
REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 12
DATE OF MEETING:	1st JUNE 2017	CATEGORY: RECOMMENDED
REPORT FROM:	STUART BATCHELOR DIRECTOR OF COMMUNITY AND PLANNING SERVICES	OPEN
MEMBERS' CONTACT POINT:	RICHARD SHAW, richard.shaw@south-derbys.gov.uk; MATT HOLFORD, matthew.holford@south-derbys.gov.uk	DOC:
SUBJECT:	DESIGN SUPPLEMENTARY PLANNING DOCUMENT AND AIR QUALITY	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: EDS03

1. Recommendations

- 1.1. That Committee approve the revisions to the South Derbyshire Design Supplementary Planning Document (SPD) to include additional content in relation to air quality and to capture the recommendations from E&DS on 26th April.
- 1.2. Agree that a separate Air Quality SPD is not required.

2. Purpose of Report

- 2.1. To advise Members of the proposed inclusion of additional material within the Design SPD and to seek Members' approval to consult on the final draft of the document.

3. Background

- 3.1. The Local Plan Part 1 was adopted by the Council in June 2016 and sets out the long-term vision, objectives and strategy for the spatial development of South Derbyshire and provides a framework for promoting and controlling development. Policy BNE1: Design Excellence states at A ii) that 'all proposals for new development will be assessed against the Council's Design SPD'. The Local Development Scheme timetables consultation on the Design SPD for early 2017.
- 3.2. A Design SPD has now been produced for consultation and was approved with additional recommendations by Members for consultation by E&DS on 26th April 2017.
- 3.3. Air quality, and the impact it has on community health has been identified as having the same impact on community health as smoking and obesity and has been described as the "new public health emergency" (ref). The inclusion of additional

measures in local planning policy guidance is considered to be the single most important contribution that the District Council can make towards improving the health of our local community by minimising the exposure to adverse air quality.

4. Policy and Legislative Background

- 4.1. Paragraph 109 of the National Planning Policy Framework states that *“The planning system should contribute to and enhance the natural and local environment by; preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability”*
- 4.2. Planning Policy Guidance – Air Quality (2014) provides national guidance on the interaction between planning and air quality. The assumption in the guidance is in favour of permitting development unless the proposals will
 - cause a breach of EU Air Quality Directives;
 - make air quality worse in areas where it is already poor, or;
 - where the development will adversely impact upon the implementation of air quality action plans.
- 4.3. The Guidance also contains advice about air quality mitigation and requires that any air quality mitigation should be location specific and proportionate to the impact.
- 4.4. In February 2016 a highly influential report¹ was published by the Royal College of Physicians which highlighted the health impacts of air quality at exposure levels less than the statutory standards currently contained in EU Air Quality Directives and UK air quality law. The report has been a game-changer in terms of the attention paid to air quality by the healthcare community. It also highlighted how the impact of air pollution disproportionately affects the young, older people, those with underlying health conditions and the most disadvantaged within our communities.
- 4.5. In March 2016 the Derbyshire Health Protection Board considered a report on air quality and health and agreed to a proposal that *“local planning authorities in Derbyshire adopt a joint Supplementary Planning Document”*
- 4.6. In June 2016 E&DS approved the submission of an Annual Status Report on Air Quality to DEFRA. One of the key action points stated in the report was “to issue local guidance on planning and air quality to help give due weight to air quality issues within planning application determinations”.
- 4.7. In early 2016 Public Health England (PHE) announced that air quality would be one of their key strategic national priorities. An East Midlands Air Quality Forum was established consisting of professionals from across the region, including public health, transport, environmental health and academics. One of the key tasks of the group has been to develop guidance on air quality and planning, which could be adopted by local planning authorities to ensure that they could support economic growth whilst ensuring that air quality is given adequate consideration within the development control process.

5. Detail

- 5.1. Officers have considered how the aims and objectives of the PHE guidance can most effectively be embedded within local planning guidance. We reached the conclusion that air quality mitigation should be included from the start of the development design process. By adopting this approach the mitigation measures can be integrated into the overall design strategy.

- 5.2. We therefore concluded that it would be more effective to include air quality considerations within the existing Design SPD. Officers considered that a separate SPD on air quality would mean that it is considered too late in the design process and as a result would add cost and delay to both the development submission and to the final build.
- 5.3. The content of the Design SPD has also been amended to include the recommendations made by Members in E&DS of 26th April 2017.
- 5.4. We have therefore revised the Design SPD approved by Members on 26th April and included a number of additional measures to provide practical, proportionate and cost effective mitigation measures. The revisions to the Design SPD are summarised in Annex 1. The full revisions to the Design SPD are highlighted in red in Annex 2.
- 5.5. If approved the revised Design SPD will now go out to public consultation along with the Local Green Spaces and Affordable Housing SPDs previously approved by Committee.

6. Financial Implications

- 6.1. The proposals have no immediate financial implications other than the costs of the consultation process.
- 6.2. The longer term financial implications of further actions or policies arising from the proposed resolutions will be communicated to members in future reports.

7. Corporate Implications

- 7.1. The adoption of a complete South Derbyshire Local Plan is a key priority of the District Council and is included as an action within the Corporate Plan. The Corporate Plan also contains a commitment that air quality in the District will meet all standards for human health. The Design SPD will assist the implementation of both of these Objectives.

8. Community Implications

- 9.1. The inclusion of practical air quality mitigation measures within good design principles is considered to be the most effective way of ensuring sustainability within new development.

10. Background Papers

- 11.1.¹ Royal College of Physicians. "Every breath we take: the lifelong impact of air pollution". Report of a working party. London: RCP, 2016.
- 11.2. South Derbyshire District Council Air Quality Annual Status Report 2016.
- 11.3. Derbyshire Health and Wellbeing Board, 10th March 2016

Annex

- 1 – Summary of the revisions to the Design SPD
- 2 – Full version of the Design SPD with amendments highlighted in red.