

**A66 Northern Trans-Pennine Project
TR010062**

**3.4 Environmental Statement
Appendix 5.1 Legislation, Policy,
Guidance**

APFP Regulations 5(2)(a)

Planning Act 2008

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

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Infrastructure Planning

Planning Act 2008

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

A66 Northern Trans-Pennine Project
Development Consent Order 202x

**3.4 ENVIRONMENTAL STATEMENT APPENDIX 5.1
LEGISLATION, POLICY, GUIDANCE**

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5.1 Legislation, Policy and Guidance

5.1.1 Legislation

Directive 2008/50/EC on ambient air quality (Air Quality Directive)

- 5.1.1.1 The Ambient Air Quality Directive sets limit values for the concentration of pollutants in air for the protection of health and ecosystems. The Directive is transposed into legislation in the *Air Quality Standards Regulations 2010* (Department for Environment, Food and Rural Affairs, 2010)¹ (as amended) Department for Environment, Food and Rural Affairs (2016)². The relevant limit values are given in Table 1: AQS objectives and Limit Values for NO₂, PM₁₀ and Table 2: AQS objectives and Limit Values for the protection of vegetation and ecosystems below. Compliance with the limit values for pollutants is mandatory and this is ultimately the responsibility of the Secretary of State. Failure to comply would result in infraction proceedings with potentially a substantial financial penalty. In the case of human exposure, the limit values apply everywhere in the external environment.

Part IV of the Environment Act 1995

- 5.1.1.2 Part IV of the Environment Act 1995 requires the UK Government to produce a national air quality strategy (AQS), which contains standards, objectives and measures for improving ambient air quality. The AQS sets out objectives, given in the *Air Quality (England) Regulations* (Department for Environment, Food and Rural Affairs, 2000)³, that are maximum ambient concentrations that are not to be exceeded either without exception or with a permitted number of exceedances over a specified timescale.

Air Quality Standard Regulations 2010, as amended (2016)

- 5.1.1.3 The ambient air quality standards and objectives are given statutory backing in England through the *Air Quality Standard Regulations 2010, as amended (2016)*. The AQS objectives and Limit Values (LVs) for the protection of human health and applicable to this assessment are presented in Table 1: AQS objectives and Limit Values for NO₂, PM₁₀ and PM_{2.5}.

¹ Department for Environment, Food and Rural Affairs (2010) The Air Quality Standards Regulations 2010, SI 2010/1001,.

² Department for Environment, Food and Rural Affairs (2016) The Air Quality Standards (Amendment) Regulations 2016, SI 2016/1184,.

³ Department for Environment, Food and Rural Affairs (2000) The Air Quality (England) Regulations 2000, SI 2000/928,.

Table 1: AQS objectives and Limit Values for NO₂, PM₁₀ and PM_{2.5}

| AQS objectives and Limit Values for the protection of human health | | | |
|--|----------------------|---|---|
| AQS objective | | | Limit Value |
| Pollutant | Concentration | Averaging period | Concentration |
| Nitrogen Dioxide (NO ₂) | 200µg/m ³ | 1-hour mean (not to be exceeded more than 18 times per year) | 200µg/m ³ (18 exceedances permitted) |
| | 40µg/m ³ | annual mean | 40µg/m ³ |
| Fine Particulate Matter (PM ₁₀)* | 50µg/m ³ | 24-hour mean (not to be exceeded more than 35 times per year) | 50µg/m ³ (35 exceedances permitted) |
| | 40µg/m ³ | annual mean | 40µg/m ³ |
| Fine Particulate Matter (PM _{2.5})* | 20µg/m ³ | annual mean | 20µg/m ³ |

* measured gravimetrically

- 5.1.1.4 The AQS Objectives only apply where members of the public are likely to be regularly present for the averaging time of the objective (i.e., where people will be exposed to pollutants). The annual mean objectives apply to all locations where members of the public might be regularly exposed such as building façades of residential properties, schools, hospitals and care homes. The 24-hour mean objective applies to all locations where the annual mean objective would apply, together with hotels and gardens of residential properties. The 1-hour mean objective also applies at these locations and at any outdoor location where a member of the public might reasonably be expected to stay for one hour or more, such as shopping streets, parks and sports grounds, as well as bus stations and railway stations that are not fully enclosed.
- 5.1.1.5 LVs apply throughout the UK; the UK will achieve compliance when every site listed in the country is below the LV. The exceptions to where the LVs apply are locations that members of the public cannot access or where there is no fixed habitation, for instance, industrial premises.
- 5.1.1.6 The AQS objectives and LVs for the protection of vegetation and ecosystems applicable to this assessment are presented in Table 2: AQS objectives and Limit Values for the protection of vegetation and ecosystems.

Table 2: AQS objectives and Limit Values for the protection of vegetation and ecosystems

| AQS objectives and Limit Values for the protection of human health | | | |
|--|---------------------|------------------|---------------------|
| AQS objective | | Limit Value | |
| Pollutant | Concentration | Averaging period | Concentration |
| Oxides of Nitrogen (NO _x) | 30µg/m ³ | Annual mean | 30µg/m ³ |

- 5.1.1.7 Local authorities have no legal requirement to comply with AQS objectives. They are however required to demonstrate best efforts to work towards achieving AQS objectives.

5.1.1.8 Under the Local Air Quality Management (LAQM) regime local authorities have a duty to make periodic reviews of local air quality against the AQS objectives. Where a local authority's review and assessment of local air quality indicates that AQS objectives are not expected to be achieved, local authorities are required to designate an Air Quality Management Area (AQMA). An Air Quality Action Plan (AQAP) must then be formulated, outlining a plan of action to meet AQS objectives in the AQMA.

AQS objectives and LVs

5.1.1.9 Whilst AQS objectives and LVs are identical in terms of concentrations that are applied, they are different, and it is important to understand how they are interpreted and therefore assessed. Local authorities are required to demonstrate best efforts to achieve the AQS objectives whereas the UK government has a mandatory requirement to achieve LVs.

5.1.1.10 Reporting against compliance with LVs is undertaken by the Department of Environment, Food and Rural Affairs (Defra) and reported at a zone/agglomeration level. Zones/agglomerations are only compliant when everywhere in the zone is below the LV and this is the basis of Defra's reporting, which is designed to determine what the maximum concentration is in the zone and hence determine the date it will comply with the LV. AQS objectives are assessed at a much more local level where an AQMA can be designated as a result of exceedance at individual properties.

5.1.1.11 The air quality assessment considers the impacts on both AQS objectives (would the scheme lead to a significant impact on air quality at individual properties) and LVs (would the scheme impact Defra's plans to achieve compliance with the LVs).

5.1.1.12 The *Air Quality (Amendment of Domestic Regulations) (EU Exit) Regulations 2019* (Department for Environment, Food and Rural Affairs, 2019)⁴ and *The Environment (Miscellaneous Amendments) (EU Exit) Regulations 2020* (Department for Environment, Food and Rural Affairs, 2020)⁵ update the air quality regulations and the regulations for PM_{2.5}, respectively.

Environmental Protection Act 1990

5.1.1.13 Generally, dust is only a cause of annoyance but when of sufficient scale and frequency it may become a statutory nuisance. The relevant legislation dealing with statutory nuisance is given in Part III of the Environmental Protection Act 1990 (EPA 1990). A statutory nuisance in relation to dust and deposits is defined under Section 79 of the EPA 1990 as follows:

⁴ Department for Environment, Food and Rural Affairs (2019) *The Air Quality (Amendment of Domestic Regulations) (EU Exit) Regulations 2019*.

⁵ Department for Environment, Food and Rural Affairs (2020) *The Environment (Miscellaneous Amendments) (EU Exit) Regulations 2020*, .

- (d) *Any dust, steam, smell or other effluvia arising on industrial, trade or business premises and being prejudicial to health or a nuisance.*
- (e) *any accumulation or deposit which is prejudicial to health or a nuisance.*

5.1.1.14 Under the provisions of the EPA 1990, where a local authority is satisfied that a statutory nuisance exists, it is under a mandatory duty to serve an Abatement Notice requiring abatement or cessation of the activities deemed to be causing the nuisance. In the absence of a standard, identification of a nuisance is dependent on the professional judgement of the local authority as to whether Best Practical Means (BPM) are being employed to control emissions. If BPM is evident or can be clearly demonstrated, then the activity cannot be deemed to be causing a statutory nuisance.

5.1.2 Policy

National Policy Statement for National Networks

5.1.2.1 The primary policy basis for deciding whether or not to grant a Development Consent Order (DCO) is the *National Policy Statement for National Networks (NPSNN)* (Department for Transport, 2014)⁶, which sets out policies to guide how DCO applications will be decided and how the effects of national networks infrastructure should be considered by the relevant decision maker. The policies for air quality include statements that:

“Increases in emissions of pollutants during the construction or operation phases of projects on the national networks can result in the worsening of local air quality (though they can also have beneficial effects on air quality, for example through reduced congestion). Increased emissions can contribute to adverse impacts on human health, on protected species and habitats...The geographical extent and distribution of these effects can cover a large area, well beyond an individual scheme. Air quality impacts are generated by all types of infrastructure development to varying extents. Development on the national networks in general and road schemes in particular, creates complex challenges with regards to air quality, given the very wide geographical area over which impacts (positive and negative) can potentially be felt.”

(NPSNN paragraphs 5.3 and 5.5)

5.1.2.2 The NPSNN also advises:

“The Secretary of State should consider air quality impacts over the wider area likely to be affected, as well as in the near vicinity of the scheme. In all cases the Secretary of State must take account of relevant statutory air quality thresholds set out in domestic and European legislation. Where a project is likely to lead to a breach of the air quality thresholds, the applicant should work with the relevant

⁶ Department for Transport (2014) National Policy Statement for National Networks,

authorities to secure appropriate mitigation measures with a view to ensuring so far as possible that those thresholds are not breached.”
(NPSNN paragraph 5.10)

National Planning Policy Framework

- 5.1.2.3 The *National Planning Policy Framework (NPPF)* (Ministry of Housing Communities & Local Government, 2021)⁷, was originally published in March 2012, and most recently updated in July 2021 sets out the government’s planning policies for England and provides a framework within which locally prepared plans can be produced. The *NPPF* is “*an important and relevant matter to be considered in decision making for NSIP*”.
- 5.1.2.4 Paragraph 186 considers impacts of developments on air quality:
‘Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.’
- 5.1.2.5 The *NPPF* therefore requires consideration of:
- Whether the scheme’s air quality impacts would sustain and contribute towards compliance with relevant LVs or AQS objectives, taking into account the presence of AQMAs and Clean Air Zones.
 - Opportunities to improve air quality or mitigate impacts, such as through traffic and travel management, and green infrastructure provision and enhancement.
- 5.1.2.6 However, the *NPPF* does not provide guidance on how to come to a judgement on sustaining compliance with the Air Quality Directive.

National Planning Practice Guidance on Air Quality

- 5.1.2.7 The national planning practice guidance on air quality (Department for Levelling Up, Housing and Communities, 2019)⁸ outlines the process a local planning authority might take in considering air quality in planning applications.

⁷ Ministry of Housing Communities & Local Government (2021) National Planning Policy Framework (NPPF).

⁸ Department for Levelling Up, Housing and Communities (2019) Planning Practice Guidance – Air Quality,.

UK Plan for Tackling Roadside Nitrogen Dioxide Concentrations

5.1.2.8 The *UK plan for tackling roadside nitrogen dioxide concentrations* (Department for Environment, Food and Rural Affairs, 2017)⁹ defines the responsibilities of national government and devolved administrations, local authorities, the Mayor of London and other key stakeholders in achieving the goal of statutory compliance in the shortest time possible. It details the level of funding available as well as the solution which it defines as 'effective and appropriately targeted actions' to:

- Reduce emissions of NO_x from the current road vehicle fleet in problem locations now, including through promoting public transport, cycling and walking;
- Accelerate road vehicle fleet turnover to cleaner vehicles to ensure that the problem remains addressed and does not move to other locations;
- Reduce emissions of NO_x from other forms of transport such as rail, aviation and shipping;
- Reduce emissions of NO_x from industry and non-road mobile machinery (NRMM); and
- Reduce emissions of NO_x from buildings, both commercial and domestic, and other stationary sources.

Clean Air Strategy

5.1.2.9 The Government published its Clean Air Strategy (Department for Environment, Food and Rural Affairs, 2017)¹⁰ in January 2019. This builds on the measures for improving air quality detailed in the UK Plan for Tackling Roadside Nitrogen Dioxide Concentrations.

5.1.2.10 The strategy sets out measures aimed at reducing emissions from all sources of air pollution, making air healthier to breathe, protecting nature and boosting the economy. It considers the impact of the UK leaving the European Union on clean air strategies and environmental protection and sets out the comprehensive action required from all parts of government and society to help meet legally binding targets of the five most damaging air pollutants (fine particulate matter, ammonia, NO_x, sulphur dioxide, non-methane volatile organic compounds).

Highways England Air Quality Strategy

5.1.2.11 This strategy¹¹ sets out Highways England's contribution to support the Department for Environment, Food and Rural Affairs (Defra) and the Department for Transport (DfT) as they work to improve air quality in the UK and deliver nitrogen dioxide compliance at the roadside in the shortest time possible.

⁹ Department for Environment, Food and Rural Affairs (2017) UK plan for tackling roadside nitrogen dioxide concentrations,.

¹⁰ Department for Environment, Food and Rural Affairs (2019) Clean Air Strategy,.

¹¹ Highways England (2017) Air Quality Strategy,.

5.1.2.12 The strategy is structured into four key areas:

- Policy – *‘We will work with others to develop and deliver policies to improve air quality’.*
- Planning – *‘We will, where appropriate, design out or mitigate poor air quality for our schemes’.*
- Monitoring – *‘We will build a clear picture of air quality across our network’.*
- Operational management – *‘We will actively improve air quality by optimising the use of the network’.*

National Highways Net Zero Plan

5.1.2.13 National Highways' Net Zero Plan¹² sets out their trajectory to achieving net zero through decarbonisation of:

- Corporate emissions, covering operational energy and travel, by 2030
- Maintenance and construction, covering emissions from making and transporting materials used to maintain the strategic road network, by 2040
- Net zero carbon travel on roads, covering emissions from users of the strategic road network, by 2050.

5.1.2.14 The strategy is intended to bring rapid reductions in greenhouse gas emissions as well as fast improvements in air quality by limiting emissions nitrogen oxides and fine particulates, supporting the delivery of the Air Quality Strategy (outlined above).

Local Planning Policy

Durham County Council

5.1.2.15 Durham County Council adopted their new *County Durham Plan* in October 2020 (Durham County Council, 2020)¹³, which sets out a vision for housing, jobs and the environment until 2035. This Plan contains several strategic objectives and policies relating to air pollution and the development of major road schemes, namely:

- Objective 4: Infrastructure - *“Enable the delivery of the necessary infrastructure such as transport ... that is required to support new and existing development and the economic, social and environmental ambitions of the county”.*
- Objective 9: Natural Environment - *“Protect, enhance, maintain and manage the county’s locally, nationally and internationally important natural environment...”*
- Objective 19: Natural Resources - *“Protect and enhance air, water and soil quality and encourage the efficient and sustainable use of the county’s resources...”*
- Policy 21 - Delivering Sustainable Transport: *“The transport implications of development must be addressed as part of any planning application, where relevant this could include through*

¹² National Highways (2021) Net zero highways: our 2030 / 2040 / 2050 plan

¹³ Durham County Council (2020) County Durham Plan Adopted 2020.

Transport Assessments, Transport Statements and Travel Plans. All development (excluding mineral extraction, waste management and householder extensions) shall deliver sustainable transport by:

- a) *delivering, accommodating and facilitating investment in safe sustainable modes of transport in the following order of priority: those with mobility issues or disabilities, walking, cycling, bus and rail transport, car sharing and alternative fuel vehicles;*
 - b) *ensuring that any vehicular traffic generated by new development, following the implementation of sustainable transport measures, can be safely accommodated on the local and strategic highway network and does not cause an unacceptable increase in congestion or air pollution and that severe congestion can be overcome by appropriate transport improvements;*
 - c) *ensuring the creation of new or improvements to existing routes and facilities do not cause unacceptable harm to the natural, built or historic environment.”*
- **Policy 24 - Provision of Transport Infrastructure:** *“New and improved transport infrastructure will be permitted where it meets all of the following criteria:*
 - a) *minimises and mitigates any harmful impact upon the built, historic and natural environment and the amenity of local communities including by incorporating green infrastructure...”*
 - **Policy 31 - Amenity and Pollution:** *“Development will be permitted where it can be demonstrated that there will be no unacceptable impact, either individually or cumulatively, on health, living or working conditions or the natural environment... Development which has the potential to lead to, or be affected by, unacceptable levels of air quality, inappropriate odours, noise and vibration or other sources of pollution, either individually or cumulatively, will not be permitted including where any identified mitigation cannot reduce the impact on the environment, amenity of people or human health to an acceptable level”.*
 - **Policy 43 - Protected Species and Nationally and Locally Protected Sites:** *“All development proposals in, or which are likely to adversely impact upon (either individually or in combination with other developments), any of the following national designations (where not a component of an internationally designated site):*
 - *Sites of Special Scientific Interest*
 - *National Nature Reserves*
will only be permitted where the benefits of development in that location clearly outweigh the impacts on the interest features on the site and any wider impacts on the network of sites.
 - *All development proposals in, or which are likely to adversely impact upon, any of the following local designations:*
 - *Local Sites (Geology and Wildlife)*
 - *Local Nature Reserves (LNRs)*
will only be permitted when it can be demonstrated that the benefits of development in that location outweigh the impacts on the local

nature conservation interest or scientific interest on the site and any wider impacts on the network of sites."

Eden District Council

5.1.2.16 Eden District Council adopted the *Eden Local Plan 2014 to 2032* in October 2018 (Eden District Council, 2018)¹⁴. It sets policies for the district against which planning applications are assessed. Policy ENV7 is relevant to air pollution and states:

- *"all major development proposals, defined in Appendix 2, will be required to assess the likely impacts of the proposed development on air quality. Development proposals will be expected to include mitigation measures to offset negative impacts, which may include:*
 - *Ensuring the development is located within easy reach of established public transport routes*
 - *Maximising provision for cycling and pedestrian facilities*
 - *Encouraging the use of cleaner transport fuels on site, through the inclusion of electric car charging points*
 - *Contributing towards the improvement of the highway network where the development is predicted to result in increased congestion on the highway network.*
- *Development proposed nearby any Air Quality Management Area (AQMA) declared within the district will require an air quality assessment to identify the likely impacts of development upon the designated area. Permission will only be granted if the individual and cumulative impact of the proposed development on air quality is acceptable and appropriate mitigation measures are applied. Contribution towards measures identified to deliver the Air Quality Action Plan will be required as part of the development."*

Richmondshire District Council

5.1.2.17 The *Richmondshire Local Plan 2012-28: Core Strategy* (Richmondshire District Council, 2014)¹⁵ was adopted by Richmondshire District Council in 2014. It provides the strategic development policies for the part of the district that is outside the Yorkshire Dales.

5.1.2.18 A review of the Core Strategy indicated the following policy of relevance to this assessment:

- *Core Policy CP3: Achieving Sustainable Development - "1. Support will be given for sustainable development which promotes: [...] e. the quality of natural resources including water, air, land and biodiversity and minimises the impacts of airborne pollution.'*
- *Development and the provision of services should, as far as possible, be located so as to minimise the need to travel. Convenient access via foot, cycle and public transport should exist or be provided, where possible, encouraging the use of these modes of travel for local journeys and reducing the need to travel by private car and improving*

¹⁴ Eden District Council (2018) *Eden Local Plan 2014-2032*,.

¹⁵ Richmondshire District Council (2014). *Richmondshire Local Plan 2012-28: Core Strategy*,.

the accessibility of services to all. Transport schemes that lead to improvements in accessibility will be supported. The potential for more sustainable means of transport related to the uses and users of the development must be addressed. This includes the preparation of travel plans and consideration of the scope to utilise local sourcing of materials and supply chains. The use of locally reclaimed, and the re-use of more sustainable, building materials will be supported where appropriate, where this does not harm the character and appearance of historic and environmental assets."

Cumbria County Council

- 5.1.2.19 Cumbria County Council is responsible for the Cumbria Minerals and Waste Local Plan 2015-2030, published in September 2017. A review of the Minerals and Waste Local Plan indicated no air quality policies relevant to this assessment.
- 5.1.2.20 The 3rd Cumbria Local Transport Plan (Cumbria County Council, 2011)¹⁶ contains the strategy for 2011 to 2026. This plan includes the following strategy priorities and outcomes:
- Health and well-being throughout life – *"Air quality improves, and respiratory disease reduces"*.
 - World class environmental quality – *"Environmental quality will be improved (tackling effects of roads and transport on air and water quality..."*.

5.1.3 Standards and guidance

Design Manual for Roads and Bridges

- 5.1.3.1 *Design Manual for Roads and Bridges (DMRB) LA 105 Air quality (DMRB LA 105)* (Highways England, 2019)¹⁷ provides a framework for assessing, mitigating and reporting the effects of motorway and all-purpose trunk road projects on air quality by:
- 1) determining whether the impacts of a project on human health or designated habitats can trigger a significant air quality effect
 - 2) determining whether the impacts of a project affects the UK's reported ability to comply with the Air Quality Directive in the shortest timescales possible;
 - 3) determining whether construction activities associated with the delivery of the project triggers a significant air quality effect on nearby sensitive receptors;
 - 4) assessing and applying the appropriate mitigation measures and air quality monitoring where a project:
 - triggers a significant air quality effect
 - affects the UK's reported ability to comply with the Air Quality Directive in the shortest timescales possible or

¹⁶ Cumbria County Council (2011) Moving Cumbria Forward, Cumbria Transport Plan Strategy 2011-2026.

¹⁷ Highways England (2019) Design Manual for Roads and Bridges LA 105 Air quality.

- results in adverse dust impacts.

Local Air Quality Management Technical Guidance

5.1.3.2 *Local Air Quality Management Technical Guidance (LAQM.TG(16))* (Department for Environment Food and Rural Affairs, 2018)¹⁸ provides appropriate guidance for:

- Handling air quality monitoring data
- Conversion of oxides of NO_x to NO₂ (and vice versa)
- Estimating background pollutant concentrations
- Determining compliance with air quality objectives for 1-hour mean NO₂ and 24-hour mean of particulates less than 10 micrometres in diameter (PM₁₀) concentrations from annual mean concentrations
- Verification and adjustment of air quality models.

Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations

5.1.3.3 This internal operational Guidance Note (Natural England, 2018)¹⁹ describes how Natural England advises competent authorities and others on the assessment of plans and projects (as required by the Conservation of Habitats and Species Regulations 2017 ('the Habitats Regulations') and the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (Department for Environment Food and Rural Affairs, 2021)²⁰ likely to generate road traffic emissions to air which are capable of affecting European Sites²¹.

5.1.3.4 This guidance outlines Natural England's approach to advising competent authorities on air quality assessment and identifies data sources to:

- Allow competent authorities to have regard to these matters when they undertake their statutory duties and reach their conclusions on Habitats Regulations Assessments;
- Identify when Natural England is likely to advise no further assessment is required;
- Identify when Natural England is likely to advise detailed assessment and bespoke advice may be required; and,

¹⁸ Department for Environment, Food and Rural Affairs (2021) Part IV of the Environment Act 1995 and Environment (Northern Ireland) Order 2002 Part III, Local Air Quality Management Technical Guidance LAQM.TG16,.

¹⁹ Natural England (2018) Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations (NEA001), .

²⁰ Department for Environment, Food and Rural Affairs (2021) Changes to the Habitats Regulations 2017.

²¹ The term 'European Site' applies here to the following Protected Sites occurring in England: Special Areas of Conservation (SACs), candidate SACs, Special Protection Areas (SPAs), Sites of Community Importance (SCIs), potential SPAs, possible SACs, listed or proposed Ramsar sites and sites identified, or required, as compensatory measures for adverse effects on these European sites (see also page 28 of the National Planning Policy Framework 2012 and regulation 8 of the Habitats Regulations 2017.

- Assist Natural England staff when drafting advice on potential impacts from air pollution.

5.1.3.5 This guidance is applicable when Natural England gives its advice on plans and projects involving the following:

- Emissions from road traffic likely to be generated by new development projects including residential, mixed use and industrial/commercial developments
- Emissions from road traffic likely to result from allocations in strategic Local Plans
- Emissions from proposed road schemes.