

Secretary of State (SoS)
for
Ministry of Housing Communities and Local Government (MHCLG)

PARKSIDE

INQUIRY

**WRITTEN STATEMENT
AIR QUALITY
TAMARYN MCLAFFERTY, CertAcct**

PARKSIDE ACTION GROUP



PARKSIDE LINK ROAD (PLR)

Planning Inspectorate References

St Helens BC : APP/H4315/V/20/**3253230**

Warrington BC : APP/MO655/V/20/**3253232**

St Helens BC (SHBC) Planning Application Reference : **P/2018/2049/FUL**

Warrington BC (WBC) Planning Application Reference:

2018/32514 & 2019/34719

PARKSIDE REGENERATION LLP (PHASE 1)

Planning Inspectorate Reference: APP/H4315/V20/ **3253194**

St Helens BC (SHBC) Planning Application Reference: **P/2018/0048/OUP**

Document History			
Date	Version	Status/Purpose	Author
07-Dec-2020	Rev 1.0	Initial document for release	DT/TM

Contents

1 About the Author 2

2 Context and background: Parkside Phase 1 P/2018/0048 and Parkside Link Road P/2018/0249 2

3 Phase 1 Plan P/2018/0048 6

4 Parkside Link Road P/2018/0249 7

5 Summary 8

Definitions

- AQMA Air Quality Management Area
- ELNS Employment Land Needs Study
- EIA Environmental Impact Assessment
- ES Environmental Statement
- NPPF National Planning Policy Framework
- PLR Parkside Link Road (see section 1 of this document for planning application references)
- Phase 1 Phase 1 Planning Application (see section 1 of this document for planning application references)
- RSS (North West) Regional Spatial Strategy
- SHC St Helens Council
- SRFI Strategic Rail Freight Terminal
- TA Traffic Assessment
- WBC Warrington Borough Council

1 About the Author

1.1

[REDACTED]

2 Context and background: Parkside Phase 1 P/2018/0048 and Parkside Link Road P/2018/0249

2.1

The sites used in air quality modelling by the developers for both Parkside planning applications fall into, and will have an impact on, Newton-Le-Willows Air Quality Management Areas (AQMAs). These residential roads often go over the legal NO₂ thresholds and are heavily pedestrianised with school children using them for commuting to schools. They, therefore, need to be treated with the utmost sensitivity, and conservatism in the model application.

2.2

Based on the information presented within the Air Quality Environment Statements (produced by the developers), PAG's research and analysis of the same documents and datasets have given cause and concern to believe 'inconsistencies' have emerged which jar with the IAQM/EPUK methodologies, LAQM TG and NPPF guidance. Such concerns also include the Air Quality Modelling 'Sensitivity Tests' produced by both Developers (Parkside Regeneration and St Helens Council) for 1) Parkside Phase1 and 2) Parkside Link Road planning applications. Furthermore, it was unexpected to see that the agent (WSP) commissioned by the planning department at SHC council - to scrutinise the Developers Air Quality Environmental Statements – state in the

final technical notes in response to both final 'Sensitivity Tests'; quote "*the air quality assessment[s] has adopted methodologies and utilised available data that aligns with current guidance as published by Defra and the Institute of Air Quality Management (IAQM)*". The Air Quality expert, Dr Holman, commissioned by PAG to produce the attached Technical Note (Doc ref: 'PAG BP03 AQ Core 5 Technical Note.pdf') has suggested that many inconsistencies exist within the application of said methodologies adopted by RPS and Ramboll in their assessments.

2.3 PAG's position is such that due to the growing cause for concern (emerging and unexpected inconsistencies and anomalies identified in the Air Quality modelling statements) both developers have not been able to prove beyond a reasonable doubt that air pollution from the development **will not** cause a breach of the air quality objectives in many sensitive areas in Newton-Le-Willows. NPPF guidance on Air Quality considerations clearly stipulates that a developer must **adequately** prove that impacts from a development will not breach local air quality objectives. Based on the conclusions reached in the Technical Note (PAG BP03 AQ Core 5 Technical Note.pdf) produced by PAG's nominated Air Quality expert, Dr Holman, PAG maintains that there can be little confidence that the impacts will be as reported.

2.4 PAG has identified issues with transparency in Air Quality Modelling for both linked applications. Section 6.2 of IAQM states; quote "*Where a development requires an air quality assessment, this should be undertaken using an approach that is robust and appropriate to the scale of the likely impacts. One key principle is that the assessment should be transparent and thus, where reasonable, all input data used, assumptions made, and the methods applied should be detailed in the report (or appendices)*". The lack of transparency demonstrated by the developers' agents, in producing the Air Quality ES's for both linked plans, do not align with the IAQM guidance. The specifics on the lack of transparency in the model application is expanded on in detail in the Technical Note (PAG BP03 AQ Core 5 Technical Note.pdf) produced by PAG's nominated Air Quality expert, Dr Holman.

- 2.5 Further to the issue of transparency, during the 2nd consultation phase of both the Parkside plans, PAG's associate, Dr Mclafferty PHD Statistician, requested copies of all the data inputs, model files and assumptions used by the developer's Air Quality agent so that the legitimacy of the modelled results could be tested. The developer, Parkside Regeneration (partnership between **SHC Council** and Langtree), repeatedly refused the request. This is evidenced in supporting document 'PAG BP03 AQ Core 4.pdf'. This repeated refusal to disclose and handover the model files is distinctly inconsistent with IAQM methodology. The same methodology both developers' Air Quality agents claim to have adhered to.
- 2.6 Potential gaps in the understanding of both Warrington and St Helens council EHO officials on Air Quality policies and methodologies, are in emergence. This bears cause for concern as it is the same EHO Officials (as Air Quality consultees to both developments) who have influenced the conclusions reached by SHC and WBC planning Officials. Not limited to the observations that St Helens EHO officials have failed to recognise that the both of the proposed Parkside plans are not consistent with the 1) latest 2019 St Helens Air Quality action plan ('PAG BP03 AQ Core 3.pdf') and 2) the Sustainability Appraisal addended to the draft St Helens Local Plan ('PAG BP03 AQ Core 2.pdf').
- 2.6.1 The latest NPPF guidance requires that all new developments are consistent with the latest council air quality management plan. Of note is the observation that SHC EHO Officials refer to the proposed Parkside Road Logistics developments as the 'Parkside Employment Park' in the latest 2019 St Helens Air Quality action plan ('PAG BP03 AQ Core 3.pdf'). It is unexpected that the Parkside Road Logistics Warehouse development be inaccurately referred to as the 'Parkside Employment Park', where the Florida Farm Road Logistics Warehouse development is accurately described in the same document. It is unexpected, as the authors of the latest 2019 St Helens Air Quality action plan ('PAG BP03 AQ Core 3.pdf') are the same EHO Officials named as consultees in the Parkside Road Logistics development EIA in 2017. The impacts of a road logistics development on the AQ action plan are going to be somewhat more significant than the inaccurately labelled 'employment park'. This could be somewhat misleading to the reader of the AQ Action Plan, such as the LAQM

authority. Ultimately, if the council's EHO officials have a responsibility to ensure potential developments are consistent with their AQ objectives, they must surely have a comprehensive understanding of the **exact** nature of the developments which will impact those same objectives. The latest AQ Action Plan narrative would suggest that the council does not recognise that the proposed Parkside Plans are inconsistent with the council's own AQ management proposals.

2.6.2 The latest NPPF guidance requires that all new developments are consistent with the latest Local Plan. The Sustainability Appraisal addended to the draft St Helens Local Plan ('PAG BP03 AQ Core 2.pdf') refers to Parkside sites, Site 8EA and Site 7EA on page 37. With reference to the need to 'Improve Air Quality', sites 8EA and 7EA are marked red as high priority sites for **improving** air quality. Notwithstanding the observations of PAG's Air Quality expert, who concludes that there can be little confidence that the impacts will be as reported in the AQ assessments, the applicants' agents attempt to conclude that the impacts on Air Quality from the developments will be 'insignificant'. They by no means conclude that there will be an improvement in Air Quality as a result of the proposed road logistics developments. Once again the council's officials in approving the Parkside plans have failed to recognise that the plans are inconsistent with the objectives in the Local Plan.

2.6.3 While in correspondence with the WBC planning officer and EHO officials regards the Parkside Link Road development, PAG uncovered that the EHO Official based his opinion that impacts on Air Quality would not be 'significant', on the RPS AQ Sensitivity Report - as a result of the Link Road. The RPS Sensitivity Report referred to in his letter ('PAG BP03 AQ Core 1a.pdf') is the AQ Sensitivity report for the Parkside Phase 1 warehouse plan, it is not part of the EIA for the Link Road. There was a failure to recognise that the opinion had been based on an incorrect and unrelated EIA document, despite being prompted several times via email. This is evidenced in the document 'PAG BP03 AQ Core 1.pdf'. This bears cause for concern as it is the 'opinion' of the WBC EHO Official which influenced the decision of the WBC planners to approve the Link Road plan. An opinion which was based on incorrect information.

3 Phase 1 Plan P/2018/0048

- 3.1 In all dated versions of the AQ assessments for Phase 1 there are seemingly erroneous and incohesive correlations with increases in traffic and the resulting air pollution predictions presented. As PAG's Air Quality expert outlines in the attached Technical Note (PAG BP03 AQ Core 5 Technical Note.pdf), no information has been provided in the AQ assessments on how the traffic consultants have converted their traffic data to that required by the air quality consultant.
- 3.2 PAG's Air Quality expert has highlighted numerous areas where important data and assumptions which should have been presented in the reports by RPS have been omitted. In turn making it difficult to ascertain how well the adopted methodologies have been applied. This is expanded on in detail in the attached Technical Note (PAG BP03 AQ Core 5 Technical Note.pdf).
- 3.3 Phase 1 AQ assessments seemingly failed to correctly apply the quoted LAQM TG model verification framework in the model verification information presented in all versions of the AQ assessments and the final RPS 'Sensitivity Test Memo'. As PAG's Air Quality expert outlines in the attached Technical Note (PAG BP03 AQ Core 5 Technical Note.pdf), model verification provides confidence that the modelled results can be relied upon. Issues around model verification are expanded on in the attached Technical Note. Issues relating but not limited to:
- (i) The spread of monitoring locations and types found in the model verification statements.
 - (ii) Fundamental calculations and data errors that go to the heart of precision and accuracy.
 - (iii) In disregarding over and underpredicting % Road NO_x differences, seemingly invalid adjustment factors have been derived according to LAQM TG.

4 Parkside Link Road P/2018/0249

- 4.1 In all dated versions of the AQ assessments for Parkside Link Road, there are seemingly incohesive correlations with increases in traffic and the resulting air pollution predictions presented.
- 4.2 PAG's Air Quality expert has highlighted numerous areas where important data and assumptions which should have been presented in the reports by Ramboll have been omitted. In turn making it difficult to ascertain how well the adopted methodologies have been applied. This is expanded on in detail in the attached Technical Note (PAG BP03 AQ Core 5 Technical Note.pdf).
- 4.3 Parkside Link Road AQ assessments seemingly failed to correctly apply the quoted LAQM TG model verification framework in the model verification information presented in all versions of the AQ assessments and the final Ramboll Memo. Namely, issues relating to:
- (i) The spread of monitoring locations and types found in the model verification statements.
 - (ii) Fundamental calculations and data errors that go to the heart of precision and accuracy. In disregarding over and underpredicting % differences, seemingly invalid adjustment factors have been derived according to LAQM TG.

5 Summary

- 5.1 As evidenced in the Technical Note, (PAG BP03 AQ Core 5 Technical Note.pdf), the modelling for both linked plans had a number of shortcomings and in many areas are not consistent with the methodologies they claim to adhere to.
- 5.2 As a result of the inconsistencies with mandated guidelines and methodologies the developers for both linked plans have failed to prove beyond reasonable doubt that the developments will not have a significant effect on local air quality.
- 5.3 The developers and council officials have failed to recognise that the proposals and their impacts on AQ are not consistent with the current or emergent Local Plan or the latest local AQ Action Plan.