

Section 12: Environmental Quality and Flood Risk

- 12.1 To prevent unacceptable risks from pollution, contamination, land instability and flooding, planning policies and decisions should ensure that new development is appropriate for its location. The planning system should also contribute to and enhance the natural and local environment and seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 12.2 There are a number of areas within York where the national health based air quality objectives are being exceeded. Despite the introduction of three Air Quality Action Plans (AQAPs) the annual average Nitrogen Dioxide (NO₂) objective continues to be exceeded at many locations particularly within the inner ring road and city centre. The main source of air pollution in York is traffic. Given that air is not static and pollutants are generated across the city as people travel between places, emissions to air must be considered in a city wide context to address cumulative air quality impacts.
- 12.3 York has developed an overarching Low Emissions Strategy (2012) (LES) which aims to reduce tailpipe emissions from individual vehicles and encourage the uptake of alternative fuels and low emission vehicle technologies. City of York Council's Air Quality Action Plan 3 (2015) sets out how York intends to continue to deliver this ambitious and pioneering LES and to work towards becoming an internationally recognised ultra-low emission city. Headline measures for consideration include provision of low emission infrastructure and reducing emissions from new development.
- 12.4 Control of development through the planning process is one of the key delivery mechanisms by which potential adverse environmental impacts or adverse human health effects can be controlled. By allowing appropriate development and encouraging good design, planning policies and decisions should minimise the adverse impacts of development and, where possible, enhance the natural and local environment.

Policy ENV1: Air Quality

Development will only be permitted if the impact on air quality is acceptable and mechanisms are in place to mitigate adverse impacts and prevent further exposure to poor air quality. This will help to protect human health.

To establish whether air quality impacts are acceptable all minor and major planning applications are required to identify sources of emissions to air from the development and submit an emissions statement. This should qualitatively identify all new emissions likely to arise as a result of the proposal and demonstrate how these will be minimised and mitigated against as part of the development. For major developments a more detailed quantitative emissions strategy may be required. This must fully assess and quantify total site emissions in terms of potential damage costs to both health and the environment both with and without mitigation measures in place. Further guidance will be made available to assist applicants with this process.

For major developments with potentially significant air quality impacts, a full air quality impact assessment should be undertaken to establish the resultant impact on local air quality (in terms of change in ambient concentrations of air pollutants within the vicinity of the development site).

Where a development will introduce new relevant exposure in an area of existing, or future air quality concern, an exposure assessment will also be required. This should detail current and expected air quality conditions and assess the suitability of the location for human occupation. Where there is potential for new occupants to be exposed to unacceptable levels of air pollutants, an exposure mitigation strategy will be required.

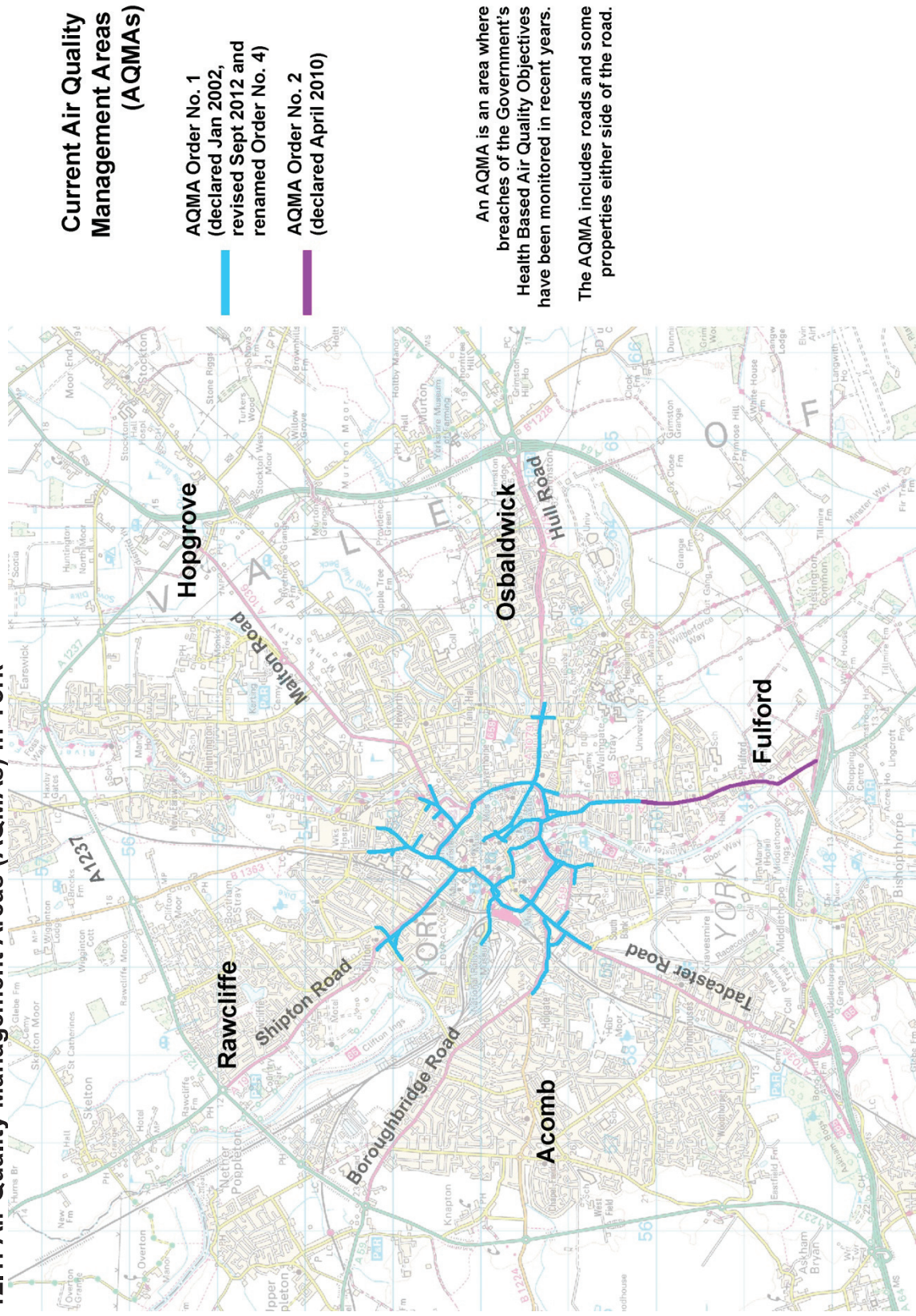
The Council will review the significance of the air quality impacts in line with local and national guidance. The exercise of professional judgement by both the organisation preparing the air quality assessment and the local authority officers when they evaluate the findings is an important part of the assessment of significance. Evaluation of air quality impacts will take into account factors such as the number of people affected, the absolute levels and the predicted magnitude of the changes in pollutant concentrations. The evaluation will also take into account the likely emissions impacts associated with the development and if the proposed mitigation is considered reasonable and proportionate. New development should support and contribute towards delivery of City of York Council's AQAP.

See also: T1, T2, T5, T7 and T8

Explanation

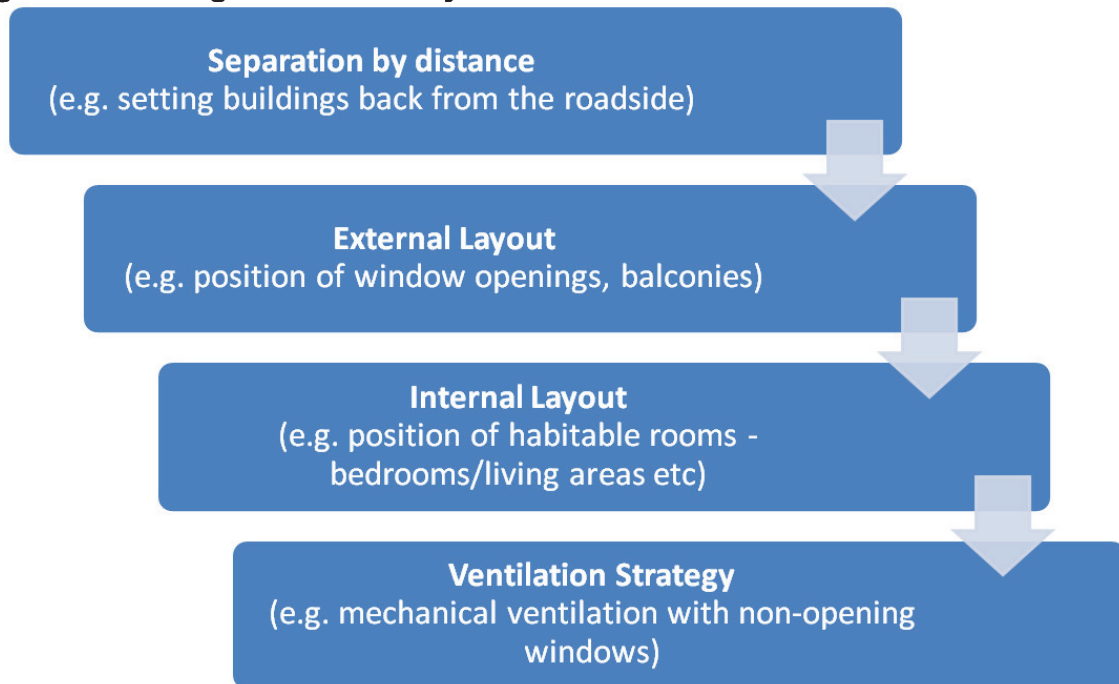
- 12.5 Figure 12.1 overleaf shows York's current Air Quality Management Areas (AQMAs). During the lifetime of the plan, areas of air quality concern may change and further AQMAs may need to be declared in the future.

Figure 12.1: Air Quality Management Areas (AQMAs) in York



- 12.6 In order to reduce emissions to air and improve air quality the impact of development on air quality must be acceptable. The significance of the air quality impacts will depend on the context of the development. Air quality is likely to be a high priority consideration where the development leads to a breach, or significant worsening of a breach of an air quality objective, in an AQMA for example, or indeed where the development introduces new exposure into an exceedance area. Mechanisms must be put in place to prevent (or reduce as far as practically possible) further human exposure to poor air quality. This is applicable to both new developments and on existing sites that can be affected by new development. Development which includes 'relevant' locations in areas where air quality is known to be above or approaching air quality objective values must seek to reduce exposure according to the design mitigation hierarchy set out at Figure 12.2 below. Relevant locations can be defined as outdoor, non-occupational locations (e.g. schools, care homes, hospitals and residential properties) where members of the public are likely to be regularly exposed to pollutants over the averaging time of the air quality objectives.

Figure 12.2: Mitigation Hierarchy



- 12.7 Applicants must use 'best endeavours' to minimise total emissions from their sites, including transport to and from them. This will include requirements to promote and incentivise the use of low emission vehicles and fuels and in some cases the provision of, or financial contribution towards the cost of low emission vehicles and associated infrastructure. Examples include the provision of on-site electric vehicle recharging infrastructure and/or financial support for the provision low emission public transport services such as public transport and waste collection. The actual measures required will be site specific depending on the scale and location of the development and the connecting transport routes. A Low Emission Supplementary Planning Document (SPD) will be prepared which will set out how the Council will consider and how applicants should approach, planning applications that could have an impact on air quality. Minor planning applications are those proposals for 9 or less

dwellings/up to 1,000sqm commercial floorspace and major planning applications are those proposals for 10 or more dwellings/over 1,000sqm commercial floorspace).

12.8 A detailed emissions assessment and/or a full air quality impact assessment are likely to be required for major planning applications that:

- generate or increase traffic congestion;
- give rise to significant change in traffic volumes i.e. +/- 5% change in annual average daily traffic (AADT) or peak hour flows within AQMAs or +/- 10% outside AQMAs;
- give rise to significant change in vehicle speeds i.e. more than +/- 10 kilometres per hour on a road with more than 10,000 AADT (or 5,000 AADT where it is narrow and congested);
- significantly alter the traffic composition on local roads, for example, increase the number of heavy duty vehicles by 200 movements or more per day;
- include significant new car parking, which may be taken to be more than 100 spaces outside an AQMA or 50 spaces inside an AQMA. This also includes proposals for new coach or lorry parks;
- introduce new exposure close to existing sources of air pollutants, including road traffic, industrial operations, agricultural operations;
- include biomass boilers or biomass fuelled Combined Heat and Power (CHP) plant (considerations should also be given to the impacts of centralised boilers or CHP plant burning other fuels within or close to an AQMA);
- could give rise to potentially significant impacts during construction for nearby sensitive locations (e.g. residential areas, areas with parked cars and commercial operations that may be sensitive to dust);
- will result in large, long-term construction sites that would generate large HGV flows (>200 movements per day) over a period of a year or more; and/or
- requires an Environmental Impact Assessment.

12.9 Clear guidance in the form of a comprehensive schedule of the development triggers for what level of air quality assessment will be set out in the forthcoming Low Emission SPD, to ensure a clear and consistent approach. Information will also be provided on recommended low emission vehicle technologies and fuels that should be implemented to mitigate emissions. Mitigation measures are likely to include priority and parking incentives for low emission vehicles, the provision of electric charging points in new developments and car free developments. The potential of using developer contributions to fund low emission infrastructure and mitigate against emissions will also be explored.

Delivery

- Key Delivery Partners: City of York Council; and developers.
- Implementation: Emissions Assessments/Statements; Air Quality Impact Assessments; Low Emission SPD; and planning applications.