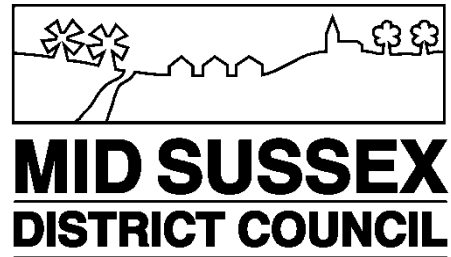


**Mid Sussex  
District Council**



## **Site Allocations DPD**

**MSDC-18: Response to Action Point 20**

Matter 4.3: Policy SA38: Air Quality

8<sup>th</sup> September 2021

# MSDC-18: Response to Action Point 20

## Matter 4.3: Policy SA38: Air Quality

### 1.0 Introduction

- 1.1 This note has been prepared in response to the discussion for Policy SA38 at the Matter 4 Hearing session on the 15<sup>th</sup> June 2021, at the request of the Inspector [ID-05]. This note responds to Action Point 20 which requested:

CPRE Sussex to suggest an alternative policy framework that they believe would be sound.

- 1.2 CPRE Sussex has provided a suggested policy framework based around a set of principles [REP-689-005].
- 1.3 The Inspector also asked for a note on Policies SA34-SA38 [Action Point 2 of ID-05]. MSDC-04 includes the response for Policy SA38 and sets out the justification and context for this proposed policy.

### 2.0 MSDC Response

- 2.1 The Council has reviewed the suggested policy framework proposed by CPRE Sussex in REP-689-005. CPRE Sussex itself admits that the suggested policy framework is significantly different from the current wording of SA38 and would be a 'start from scratch' approach rather than amendments to the current policy wording (paragraph 4 of REP-689-005).
- 2.2 The Council considers that now is not the appropriate time to make significant changes to the current policy wording. The suggested policy framework would require the production of further evidence to demonstrate that it was justified and effective. The preparation of this evidence would significantly delay the progress of the Sites DPD such that the timetable would run into the review of the District Plan. There are also potential resource implications since the suggested policy framework commits the Council to the production of a Supplementary Planning Document which might neither be necessary nor appropriate.
- 2.3 The Council's Environmental Health team has reviewed the suggested policy framework proposed by CPRE Sussex. Much of the approach proposed is already addressed through other mechanisms. For example, the Council proactively monitors and assesses air quality in the District<sup>1</sup> (Local Air Quality Management) and reports to Defra each year as required by the Environment Act 1995. Feedback is received from Defra so the Council knows if it is on the right track or not.
- 2.4 The planning process requires the assessment of the impact of air quality for new development. This is undertaken by way of Air Quality Assessments in line with both

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<sup>1</sup> <https://www.midsussex.gov.uk/environment/air-quality/>

national<sup>2</sup> and local<sup>3</sup> guidance. This guidance allows the Council to screen which developments require assessment in order to assess the significance of the impact upon local air quality and to ensure mitigation measures are put in place where appropriate. This may be infrastructure such as EV charging points or cycle storage, low emission boilers, travel vouchers and car clubs. Dust management plans can also be required for the construction phase to reduce any short-term particulate pollution.

- 2.5 Specifically, some of the measures suggested by CPRE Sussex are not practical. For example, point 6 suggests that monitoring for pollutants should take place for every major development construction both on-site and off-site. This is unrealistic given the potential number of pollutants to be monitored, the precise location of monitoring and to which standards they should be assessed. Different types of development in different locations may also require a different approach, for example, an urban or rural location, a development near a school. There are too many variables to make this approach practical - for example, weather conditions can affect air quality.
- 2.6 The main pollutant of concern in Mid Sussex District is currently traffic related (nitrogen dioxide, NO<sub>2</sub>) and the long-term trend is improving air quality due to the vehicle fleet becoming cleaner over time.
- 2.7 The Council considers that some of the measures in the suggested policy framework are more appropriately addressed outside of planning policy - for example, monitoring should be part of the Local Air Quality Management strategy. The Council considers that planning policy should set out the general parameters for air quality assessment and be aimed at reducing the need for travel by motor vehicle and encouraging urban design that allows for active travel and efficient public transport, as well as ensuring protection for nature conservation sites.
- 2.8 In summary, the Council is concerned that the suggested policy framework for air quality as proposed by CPRE Sussex is not practical or feasible. Some of the measures put forward by CPRE Sussex would not be implementable. For example, the scale of the monitoring network proposed and its associated resource and cost implications. This means that the suggested policy framework proposed by CPRE Sussex is not justified or effective and would, therefore, not be a sound policy.
- 2.9 The Council is satisfied that suitable and appropriate monitoring is in place in the District, and this has been confirmed by Defra in their previous feedback to the Air Quality Annual Status Reports.
- 2.10 The Council remains committed to improving local air quality and will continue to consider this in line with legislation, guidance and best practice.
- 2.11 As noted in MSDC-04, the Council has commenced work on reviewing the District Plan. The scope of this work includes a review of air quality impacts and further technical work will be undertaken as part of the evidence base. This is the appropriate stage of plan-making to consider if, for example, particulates should be included further in local air quality assessments, whether amended standards should be proposed and any new strategic policy for air quality.

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<sup>2</sup> EPUK and IAQM: Planning for Air Quality (2017): [https://www.environmental-protection.org.uk/wp-content/uploads/2013/07/air-quality-planning-guidance\\_Jan17.pdf](https://www.environmental-protection.org.uk/wp-content/uploads/2013/07/air-quality-planning-guidance_Jan17.pdf)

<sup>3</sup> Sussex-air: Air quality and emissions mitigation guidance for Sussex (2020): <https://www.midsussex.gov.uk/media/4637/sussex-aq-guidance-v1-2020.pdf>