

## Appendix 2: Air Quality Statement

# St Helens Local Plan Examination Air Quality Statement

Client: Parkside Regeneration LLP

Reference: PC1659-RHD-ZZ-XX-RP-Z-0005

Status: Final/P01.04

Date: 20 May 2021

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Document title: St Helens Local Plan Examination  
Air Quality Statement  
Document short title: Air Quality Statement  
Reference: PC1659-RHD-ZZ-XX-RP-Z-0005  
Status: P01.04/Final  
Date: 20 May 2021  
Project name: SHC LP AQ Statement  
Project number: PC1659  
Author(s): John Drabble

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Date: 20 May 2021

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Classification

Project related

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## 1 Introduction

- 1.1.1 This is a statement prepared on behalf of Parkside Regeneration LLP relating to the St Helens Borough Local Plan 2020 – 2035 Examination, in respect of **air quality** issues which will be raised in **Matter 1** and **Matter 4** at the Examination.
- 1.1.2 Parkside Regeneration LLP has significant land interests in the area and has made representations to earlier stages of the Local Plan process. This Statement and associated responses should be read in conjunction with Parkside Regeneration LLP comments upon the submission version of the St Helens Local Plan, dated January 2019.
- 1.1.3 The Inspector's Issues are included in bold in shaded boxes, with the response in respect of the Parkside East (7EA) and Parkside West (8EA) developments set out below each.

## 2 NPPF and Air Quality PPG

- 2.1.1 For context, the national policy and guidance relating to air quality is summarised below.
- 2.1.2 The National Planning Policy Framework (NPPF) (MHCLG, 2019) and refers to the Local Air Quality Management process by recognising that:

*“Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas”.*

- 2.1.3 The NPPF identifies that local planning authorities should maintain consistency within the Local Air Quality Management process and states that:

*“Planning decisions should ensure that any new development within Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.”*

- 2.1.4 The UK Government Planning Practice Guidance (MHCLG, 2019) provides guidance on how the planning process can take account of the impact new development may have on air quality. The key considerations are for developments in locations of existing poor air quality, where additional traffic or other new air pollution sources may be generated, or where new population exposure could be introduced, with due consideration to construction emissions and ecological effects.

- 2.1.5 The 2019 PPG states that air quality may be relevant to a planning application where:

- Traffic near the development may be affected by significantly increasing volume or congestion or altering the fleet composition on local roads;
- New point sources of air pollution are to be introduced;
- People may be exposed to existing sources of pollution (development in areas with poor air quality);
- Potentially unacceptable impacts (such as dust) may arise during construction; and
- Biodiversity may be adversely affected, especially at designated sites.

Where air quality is a relevant consideration the local planning authority may need to establish:

- the 'baseline' local air quality, including what would happen to air quality in the absence of the development;
- whether the proposed development could significantly change air quality during the construction and operational phases (and the consequences of this for public health and biodiversity); and
- whether occupiers or users of the development could experience poor living conditions or health due to poor air quality.

## 2.1 Local Plan Policies

2.1.6 The new Local Plan includes draft Policy LPD09: Air Quality, proposing that:

1. *Development proposals must demonstrate that they will not:*
  - a) *impede the achievement of any objective(s) or measure(s) set out in an Air Quality Management Area (AQMA) Action Plan; or*
  - b) *introduce a significant new source of any air pollutant, or new development whose users or occupiers would be particularly susceptible to air pollution, within an AQMA; or*
  - c) *lead to a significant deterioration in local air quality resulting in unacceptable effects on human health, local amenity or the natural environment, that would require a new AQMA to be created; or*
  - d) *having regard to established local and national standards, lead to an unacceptable decline in air quality in any area.*
2. *Major development schemes should demonstrably promote a shift to the use of sustainable modes of transport to minimise the impact of vehicle emissions on air quality.*
3. *New development that would result in increased traffic flows on the M62 past Manchester Mosses Special Area of Conservation (SAC) of more than 1000 vehicles per day or 200 Heavy Goods Vehicles (HGVs) per day must be accompanied by evidence identifying whether the resultant impacts on air quality would cause a significant effect on ecological interests within the SAC. Where such effects are identified they would need to be considered in accordance with Policy LPC06.*

2.1.7 Following consultation, a clarification of LPD09 is proposed to be introduced which will require smaller development applications also to be accompanied by such evidence if they are likely to have a significant effect alone or in combination with other projects on the Manchester Mosses SAC. An additional new paragraph 8.27.7A is also proposed:

*The precise details of the measures required in response to point (3) of policy LPD09 will depend on the details of the development itself. However, effective measures available (depending on the type of development) may include:*

1. *Electric vehicle charging points at parking spaces;*
2. *Provision of a communal minibuss (particularly if electric), and car club space;*
3. *Cycle parking and shower facilities for staff;*
4. *On-site services (e.g. GP surgeries and shops) to reduce need for off-site movements;*
5. *Personalised Journey Planning services for residents. If employment premises the company could provide incentives for car-sharing and minimising car journeys for work;*
6. *Production of sustainable travel information for residents e.g. accurate and easily understandable bus timetables;*
7. *Implementation of a Staff Management Plan to place restrictions on car use by Staff;*
8. *For vehicles generating HGV movements, restrictions to keep movements below 200 Heavy Duty Vehicles per day, or a commitment to ensuring all HGVs used will be Euro6 compliant.*

### 3 Matter 1 Air Quality Issues

#### Matter 1 (Legal Compliance, Procedural Requirements)

#### Issue 3: The SA, its consideration of reasonable alternatives and proposed mitigation measures

12 Have the likely environmental, social, and economic effects of the Local Plan been adequately assessed in the SA?

19 *The SA describes the potential for certain adverse impacts to arise because of some policies and projects identified in the Plan. Does the Plan include adequate mitigation measures to address these?*

*Specifically, the potential adverse impacts include:*

- a. *Air quality and the Air Quality Management Area (AQMA) close to the Parkside allocation and Junction 22 of the M6 (Newton-le-Willows) and potential issues that might arise as a consequence of the levels of planned development.*
- b. *Potential negative effects on landscape in relation to housing and employment allocations in the Green Belt.*
- c. *Potential impacts that may arise regarding growth in locations that are likely to attract high levels of car usage and the suggestion that monitoring of impacts will be important.*

*The Council has identified a number of mitigation measures such as specific policies or the phasing of development on certain sites.*

3.1.1 In respect of air quality, consideration has been given to the allocation of employment sites, associated increases in road traffic, the SRFI development and to the statutory Air Quality Management Areas within the borough. However the Sustainability Appraisal (SA) in Section 7.4 'Traffic Congestion and Air Quality', includes the following general statements which are not supported by relevant technical detail:

7.4.15 "... development at Parkside SRFI could potentially increase trips through Newton-le-willows (possibly affecting the High Street AQMA)".

7.4.16 "... the SRFI may therefore cause disruption to road networks, and until a direct access to the M6 is secured, there could be negative effects upon local traffic flows (with associated air quality implications)".

7.4.20 "... the distribution of growth could affect AQMAs associated with motorway travel, but would be less likely to contribute to a worsening of the situation at AQMAs in the town centres. Therefore, the effects are not predicted to be significant".

7.4.47 *In the longer term, the development of a Strategic Rail Freight Interchange at Parkside is predicted to have minor positive effects for the wider region with regards to a reduction in the amount of HGV traffic. However, the number of trips locally could still be higher given*

*the scale and nature of all the employment sites being proposed. An important mitigating factor is the requirement for infrastructure to be upgraded if this is necessary before development commences.*

- 3.1.2 The detailed traffic projections arising from the Parkside West Phase 1 and cumulatively with both Parkside developments and the Parkside Link Road were presented at the two Public Inquiries in January 2021, as was evidence on the associated likely effects on local air quality. The High Street AQMA was discussed in some detail, and roadside monitoring on High Street over the last reported 5 year period indicates that concentrations were consistently below 40 µg.m<sup>-3</sup>, (the Government's health-based Objective value at which an AQMA should be declared), with a 5-year average annual mean value of 34 µg.m<sup>-3</sup>. Traffic generated by the cumulative developments will not cause the annual NO<sub>2</sub> air quality Objective to be exceeded.
- 3.1.3 The SA and many of the representations submitted to the Examination makes a rather simplified assertion that any increase in road traffic will have a detrimental effect on local air quality. Whilst it is correct that emissions from conventional petrol and diesel fuelled engines are related to the number of vehicles on the road network, and to speed and congestion-related factors, the SA covers a 15 year period and the changing nature of vehicles and air quality generally has not been set out.
- 3.1.4 For example, in the shift from Euro V to Euro VI engines, there is a significant reduction in emission of the key air pollutant 'NO<sub>x</sub>' (a mixture of nitrogen oxides, some of which convert to NO<sub>2</sub>, elevated levels of which led to the AQMA designations). For articulated HGVs, this reduction is 15-fold. In 2017, Euro VI specified articulated HGVs were 71% of national fleet. In 2020, the year of the preparation of the SA, this proportion had increased to 90%. By 2024, the opening year of Phase 1 of the Parkside scheme should it be consented, this proportion will have increased to 98%. The older Euro V articulated HGV trend is 26% (in 2017), to 15% (2020) to 5% (2024).
- 3.1.5 Background air quality in St Helens and surrounding boroughs is projected to improve over the next few years and certainly within the period covered by the Local Plan, due in part to these tighter emission standards for petrol cars and all types of new diesel vehicles, but also due to the decline in industrial emissions to the increasing share of renewable energy generation. The Government's policy to end the sales on new petrol and diesel cars by 2030 will have an additional effect to incentivise electric and hybrid vehicles well in advance of that target year.
- 3.1.6 In summary, the SA does correctly consider air quality matters associated with proposed site allocations, but is rather conservative in its approach to linking increase in road vehicles with a direct adverse effect on local air quality. The overall conclusion that the development proposals will have only a negligible impact on air quality is endorsed.
- 3.1.7 In regard to the Parkside allocations and to adverse impacts on the AQMAs in Newton-le-Willows and around the M6 Junction 22, the detailed evidence before the Parkside West and PLR Public Inquiries demonstrated that there would in fact be no significant adverse effects on local air quality. The traffic and associated air quality assessments for the Parkside West Phase 1 application adopted a conservative approach in an assumption that all predicted development traffic was assessed in the scheme design opening year of 2020, whereas in reality the scheme will develop over time, and is unlikely to be fully developed before 2023. This inherently provides the mitigating approach of phasing of development sites, whilst the PLR and SRFI schemes provide appropriate mitigation in consideration of traffic-related emissions and local air quality effects.

<b>Matter 1 (Legal Compliance, Procedural Requirements)</b>
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<b>Issue 4: Habitats Regulations Assessment (HRA)</b>
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<b>21</b>	<b><i>Will the mitigation measures proposed within the HRA ensure that there will be no significant effects on the integrity of sites of European importance?</i></b>
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<b>28</b>	<p><b>The Manchester Mosses Special Area of Conservation (SAC) has been identified as being at risk from increased air pollution caused by traffic. The Council's schedule of proposed changes (AM067) shows additional wording to part 1 of Policy LPC06 which would require 'smaller development proposals' to be accompanied by sufficient evidence to enable the effects of the proposal on the SAC to be assessed.</b></p> <p><b>Is such a requirement necessary and justified?</b></p>
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- 3.1.8 In respect of air quality matters, the HRA sets out the nature of potential deposition impacts associated with road traffic emissions, with a focus on those allocated sites which lie in close proximity to a designated sensitive ecological site. In particular, the Manchester Mosses Special Area of Conservation (SAC) has been identified as being at risk of harm from increased air pollution caused by traffic, due to its locality adjacent to the M62 motorway. In consultation, Natural England (NE) has agreed that the Plan when considered alone will not result in adverse impacts upon the integrity of designated sites, and that allocation should consider this at an individual project level. However NE asked for assurances that mitigation exists and is deliverable within the timeframe of the Plan.
- 3.1.9 The HRA recommends that all proposals for development that would cause an increase in traffic levels that would exceed one or both of the thresholds in paragraph 3 of Policy LPD09 (that is, more than 1000 vehicles per day or 200 Heavy Goods Vehicles (HGVs) per day), must be accompanied by sufficient evidence to enable the effects upon the SAC to be assessed. In recognition of the potential for cumulative effects of projects and to address comments made by NE, a modification (AM067) was made to the Plan, adding that "Under part 1 of Policy LPC06, smaller development proposals would also need to be accompanied by such evidence if they are likely to have a significant effect alone or in combination with other projects on the SAC. Any significant effects would need to be addressed in line with Policy LPC06".
- 3.1.10 The Addendum HRA states that this change "... has no implications or the overall SA findings (which already consider that policies LPC06 and LPD09 are beneficial with regards to addressing air quality impacts on the SAC). Clarifications are unlikely to make a significant difference".
- 3.1.11 The effective available mitigation measures are proposed as
1. *Electric vehicle charging points at parking spaces;*
  2. *Provision of a communal minibus (particularly if electric), and car club space;*
  3. *Cycle parking and shower facilities for staff;*
  4. *On-site services (e.g. GP surgeries and shops) to reduce need for off-site movements;*
  5. *Personalised Journey Planning services for residents. If employment premises the company could provide incentives for car-sharing and minimising car journeys for work;*

*6. Production of sustainable travel information for residents e.g. accurate and easily understandable bus timetables;*

*7. Implementation of a Staff Management Plan to place restrictions on car use by Staff;*

*8. For vehicles generating HGV movements, restrictions to keep movements below 200 Heavy Duty Vehicles per day, or a commitment to ensuring all HGVs used will be Euro6 compliant.*

- 3.1.12 The HRA notes that the current nitrogen deposition rate on the Manchester Mosses SAC exceeds the Critical Load range. Although there is no direct correlation between emissions, background airborne NO<sub>x</sub> concentrations and nitrogen deposition, it is likely that the improvement in road vehicle primary emissions due to an increasing proportion of cleaner vehicles in the fleet will lead to a reduction in nitrogen deposition.
- 3.1.13 The Parkside West (8EA) Phase 1 development on the opposite side of the M6 motorway and is over 7km distant from the SAC in question, and traffic and air quality evidence at the Parkside Inquiry demonstrated that Phase 1 of the scheme would not impact upon it. Cumulatively with the Parkside East and PLR developments, the traffic projections do not materially affect the M62 East of the M6 in the locality of the SAC. The schemes would not give rise to an adverse impacts upon the integrity of designated site and are therefore deliverable in respect of the HRA requirement. The sustainable travel mitigation proposals 1-7 in the Plan, where relevant, are anticipated to be adopted for a Phase 1 development should this be consented, and for the future Parkside Phases and the PLR. However the proposals for a numerical restriction on HGV movements or for a Euro VI compliance commitment should only be considered for site allocations and future applications which will materially affect traffic flows on the M62 at the SAC location.
- 3.1.14 The proposed requirement for smaller individual projects to demonstrate that they alone or in combination with other projects would not have a significant effect could be interpreted widely and could be an onerous burden on small developers. Dispersion modelling studies of nitrogen deposition are complex, and scenarios which need to consider the relative contribution of a small project in combination with existing motorway traffic and potentially other significant projects are time-intensive and expensive. The original proposal introduced screening criteria for consideration of the impact of developments on designated sites, and the same principle is set out in relevant technical Guidance published by the Institute of Air Quality Management (IAQM), in its 'Guide to the assessment of air quality impacts on designated nature conservation sites' (May 2020). It is recommended that reference to this professional guidance is used in the Authority's consideration of whether a small development would be likely to have a significant effect. The same principle should be applied to larger developments which are distant from a designated site, such as in case of the Parkside West scheme, where any generated road traffic dissipates over a wide network and gives rise to a minimal change in flows at the sensitive site location.

## 4 Matter 4 Air Quality Issues

### **Matter 4, Session 6 (Allocations, Safeguarded Land and Green Belt Boundaries Parkside and Newton-le-Willows/Earlestown)**

#### **Issue 1: Parkside East (7EA) and Parkside West (8EA), Newton-le-Willows**

#### **4 *Would the adverse impacts of developing Sites 7EA and 8EA (Green Belt impacts, landscape impacts, highway safety, flood risk, agricultural land, air quality) outweigh the benefits?***

### 4.1 Parkside West

- 4.1.1 In respect of air quality, as set out above, the evidence presented before the Parkside West (Phase 1) and PLR Public Inquiries demonstrated that there would in fact be no significant adverse effects on local air quality. This is based on the consideration of both short-term and annual average effects of traffic-related exhaust emissions at a range of representative receptor locations, in what was a conservative approach. The Parkside West development of itself will not result in any exceedances of the Government's health-based air quality Objectives, and air quality within designated AQMAs will not be significantly affected. Recent monitoring data and mapping datasets released by Defra show that background air pollutant concentrations are reducing over time, and increasingly more stringent vehicle emission specifications will lead to a reduction in pollutant releases compared to when the applications were first submitted.
- 4.1.2 Inquiry evidence also demonstrated the travel modal shift implications of the development. In assessing accessibility by bus, cycle, foot and particularly by rail (with the proximity to the upgraded Newton le Willows rail station), the conclusions were that accessibility and sustainability opportunities are positive and that the development is suitably located. Therefore in respect of road traffic and associated air quality, there are no material adverse impacts to the scheme.

### 4.2 Parkside West (Phase 2) and Parkside East

- 4.2.1 The remainder of Site 8EA Parkside West is known as Parkside Phase 2, with the Parkside Strategic Rail Freight Interchange (SRFI) known as Phase 3, and each will be brought forward as future planning applications. The PLR application and Public Inquiry considered the potential traffic and associated air quality impacts, based on an assumption that Parkside Phase 2 would predominantly be accessed via the PLR and would only come forward once the PLR had been constructed. Although the Phase 2 development has not yet been considered in isolation, the cumulative traffic and air quality impacts presented to date provide sufficient, proportionate evidence that future local air quality effects will not be significant.
- 4.2.2 Air Quality evidence presented at the PLR Inquiry by Mr Harker [PLR.GH.1] included consideration of the future effects of the combined developments, recent monitoring data, background air pollutant concentrations and the latest vehicle emissions profile. The conclusions were that there would be no predicted exceedances of the Government's health-based statutory air quality Objectives in an opening year of 2024 or in 2034, with the cumulative schemes fully developed. The evidence presented to the Parkside Phase 1 and PLR Inquiries were therefore consistent in showing that the developments would not lead to the declaration of a new AQMA or to an unacceptable decline in air quality in any area, including within the existing AQMAs.

- 4.2.3 The Parkside Phase 2 development will benefit from the same modal shift, accessibility and sustainability measures as for Phase 1. The premise of the SRFI is that it will inherently provide for enhanced modal shift of the transportation of goods, and the associated local and wider air quality benefits will accrue from the replacement of long-haul road vehicles movements.
- 4.2.4 In summary, the proportionate air quality evidence is that the Parkside developments will meet all of the relevant requirements of the NPPF, UK Air Quality Strategy Objectives, the Air Quality PPG and local saved and proposed policies.

## 5 Conclusions

5.1.1 The proposed Plan of itself would be consistent with both air quality aspects of the NPPF and the Air Quality PPG, and the Plan would not preclude or provide a constraint to either the Parkside East or the wider Parkside West developments.

5.1.2 The NPPF states that development should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, and the evidence shows that no such limit value or objective would be breached as a consequence of the Parkside scheme construction or operation, including in accumulation with the PLR. The PPG requires the consideration of whether the proposed development could significantly change air quality during the construction and operational phases, and this has also been shown not to be the case.

5.1.3 The proposed Plan includes draft Policy LPD09: Air Quality, proposing that:

4. Development proposals must demonstrate that they will not:

- a) *impede the achievement of any objective(s) or measure(s) set out in an Air Quality Management Area (AQMA) Action Plan; or*
- b) *introduce a significant new source of any air pollutant, or new development whose users or occupiers would be particularly susceptible to air pollution, within an AQMA; or*
- c) *lead to a significant deterioration in local air quality resulting in unacceptable effects on human health, local amenity or the natural environment, that would require a new AQMA to be created; or*
- d) *having regard to established local and national standards, lead to an unacceptable decline in air quality in any area.*

5.1.4 The requirement (b) is not relevant to the Parkside West development, in that no new air pollutant source, and no new sensitive receptors, are being introduced. As set out in evidence before the Parkside Public Inquiry and summarised herein, the three other proposed policy requirements are all met. The Parkside East development will duly consider any new air pollutant sources (that is, individual emission sources such as CHP plant) at the appropriate juncture. The developments will not compromise the tests of soundness of the proposed local air quality policy, and proportionate evidence is available to demonstrate this will be the case. Whilst the Parkside West scheme is yet to come forward, cumulative air quality impact assessments undertaken to date indicate that the combined Parkside and PLR schemes will be fully deliverable within the proposed Plan and policies framework.