

## **CABINET**

**23 AUGUST 2022**

### **FOUR ELMS HILL AIR QUALITY ACTION PLAN – ADDENDUM REPORT**

Portfolio Holder: Councillor Jane Chitty, Portfolio Holder for Planning, Economic Growth and Regulation

Report from: Richard Hicks, Director of Place and Deputy Chief Executive

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#### **Summary**

This addendum report sets out the comments and recommendations to Cabinet made by the Regeneration, Culture and Environment Overview and Scrutiny Committee, which considered the Four Elms Air Quality Action Plan on 11 August 2022.

#### **1. Background**

1.1. This report was introduced by the Head of Regulatory and Environmental Services. He explained to the Committee that production of the Air Quality Action Plan (AQAP) for the Four Elms Hill Air Quality Management Area (AQMA) was a statutory duty. The AQAP had been developed through external and internal engagement with stakeholders and had been consulted upon between 7 March 2022 and 24 April 2022. Details of the consultation were set out in section 5 of the report.

1.2. Members expressed several concerns, including:

- whether the AQAP would, in practical terms, reduce emissions within the AQMA.
- that emissions would increase in the short term as vehicular usage associated with new developments in the area increased.
- that there was too great a reliance on the delivery of zero emission Heavy Goods Vehicles (HGVs) and Light Goods Vehicles (LGVs) and that uptake of these vehicles depended on National factors. Consideration was also given to uptake of residential and commercial electric vehicles and reference made to barriers such as cost and access to charging stations.

- that more action ought to be taken now, for example, including a requirement for developers to utilise low emission/electric vehicles during the construction phase of any project.
  - that the response ‘no further/reduced development on the peninsula’ was the highest selected action at the conclusion of the consultation exercise, yet the report noted at paragraph 5.8 that this was not feasible in the context of the ongoing Local Plan work. A view was expressed that the AQAP should feed into the Local Plan work which had yet to be agreed.
- 1.3. In response, it was explained to the Committee that creating the AQAP was a complex process which took account of growth associated with the emerging Local Plan (including the Housing Infrastructure Fund (HIF)) and future air quality challenges. Modelling had looked at three scenarios:
- 2019. This was a baseline case which had been adjusted to align with monitoring data.
  - 2024. This assumed 2024 emission factors and 2037 traffic flows associated with the emerging Local Plan. This was a worst-case scenario.
  - 2030. This assumed 2030 emission factors and 2037 traffic flows associated with the emerging Local Plan. This a more realistic scenario, however it was conservative.
- 1.4. Emphasis had been given to three measures (the HIF relief road; zero emission buses through the AQMA; and zero emission HGVs and LGVs through the AQMA) as they were quantifiable, unlike some other measures within the Plan.
- 1.5. It was recognised that the dispersion modelling exercise had indicated that with the HIF relief road and zero emission buses only passing through the AQMA, concentrations of nitrogen dioxide were predicted to still exceed the nitrogen dioxide annual mean air quality objective at Four Elms Hill. However, a phased move towards low emission / electric HGVs / LGVs over the next 10 to 15 years would make a significant impact on concentrations of nitrogen dioxide. Nationally, the Government had committed to bringing forward this technology but despite recent advancements in this area there was some uncertainty about the speed of uptake. The Council was developing an Electric Vehicle Strategy which could accelerate progress locally. There would also be continued ability to increase availability of electric vehicle infrastructure on developments and public spaces in line with Medway’s Air Quality Planning Guidance which was adopted in 2016.
- 1.6. It was explained to the Committee that within the AQAP, a purposefully broad measure concerning low emission HGVs and LGVs could be cited when considering planning applications. The Committee was assured that the Environmental Protection Team scrutinised Construction Environmental Management Plans (CEMPs) and would continue to do this. The AQAP would provide a lever through which more could be asked of developers. In response to a question, it was confirmed that all new HGVs must currently conform to Euro 6 emission Standards.

- 1.7. The Committee was also assured that there were other interventions within the AQAP but as these were presently not quantifiable, these would need to be monitored regularly and adapted as required. The AQAP would be reviewed at least every five years and progress on its measures would be reported on annually within Medway Council's air quality Annual Status Report (ASR) to DEFRA. It was added that there was an internal Steering Group overseeing the implementation of the AQAP.
- 1.8. Further discussing the planning process, the Committee was advised that developers were required to submit an air quality impact assessment alongside planning applications. The Environmental Protection Team assessed these and would evaluate the impacts of the proposed development and any cumulative impacts. Where the impact of a development was significant, and the proposed mitigation was not satisfactory then an objection could be lodged against an application and recommendation made for refusal.
- 1.9. In response to a question about how the AQMA area had been defined, officers confirmed it was determined by undertaking monitoring and was set in accordance with the requirements of DEFRA, which looked at where air quality did not meet its objectives at the location of relevant receptors. Asked specifically about the Liberty Park development, it was confirmed that monitoring was undertaken in this location and the data showed that air quality met air quality objectives.
- 1.10. More generally, the Council had two continuous monitoring stations which provided a long-term view of emissions over time. This data was supplemented with data from diffusion tubes which were relocated regularly. Monitoring was undertaken in accordance with DEFRA guidance. It was explained that there were two objectives set by DEFRA, broadly split into short-term and long-term objectives. Measurements would be taken depending on the objective under consideration.
- 1.11. Asked about funding to deliver the measures within the AQAP, it was explained that implementation of the AQAP would be delivered through existing budgets and external funding opportunities (e.g., the DEFRA Air Quality Grant Fund). By having an AQMA and associated AQAP, the Council would be prioritised for DEFRA funding.
- 1.12. Discussing sustainable travel, it was asked whether the AQAP promoted active travel, including providing dedicated cycle lanes. In response, the importance of utilising alternative means of transport was emphasised and formed part of the AQAP. With respect to exposure to air pollution whilst travelling by bike or walking, evidence suggested that the positive impacts of taking exercise outweighed the negative impacts associated with any exposure to air pollutants. A view was expressed that it would be important to promote this information. It was also noted that the Council had been awarded funding through the active travel grant for a cycle lane on Four Elms Hill but delivery had been postponed.
- 1.13. With respect to concerns and questions within the context of the emerging Local Plan, the Committee was advised that the Local Plan needed to

consider wider environmental matters to ensure development was sustainable. The Local Plan would, however, include an Air Quality Policy. This was presently in draft form and would be reviewed. Recognising the previous concerns raised by the Committee, it was confirmed that the AQAP was a standalone document to be delivered separately to any process included within the Local Plan work and delivery was not reliant on S106 funding. It was noted that DEFRA had accepted the AQAP.

1.14. The Committee:

- a) agreed to recommend the Four Elms Air Quality Action Plan, attached at Appendix 1 to the report, to Cabinet for approval and:
- b) requested the Cabinet to bring forward the dedicated cycle lane on Four Elms Hill.

2. Director's Comments

2.1. The Director of Place and Deputy Chief Executive has provided the following comments in relation to the recommendation set out at paragraph 3.3:

2.2. The improvements to cycle infrastructure on Four Elms Hill comprise widening the existing footway to create a shared footway/cycleway between Beacon Hill Lane and Upchat Road Bridge. To make these improvements, we will need to close a traffic lane for the duration of the works, which is expected to be around six weeks. We are mindful of the disruption caused by the delivery of the slip road on Berwick Way earlier this year and keeping the local area free of non-essential highway works and lane closures since then has been appreciated by residents and businesses. The importance of sustainable transport infrastructure on Four Elms Hill is fully understood, however, and we will accelerate the final elements of the design process, including ground investigation works and temporary traffic management plans, so we can start construction in late Spring 2023.

3. Revised recommendations to Cabinet

3.1. The Cabinet is recommended to note the comments of the Regeneration, Culture and Environment Overview and Scrutiny Committee set out in the addendum report.

3.2. The Cabinet is recommended to approve the Four Elms Air Quality Action Plan, attached at Appendix 1 to the report.

3.3. The Cabinet is asked to consider the following recommendation from the Regeneration, Culture and Environment Overview and Scrutiny Committee and agree a way forward:

The Committee requested the Cabinet to bring forward the dedicated cycle lane on Four Elms Hill.