable levels of local road network performance. This, in combination with improvement to the bus fleet and a more appropriate positioning of bus stops, will help ensure that air quality in the area is maintained at acceptable levels. It may be that project level EIA would be required for some proposals, including any relevant windfall proposals.

4.4 Air quality continues to be monitored at a number of other locations, including Tranent High Street and currently National Air Quality Standards are being met in these other locations. However,

it is important that new development and associated road traffic does not exacerbate air quality issues at the existing AQMA or lead to deterioration in air quality at other locations that would breach National Air Quality Standards. Air Quality Assessments will therefore be required for certain types of development in relevant locations. The need for assessment will be determined on a case-by-case basis but is likely to include all major development proposals within the Musselburgh 'cluster' area, and large development proposals within or adjacent to Tranent, Wallyford, Prestonpans, Elphinstone and Ormiston. These are key areas where the magnitude of change as well as the concentration of pollutants in air caused by proposed development is a concern. In some cases, any additional contribution of emissions may worsen air quality and cause the creation of a new AQMA and, therefore, a small change in pollutant concentration can be as much a cause for concern as a large one. The associated text to Policy NH12: Air Quality therefore requires that applicants are encouraged to contact the Council's Environmental Protection Service at an early stage to confirm whether an Air Quality Assessment will be needed.

4.5 Where assessment indicates that air quality is likely to be an issue, there will be a need to identify suitable mitigation measures. These could include using green infrastructure, particularly trees, to absorb pollutants; providing infrastructure to support modes of transport with low impact on air quality (e.g. electric vehicle charging points); or financial contributions to measures identified in the forthcoming Musselburgh AQMA Action Plan, that will offset the impact on air quality of new development. Development proposals that result in either a breach of National Air Quality Standards or a significant increase in concentrations of air pollution within an existing AQMA will not be supported.

4.6 In order to integrate air quality considerations within the planning process Policy NH12: Air Quality requires that any development within or close to an Air Quality Management Area will need an Air Quality Assessment. Should the proposed development (planned or otherwise) breach the National Air Quality Standards it will not be supported. The policy states that if sufficient mitigation measures are put in place and a financial contribution paid to mitigate the issue then the development may be supported. By applying this policy East Lothian can do much to improve local air quality in the longer term, as well as ensuring in the short term that existing air quality does not deteriorate.

St Baldred's Craule

Tyne Mouth



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