

Southampton City Council - Planning department

Submission to Air Quality Scrutiny Panel: Planning Policy

Introduction - Future development in Southampton

1. From 2006 – 2026, Southampton has a target of building 16,300 new homes, an average of 815 homes per year. This target will shortly be rolled forward to 2036. In addition to these new homes, Southampton has targets for around 110,000 sqm of new office floorspace and 90,000 sqm of new comparison retail floorspace to deliver by 2026.
2. The development plan sets out the approach to development and identifies sites that may come forward to accommodate the targets. It also includes detailed development management policies for new developments, standards to be met and principles to be followed. The new local plan will balance the need for growth with new homes and jobs and the need for high quality development that addresses issues such as air quality.
3. Recent development in Southampton has involved the redevelopment of vacant commercial premises and sites. These have included the former Vosper Thornycroft and Ordnance Survey sites which between them will deliver over 2,000 new homes as well as other retail and commercial floorspace. The challenge for the new Local Plan is to identify sites to deliver the amount of development needed. In addition to finding individual sites, the council will be considering the potential for intensification to deliver development in the city centre, Itchen Riverside, district centres and along main bus routes.

Planning policy on air quality

4. Planning Policy has started work on a citywide new Local Plan which provides the opportunity to update the general policy on air quality as well as set development targets. The current planning policy on air quality is shown in Appendix 1. The policy is split between two plans, the Local Plan (2006) and Core Strategy. The main policy is SDP 15 in the Local Plan (2006). In accordance with this policy, permission will be refused where the proposal either contributes significantly to, or would be materially affected by, poor air quality. The supporting text to SDP 15 includes reference to 'any Air Quality Management Areas and Action Plans declared by the city council' as these were not in place when the policy was adopted. The Core Strategy policy is a wider policy covering climate change which includes reference to the council implementing measures identified in the Climate Change and Air Quality Strategy (2004) and subsequent revisions to the strategy.
5. Since the adoption of SDP 15, the Government has published national guidance in the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG). This provides the framework for Southampton's policies and must be taken into account in preparing plans and determining planning applications. The NPPF states that:

Planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan (paragraph 124).

6. The Planning Practice Guidance (PPG) includes a section on air quality. This states that 'local plans can affect air quality in a number of ways, including through what development is proposed and where, and the encouragement given to sustainable transport' (Ref. ID 32-002-20140306). In providing guidance on mitigating an impact on air quality, the PPG states that 'planning conditions and obligations can be used to secure mitigation where the relevant tests are met'. It provides the following examples of mitigation:

- the design and layout of development to increase separation distances from sources of air pollution;
- using green infrastructure, in particular trees, to absorb dust and other pollutants;
- means of ventilation;
- promoting infrastructure to promote modes of transport with low impact on air quality;
- controlling dust and emissions from construction, operation and demolition; and
- contributing funding to measures, including those identified in air quality action plans and low emission strategies, designed to offset the impact on air quality arising from new development.

Planning applications and air quality

7. Air quality is a material planning consideration and Development Management will assess air quality as part of the determination of a planning application. When an application is received in an Air Quality Management Area, this will be identified as a constraint and the case officer will contact Environmental Health to discuss the proposal. It is a requirement that an air quality report is submitted with applications for development in Air Quality Management Areas.

8. Conditions will be imposed on planning permission to ensure that the measures required and identified in the air quality report such as mechanical ventilation are actioned. Examples of section 106 agreements connected to air quality in Southampton include monitoring facilities in the Centenary Quay redevelopment and contributions secured for a feasibility study in the Mayflower Halls redevelopment.

Charges to offset air quality impacts

9. In accordance with national guidance, planning policies should be based on evidence and be deliverable. Planning policy officers have recently met with Environmental Health officers to discuss issues to be addressed in the new Local Plan and will develop the new policy collaboratively. The work on the Low Emission Strategy will provide important evidence to justify Southampton's policy. It should therefore include evidence of good practice elsewhere and measures that can be delivered in the city.

10. The proposal to use contributions to offset the cost of poor air quality is in accordance with national policy and is supported. This should be in place if all possible measures that can be used to mitigate poor air quality on site have been considered and the impact remains. This includes the design and layout of the development and the use of green infrastructure to increase the distance away from sources of poor air quality and to provide a buffer, subject to good design. Other measures such as installing wiring for electric vehicle charging points should also be implemented.

11. The council has in place a Community Infrastructure Levy (CIL). This is a standard charge on residential and retail development. It is used to fund off-site local and sub-regional infrastructure to support development as set out in the CIL regulations 123 list. This includes green open spaces and strategic transport infrastructure e.g. pedestrian, cycling and public transport improvements. Any off-site air quality measures involving infrastructure on the CIL 123 list will be financed through CIL.

12. Site specific infrastructure necessary to overcome obstacles to granting planning permission is funded through section 106 agreements. Affordable housing is also funded through section 106 agreements. On site mitigation measures such as air quality monitoring (as required at Centenary Quay) and the control of the construction and operation of the development will be financed through section 106 agreements.

13. National guidance sets out tests for section 106 planning obligations which any proposed charge would need to meet. In addition to demonstrating why the charge is necessary and how it relates to new developments, the council needs to show that the charges are 'fairly and reasonably related in scale and kind to the development'. The Low Emission Strategy should clearly demonstrate how the charges proposed relate to the Community Infrastructure Levy, section 106 contributions and other charges on new development currently collected by the council. In accordance with national policy, the cumulative cost of these charges should not cause development to be unviable. This may affect the level or priorities for section 106 contributions. (The CIL has already been set at a level considered viable). The strategy should also clearly show how the contributions will be used to improve air quality.

Other measures

14. As work is at an early stage in producing a new local plan, there is the opportunity to consider other measures on air quality and how air quality may affect the overall approach to development. These include fundamental issues of where new development will be promoted, e.g. in locations which will encourage public transport use or away from areas of poor air quality. Planning Policy recognises that in some instances there may be a tension and need for balance between these two approaches. Key transport improvements may include measures to encourage public transport, walking and cycling; and parking policies. There is also scope to consider whether there is the potential for more detailed measures such as the use of conditions on planning permissions which could, for example, require developments to produce an emission strategy and where possible promote cleaner delivery vehicles.

15. There is a lengthy statutory process to go through involving the production of evidence, draft plans, public consultation and a public examination on the plan before this will become council policy. The new Local Plan is expected to be adopted in 2018.

Conclusion

16. Planning policy has a role in addressing air quality issues. There are two ways in which planning can help:

1. Reduction of emissions – planning policies can guide patterns of development and encourage public transport use in order to reduce the need to travel by the private car
2. Mitigation of emissions – requiring on-site measures such as landscaping and ventilation or alternatively funding measures off site through the Community Infrastructure Levy

Appendix 1 Local Planning Policy on air quality

Current adopted air quality policy:

Local Plan Review policy SDP 15 Air Quality

‘Planning permission will be refused:

- (i) where the effect of the proposal would contribute significantly to the exceedance of the National Air Quality Strategy Standards; or
- (ii) where the proposal would be materially affected by existing and continuous poor air quality.

Large potentially polluting developments will be required to assess their air quality impact by detailed air dispersion modelling and appropriate monitoring.’

Core Strategy policy CS 20 Tackling and Adapting to Climate Change (selected text)

‘Southampton City Council will continue to implement the measures identified in the Council’s Climate Change and Air Quality Strategy (2004) and any subsequent revisions to the strategy’

Text in emerging plans:

Draft City Centre Action Plan text (in the section titled ‘A greener centre’):

Air Quality

‘Air quality is a significant issue in Southampton. There are currently four Air Quality Management Areas (AQMAs) in the city centre: Town Quay (including Platform Road, Terminus Terrace and Canute Road); Bevois Valley (including Charlotte Place); New Road (part; south of Southampton Solent University) and Commercial Road (part).

The Council has an Air Quality Action Plan in place. It is currently reviewing its approach which will affect development across the city and an updated policy on air quality will be developed for the next citywide local plan. The supporting text to the local plan saved policy SDP 15 states that developments should take account of AQMAs and the measures in Air Quality Action Plans. This will continue to be applied.

The approach to air quality is in accordance with paragraph 124 in the National Planning Policy Framework (NPPF). This states that policies should take into account the presence of AQMAs and cumulative impacts on air quality and that planning decisions should ensure that any new development in AQMAs is consistent with the local Air Quality Action Plan’.