

A428 Black Cat to Caxton Gibbet improvements

TR010044

Volume 6

6.3 Environmental Statement

Appendix 5.1: Local Planning Policy

Planning Act 2008

Regulation 5(2)(a)

Infrastructure Planning (Applications: Prescribed Forms and
Procedure) Regulations 2009

26 February 2021

Infrastructure Planning

Planning Act 2008

**The Infrastructure Planning
(Applications: Prescribed Forms and
Procedure) Regulations 2009**

**A428 Black Cat to Caxton Gibbet
improvements
Development Consent Order 202[]**

Appendix 5.1: Local Planning Policy

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1 Local planning policy

1.1 Bedford Borough Council

1.1.1 The Bedford Borough Local Plan 2030 (Ref 1) was adopted in January 2020, the purpose of which is to plan for Bedford Borough's growth needs to 2030. The Plan considers air quality in the context of local developments in 'Policy 47S – Pollution, disturbance and contaminated land', stating that:

“All development proposals will be required to:

i. Prevent the emission of significant levels of pollutants into the soil, air or water...

[...]

iv. Reduce as far as practicable other potential impacts including from: ...dust, mud on the highway, smoke, fumes, gases, odours [...] and

v. Be appropriate for their location, having regard to the existing noise, air quality, ground stability or pollution environment, including the proximity of pollutants, hazardous substances and noise generating or disruptive uses...”

1.1.2 Bedford Borough Council's Local Transport Plan (Ref 2) was published in 2011 and sets out eight key strategies which will inform the delivery of the Plan to 2021. Of the eight strategies listed, the 'Active Travel Strategy' envisions an environment and culture in which sustainable modes of transport such as cycling and walking become the norm, aiming to achieve this by “reducing harmful emissions and improving air quality”.

1.2 Cambridge City Council

1.2.1 The current Cambridge Local Plan (Ref 3) was published in October 2018, outlining policies and proposals for future development and spatial planning requirements to 2021. The Plan considers air quality within the context of transport infrastructure in Policy 5, in which the Council state their intention to ease pressure on the air quality management area in the city centre by increasing the use of sustainable transport and promoting greater pedestrian and cycle priority through the city centre. 'Policy 36 – Air quality, odour and dust' states that:

“Development will be permitted where it can be demonstrated:

a. that it does not lead to significant adverse effects on health, the environment or amenity from polluting or malodorous emissions, or dust or smoke emissions to air; or

b. where a development is a sensitive end-use, that there will not be any significant adverse effects on health, the environment or amenity arising from existing poor air quality, sources of odour or other emissions to air.

According to the end-use and nature of the area and application, applicants must demonstrate that:

- a. there is no adverse effect on air quality in an air quality management area (AQMA);*
- b. pollution levels within the AQMA will not have a significant adverse effect on the proposed use/users;*
- c. the development will not lead to the declaration of a new AQMA;*
- d. the development will not interfere with the implementation of the current Air Quality Action Plan (AQAP);*
- e. any sources of emissions to air, odours and fugitive dusts generated by the development are adequately mitigated so as not to lead to loss of amenity for existing and future occupants and land uses; and*
- f. any impacts on the proposed use from existing poor air quality, odour and emissions are appropriately monitored and mitigated by the developer.”*

- 1.2.2 The Greater Cambridge Sustainable Design and Construction Supplementary Planning Document (Ref 4) details how air pollution issues will be dealt in the planning process by Cambridge City Council and South Cambridgeshire District Council including the documentation they require to establish observance of their policies. In Cambridge, the requirement is compliance with Policy 36 of the Local Plan, above, and the evidence required is an Air Quality Statement, and an Air Quality Assessment for a major application.
- 1.2.3 The Transport Strategy for Cambridge and South Cambridgeshire (Ref 5) was published in March 2014. One of the objectives of the strategy is “*to meet air quality objectives and carbon reduction targets, and preserve the natural environment*”. The Strategy aim is to create high quality networks for pedestrians and cyclists that provide routes linking key destinations in Cambridge and the main employment areas, transport interchanges and secondary schools in South Cambridgeshire. The strategy will also aim to reduce the number of freight movements entering Cambridge by providing innovative solutions that reduce congestion.
- 1.2.4 The Cambridgeshire & Peterborough Local Transport Plan was published in draft form in 2019 (Ref 6) and underwent a consultation process but has not yet been adopted as of January 2021. The Plan covers the local authority areas of Cambridge City Council, East Cambridgeshire District Council, Huntingdonshire District Council, and South Cambridgeshire District Council (also Peterborough City Council and Fenland District Council). The Plan details the local plan, how the plan will be delivered, and a set of policies (Ref 7) underpinning transport planning, delivery and decision making in the Combined Authority. Policy theme 8.1 aims to meet the objective of “*Ensuring transport initiatives improve air quality across the region to meet good practice standards*”, and contains the following policies:

“Policy 8.1.1: Reducing vehicle emissions. In addition to policies specific to sustainable transport, for example policy theme 11 (Walking) and policy theme 12 (Cycling), the Combined Authority will work in partnership with the area’s constituent local councils and, where appropriate, transport operators, to:

- *investigate the potential for a Clean Air Zone in Cambridge city centre, including the feasibility of pricing mechanisms to encourage a reduction in usage of polluting private vehicles, coaches and heavy commercial vehicles;*
- *investigate the potential for a Green Travel Area in Cambridge city centre;*
- *develop licensing conditions that require taxis to be ultra-low or zero emission by a specific date;*
- *set minimum bus quality standards to be implemented through Enhanced Bus Partnerships (or similar) that specifically relate to air quality e.g. emission standards for vehicle fleets;*
- *support options for ‘last mile’ deliveries using electric car/taxi and/or bikes, and providing ‘click and collect’ hubs at Park & Ride sites;*
- *investigate the feasibility of providing unified freight consolidation centres; and*
- *incentivise cycle delivery for appropriate services.*

The Combined Authority will also:

- *support the area-wide delivery of residential, non-residential and taxi-only electric vehicle rapid charging infrastructure.*

“Policy 8.1.2: Keeping emissions low in the future. The Combined Authority will work in partnership with the constituent Local Highway and Planning Authorities to:

- *maintain statutory duties under the Environment Act 1995, including:*
- *monitoring air quality at key locations and developing and implementing effective Air Quality Action Plans to ensure agreed targets are met; and*
- *developing specific elements of the Joint Air Quality Action Plan for Cambridge, South Cambridgeshire and Huntingdonshire Districts, and implement those elements shown to be most effective and lowest cost;*
- *develop policies, through the Local Plan process, that require Health Impact Assessments (HIA) to be undertaken at the pre-application stage for major developments;*
- *develop new air quality/planning policies in the area’s Air Quality Action Plans;*
- *require that promoters of transport schemes demonstrate assessment of air quality impacts through appropriate and robust techniques;*

- *procure low emission vehicles for Local Highway and Planning Authority fleets; and*
- *update Travel Plans e.g. schools, workplace, residential/new development to raise awareness of air quality, public health and measures that promote these aims.*

“Policy 8.1.3: Improving public health. The Combined Authority will work in partnership with the constituent Local Highway and Planning Authorities to:

- *continue to provide input to Joint Strategic Needs Assessments (and any other strategies that come forward);*
- *provide public information campaigns about the health impacts of air pollution; and*
- *support proposals being developed by the Greater Cambridge Partnership (GCP) to*
- *promote more sustainable modes of transport and reduce the impact of private modes of transport.*

1.3 Central Bedfordshire Council

1.3.1 Central Bedfordshire Council published a pre-submission of their Local Plan covering the period 2015 to 2035 (Ref 8). The report was open for examination until 25th July 2019. In May 2020, additional information was submitted for the examination process. At the time of writing a public consultation has not started yet to discuss the submission of the additional information. The local plan considers air quality under the Environmental Objective SO13 which states:

“Support the necessary changes to adapt to climate change by minimising emissions of carbon and local air quality pollutants, protecting and enhancing biodiversity. Improving and protecting air and water quality, reducing flood risk and adverse impacts from noise including the safeguarding of quiet areas and reducing the impacts of contaminated land.”

1.3.2 The Climate Change Strategy 2020 (Ref 9) aims to cut Central Bedfordshire’s carbon footprint, become more energy and fuel efficient and prepare for climate change impacts via climate change adaptation. This is to be achieved via a Carbon Management Plan, Area CO₂ Emissions Reduction Plan and Climate Change Adaption Plan, as well as community awareness campaigns through schools and sustainable growth of housing/ street lighting/ waste/ recycling and emergency planning.

1.3.3 The Local Transport Strategy covers the period 2011-2026 (Ref 10). Air pollution is considered in Journey to Work Objective B *“Reduce the impact of commuting on local communities”*. Air pollution is also considered within Freight Strategy Objective I *“Minimise the negative impact of the freight industry on local communities”*.

1.4 East Cambridgeshire District Council

- 1.4.1 East Cambridgeshire's Local Plan 2015 to 2031 was published in 2015, with a review carried out in April 2020 (Ref 11). Policy ENV 9 relates to pollution policies within the district and outlines the requirements and expectations of development proposals to adhere to. The policy includes air quality and states that:

“all development proposals should minimise, and where possible, reduce all emissions and other forms of pollution, and ensure no deterioration in air quality. If pollution is suspected, sufficient evidence should be provided to the Council so that a full assessment of potential hazards and impacts can be conducted.

Proposals will be refused where, individually or cumulatively, there are unacceptable impacts arising from the development on... Air quality.”

- 1.4.2 Cambridgeshire County Council's Transport Strategy contains a section which pertains to East Cambridgeshire (Ref 12). The strategy provides a detailed policy framework and Action Plan of potential transport improvements for the East Cambridgeshire area. References made to air quality within the strategy are in the Strategy Objective - which aims to reduce transport's contribution to air quality emissions - and in Policy TSEC 16 - which is a policy to improve air quality through working with key partners (transport operators and businesses) to reduce transport related emissions. Air quality is also mentioned in the Transport and Health section and in more detail in Appendix 1 Transport and Public Health.

1.5 Huntingdonshire District Council

- 1.5.1 Huntingdonshire District Council's Local Plan to 2036 was published in 2019 (Ref 13). Local policy LP 36 - Air Quality sets out the Council's approach to air quality in relation to how development proposals affect and are affected by air quality, and states:

“A proposal will need to be accompanied by an Air Quality Assessment where:

- a. it is for large scale major development, defined in the 'Glossary';*
- b. it would potentially conflict with an Air Quality Action Plan;*
- c. any part of the site is located within 50m of an Air Quality Management Area (AQMA) or a Clean Air Zone (CAZ);*
- d. a significant proportion of the traffic generated would go through an AQMA or a CAZ; or*

e. any part of the site is located within 100m of a monitoring site where the annual mean level of nitrogen dioxide exceeds $35\mu\text{g}/\text{m}^3$.

An Air Quality Assessment should be proportionate to the nature and scale of the proposal and the level of concern about air quality, but should assess:

- f. the existing state of air quality surrounding the site;*
- g. how the proposal could affect air quality during construction and operational phases;*
- h. the extent to which people could be exposed to poor air quality; and*

i. how biodiversity could be affected by changes in air quality as a result of the proposal.

A proposal will need to be accompanied by a low emissions strategy where the air quality assessment shows that the proposal would:

j. have a significant adverse effect on air quality;

k. have an adverse effect on the air quality factors that led to the affected AQMA being designated;

l. cause a significant increase in the number of people that would be exposed to poor air quality; or

m. lead to a designated nature conservation site or protected species that is sensitive to poor air quality being adversely affected by changes in air quality.

The low emissions strategy will include measures that mitigate the impacts of the proposed development by contributing to the improvement of air quality and/ or the reduction of emissions relating to the designation of the affected AQMA/ CAZ, prioritising actions identified in relevant Air Quality Action Plans/ CAZ action plans or equivalent documents.

In other circumstances, where identified as necessary based on a transport assessment/ statement, measures to reduce air pollution arising from traffic and traffic congestion may also be required.”

1.5.2 Huntingdonshire District Council comes under the Cambridgeshire Local Transport Plan (Ref 14). The overarching transport strategy focuses on addressing existing transport problems while at the same time catering for the transport needs of new communities and improving air quality. Objective 3 is to manage and deliver the growth and development of sustainable communities. To achieve this the Council will monitor air quality and implement air quality action plans. In addition, the Council will implement other measures such as discouraging the use of cars where alternatives exist and encourage use of sustainable means of transport.

1.6 South Cambridgeshire District Council

1.6.1 South Cambridgeshire District Council's Local Plan was published in 2018 (Ref 15). Policy SC/12 targets air quality, as follows:

1. Where development proposals would be subject to unacceptable air quality standards or would have an unacceptable impact on air quality standards they will be refused.

2. Where emissions from the proposed development are prescribed by EU limit values or national objectives, the applicant will need to assess the impact on local air quality by undertaking an appropriate air quality assessment and detailed modelling exercise having regard to guidance current at the time of the application to show that the national objectives will still be achieved.

3. *Development will not be permitted where it would adversely affect air quality in an Air Quality Management Area (AQMA); or lead to the declaration of a new AQMA through causing a significant deterioration in local air quality by increasing pollutant levels either directly or indirectly; or if it would expose future occupiers to unacceptable pollutant levels.*

4. *Larger development proposals that require a Transport Assessment and a Travel Plan as set out in Policy TI/2 will be required to produce a site based Low Emission Strategy. This will be a condition of any planning permission given for any proposed development which may result in the deterioration of local air quality and will be required to ensure the implementation of suitable mitigation measures.*

5. *Development will be permitted where: a. It can be demonstrated that it does not lead to significant adverse effects on health, the environment or amenity from emissions to air; or b. Where a development is a sensitive end use, that there will not be any significant adverse effects on health, the environment or amenity arising from existing poor air quality.*

6. *Specifically applicants must demonstrate that: c. There is no adverse effect on air quality in an Air Quality Management Area (AQMA) from the development; d. Pollution levels within the AQMA will not have a significant adverse effect on the proposed use / users; e. The development will not lead to the declaration of a new AQMA; f. The development will not interfere with the implementation of and should be consistent with the current Air Quality Action Plan; g. The development will not lead to an increase in emissions, degradation of air quality or increase in exposure to pollutants at or above the health based air quality objective; h. Any impacts on the proposed use from existing poor air quality, are appropriately mitigated; i. The development promotes sustainable transport measures and use of low emission vehicles in order to reduce the air quality impacts of vehicles.*

7. *Applicants shall, where appropriate, prepare and submit with their application, a relevant assessment, taking into account guidance current at the time of the application.*

1.6.2 South Cambridgeshire District Council is part of the Greater Cambridge Sustainable Design and Construction Supplementary Planning Document (Ref 4) discussed under 'Cambridge City Council' above. In South Cambridgeshire, the requirement is compliance with Policy SC/12 of the Local Plan, and the evidence required is an Air Quality Assessment, and Low Emission Strategy for an application with significant transport implications.

1.6.3 South Cambridgeshire District Council is part of the Transport Strategy for Cambridge and South Cambridgeshire (Ref 5) discussed under 'Cambridge City Council' above. In addition, it is covered by the Cambridgeshire Local Transport Plan 2011-2031 (Ref 14) published by Cambridgeshire County Council and discussed under 'Huntingdonshire District Council' above.

1.7 References

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- Ref 2 Bedford Borough Council (2011). Local Transport Plan 2011-2021. http://bbcdevwebfiles.blob.core.windows.net/webfiles/Files/LTP3_Strategy_09_Feb_2011.pdf
- Ref 3 Cambridge City Council (2018). Cambridge Local Plan. <https://www.cambridge.gov.uk/media/6890/local-plan-2018.pdf>
- Ref 4 Greater Cambridge Shared Planning (2020). Greater Cambridge Sustainable Design and Construction Supplementary Planning Document
- Ref 5 Cambridgeshire County Council (2014). Transport Strategy for Cambridge and South Cambridgeshire. <https://www.cambridgeshire.gov.uk/asset-library/imported-assets/Transport-strategy-and-high-level-programme-for-Cambridge-and-South-Cambridgeshire-March-2014.pdf>
- Ref 6 Cambridgeshire & Peterborough Combined Authority (2019). The Cambridgeshire & Peterborough Local Transport Plan. <https://cambridgeshirepeterborough-ca.gov.uk/assets/Transport/LTP.pdf>
- Ref 7 Cambridgeshire & Peterborough Combined Authority (2019). The Cambridgeshire & Peterborough Local Transport Plan: Our Policies. <https://cambridgeshirepeterborough-ca.gov.uk/assets/Transport/20190520-CPCA-LTP-Policies-Annex-v4.0.pdf>
- Ref 8 Central Bedfordshire Council (2018). Local Plan 2015-2035. Pre-submission. https://www.centralbedfordshire.gov.uk/migrated_images/pre-submission-local-plan-compressed-v2_tcm3-27081.pdf
- Ref 9 Central Bedfordshire Council (2010). Climate Change Strategy
- Ref 10 Central Bedfordshire Council (2011). Local Transport Strategy 2011-2026
- Ref 11 East Cambridgeshire District Council (2015). East Cambridgeshire's Local Plan 2015. <https://www.eastcamb.gov.uk/sites/default/files/ECDC%20LP%20Review%20April%202020.pdf>
- Ref 12 Cambridgeshire County Council (2016). Transport Strategy for East Cambridgeshire 2016.
- Ref 13 Huntingdonshire District Council (2019). Huntingdonshire's Local Plan to 2036. <https://www.huntingdonshire.gov.uk/media/3872/190516-final-adopted-local-plan-to-2036.pdf>

- Ref 14 Cambridgeshire County Council (2015). Cambridgeshire Local Transport Plan 2011-2031
- Ref 15 South Cambridgeshire District Council (2018). South Cambridgeshire Local Plan. https://www.scambs.gov.uk/media/12740/south-cambridgeshire-adopted-local-plan-270918_sml.pdf