

EAST HERTS COUNCIL

DISTRICT PLANNING EXECUTIVE PANEL – 13 OCTOBER 2016

REPORT BY THE LEADER OF THE COUNCIL

AIR QUALITY PLANNING GUIDANCE, OCTOBER 2016

WARD(S) AFFECTED: ALL

Purpose/Summary of Report

- This report presents an Air Quality Planning Guidance prepared to support the East Herts District Plan and to assist in the Development Management process. The guide is intended to provide clarity and consistency by confirming how the Council will assess planning applications in relation to air quality.

RECOMMENDATION FOR DISTRICT PLANNING EXECUTIVE PANEL: That Council, via the Executive, be advised that:

(A)	the Air Quality Planning Guidance, October 2016 be agreed as guidance to inform Development Management decisions.
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1.0 Background

1.1 The East Herts Local Plan Review 2007 requires development proposals to consider the impact of development on air quality and to submit appropriate details to enable a full judgement of the impact of the development to be made. Policy ENV27 requires any development within designated Air Quality management Areas to have regard to the strategy for reducing pollutants in such areas.

1.2 The Council has recently approved the Pre-Submission District Plan for consultation. Chapter 24 of the Plan also addresses air quality; Policy EQ4 Air Quality requires development and land uses to minimise potential impacts on local air quality and be supported by an Air Pollution Assessment in line with the Council's Air Quality Planning Guidance Document. This requirement was written in anticipation of the completion of the guidance presented in this report.

1.3 Policy EQ4 Air Quality further requires developments within a designated Air Quality Management Area, or which may impact on these areas, to have regard to the Council's latest strategy and action plan for the reduction of pollutants. Evidence of mitigation measures is required. To this end, the Council has prepared an Air Quality Planning Guidance, which is presented as **Essential Reference Paper 'B'**.

1.4 The Department for Environment, Food and Rural Affairs has recently updated its guidance on Local Air Quality Management (Policy Guidance (PG16), April 2016) as part of the Government's duties under Part IV of the Environment Act, 1995. This guidance is statutory and all relevant Local Authorities should have regard to it. This Policy Guidance therefore forms the basis of the East Herts Air Quality Planning Guidance.

2.0 Report

2.1 The Air Quality Planning Guidance comprises three chapters. Chapter 1 introduces the air quality issues experienced in East Herts, and explains the duties the authority has in terms of monitoring and improving air quality. Chapter 1 also explains the role of planning as a tool to influence and make improvements to air quality.

2.2 Chapter 2 provides the practical guidance. It explains when an Air Pollution Assessment is required, and what different types of proposal (minor, medium or major scale) will be expected to address in terms of assessment and/or mitigation. Mitigation may be required for all stages of development, including demolition. Chapter 3 concludes the guidance.

2.3 The guidance will be used to inform the preparation of masterplans for sites within the District Plan and the determination of planning applications. It is the intention that following the adoption of the District Plan, this Guidance will be adopted as a Supplementary Planning Document (in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012) in order to ensure it is given full weight for Development Management purposes.

2.4 It should be noted that this is only one part of the Council's commitment to addressing air quality issues in the District. The Council has set up an Air Quality Steering Group and will be

working alongside Hertfordshire County Council and other partners to update the Hertfordshire Air Quality Action Plan. The Council has also established a Climate Change Task and Finish Group and a Sustainable Transport Task and Finish Group.

3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

Air Quality Planning Guidance, October 2016 -
www.eastherts.gov.uk/airqualityplanningguidance

Contact Member: Cllr Linda Haysey – Leader of the Council
linda.haysey@eastherts.gov.uk

Contact Officer: Kevin Steptoe – Head of Planning and Building Control
01992 531407
kevin.steptoe@eastherts.gov.uk

Report Author: Jenny Pierce – Principal Planning Policy Officer
jenny.pierce@eastherts.gov.uk