



Air Quality Assessments in New Development
Supplementary Planning Document
Consultation Draft (February 2022)

Schedule of full responses

May 2022

Responses on specific sections of the SPD

Consultee Ref	Name	Document section	Comments	Officer comment
AQ-SPD01	Richard Burden (Cranborne Chase Area of Outstanding Natural Beauty)	Page 5 - Para 4.1 Page 10 Par 9.3	<p>1. Thank you for consulting the AONB Partnership on your proposed Supplementary Planning Document 'Air Quality and New Development'. I attach as an annex to this letter the policy matters this Partnership advises are relevant to policy formulation, in addition to the approved AONB Management Plan.</p> <p>2. Maintaining clean air is, clearly, an important objective. May I comment that on page 5 of your draft, paragraph 4.1, refers to the 2019 NPPF and it should, of course, be updated to the 2021 paragraph numbers where paragraph 170 became 174, and 181 became 186.</p> <p>3. Whilst it seems unlikely that significant development requiring a 'Air Quality Assessment' would be proposed within this AONB, your reference to cumulative impacts on page 10 seems particularly relevant. In a rural area such as ours the concentrations of agricultural activities, such as those associated with intensive arable farms, could be more obviously included within the scope of the SPD.</p> <p>4. I note in paragraph 9.3 you refer to potential developer contributions and, in the sensitive environment of this AONB, developer contributions should be directed towards conserving and enhancing the natural beauty of this AONB. The AONB Management Plan does, of course, provide the basis for that.</p>	<p>Noted. SPD will be amended to reflect this.</p> <p>Currently there is limited information relating to emissions from farming activities. Any work in this area of emissions is more likely to be undertaken as part of a clean air strategy rather than via the planning regime (unless applications are received for the development of farms – 'intensive' farming practices are typically covered by Part A permits (EA)</p> <p>Noted.</p>
AQ-SPD02	Deb Roberts - The Coal Authority	General comment(s)	New Forest District Council lies outside the defined coalfield and therefore the Coal Authority has no specific comments to make on your Local Plans / SPDs etc.	Noted.
AQ-SPD03	Ziyad Thomas – for Churchill Retirement and McCarthy Stone	General comment(s)	<p>Churchill Retirement Living and McCarthy Stone are independent and competing housebuilders specialising in sheltered housing for older people. Together, we are responsible for delivering approximately 90% of England's specialist owner-occupied retirement housing.</p> <p>The respondents would like to make it clear that they support the principle of better air quality in the authority, however they are of the view that the Council's approach, as detailed in the SPD, is disproportionate.</p> <p>The respondents note that the Council acknowledges that 'In broad terms the air quality in the New Forest is generally good and is reflected in the air quality statistics reported by New Forest District Council and Public Health England' and that there are no Air Quality Management Areas (AQMA) within the planning area covered by the SPD.</p> <p>In short, there does not appear to be any baseline air quality concerns in the Local Planning Authority which would prejudice the health and safety of communities and their environments. The measures detailed in the Air Quality SPD are therefore not a requirement to address an immediate risk to public health but rather seek to maintain, or improve, on the existing good level of air quality in the authority area.</p>	<p>Noted.</p> <p>Noted.</p>

AQ-SPD03	Ziyad Thomas – for Churchill Retirement and McCarthy Stone	General comment(s)	<p>The requirement for every residential development of over 10 units to provide an air quality assessment is disproportionate. It is not credible that developments comprising circa 10-50 units will detrimentally affect air quality to the point where it will affect public health, particularly given the largely rural nature of the authority. Is a technical report necessary to confirm this?</p> <p>We respectfully refer the Council to the guidance in the NPPF which advises that:</p> <p><i>Local planning authorities should publish a list of their information requirements for applications for planning permission. These requirements should be kept to the minimum needed to make decisions and should be reviewed at least every two years. Local planning authorities should only request supporting information that is relevant, necessary and material to the application in question.</i> (Paragraph 44 – emphasis own)</p> <p>It may be that there are areas in the Local Authority where air quality is of lower quality and the opportunities for an adverse impact on public health are accordingly greater. In those instances, the LPA is justified in requiring an air quality assessment, provided it was robustly justified.</p> <p>We do not however consider that a blanket requirement across the authority is a relevant and necessary requirement for small-to-medium sized residential developments where existing air quality is good. The requirements of the draft SPD as currently worded are therefore contrary to the NPPF. We would also respectfully query whether the Local Authority has the resources required to process the substantial number of Air Quality Statements and Assessments the SPD will generate.</p> <p>A more proportionate or nuanced approach would not be as resource intensive, and given existing air quality in the district is 'broadly good', would these resources not be better allocated to other Council priorities?</p> <p>We also consider that the Council's enthusiasm for improving the air quality is undermined by the high parking requirements for residential development detailed in the adopted and emerging <i>Parking Standards SPD</i>. A concerning feature of this SPD is the provision of a standardized parking requirement across much of the authority.... We would also, respectfully, state that the Council's ambition to improve air quality is undermined by the persistent refusal of specialist older persons' housing, which is characterised by low car ownership, on the grounds of a perceived lack of parking provision.</p> <p>In summary, we consider the blanket requirement for air quality assessments for all residential developments over 10 units is a disproportionate requirement for a largely rural District and is not based on national policy requirements or guidance. Furthermore, if an SPD is to be prepared in this regard, it presents the opportunity for a more "joined up approach" to assessing development, which is evidently not present given the Council's car parking standards and approach to highly sustainable and low traffic generating retirement housing.</p>	<p>The criteria noted forms part of current AQ / planning guidance. This criteria then progresses to include other criteria for example vehicle numbers before AQA are required. An example is added to SPD to aid clarity.</p> <p>Noted.</p> <p>NFDC already uses the criteria laid out in the SPD and this does not generate substantial numbers of AQA.</p> <p>The planning system is tasked with balancing several competing priorities. This will come down to a judgement which each Local Planning Authority must make.</p> <p>Noted.</p>
AQ-SPD04	Mrs H Forbes	General comment(s)	<p>I feel that these plans should have been introduced before now. NFDC have permitted the building of a crematorium close to a heavily populated area in New Milton. AQA should include real time monitoring in this area and this should regularly be made public. Any breaches should result in the environmental permit being removed.</p>	<p>The SPD is technical guidance that will be used to help prevent pollution or hazards which prejudice the health or safety of communities. It does not address individual applications.</p>
AQ-SPD05	Tim Guymer – for Hampshire County Council	General comment(s)	<p>Whilst the County Council does not have direct responsibility for managing and monitoring air quality, as Public Health Authority and Local Highway Authority the County Council is committed to working with its partner authorities to address the issue.</p>	

			<p>In this context, the County Council is pleased to offer its support to the preparation of this SPD which provides important detailed guidance on how the Local Plan policies on air quality are to be applied by New Forest District Council in the consideration of future planning applications.</p> <p>The County Council's Travel Planning team is keen to explore whether the SPD could incorporate the work already underway in some areas to identify 'Cleaner Air Routes to Schools' through the testing of air quality on common routes to schools. To walk and cycle along 'Clean Air Routes to Schools' often requires a considerable detour which, of course, time-limited families don't always have the time to accommodate.</p> <p>We would therefore welcome the opportunity to discuss opportunities to prioritise 'Cleaner Air Routes to Schools' within the design of new developments. Such routes, whilst of particular benefit to school age children, would also potentially be an asset for the whole community.</p> <p>Consideration could also be given to particular mitigation, such as 'green screening', for school grounds where new development may have an impact on the adjacent air quality.</p>	<p>Noted.</p> <p>This is welcomed.</p> <p>This is welcomed.</p> <p>Noted.</p>
AQ-SPD06	Jennifer Helfrecht	Appendix 1 (Mitigation)	<p>I think the points covered in relation to making new developments more eco-friendly in terms of fuel etc are very important. That said, the main threat to air quality in the Lymington area is from increasing numbers of cars and HGVs. Improving public transport is a worthy aim, but unrealistic in semi-rural areas, so the number of vehicles is likely to increase, especially if you allow more and more development on former green belt sites, such as SS6 site in the plan will involve a very large increase in cars using rural lanes, causing pollution, as well as raising other safety issues. Lowering of speed limits in town and semi-rural areas will possibly reduce emissions. Electric cars are still rather expensive for new house buyers, but should be encouraged. meanwhile improving safety for cycles should be a prime aim.</p>	Noted.
AQ-SPD07	Claire Donnelly for Hythe & Dibden Parish Council	General comment(s)	<p>Hythe and Dibden Parish Council supports NFDC's draft 'Air Quality in New Development' Supplementary Planning Document (SPD).</p>	Noted
AQ-SPD08	Marine Management Organisation	General comment(s)	<p>We advise that you consider any relevant policies within the South Marine Plan documents in regard to areas within the document that may impact the marine environment. We recommend inclusion of this marine plan when discussing any themes with coastal or marine elements.</p> <p>When reviewing the South Marine Plan to inform decisions that may affect the marine environment, please take a whole-plan approach by considering all marine plan policies together, rather than in isolation.</p> <p>Under delegation from the Secretary of State for Environment, Food and Rural Affairs (the marine planning authority), the MMO is responsible for preparing marine plans for English inshore and offshore waters. At its landward extent, a marine plan will apply up to the Mean High Water Springs (MHWS) mark, which includes the tidal extent of any rivers. As marine plan boundaries extend up to the level of MHWS, there will be an overlap with terrestrial plans, which generally extend to the Mean Low Water Springs (MLWS) mark. To work together in this overlap, the Department of Environment, Food and Rural Affairs (Defra) created the Coastal Concordat. This is a framework enabling decision-makers to co-ordinate processes for coastal development consents. It is designed to streamline the process where multiple consents are required from numerous decision-makers, thereby saving time and resources. Defra encourage coastal authorities to sign up as it provides a road map to simplify the process of consenting a development, which may require both a terrestrial planning consent and a marine licence. Furthermore, marine plans inform and guide decision-makers on development in marine and coastal areas.</p> <p>Under Section 58(3) of Marine and Coastal Access Act (MCAA) 2009 all public authorities making decisions capable of affecting the UK marine area (but which are not for authorisation or enforcement) must have regard to the relevant marine plan and the UK Marine Policy Statement. This includes local authorities developing planning documents for areas with a coastal influence. We advise that all marine plan objectives and policies are taken into consideration by local planning authorities when plan-making. It is important to note that individual marine plan policies do not work in</p>	<p>Noted.</p> <p>Noted.</p>

			<p>isolation, and decision-makers should consider a whole-plan approach. Local authorities may also wish to refer to our online guidance and the Planning Advisory Service: soundness self-assessment checklist. We have also produced a guidance note aimed at local authorities who wish to consider how local plans could have regard to marine plans. For any other information please contact your local marine planning officer. You can find their details on our gov.uk page.</p> <p>See this map on our website to locate the marine plan areas in England. For further information on how to apply the marine plans and the subsequent policies, please visit our Explore Marine Plans online digital service.</p> <p>The adoption of the North East, North West, South East, and South West Marine Plans in 2021 follows the adoption of the East Marine Plans in 2014 and the South Marine Plans in 2018. All marine plans for English waters are a material consideration for public authorities with decision-making functions and provide a framework for integrated plan-led management.</p>	
AQ-SPD09	Cllr Jack Smith on behalf of Minstead Parish Council	7. 7.1	Line one spelling mistake - "sir" rather than "air" presumably	Noted. The SPD will be amended.
AQ-SPD10	National Park		<p>Thank you for consulting the New Forest National Park Authority on the District Council's draft Supplementary Planning Document (SPD) covering 'air quality in new development'. We commend the Council for preparing a succinct SPD at 16 pages; and for seeking to address this important issue through supplementary guidance.</p> <p>The SPD is ambitious in its scope for covering potential impacts of air quality on both human health and ecological receptors. Both of these are material planning considerations and it is appropriate that they are covered in the draft document. Set out below are the National Park Authority's consultation comments.</p> <p>Paragraph 1.5 and the map that follows confirm that the SPD applies to New Forest District Council's planning administrative area and this is supported. However, the issue of air quality impacts arising from new development on designated ecological sites are 'boundary blind' and therefore it is appropriate that the impacts of planned development in New Forest District on designated sites in another planning authority's administrative area (in this case the New Forest National Park Authority) are considered. This reflects the requirements of the legal Habitats Regulations and the constructive joint working that has taken place on this matter between the two planning authorities to date.</p> <p>Potential impacts on human health</p> <p>The majority of the guidance within the draft SPD focuses on assessing potential air quality impacts from new development on human health. This is a serious issue and something that has risen up the national agenda as evidence highlights the detrimental impact poor air quality has on human health. We would suggest that the SPD makes it clear that sections 7 and 8 relate primarily to considering impacts on human health. For example, it is these impacts where the thresholds identified in the Table 1 are most relevant. The SPD is covering two different issues – impacts on human health and potential impacts on ecological integrity of designated sites – and signposting this helps the reader.</p> <p>Potential ecological impacts</p> <p>Section 9 of the draft SPD focuses on 'air quality and the natural environment'. Unlike the preceding section, the consideration of impacts of emissions and poor air quality on internationally designated sites is not guided by thresholds on the size of development. The Habitats Regulations required an 'in-combination' assessment of impacts and therefore we agree with the Council's decision to cover potential impacts on the natural environment through a focused section on the draft SPD.</p>	<p>Noted.</p> <p>Noted.</p> <p>AQ considerations are expected to include areas outside the NFDC planning authority for potential AQ impacts for both human health and ecological impacts when appropriate. Paragraph to be amended to reflect this.</p> <p>Noted</p> <p>Noted.</p>

		Para 9.1 – 9.6	<p>The National Park Authority and District Council are working in partnership on air quality monitoring within the New Forest's internationally protected sites. Paragraphs 9.1 – 9.6 of the draft SPD are an accurate representation of the current position in relation to air quality monitoring within the designated sites. We would suggest that additional wording is added to confirm that impacts can result from development across the District (not just sites located very close to the designations); and that there is no minimum site size threshold for new developments to be required to contribute towards monitoring. The District Council has some information available online regarding the developer contributions required towards air quality monitoring – see Development affecting European nature conservation areas - New Forest District Council – and the SPD provides an opportunity to embed some of this information, while acknowledging that the level of contribution is subject to change.</p> <p>Conclusions</p> <p>The District Council's decision to publish supplementary planning advice on the important issue of air quality is supported. We would suggest that the draft document could more explicitly state it is covering the separate potential impacts on human health and ecological integrity, as the threshold for considering impacts differ.</p>	Noted.
AQ-SPD11	National Highways	General comment(s)	<p>Thank you for inviting National Highways to comment on the above Consultation.</p> <p>National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such National Highways works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.</p> <p>We will therefore be concerned with proposals that have the potential to impact the safe and efficient operation of the SRN, in this case the A31, A36 and M27.</p> <p>We note that draft SPD provides guidance to the Local Plan for the New Forest District area (outside the National Park) and that it includes guidance in relation to the objective SO2 (Biodiversity and environmental quality) and Policy CCC1 (Safe and healthy communities) as well as guidance on when an Air Quality Assessment will be needed to support a planning application and what the assessment needs to address. It should be noted that primary responsibility for addressing the Air Quality Management Areas (AQMA) rests with the relevant local planning authority (LPA). Where the SRN is identified as a significant contributor to air quality issues, National Highways will work with the relevant LPA to identify how the issue can be improved.</p> <p>I trust this is helpful. Please continue to consult us as New Forest District Local Plan is being developed.</p>	Noted.
AQ-SPD12	Becky Aziz for Natural England	<p>Para 3.2</p> <p>Section 8</p> <p>Section 9</p>	<p>Thank you for consulting Natural England on the above SPD. Please find out comments below.</p> <p>Paragraph 3.2 lists the main pollutants of concern for air quality within the New Forest including nitrogen dioxide, sulphur dioxide and particulate matter. With regards to impacts on habitats, nitrous oxides (NOx) and ammonia (NH3) should also be included for reporting and monitoring with regard to impacts on protected sites.</p> <p>Section 8 sets out a staged approach to determine how an application will need to address air quality impacts, however this seems particularly geared towards impacts on human health. It is recommended the SPD makes clear where development will need to consider AQ impacts on protected sites and how they would go about addressing this. Where AQ requires consideration within a Habitats Regulations Assessment (HRA), we advise the SPD points to Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations (NEA001). This document provides a clear step by step approach in assessing air quality impacts of a plan or project that is likely to generate road traffic emissions to air which are capable of affecting European Sites.</p> <p>Section 9 discusses air quality and the natural environment and refers to the monitoring approach taken by the Council to address future uncertainty with regard to in combination impacts from local plan development in the latter stages of the Plan period. Monitoring will focus on nitrogen deposition, acid deposition and ammonia levels from traffic emissions</p>	<p>This is reflected in Section 9 of the SPD which explains how NFDC is monitoring potential impacts on European sites.</p> <p>Noted.</p>

			<p>and the effects on short and tall habitats at the New Forest designated sites, and where significant adverse effects are identified as occurring or likely, mitigation will be required.</p> <p>Natural England recommend that mitigation options will need to be identified to which development may contribute in order to ensure any effects will be suitably avoided or mitigated; please note such mitigation should not take the form of 'soft measures' such as those listed in Appendix 1 which would not be likely to satisfy the tests for certainty under the Habitats Regulations. However, we advise further information/evidence is needed to inform the design of suitable mitigation options. Therefore we strongly recommend the Council builds a firm baseline to be able to inform the next local plan review and enable the identification of suitable mitigation options that may be required in the later stages of the local plan. This should include:</p> <ul style="list-style-type: none"> • On-going analysis of the air quality monitoring already put in place by the Council • The vegetation survey accompanying the Council's strategic air quality monitoring should ascertain a thorough understanding of the condition of the designated sites within close proximity to the roads affected by the current uncertainty as identified within the local plan HRA, which should also include: • Use of the Ellenberg N index is recommended as a useful method to assess changes in species composition or diversity for monitoring the status of an ecosystem and the impacts of emissions, particularly the nutrient status of the habitat. • Assessment of lower plants, particularly of epiphytic lichen communities, would also be helpful as they are an important feature of many of the Annex I woodland habitats that are a primary reason for selection of the SAC. • Carry out a bespoke vehicle fleet survey for the New Forest (this can help provide a good baseline to design appropriate mitigation measures where needed, which may differ based on the fleet using that stretch of road) – this can be picked up if there are automatic number plate recognition (ANPR) cameras on the existing road network • Carry out an initial source-attribution assessment, using evidence from UK national-scale databases and maps • A review of high-emitting local sources that contribute to the spread of the pollutants in question over the affected area e.g. using high resolution maps and aerial photos, local knowledge etc. • A land use review along the affected stretches of road to model/identify what land use change may be required to reduce emissions on land within close proximity to the SAC. <p>We consider this level of information will be key to designing suitable mitigation where adverse effects on the SAC from road traffic emissions are identified over the Plan period. Mitigation approaches may vary and may take the form of removal/reduction of emissions from high emitting point sources, road traffic measures such as speed restrictions, establishment of a Clean Air Zone(s), as some examples. Natural England will be happy to advise further on mitigation options.</p> <p>The qualifying features of the New Forest SAC have targets to 'restore as necessary the concentrations and deposition of air pollutants to at or below the site-relevant Critical Load or Level values given for these features of the site on the Air Pollution Information System (www.apis.ac.uk)'. It will be important that, where required, any mitigation measures do not undermine the objective of restoring the site to favourable condition by making the 'restore' objective appreciably more difficult or prejudicing the fulfilment of that objective (e.g. by mitigation for new development 'using up' toolbox measures that will be required for restoring the site).</p> <p>I hope that is helpful. Natural England will be happy to engage further with the Council to advise on the above aspects.</p>	<p>Noted</p> <p>The council would welcome discussion with Natural England on these points (particularly as ecological monitoring and reporting on European sites proceeds).</p> <p>Noted.</p>
AQ-SPD13	New Milton Town Council	<p>Chapter 8 – Para 8.3</p> <p>Appendix 1</p>	<p>Under Chapter 8, para 8.3 we are concerned that 'minimising numbers of vehicles on site' will further pressurise site parking onto our residential streets, in an attempt to mitigate.</p> <p>Several mitigation measures within Appendix 1 target issues that have already been identified within other policies such as the requirement for biodiversity net gain, installation of electric car charge points etc and therefore are a matter of repetition.</p>	<p>Noted.</p> <p>Whilst it is noted other policies cover the same suggested mitigation it is worth repeating and will demonstrate certain measures will cover a number of areas, and therefore appear a more</p>

		Section 6	Section 6 - The need for a Dust Impact Assessment if criteria is met is a notable positive move. Many residents find the construction phase very distressing with dust impact a prime reason for concern.'	favourable mitigation measure. Noted.
AQ-SPD14	Mr Philip Thomas	Para 8.3	See separate document for the full response - main points are summarised below: General agreement with mitigation measures, with additional commentary.	Welcomed.
		Section 2	Broad agreement.	Noted.
		Section 3	Agreement.	Noted.
		Section 4	Monitoring will be important; especially along the Waterside area of the District.	Monitoring comments noted.
		Section 5	Monitoring will provide confidence that the assessment system is working.	Monitoring comments noted.
		Section 6	Continual monitoring will be needed.	Monitoring comments noted.
		Section 7	Mitigation must be agreed between the operators or development and the Planning Authority.	Noted.
		Section 9 (Appendix 1)	Detailed comments made regarding the suggested mitigation measures.	The list contained in the SPD is not exhaustive and there may be other measures that will be effective at a local level. Planning applications will be judged on a case by case basis.