

COMMUNITY PDG

08 OCTOBER 2019

Air Quality Action Plan update

Cabinet Member(s): Cllr Dennis Knowles

Responsible Officer: Simon Newcombe, Group Manager for Public Health & Regulatory Services

Reason for Report: To provide a progress report on the adopted Air Quality Action Plan for the Crediton and Cullompton Air Quality Management Areas

RECOMMENDATION: That the PDG notes the report.

Relationship to Corporate Plan: The Air Quality Action Plan aligns with and directly supports a number of key themes in the Corporate Plan as follows:

- *Priority 1 Economy: Aim (other) - Act as a champion to improve local rail services*
- *Priority 2 Homes: Aim 3 - Ensure consideration is given to the public health impact of every development*
- *Priority 4 Environment: Aim 3 - Improve air quality through action planning*
- *The district Public Health Plan is a priority project within the Corporate Plan and air quality is a priority health inequality identified with the adopted plan where ?*

Financial Implications: The plan encompasses measures ranging from small-scale initiatives through to major infrastructure projects such as the Cullompton Town Centre relief road. As such, the plan will be delivered through a variety of different mechanisms including the Local Plan Review and planning obligations such as S106 in addition to Government infrastructure funds and the Devon County Local Transport Plan (LTP 3). There may also be opportunities to bid for future Air Quality Grant funding nationally though this is not certain.

As measures are formalised then these will be further assessed and provisional implementation costs identified where these costs are not already known. Major infrastructure proposals for example are included in the Local Plan Review Infrastructure Plan which outlines estimated costs.

Specifically, the Cullompton Town Centre Relief Road has been awarded £10m funding (subject to legal agreement) from the Homes England Housing Infrastructure Fund towards the £15m scheme. The Council is required to part fund the project and the £5m balance for the Cullompton Scheme will need to be funded by the Council until such a time as the S106 monies can be collected from future housing development that is unlocked by the provision of the road.

The removal of the S106 pooling restrictions under the Community Infrastructure Levy Regulations from 1st September 2019 will allow for S106 contributions to be pooled or collated from different developments. This will make the collection of S106 funds to deliver specific projects easier as the previous limit on pooling 5 or more obligations has now been removed.

Overall, greater clarity on funding for other specific measures and the plan overall will emerge once the Local Plan Review examination and adoption is complete and from further consultation with Devon County Council (DCC) in respect of the emerging LTP3.

Legal Implications: The adoption and implementation of an Air Quality Action Plan (where an authority has designated one or more Air Quality Management Areas) is a statutory requirement under Part IV of the Environment Act 1995 for Local Air Quality Management (known as the LAQM regime). Under the regime, Local Authorities (LA's) therefore have a duty to pursue measures which are designed to improve air quality. The thresholds for air pollution are set out in statutory UK Air Quality Objectives which in turn duplicate EU limit values and binding air quality standards.

Nationally, the UK is currently subject to EU infringement proceedings due to non-compliance with EU air quality standards (evidenced locally in the two formal Air Quality Management Areas in the district). Irrespective of uncertain Brexit outcomes, these EU requirements are enshrined into UK law and furthermore the Localism Act 2011 allows the Government (DEFRA) to recharge LA's with the cost of meeting these standards if it chooses to do so.

The remodelled statutory Government guidance to the LAQM regime and the Clean Air Strategy place greater emphasis on delivery of effective intervention mechanisms to improve existing hot-spots and the need to mitigate for the effects of new development and public exposure to poor air quality.

Risk Assessment: In addition to meeting our statutory duties and the risk of financial penalties under the Localism Act 2011 if we fail to do so (see above), a failure to make improvements to air quality would be directly contrary to our adopted Public Health plan. Therefore, we would not address a priority health target locally. Furthermore, the successful implementation of an Air Quality Action Plan underpinning relevant Local Plan

policies is essential to mitigate against the impact of significant new development district-wide and to deliver the wider community infrastructure benefits.

Given the inherent requirement to have planning obligation measures in place in order to deliver major parts of the plan then the successful implementation of the Air Quality Action Plan should be considered against the risks of an extended timeline for the Local Plan Review and the potential risk that the Local Plan is not found sound and adopted.

Air quality has an increasingly high profile in terms of both local and national policy in addition to wider reporting of the issue across regional and national media. In turn this is generating public awareness beyond local communities within our specific AQMA areas.

Equality Impact Assessment: No equality issues specifically identified in this report. Nonetheless, whilst poor local air quality impacts everyone, air quality standards are health-based and designed to protect the most vulnerable persons including those who are young, elderly and/or have pre-existing disabilities arising from sensitive medical conditions. Consequently, the Council's Air Quality Action Plan seeks to proactively protect some of those residents with protected characteristics.

Impact on Climate Change: None directly arising from the report. The LAQM legislative regime does not include carbon dioxide or other major climate change gases. However, there will be impacting emissions from road transport and other relevant sources targeted within the Council's Air Quality Action Plan (AQAP) and consequently a potential surrogate benefit between tackling local air quality issues and climate change. However, it is also recognised that national policies have resulted in a consumer/manufacture shift away from diesel to petrol (or petrol/hybrid) powered road vehicles due to local pollution concerns. This may have a negative impact nationally on carbon dioxide emissions due to the inherent better performance of modern diesel engines in this respect. Nonetheless, whilst there are measures in the MDDC AQAP promoting a switch to low-emission/non-combustion engine vehicles there are none directly targeting diesel vehicles in this context.

1.0 **Air Quality as a Public Health concern**

1.1 Poor air quality is the largest environmental risk to public health in the UK, as long-term exposure to air pollution can cause chronic conditions such as cardiovascular and respiratory diseases as well as lung cancer, leading to reduced life expectancy. It is the fourth greatest threat to public health after cancer, heart disease and obesity.

- 1.2 Nationally, the health cost of poor air quality is estimated at £8-20 billion each year and Public Health England estimate that long-term exposure to man-made pollution has an annual effect equivalent to 28-36,000 deaths (Committee on the Medical Effects of Air Pollutants). A recent European survey (European Heart Journal) has put forward an even higher UK figure of 64,000, meaning the impact is now similar to that of smoking.
- 1.3 In accordance with our legal duties, Mid Devon has declared Air Quality Management Areas in Crediton and Cullompton due to exceedances of air quality standards leading to the adoption and implementation of an Air Quality Action Plan.

2.0 **Air Quality Action Plan Measures**

- 2.1 There are twenty-one measures identified in the current Air Quality Action Plan (see Annex A). The table provides an overview of what progress has been made since December 2017 (adoption of the plan). The measures range from small-scale projects such as car clubs, to large infrastructure projects such as the Cullompton Town Centre Relief Road.
- 2.2 Planning obligation (S106) funding is a key mechanism in delivering many of the measures. There is ongoing dialogue between Public Health and the S106 Monitoring officer, other officers in relation to identifying new air quality projects and the release of funds for projects already earmarked.
- 2.3 A more detailed overview is provided below in relation to key major projects being progressed in both the Crediton and Cullompton Air Quality Management Areas (AQMA's).

3.0 **Crediton Feasibility Study scope and links to the Air Quality Action Plan**

- 3.1 Since 2018, Mid Devon District Council (MDDC) has worked with Crediton Town Council to provide S106 funding for a Town Centre Traffic & Urban Realm Feasibility Study. The study fully analysed the current traffic and urban realm conditions within the town centre and fringe area and presented a vision for the High Street which was based on clear aims and outcomes.
- 3.2 The study area included a focus on the remaining areas of non-compliance with the statutory air quality objective for nitrogen dioxide at the High Street within the formal AQMA for the town. The AQMA Air Quality Action Plan specifically identified the need for a joined-up approach to parking, traffic

management, impact of heavy goods vehicles and congestion in Crediton town centre (see plan measures 8 and 10 in Annex A).

- 3.3 Through a process of strategy and street engineering the study has developed a series of conceptual designs for various parts of the High Street and its approaches. This sets out the use of fresh thinking and 'informal street' design to form a part of the design solutions. Public Health ensured that air quality constraints and potential solutions to the on-going traffic related problem within the town-centre were embedded into the study scope and outputs. The study looked at innovative design approaches to mitigate the adverse effects of air pollution, including consideration of the wider impact of the eastern and western gateway approaches to the High Street.
- 3.4 The study, conducted by Phil Jones Associates, identified twelve targeted outcomes, many which also support the broader aims of the Air Quality Action Plan such as reducing traffic speed, improving walkability and cycle access.
- 3.5 A report was completed in September 2018 and presented to key stakeholders for further feedback; Crediton Town Council, Devon County Council (Highways/Planning), Neighbourhood Planning representatives and other Mid Devon District Council officers. Further wider stakeholder consultations were completed in October 2018 prior to public consultation.

4.0 **Crediton Feasibility Study outcomes and next steps**

- 4.1 The study has identified a number of key project areas which will improve the look of the streetscape, improve pedestrian access and safety, reduce traffic speed (but improve steady flow), and provide better options for parking and trade. Dependent upon funding there are a number of projects that could be advanced either independently or together. These can be summarised as follows:
 - Western Gateway/St Laurence Green – arguably the most difficult project involving significant traffic signal, road surfacing (a new 'roundel' and speed reduction measures), bus stopping and pedestrian crossing points changes.
 - Town core – the study had divided this area into 3 parts, St Saviour's Way/Searle St, Searle St/North St, and North St/Union Terrace. Design interventions include a courtesy pedestrian crossing, reconfigured bus stop with 2 vehicle passing, central median strip near Boots, footway extensions,

tree planting, textured surface treatment to signal approach to High Street, rain gardens to mitigate flooding.

- Haywards/Holly Cross Church – this is also divided into potentially separate projects. A large primary school, church, art centre and community centre are located here. This area has a lot of potential for a series of ‘place-making’ schemes to highlight its civic nature.

4.2 Working with Crediton Town Council, Public Health have further requested that Phil Jones Associates carry out detailed traffic modelling of the proposed measures and schemes identified in the feasibility study. In total £18K of S106 funding was initially provided to support the study with up to a further £20.5K ear-marked to support the additional traffic surveys and detailed traffic modelling. This work is due to be completed in September 2019.

4.3 Following completion of the traffic modelling, the outputs of this work will feed into specialist air quality modelling of the proposed measures by Ricardo AEA Ltd. This is due to commence in October 2019 and is required to ensure the anticipated positive air quality impacts will be delivered. Approval has been obtained for this work to be further funded using additional existing pooled S106 air quality monies.

4.4 Following a final report the aim is to confirm distinct projects in consultation with the Town Council, local Members, Devon County Council, the Neighbourhood Plan representatives and our own planning team. The further aim is to prioritise these projects against overall impact/deliverability using existing pooled S106 funding or as projects for future allocation from new development.

5.0 **Cullompton Town Centre Relief Road**

5.1 The delivery of a new relief road is considered an important highway intervention to not only bring forward sustainable growth in the Cullompton area, but also address environmental concerns within the town centre in connection with congestion, poor air quality and resultant impact upon townscape attractiveness and public health.

5.2 Devon County Council (DCC) developed options for the relief road which were presented at a public consultation in the autumn 2018. Consequently, Option B was retained as the preferred route. This route alignment is entirely within the corridor between the Cullompton Town Centre to the west and the rail/motorway corridor to the east. The route is broadly aligned towards the rail/motorway,

seeking to minimise its impact on existing open green space (Cullompton Community Association fields).

- 5.3 Following the award of £10m Homes England funding via the Housing Infrastructure Fund (subject to legal agreement between Homes England and MDDC), Devon County Council Highways are currently progressing a major planning application for the road. During the summer 2019, DCC formally consulted upon the scoping of an Environmental Impact Assessment which is required under planning legislation. It provides information describing this improvement proposal and the associated potential environmental impacts which is required for a scoping opinion to be formulated. Public Health provided a formal response to the scoping report providing information and opinion on key air quality considerations in addition to wider potential impacts such as noise arising during both the construction and operational phase of this proposal.
- 5.4 Public Health have also given access to our on-going air quality monitoring data within the town and the district more widely. This will support air quality modelling work being undertaken on behalf of DCC in conjunction with the above assessment work.
- 5.5 The relief road also forms part of more extensive infrastructure necessary to deliver the growth planned within the Cullompton area in the longer term and would unlock the first phase of the proposed garden village to the east. The planning application is due to be submitted to this Council in mid-2020.

6.0 **Culm Valley Garden Village**

- 6.1 To ensure the Culm Valley Garden Village project delivers its ambitions, it is anticipated that a number of Working Groups will need to be set up, and will consider a range of issues including sport and recreation, health and wellbeing, self/custom build and modern construction techniques, developing a “Smart” Garden-Village with employment and innovative delivery mechanisms.
- 6.2 Public Health and Planning officers together with the Devon County Council Public Health team and Public Health England are currently engaged in the process predominantly around health and well-being, including air quality considerations. In particular this will focus on how we build on the healthy living aspirations for the garden village as set out in the visions and concept document <https://culmgardenvillage.co.uk/masterplanning/>.

7.0 **General measures and additional air quality management work**

7.1 In addition to making key progress on those headline Action Plan measures outlined above, an in-depth review of our air quality management work has resulted in the completion or commencement of a number of projects in 2019 designed to accelerate delivery of the wider plan overall and provide resilience/additional capability going forward. These will inform a comprehensive update of the Action Plan itself due in 2020.

These projects include:

- Review and redesign of our air quality monitoring network
- Commissioning 4 no. 'AQ Mesh' air quality monitoring devices. These are highly mobile, solar/battery powered lamp-post mounted instruments capable of real-time monitoring 24/7/365 for nitrogen oxides and particulate matter. They will provide a cost-effective but significant strengthening of our monitoring capabilities and will be used flexibly to support our development of Action Plan measures in each air quality management area and assessment work in relation to new major development proposals
- Review of our air quality planning policy and technical guidance – this will feed into a formal review/update of the adopted Air Quality Supplementary Planning Document in 2020
- Reviewing other Action Plan measures including public electric vehicle infrastructure to identify barriers and solutions to implementing these
- A comprehensive Low Emission Strategy for Cullompton – this will link to the assessment work on the town centre relief road and provide a wider plan for further improvements in the town

8.0 **Annual Screening Report (ASR)**

8.1 This annual report provides an overview of air quality in Mid Devon District Council during the most recent calendar year. It fulfils the requirements of Local Air Quality Management (LAQM) as set out in Part IV of the Environment Act (1995) and the relevant Policy and Technical Guidance documents. This is a legally required report that must be submitted to DEFRA for formal review and approval.

8.2 The ASR is therefore a formal annual requirement showing the strategies employed by MDDC to improve air quality and any progress that has been made.

8.3 The 2019 ASR (for 2018) was completed by the June 2019 deadline and we are shortly expecting notice of the formal DEFRA review. Consequently the report currently has draft status and will be uploaded to the Council website once approval is obtained. Previous ASR and older air quality management reports can be viewed at <https://www.middevon.gov.uk/residents/environment/air-quality/local-air-quality-management/>.

8.4 The draft report concludes:

- The 2018 nitrogen dioxide (NO₂) annual mean concentrations exceed formal Air Quality Standards (AQS) objective limits at two sites within Cullompton AQMA (both B3181/Fore Street) and one site within Crediton AQMA (High Street, western end).
- Reported annual mean NO₂ concentrations are within 10% of the AQS objective at one site in the Cullompton AQMA (Tiverton Road/Fore Street) and three sites in the Crediton AQMA (Exeter Road and High Street, eastern end).
- NO₂ concentrations have been relatively stable in the last five years, however 2018 saw increases in Fore Street, Cullompton and Exeter Road, High Street and Commercial Road in Crediton.
- Concentrations of particulate matter continue to remain well below the AQS objective limits at Exeter Road within Crediton AQMA following completion of the major Lords Meadow Link road.
- Requirement to continue to manage and mitigate air quality pressures arising from existing sources and new emissions arising from major planned development within the district.
- Continued requirement therefore to formally retain the existing AQMA for nitrogen dioxide. To deliver measures set out in the published Mid Devon District Council AQAP (2017) noting key progress and the requirement to provide a comprehensive update in 2020, one year ahead of the current plan expiry.

9.0 Recommendation

9.1 That the report is noted.

Contact for more Information: Simon Newcombe (Group Manager for Public Health & Regulatory Services) 01884 244615 or snewcombe@middevon.gov.uk.

Circulation of the Report:

Cabinet Member for Community Well-being (Cllr Dennis Knowles)
Members of the Community Policy Development Group
All Leadership Team
Head of Planning, Economy and Regeneration
All Group Managers

List of Background Papers:

MDDC and Crediton Town Council:

Mid Devon Air Quality Action Plan 2017-21
(<https://www.middevon.gov.uk/media/345645/aqap-mid-devon-district-council-2017.pdf>)

Cabinet 31st January 2019, 30th May 2019 - Housing Infrastructure Fund

Crediton Traffic and Urban Realm Feasibility Study (PJ Associates September 2018)

National legislation, Strategy and Guidance:

Local Air Quality Management legislation and regulations
(<https://www.gov.uk/government/publications/2010-to-2015-government-policy-environmental-quality/2010-to-2015-government-policy-environmental-quality#appendix-5-international-european-and-national-standards-for-air-quality>)

Local Air Quality Management Statutory Policy Guidance
(<https://www.gov.uk/government/publications/local-air-quality-management-policy-guidance-pg09>)
National Clean Air Strategy 2019 (DEFRA)
(<https://assets.publishing.service.gov.uk/./clean-air-strategy-2019.pdf>)

Air quality and public health:

Associations of long term average concentrations of nitrogen dioxide with mortality -
A report by the Committee on the Medical Effects of Air Pollutants 2018
(https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/734799/COMEAP_NO2_Report.pdf)

European Heart Journal report on Cardiovascular Disease and Air Pollution 2019
(<https://academic.oup.com/eurheartj/article/40/20/1590/5372326>)

Annex A – Table of Air Quality Action Plan measures with progress (up to August 2019), from Air Quality Action Plan

	Measure	EU Category	EU Classification	Lead Authority	Progress to Date
1	Community Car sharing schemes	Alternatives to private vehicle use	Car and lift sharing schemes	MDDC	s106 contribution allocated under Air Quality Pending release of funds To be considered for Garden Village
2	Community run and/or private E-bikes schemes	Alternatives to private vehicle use	Other	MDDC in partnership with Town Councils and Communities	s106 contribution allocated under Air Quality Pending release of funds To be considered for Garden Village
3	Secure cycle parking facilities in Town Centres and at key transport hubs	Promoting Travel Alternatives	Promotion of cycling	MDDC Rail Network DCC	s106 contribution allocated under Air Quality Pending release of funds To be considered for Garden Village
4	Marketing campaign to reduce high street parking/promote car parks/raise awareness	Public Information	Leaflets, social media, internet, street posters	MDDC, DCC and Town Councils	s106 contribution allocated under Air Quality Pending release of funds To work alongside implementation of projects taken forward in the Crediton Feasibility study
5	Develop EV charging network	Promoting Low Emission Transport	Alternative refuelling infrastructure	MDDC	2 EV charging units installed at each Leisure centre across the district Further units to be installed pending release of s106 funds – a number of Council owned parking areas are suitable for further installations Included in Local Plan strategic developments
6	Taxi Licensing conditions	Promoting Low Emission Transport	Low emission policy	MDDC	Existing EURO engine standard emission/vehicle age requirements remain in place. Licensing policy is under review and will include provision of any enhancements

	Measure	EU Category	EU Classification	Lead Authority	Progress to Date
7	Eastern Relief Road Cullompton and additional M5 junction	Traffic Management	Strategic highway improvements	MDDC DCC Highways	See full report
8	Coordinated approach to enforcement of anti-idling, illegal parking	Traffic management	Anti-idling enforcement and illegal parking	MDDC DCC	Update due later in 2019 as part of commissioned project to review barriers to progress existing AQAP measures – will include a review of approaches by other LAs
9	Kingsmill Industrial site traffic management Cullompton Junction 28	Traffic management	Congestion management	MDDC DCC Highways	See Measure 7 Minor work on the junction has occurred and reports are positive for major transport company's access to motorway. This has resulted in reducing traffic backing up to enter motorway.
10	Parking and traffic flow measures	Traffic management	Congestion management	MDDC DCC	Crediton Feasibility Study – see full report
11	Cullompton/ Wellington Rail link feasibility study	Transport Planning and Infrastructure	Public transport improvements- interchanges stations and services	MDDC and Taunton Deane	MDDC are working with partners to develop a strategic outline business case.
12	ECO Stars fleet management and recognition scheme	Transport Planning and Infrastructure	Vehicle efficiency	MDDC	As of August 2019 there were 64 members in the scheme (16 local) covering a total of 2,809 vehicles.
13	Bus stop infrastructure	Transport Planning and Infrastructure	Public transport improvements- interchanges stations and services	MDDC DCC	Early planning is considering a new bus interchange linking with a new railway station. Potential to move Falcon bus stop and incorporate into the Cullompton Relief Road Route.

	Measure	EU Category	EU Classification	Lead Authority	Progress to Date
14	Review of bus stop locations and routes	Transport Planning and Infrastructure	Public transport improvements- interchanges stations and services	MDDC DCC	Improved bus set down/pick up points are outlined in the Crediton Feasibility study which will impact upon traffic flow (buses holding up general traffic).
15	Improving footpath and cycling paths In major towns	Transport Planning and Infrastructure	Cycle and walking network	Town Councils MDDC DCC	Crediton Feasibility Study – see full report
16	Road surfacing	Transport Planning and Infrastructure	Consideration given to lower polluting road surfacing within AQMA areas as opportunities arise	DCC	A range of road surfaces have been put forward in the Crediton Feasibility study which will slow traffic and reduce pollutants – see full report
17	Mid Devon Local Plan	Policy guidance and development control	Air Quality Planning and Policy Guidance	MDDC	Supplementary Planning Document on Air Quality and Development adopted May 2008 COR14 (Cullompton) Promote the removal of through traffic by completing a relief road system and implementing air quality action plan initiatives; COR15 (Crediton) Promote a reduction of traffic on congested streets and improve local air quality by enhancing walking and cycling opportunities around the town, implementing air quality action plan initiatives, promoting improved public transport links and providing a link road between the A377 and Lords Meadow Industrial Area. Proposal to review and update SPD in 2020 – see full report
18	Culm Valley Garden Village development and major infrastructure projects	Policy guidance and development control	Air Quality Planning and Policy Guidance	MDDC DCC Highways	Public Health Devon and MDDC Public Health and Regulatory Services are stakeholders in the consultation and are strongly lobbying for measures that will mitigate air pollution such as good walk and cycle routes, electric vehicle infrastructure, good public transport connections to Cullompton/Exeter, open spaces and tree planting. Several key public health/planning documents have been forwarded to the Culm Valley Garden Village Project team.

	Measure	EU Category	EU Classification	Lead Authority	Progress to Date
19	Planning Policy DM8 Parking	Policy Guidance and Development Control	Other Policy	MDDC	Subject to on-going Local Plan inspection process
20	Planning Policy DM6 Transport and Air Quality	Policy Guidance and Development Control	Other Policy	MDDC	Subject to on-going Local Plan inspection process
21	Planning Conditions on Tiverton Eastern Urban Extension	Policy Guidance and Development Control	Air Quality Planning and Policy Guidance	MDDC	Update requested from Area Planning officer