

From Malcolm Brice. Registration Identity Number 20010173

Copy of my notes for the Open Hearing on 14th March, 2019

Before starting, I thanked Cllr Alan Brown for telling the Hearing about the NCC's objection to the proposed development as that had not really been known before. I also mentioned that if people coming to the Hearing had driven on the M1 from south of Milton Keynes they would have passed a very large logistics building, Altitude, Magna Park, which appears little used, questioning the need for proposed development.

My name is Malcolm Brice and I am representing myself. I was for 30 years on Collingtree Parish Council and Chairman for 21 of those years. Throughout that time I have voiced concern for the poor air quality in this area. I objected to the Bovis development application in this area on the same grounds. The Inspector allowed the development but tried to meet air quality concerns by requiring a bund between the development and the M1 and requiring the nearest houses to be moved further back from it. I understand the NBC planners are still dealing with the revised application.

I am here today to continue to voice my concerns about the dangerous level of air pollution in this area which can only be made worse if this development goes ahead. At the end of the previous Open Hearing, I asked the Inspectorate Team to try to get the NBC environmental experts to take seriously the air pollution danger in this area. I thank you for the additional questions you asked but you may agree the answers are far from definitive. May I first draw your attention to the NBC/SNBC response to ExAQ2.1.23. This shows the Nox concentration at AQMA 6 to be 47ugm³ - way above the legal limit of 40. In the well-known opinion of Robert McCracken QC re the Air Quality Directive 2008/50/EC, conclusion 67 states - "Where a development would in a locality ...make significantly worse an existing breach it must be refused." The NBC/SNC statement, however, says the overall impact of the proposed development on air quality is negligible. How does it justify this? If I may now draw your attention to 2.1.34, the NBC/SNC response states the Government has said that Northampton does not have a persistent air quality problem and is expected to meet the Air Quality Objective /EU limit values within the required time frames. Although this refers to Northampton in general, it appears to be being misused to claim that the level of air pollution in this area will improve. In the UK Plan for tackling NO₂ concentrations, a government chart suggests the air pollution situation will improve but it has already been proved wrong. It supposes the local air pollution figure to be 39ug/m³ in 2018 and decreasing but it is actually above that at 47 ug/m³ and going in the other direction. Even the NBC low emissions strategy states it is optimistic so how can it be so wrong? The answer is easy. The chart only takes into account the NO₂ figures and ignores PM 2.5 and particulates PM10. As this is a government chart, I have contacted my MP about this and asked her to have it challenged and hopefully revealed as the fiasco it is. The reality is that the air pollution level in this area is above the legal limit now and can only get worse with increasing lorry traffic. It appears the NBC folks still haven't taken this matter seriously. They could and should declare this area to be a clean air zone but appear unwilling and are therefore failing in their duty of care to the existing residents who will face increasing air pollution from this site borne towards them by the prevailing south westerly wind

In view of the serious concerns expressed recently about the dangers of air pollution to health, it seems to me, Sir, that you and your team are left to decide against this development or to face harming the health of people and children in this area for many years.

Notes of references follow on separate sheet.

I note from NBC's response to ExAQ2 that:

The October 2018 update of the Government's UK plan for tackling roadside nitrogen dioxide concentrations follows a further judgement in the court cases taken by Client Earth. Some authorities in Table K of the plan are now required to undertake Clean Air Zone (CAZ) feasibility studies and produce air quality plans to improve air quality (NO2) in the shortest possible time. While Northampton was in Table K, the Government has said that Northampton does not have a persistent air quality problem and does not require a CAZ feasibility assessment as it is expected to meet the Air Quality Objective / EU Limit Value within the required EU compliance timeframes.

<https://infrastructure.planninginspectorate.gov.uk/wp-content/jpc/uploads/projects/TR050006/TR050006-001132-Northampton%20Borough%20Council.pdf>

From the UK Plan for Tackling Roadside Nitrogen Dioxide Concentrations - Detailed Plan:

Table 1: Local authorities with roads with concentrations of NO2 forecast above legal limits and assuming no additional measures. All figures are provided in $\mu\text{g}/\text{m}^3$ and $40 \mu\text{g}/\text{m}^3$ is the statutory annual mean limit value for NO2.

Authority	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
NBC	41	39	38	36	33	32	30	29	27	26	25	25	24	23

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/633270/air-quality-plan-detail.pdf

From Northampton Low Emission Strategy (NLES) 2017 – 2025:

NO2 levels in Northampton are significantly elevated in key locations and we believe that the Government's modelling is over optimistic in predicting compliance with the EU Limit Values in Northampton by 2020. For example, the Government model assumes that 73% of all bus km travelled in Northampton in 2020 will be by Euro VI Standard buses. We know that, given the current bus emission profile (see section 4.6), there will only be a few Euro VI buses introduced as part of current investment plans. Therefore, we need to consider robust plans that can effectively reduce vehicle emissions in key locations - setting standards that, at least, mirror the Government modeling assumption. This could be achieved through the implementation of Clean Air Zones (CAZ) or Low Emission Zones (LEZ).

Elevated Toxicity Zone – 1,000 – 1,500 feet:

PMs from auto emissions are elevated within 1,000 feet (300 meters) of a major highway. (Yifang, et al., 2002, pp. 1038-1039) A Denver study indicated that children living roughly within that distance were eight times as likely to develop leukemia and six times as vulnerable to all types of cancer. (Hulse, et al., 2004, par. 1) In another study, children under 5 years of age admitted to hospitals with asthma emergencies were significantly more likely to live within 500 meters (1,640 feet) of a major highway when traffic flow exceeded 24,000 vehicles per hour than those who lived further away or when traffic flow was less. (Edwards & Walters, 1994) Particle levels return to near normal beyond that distance.

Updates:

Updates made February 2, 2016

"According to a study that will appear in the Feb. 17 (2007) issue of *The Lancet* and is now available online, researchers at the Keck School of Medicine of USC found that children who lived within 500 meters of a freeway, or approximately a third of a mile, since age 10 had substantial deficits in lung function by the age of 18 years, compared to children living at least 1,500 meters, or approximately one mile, away." [Living Near Highways Can Stunt Lungs](#), USC News (Jan. 27, 2007).

For the attention of Mr David Brock

Re application by Roxhill (Junction 15) Ltd for an Order Granting Development Consent for the Northampton Gateway Rail Freight Interchange.

Dear Sir,

At the Open Hearing on 19th December, 2108, I stated that the existing poor air quality in Collingtree can be easily demonstrated by the difference between a new cream paving slab and one exposed to the local air for more than a year. I attach a photograph to prove that point. The photograph was taken in my garden at [REDACTED] which is about 400 metres south from the M1 at a point where it is shielded by trees.

Yours truly,

Malcolm Brice

Registration Identity Number 20010173

