

 Executive Meeting 9 January 2019		Agenda Item No. <h1 style="text-align: center;">11</h1>
Title	Adoption of the Air Quality and Planning Supplementary Planning Document	
For further information about this report please contact	Hayley Smith: Senior Planner Hayley.smith@warwickdc.gov.uk 01926 546331	
Wards of the District directly affected	All	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No	
Date and meeting when issue was last considered and relevant minute number	25 July 2018, minute no.	
Background Papers	Warwick District Local Plan 2011-2029	

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	Yes
Included within the Forward Plan? (If yes include reference number)	Yes (988)
Equality Impact Assessment Undertaken	Yes
The Local Plan has been subject to an equalities impact assessment which assessed the implications of consultations on equalities.	

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	28/11/18	Chris Elliott
Head of Service	28/11/18	Dave Barber
CMT	28/11/18	Chris Elliott/Andy Jones/Bill Hunt
Section 151 Officer	28/11/18	Mike Snow
Monitoring Officer	28/11/18	Andy Jones
Finance	28/11/18	Mike Snow
Portfolio Holder(s)	28/11/18	Cllr Alan Rhead
Consultation & Community Engagement		
The document is submitted to committee with a recommendation that it is adopted following a public consultation carried out between 06 September and 17 October.		
Final Decision?	Yes	
Suggested next steps (if not final decision please set out below)		

1. **Summary**

- 1.1 The Warwick District Local Plan 2011 – 2029, adopted in September 2017, requires relevant applications to provide an air quality assessment (Policy TR2). These assessments are in turn required to use guidance, currently the Low Emission Strategy Guidance, published in 2014. Working with authorities in the sub-region this Guidance has been reviewed and revised, and it is now put forward as a Supplementary Planning Document (SPD) to give it greater weight in the planning process.
- 1.2 The draft version of the Air Quality and Planning SPD was subject to a period of consultation between 06 September and 17 October 2018. This report sets out the outcome of the consultation and recommends adoption of an amended SPD.

2. **Recommendation**

- 2.1 That the Executive notes the statement of community consultation (Appendix 1) and approves the revised Air Quality SPD for adoption (Appendix 2).
- 2.2 The Executive notes that the adopted Air Quality SPD will be used in the determination of planning applications.

3. **Reasons for the Recommendation**

- 3.1 The draft SPD has been jointly prepared with partners in Warwickshire and Coventry. It represents an evolution of the Low Emission Strategy Guidance for Developers published in 2014, and will directly supplement policies in the adopted local plan.
- 3.2 As a result of the recent public consultation, several representations were received in relation to the document. As a result, some minor changes have been made which are outlined in the statement of public consultation (Appendix 1). The most notable amendments are summarised in Section 8 of this report.
- 3.3 The draft SPD gives clear criteria for applicants to follow and also demonstrates the types of mitigation required dependant on the air quality issues caused by the development. This is an evolution of the guidance in the Low Emission Strategy Guidance for Developers published in 2014, and adoption of this document as a SPD will give it greater material planning weight in decision making than the existing guidance.

4. **Policy Framework**

4.1 **Fit for the Future (FFF)**

“The Council’s FFF Strategy is designed to deliver the Vision for the District of making it a Great Place to Live, Work and Visit. To that end amongst other things the FFF Strategy contains several Key projects.

“The FFF Strategy has 3 strands – People, Services and Money and each has an external and internal element to it. The table below illustrates the impact of this proposal if any in relation to the Council’s FFF Strategy.”

FFF Strands		
People	Services	Money
External		
Health, Homes, Communities	Green, Clean, Safe	Infrastructure, Enterprise, Employment
<u>Intended outcomes:</u> Improved health for all Housing needs for all	<u>Intended outcomes:</u> Area has well looked after public spaces	<u>Intended outcomes:</u> Dynamic and diverse local economy
met Impressive cultural and sports activities Cohesive and active communities	All communities have access to decent open space Improved air quality Low levels of crime and ASB	Vibrant town centres Improved performance/productivity of local economy Increased employment and income levels
Impacts of Proposal		
The Air Quality SPD will ensure appropriate mitigation is in place to deliver better air quality.	The Air Quality SPD will ensure appropriate mitigation is in place to deliver better air quality	Not applicable
Internal		
Effective Staff	Maintain or Improve Services	Firm Financial Footing over the Longer Term
<u>Intended outcomes:</u> All staff are properly trained All staff have the appropriate tools All staff are engaged, empowered and supported The right people are in the right job with the right skills and right behaviours	<u>Intended outcomes:</u> Focusing on our customers' needs Continuously improve our processes Increase the digital provision of services	<u>Intended outcomes:</u> Better return/use of our assets Full Cost accounting Continued cost management Maximise income earning opportunities Seek best value for money
Impacts of Proposal		
The Guide assists staff assessing planning proposals and provides a tool by which advice can be given to applicants for planning permission	Some of the required mitigation will help Environmental Services deliver better air quality management.	Not applicable

4.2 **Supporting Strategies**

Each strand of the FFF Strategy has several supporting strategies. The Local Plan is one of the key strategies, cutting across many of the FFF strands. The

Residential Design Guide ensures the delivery of high quality design enabling and supporting the growth required through the plan period.

4.3 **Changes to Existing Policies**

This document seeks to support the new policies adopted within the Local Plan and adheres to national and local policies rather than changing them. This SPD will replace the Low Emission Strategy Guidance for Developers (2014).

4.4 **Impact Assessments**

The Consultation has been undertaken in line with the Council's Statement of Community Involvement (SCI) 2016 approved by Executive in January 2016. The SCI specifically seeks to ensure that all relevant sectors of the community are consulted. The Local Plan has been subject to an equalities impact assessment which assessed the implications of consultations on equalities.

5. **Budgetary Framework**

- 5.1 The costs of conducting the consultations and reviewing the responses were covered within the existing budget framework. Adoption of the SPD is unlikely to have further budgetary implications as it represents an evolution of existing guidance. However, some training for officers in its application is envisaged.

6. **Risks**

- 6.1 There are no specific risks related to adopting the SPD.

7. **Alternative Option(s) considered**

- 7.1 The Executive could decide not adopt the Air Quality and Planning SPD, but this would have a detrimental affect overall on the quality of development and the health and wellbeing of residents by depriving officers of the support required to ensure that developments are designed with appropriate air quality mitigation.

4. **Background**

- 4.1 The draft SPD has been jointly prepared with partners in Warwickshire and Coventry. It represents an evolution of the Low Emission Strategy Guidance for Developers published in 2014, and will directly supplement policies in the adopted local plan.
- 8.3 As a result of the recent public consultation, several representations were received in relation to the document. As a result, some minor changes have been made which are outlined in the statement of public consultation (Appendix 1).
- 8.4 The most notable amendments to the document following the consultation can be summarised as:

- The creation of a new sub-heading in Section 5.3 – Mitigation, relating to construction and demolition activities.
- Clarification that the damage cost calculation will act as a *guide* to the scale and kind of mitigation anticipated on a scheme. However, applicants must demonstrate that any mitigation is likely to effectively address the *impact* of development in air quality terms (damage costs are calculated based on emissions, not impact). Thus mitigation schemes might theoretically be of a value greater than or less than the damage cost calculation. This amendment follows responses received to the consultation and subsequent legal advice sought.
- Section 5.4, 'Assessing the acceptability of a scheme', has been reworded to more accurately reflect the intention of the SPD.