



Harrogate
BOROUGH COUNCIL

Air Quality Supplementary Planning Document (SPD)



**Consultation Statement
May 2021**

Introduction

- 1.1** Harrogate Borough Council are preparing the following Supplementary Planning Document (SPD) for Air Quality (guidance for Policy NE1: Air Quality). The SPD seeks to provide additional background, help and guidance in relation to Policy NE1: Air Quality of the adopted Harrogate District Local Plan 2014-2035.
- 1.2** In accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended (the Regulations) and NPPF definitions of SPDs, the SPD adds further detail to support Local Plan policy and is a material consideration in the determination of relevant planning applications.
- 1.3** A list of the responses received to the consultation process and the actions and any amendments to the proposed SPD are summarised below.

2 Consultation Statement

Consultation Statement

- 2.1** Before a local planning authority adopt a supplementary planning document Regulation 12(a) of the Town and Country Planning (Local Planning)(England) Regulations 2012 requires a Local Planning Authority prepare a statement which sets out;
- i. The persons the local planning authority consulted when preparing the supplementary planning document;
 - ii. A summary of the main issues raised by those persons; and
 - iii. How those issues have been addressed in the supplementary planning document.
- 2.2** In accordance with Regulation 12(b) the SPD and consultation statement were made available for public consultation between 12 October and 12 December 2020 and were available to view on the Council's website.

Preparation of the SPD

- 2.3** The SPD was prepared by the Policy and Place team in discussion with relevant Harrogate Borough Council colleagues. The table below sets out the main issues raised during these discussions and how they fed in to the preparation of the SPD.

Air Quality SPD		
The SPD was produced by the Council's Planning Policy Officer with input from the Council's Environmental Protection Officer, Development Management Officers, and the Council's Principal Planning Lawyer.		
Development Management Officer, HBC	Guidance needed to help understand what is needed to support the Policy and to ensure consistency between cases.	Advice taken on board.
Environmental Health Officer, HBC	Discussion on content of the guidance and information required to support an application and links to external advice.	Advice taken on board and links provided.
Principal Planning Lawyer, HBC	Identified area where a web link to further information was needed.	Advice taken on board and link provided.
Highways Department, North Yorkshire County Council.	NYCC Highways provided details of their development thresholds for where proposals may create significant amount of traffic and thus may impact on air quality.	Comments received follow general principles set out in the SPD.

Table 2.1

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SPD Reg 12(b) Consultation 2020

- 3.1** Consultation on the SPDs was carried out in accordance with Town and Country Planning (Local Planning) (England) Regulations 2012 as amended, and the Council's Statement of Community Involvement – Revised August 2020 in response to the coronavirus pandemic.
- 3.2** The Town and Country Planning (Local Planning)(England)(Coronavirus)(Amendment)Regulations 2020 temporarily modifies Regulation 35 (availability of documents) up to the 31 December 2021 to reflect the situation the Coronavirus Pandemic has resulted in.
- 3.3** The modified Regulations removes the requirement for Local Planning Authorities (LPA) to place paper consultation documents at Council Officers and other appropriate locations, such as public libraries, and only requires consultation documents to be published on the Council's website.
- 3.4** However, in order to provide opportunities for those consultees who were unable to view the SPDs digitally, paper copies were made available to view by appointment at the Council's Civic Centre in line with the COVID-19 rules.
- 3.5** The Regulations at 12(b) require LPAs to invite representations to be made on a draft SPD over a period of not less than four weeks. Given the restrictions due to the coronavirus pandemic, public consultation was held from the 12 October to 11 December 2020, a period of 8 weeks, to ensure interested parties had an opportunity to consider the draft SPD during the pandemic. Comments were invited to be submitted directly onto the Planning Portal, or sent in via email or post.
- 3.6** The Council maintains a consultation database, all consultees listed on this database were invited to make comment on the SPDs.
- 3.7** The consultation database includes both specific and general consultees as set in the Statement of Community Involvement 2020 www.harrogate.gov.uk/sci.
- 3.8** The consultation database is kept up to date to enable the council to carry out continuous consultation with the consultees and the community and enables everybody who had commented on previous consultations to be kept informed of future consultations while allowing entrants to be removed from the database if they wish. The portal also enables specific consultees to be identified when focused consultation is needed.

Consultation Responses

- 3.9** This table below sets out the responses received to the Air Quality draft SPD consultation, by whom, and the Council's response and any amendments proposed.

4 Key Issues Raised at Reg 12(b) Consultation

Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
1 Introduction					
1	AQ10	Knarborough Town Council	<p>1. Introduction: The introduction statement is short and not very strong considering the importance and severity of this subject (see Bristol's SPD) and seems to put emphasis on 'emissions of dust' from construction, which carried on through the document which KTC feels lessens the concern for emissions from traffic during construction and then as an ongoing concern after construction. Should the introduction state the list of key AQMAs which have caused our current AQMAs and are one that will be assessed?</p>	<p>Comments noted</p> <p>Policy NE1 refers to impact development may have on air quality in the Air Quality Management Areas (AQMAs), dust during demolition, construction etc., the impact on sensitive sites e.g. special areas of conservation (SAC), special protection areas (SPA), and where development would create significant amounts of traffic. The SPD seeks to support the policy and points to where additional advice is available.</p> <p>Two extra paragraphs are suggested, one to reference air pollution impact and one to reference the Air Quality Annual Status Report (ASR) here as well as at Para. 3.3</p>	<p>Additional paragraph recommended:</p> <p>1.3 The Council's latest Air Quality Annual Status Report advises air pollution is associated with a number of adverse health impacts. It is recognised as a contributing factor in the onset of heart disease and cancer. Additionally, air pollution particularly affects the most vulnerable in society: children and older people, and those with heart and lung conditions. There is also often a strong correlation with equalities issues, because areas with poor air quality are also often the less affluent areas</p> <p>1.4 The latest Air Quality Annual Status Report (ASR), which sets out the current air quality issues, actions to improve air quality and conclusions and priorities, is available to view on the Council's website www.harrogate.gov.uk</p>
1	AQ20	Harrogate and District Green Party	<p>Introduction</p> <ul style="list-style-type: none"> - This should provide a summary of the current state of air pollution within the district and its impacts on health and the natural environment. - Section 1.2: This fails to mention the 2nd most common source of air pollution from heating and hot water systems, primarily from gas boilers, but also oil boilers, open fires and wood burners. Heating systems produce the following NOx, SO2, particulate matter and some uncombusted hydrocarbons. HBC should implement a policy which seeks to ensure developers of new housing and non domestic buildings utilise heat 	<p>Comments noted</p> <p>As the air quality is ever changing it is recommended that the SPD links to the Council's Air Quality Annual Status Report (ASR) in addition to the reference at Para. 3.3 (as above).</p> <p>An extra paragraph is recommended to refer to new development and the impact on Climate Change are covered by CC4.</p>	<p>Additional paragraph recommended:</p> <p>1.5 It is recognised that heating systems also contribute to air quality. Climate Change Policy CC4 Sustainable Design requires all development to be designed to reduce both the extent and impacts of climate change. There may be other policies which are relevant to the proposed development. The Harrogate District Local Plan 2014-2035 can be viewed online at www.harrogate.gov.uk</p>

1 Environmental equity, air quality, socioeconomic status and respiratory health, 2010

2 Air quality and social deprivation in the UK: an environmental inequalities analysis, 2006

Key Issues Raised at Reg 12(b) Consultation 4

Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
			<p>pumps and solar water heating/solar photo voltaic for heating and water heating in order to not further increase pollutants from new development.</p> <ul style="list-style-type: none"> - Industrial point source pollution is also significant within the district, with the Allerton Park waste incinerator producing NOx and also dioxins in significant quantities. Dioxins are classified as carcinogenic compounds: https://www.sciencedirect.com/science/article/pii/S1878029616301268#:~:text=incineration%20is%20one%20the%20effect%20causing%20cancer,%2C%20reducing%20immunity <p>At the very least the strategy should acknowledge that this facility is contributing to air pollution and negatively affecting residents health.</p> <ul style="list-style-type: none"> - Policy NE1 - Applicants for new developments and major refurbishments should clearly outline how they are going to utilise low carbon heating/ hot water systems that do not rely on combustion of fossil fuels or wood. - This policy should require also state that any further energy from waste facilities must demonstrate how they are to utilise technologies to prevent dioxin emissions. 	<p>Policy NE1 is relevant for to all new planning applications, this SPD seeks to support the Policy.</p>	
2 Policy Context					
2	AQ3	Adam Harper	Introduction	Comments noted	Amendments proposed to Chapter 1 above

4 Key Issues Raised at Reg 12(b) Consultation

Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
			<p>Summary of the current state of air pollution within the district and its impacts on health and the natural environment.</p> <p>Section 1.2</p> <p>This omits to mention the 2nd most common source of local air pollution in which pollution from heating and hot water systems, primarily from gas boilers, but also oil boilers, open fires, stoves and wood burners. Heating systems produce the following NOx, SO2, particulate matter and some uncombusted hydrocarbons.</p> <p>HBC should include a policy which seeks to ensure developers of new housing and non domestic buildings utilise heat pumps and solar water heating/solar photo voltaic for heating and water heating in order to not further increase pollutants from new development by allowing developers to install gas boilers. This is consistent with the governments intention of phasing out gas boilers in ew developments in the new few years.</p> <p>https://www.sciencedirect.com/science/article/pii/S1878029616301268#:~:text=nonenergetic%20s%20one%20tree%20causing%20ance%2C%20reducing%20immunity</p> <p>At the very least the strategy should acknowledge that this facility is a significant contributor to local air pollution in the Vale of York and that it negatively affects the health of our residents.</p> <p>Policy NE1</p> <p>Applicants for new developments and major refurbishments should clearly outline how they are going to utilise low carbon heating/ hot water systems that do not rely on combustion of fossil fuels or wood which produce air pollutants.</p>	<p>As the air quality is ever changing it is recommended that the SPD links to the Council's Air Quality Annual Status Report (ASR) in addition to the reference at Para. 3.3 (as above).</p> <p>As above an extra paragraph is recommended to refer to new development and the impact on Climate Change are covered by CC4.</p> <p>Policy NE1 is relevant for all new planning applications, this SPD seeks to support the adopted Policy.</p>	

Key Issues Raised at Reg 12(b) Consultation 4

Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
2	AQ9	Knaresborough Town Council	<p>This policy should require also state that any further energy from waste facilities must demonstrate how they are to utilise technologies to prevent dioxin emissions.</p> <p>Looking at other examples from around the country, KTC's initial thoughts are that the draft SPD looks light in content.</p> <p>It also appears to have a weak statement of intent/attitude, to favour mitigation measures, over championing developments that proactively try to lessen emissions, which KTC feels gave the wrong message.</p> <p>laqm.defra.gov.uk/policy-interactions/development-control/spds/html</p> <p>General: KTC did not see mention of whether HBC was intending to ask for Health Impact Assessment.</p> <p>Final thoughts: Having read through the material being consulted on, KTC felt that the consultation is hard to take part in if this is not your area of expertise.</p>	<p>Comments noted</p> <p>Introduction expanded to refer to other policies in the local plan esp. those in relation to Transport and Infrastructure and Climate Change</p> <p>Health Impact Assessments are not referred within Policy NE1, at this time, this SPD is to support the adopted Policy and its wording.</p>	Amendments proposed to Chapter 1 above
2	AQ5	Selby District Council	<p>Thank you for consulting Selby District Council on your proposed new Supplementary Planning Documents. We have no specific Officer comments to make on these documents.</p> <p>We, do however, look forward to continued dialogue with Harrogate</p>	No specific comments	No changes proposed
2	AQ1	George Rowden	The proposed development clearly does not conserve or enhance the natural environment as it replaces agricultural/horticultural land with	Comments noted	No changes proposed

4 Key Issues Raised at Reg 12(b) Consultation

Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
2	AQ8	Harrogate Civic Society	<p>a built environment. This will have adverse effects on species diversity, air quality and result in increased road traffic. A major claim for the sustainability of the proposed development is the use of the railway by inhabitants of the proposed new village. Those who make this claim should note the low usage of the current rail link to Leeds and York by those currently living in the area. Unless there is a major change in the relative costs of travelling by rail compared to road, the vast majority of the inhabitants of the new development will, as is the case at present, prefer to travel by road using their private cars. Increasing the number of trains per hour from 1 to 2 as has been suggested, will not make any significant difference to the numbers using the railway.</p>	All new applications for development will be considered against Policy NE1 and Local Plan as a whole.	No changes proposed
2	AQ11	Knaresborough Town Council	<p>Your consultation on the four above documents is much appreciated,</p> <p>Having had the opportunity to study them we are pleased that the content explains and expands both National Policy and Local Policy satisfactorily and in detail. There are no aspects on which we feel the need to comment.</p>	Comments noted Para. 5.3 sets out the implications if insufficient information is submitted to allow full assessment of a planning application.	No changes proposed
2	AQ17	Natural England	Natural England welcomes the reference to the Local Plan Habitats Regulations Assessment and impacts on biodiversity however we would	Comments noted	Additional text recommended in bold :

Key Issues Raised at Reg 12(b) Consultation 4

Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
2	AQ18	Homes England	<p>like to see guidance for developers in the document regarding the assessment necessary and mitigation options for instances where proposals have the potential to impact on biodiversity, particularly for habitats sites (SAC, SPA and Ramsar sites).</p> <p>We are pleased to submit representations on the consultation Air Quality Supplementary Planning Document (SPD), which has been published for comments until 11 December 2020, on behalf of our client</p> <p>Homes England who has extensive land interests across Harrogate Borough in the following locations:</p> <ul style="list-style-type: none"> • Former Police Training Centre (allocation ref: H36); • Bluecoat Park (allocation ref: H45); • Ripon Barracks (allocation ref: R24); and • West Lane (allocation ref: R8). <p>Homes England wishes to thank the Council for the opportunity to comment on this draft SPD.</p> <p>The SPD gives further guidance to developers on how the provisions of Local Plan Policy NE1 'Air Quality' will be applied during the consideration of a planning application.</p>	<p>Section 3 Criteria C to be expanded to refer to Natural England's publications to help provide guidance on assessment necessary and potential mitigation measures.</p> <p>No specific comments</p>	<p>3.11 Further information is set out in the Habitats Regulation Assessment which can also be viewed on the Council's website www.harrogate.gov.uk with additional information and guidance on assessment and mitigation available within Natural England's publications via www.gov.uk</p> <p>Applicants are encouraged to engage in pre-application discussion prior to the submission of an application.</p> <p>No changes proposed</p>
3	When are Air Quality Assessment and Dust Assessment Reports Required?				

4 Key Issues Raised at Reg 12(b) Consultation

Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
3	AQ12	Knaresborough Town Council	3. When are Air Quality assessments and Dust Assessment reports required: Should this section also list when it may impact the end user in/of the development, and developments in close proximity to local schools, or impact a 'bigger' site? Also, list other criteria such as number of dwellings, number of car parking spaces, developments that although not harmful on their own are when in combination with other schemes	Comments noted Each application received is assessed on its own merits and in consultation with the Environmental Health team and NYCC Highways, taking into consideration its siting and location.	No changes proposed
3	AQ21	Harrogate and District Green Party	3.16 - The policy uses the term 'significant amounts of traffic' but does not define what is a significant amount. The policy needs to clarify this or developers will have a loop hole whereby they could state their development does not generate significant traffic even where it has more than 50 new homes or is a large commercial premises.	Comments noted Wording of 3.16 amended for clarity	Additional text recommended in bold : 3.16 Planning applications proposing development that would give rise to significant amounts of traffic, as determined through a transport assessment and/or air quality modelling specific to the proposals , or which are considered to potentially impact upon local air quality emissions. will be required to submit an air quality assessment. This could should be identified under a pre-application enquiry or through discussion with the Local Highway Authority at North Yorkshire County Council. Applicants are encouraged to engage with pre-application discussion.
3	AQ3	Adam Harper	3.16 The policy uses the term 'significant amounts of traffic' but does not define what is a significant amount is. The policy needs to clarify this or developers will have a loop hole whereby they could argue that their development does not generate significant traffic even where it has a large number of new homes or is a large commercial premises.	Comments noted	Additional text is recommended in bold , text struck through were not required: 3.17 Where a transport assessment, transport statement and / or travel plan is identified as being required for an application in the Council's Local Validation Criteria the applicant should also consider the impact the development would have on air quality and may be required to
3	AQ14	Bourne Leisure	By way of background, Bourne Leisure operates more than 50 holiday sites in the form of holiday parks, family entertainment resorts and hotels in Great Britain which are operated under its Haven Holidays, Warner Leisure Hotels and Butlins brands; the company is therefore a significant contributor to the national tourist economy, as well as local visitor economies. Within the Harrogate district, Bourne Leisure	Comments noted Para. 3.17 amended to remove reference to validation criteria which has yet to be updated	

Key Issues Raised at Reg 12(b) Consultation 4

Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
			<p>operates Nidd Hall Hotel, located approximately 2km east of Ripley; it is a Grade II listed hotel, set within 18 hectares of landscaped gardens.</p> <p>Bourne Leisure is committed to reducing its carbon emissions across all its hotels, parks and resorts.</p> <p>Between 2012 and 2018, Bourne Leisure reduced its CRC emissions by 45%. It is also ensuring that for new and upgraded facilities, low carbon infrastructure and systems form an important part of delivering its objectives.</p> <p>Air Quality Assessment</p> <p>Paragraph 3.17 of the draft Air Quality SPD sets out the need for an air quality assessment report to be provided for all applications where a transport assessment, transport statement and / or travel plan is applicable. This is without justification and is also contrary to the current Local Validation Manual³ which is publicised on the Council's website and includes no such requirement.</p> <p>Accordingly, the requirements of paragraph 3.17 are unduly onerous and given its inconsistency with the Local Validation Manual, the paragraph should either be deleted from the draft SPD entirely or at least reworded to clarify that air quality assessments should only be provided for major development within a designated AQMA.</p> <p>Summary</p> <p>In addition, the requirement for an air quality assessment as set out by paragraph 3.17 should be re-assessed in the context of its lack of consistency with the adopted Local Validation Manual.</p>		<p>submit an air quality assessment report. The Local Validation Criteria is set out on the Council's website www.harrogate.gov.uk</p>

4 Key Issues Raised at Reg 12(b) Consultation

Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
4	AQ3	Adam Harper	<p>We trust that these comments on this initial consultation draft version of the Air Quality SPD will be taken into account and used in further development of the SPD. Please do not hesitate to contact myself or my colleague Casey Smith if you have any queries on the above comments. We would also be grateful if you would keep us updated on the progress of, and any future updates to, the draft Air Quality SPD.</p> <p>Section 4</p> <p>This section should also outline a requirement for all new homes and non-domestic development to have low and zero carbon heating/hot water systems rather than combustions systems.</p> <p>There should be a policy which asks for homes to provide secure and covers cycle storage spaces for each house:</p> <ul style="list-style-type: none"> 3 - 4 bed homes 4 cycle spaces 1 - 2 bed homes 2 cycle spaces <p>New workplaces: 1 cycle space for every 3 desk spaces and showering/changing facilities for workplaces with more than 50 desk spaces.</p> <p>All new non-domestic developments >500m2 should also provide electric vehicle charging facilities in the form of Mode 3 charging point with a type 2 outlet socket. 1 charger to be provided for every 40 parking spaces.</p> <p>Additional transport emissions measures</p>	<p>Comments noted.</p> <p>The sustainable design of new homes and non-domestic development is covered by Policy CC4 'Sustainable Design'.</p> <p>Sustainable travel, cycle parking and EV charging points are covered in Policies T11 'Sustainable Transport' and T13 'Parking Provision'</p> <p>An extra paragraph is proposed within the Introduction to refer to other policies in the Local Plan.</p>	<p>Additional paragraph recommended, as above:</p> <p>1.5 It is recognised that heating systems also contribute to air quality. Climate Change Policy CC4 Sustainable Design requires all development to be designed to reduce both the extent and impacts of climate change. There may be other policies which are relevant to the proposed development. The Harrogate District Local Plan 2014-2035 can be viewed online at www.harrogate.gov.uk</p>
4 Mitigation					

Key Issues Raised at Reg 12(b) Consultation 4

Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
4	AQ22	Harrogate and District Green Party	<p>There should be a policy requiring significant proposed developments (>50 homes) to include a bus stop and bus shelter and for developers to engage with local bus companies to establish feasibility of bus service provision.</p> <p>There should be a policy requiring significant proposed developments (>50 homes) to incorporate segregates cycle paths and a wide footpaths to encourage active transport link to existing cycling and walking infrastructure.</p> <p>Section 4</p> <ul style="list-style-type: none"> - This section should also outline a requirement for all new homes and non-domestic development to have low and zero carbon heating/hot water systems rather than combustions systems. - There should be a policy which asks for homes to provide secure and covers cycle storage spaces for each house: 3 - 4 bed homes; 4 cycle spaces, and 1 - 2 bed homes; 2 cycle spaces. New workplaces: 1 cycle space for every 3 desk spaces and showering/changing facilities for workplaces with more than 50 desk spaces. - All new non-domestic developments >500m2 should also provide electric vehicle charging facilities in the form of Mode 3 charging point with a type 2 outlet socket. 1 charger to be provided for every 40 parking spaces. <p>Additional transport emissions measures</p> <ul style="list-style-type: none"> - There should be a policy requiring significant proposed developments (>50 homes) to include a bus stop and bus shelter and for developers to engage with local bus companies to establish feasibility of bus service provision. 		

4 Key Issues Raised at Reg 12(b) Consultation

Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
4	AQ23	North Yorkshire County Council	<p>- There should be a policy requiring significant proposed developments (>50 homes) to incorporate segregated cycle paths and a wide footpaths to encourage active transport link to existing cycling and walking infrastructure.</p> <p>Air Quality SPD</p> <p>The Air Quality Supplementary Planning Document is welcomed. Understanding the purpose of it, North Yorkshire County Council is in broad agreement with its content and the process of consultation it advises.</p> <p>It is considered that it offers an opportunity to promote sustainable travel to developers and to permit understanding of the stipulations of associated NYCC policy and processes and with this in mind, the LHA offers the following comment:</p> <p>Mitigation:</p> <p>4.5 – (Further to the existing sentence suggest additional information about sustainable travel). New housing development provides a major opportunity to create new and improved cycle infrastructure and encourage a mode shift away from private vehicles. There is a need for high quality walking and cycling provision within developments that ensures permeability of sites and connects to existing cycle and pedestrian networks. Developers should apply the latest cycle infrastructure design guidance (LTN 1/20) at the design stage and ensure that direct, coherent and safe cycle routes are planned from the outset. Within Harrogate, there are a number of Local Cycling and Walking Infrastructure Plans (LCWIPs) in development. The LCWIPs identify priority corridors and link key destinations such as the town centre, employment hubs, schools and rail stations. New developments should connect into these corridors where possible and</p>	<p>Comments noted</p> <p>Wording of Paragraph 4.5 amended to refer to green infrastructure, sustainable and healthy transport measures, etc. along with the Transport and Infrastructure policies and guidance from NYCC.</p> <p>Comments noted</p>	<p>Wording of paragraph 4.5 amended, additional text in bold:</p> <p>This mitigation may include, but will not be restricted to: design or layout of the proposals; green infrastructure and measures such as travel plans to reduce traffic movements etc. ;</p> <ul style="list-style-type: none"> • design or layout of the proposals, • green infrastructure, • sustainable and healthy transport measures, and • measures such as travel plans to reduce traffic movements etc. <p>In line with Transport and Infrastructure policies in the Local Plan and the guidance from North Yorkshire County Council.</p>

Key Issues Raised at Reg 12(b) Consultation 4

Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
4	AQ13	Knarborough Town Council	<p>further enhance the walking and cycling network. Mitigation measures should also include improving public transport infrastructure, such as new bus stops or improving existing bus stops with raised kerbs and shelters, ensuring that accessibility of public transport is high, further supporting Travel Plan measures.</p> <p>4. Mitigation: KTC did not feel this section was strong enough and didn't include tree/hedge planting, facilities for cyclists/walkers etc., which will be important until more electric cars are being used in the local area.</p> <p>You could look to the approach in the Cambridge SPD, which refers not just to 'mitigation' but also to redesign and offset, including a long list of dust mitigation measures. KTC thinks it helps to clearly state what will be found to be acceptable for a developer to include.</p>		
4	AQ4	Marion cum Grafton Parish Council	<p>The requirement for only 1 electric vehicle charging point per 10 unallocated spaces in developments including hotels is short-sighted. Even if this number is not increased, we would propose a standard condition that the wiring infrastructure and electricity capacity should be in place/adequate for the future retrofitting of 1 electric vehicle charging point for every 2 unallocated spaces in all employment and retail developments, including hotels and care homes.</p>	<p>Comments noted</p> <p>The SPD can only support the Policies in the Local Plan. The Transport and Infrastructure policies seek to support sustainable transport including the installation of EV charging points.</p>	<p>No changes proposed</p>
4	AQ7	Gladman	<p>Gladman welcome the preparation of the Air Quality SPD as it provides additional clarity and transparency beyond the policies contained within the Local Plan when it comes to the issue of Air Quality management.</p> <p>However, Gladman has some concerns regarding the mitigation measures considered within Section 4 of the SPD. In paragraph 4.3 the Council set out action to protect and improve</p>	<p>Comments noted</p> <p>Recognised that while the wording is used in planning conditions is goes beyond the wording within the Transport and Infrastructure policies in the Local Plan.</p> <p>It is recommended that an additional paragraph in relation to electric vehicles is added and the wording of paragraph 4.3 is amended</p>	<p>Additional paragraph recommended and additional text in bold:</p> <p>4.X The use of ultra-low emission vehicles, such as electric, plug-in hybrid and hydrogen powered cars and vans, will help to cut greenhouse gas emissions and air pollution on the district's roads. The government is supporting the greater use of these vehicles</p>

4 Key Issues Raised at Reg 12(b) Consultation

Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
			<p>air quality in the District though requiring all planning applications (except householder applications) that result in additional traffic to provide mitigation in the form of electric vehicle (EV) charging points. The paragraph goes on to detail specific requirements for each residential unit with a dedicated parking space and for residential units without allocated parking spaces.</p> <p>While Gladman support the Council's ambition to protect and improve air quality, it is considered that this goes above and beyond providing additional guidance to policies within the adopted development plan and attempts to create new policy requirements. Indeed, Policy TI3 of the Harrogate District Local Plan 2014-2035 states that proposals should simply, "...encourage the use of low emission vehicles as part of the proposal, including to provide electric vehicle charging points".</p> <p>Furthermore, the justification and evidence demonstrating the need for such requirements is unclear and is not provided through supporting evidence documents, in this case the County Council's Parking Strategy (2011) or Local Transport Plan 1 2. Additionally, the evidence base and supporting text regarding Policy TI3 of the Local Plan does not demonstrate such a need and further highlight that "...in order to encourage the wider use of these ultra-low emission vehicles locally, the council will support the provision of vehicle charging points as part of development proposals".</p> <p>Therefore, Gladman consider that the Air Quality SPD should be reviewed to ensure closer alignment with the adopted policies of the Harrogate Local Plan. The SPD should not attempt to reinvent or create additional policy requirements.</p>	<p>The policy and SPD refers to additional traffic generated.</p>	<p>through, for example, the Office for Low Emission Vehicles (OLEV) and the Plugged-in-Places programme, and it is expected that usage will increase significantly over the life of the Local Plan. To help realise this ambition, the government intend to set out a framework for the development of a recharging network for electric and plug-in hybrid vehicles. In order to encourage the wider use of these ultra-low emission vehicles locally, the council will support the provision of vehicle charging points as part of development proposals. The satisfactory location and design of such infrastructure will be an important consideration.</p> <p>4.3 In conjunction with the Transport and Infrastructure Policies in the Local Plan action to protect and improve air quality in the District will be undertaken by requiring all planning applications (except householder applications) creating additional traffic to provide mitigation in the form of electric vehicle (EV) charging points unless there are exceptional circumstances where this is not practicable or feasible and; it is recommended that these are must be provided as follows:</p> <ul style="list-style-type: none"> • One electric vehicle charging point for each residential unit with dedicated parking space. • One electric vehicle charging point for every ten un-allocated residential parking spaces (including hotels) as a minimum. o Mode 3 charging point with a type 2 outlet socket o The cable and circuitry ratings for the charging points shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32 Amps

Key Issues Raised at Reg 12(b) Consultation 4

Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
4	AQ15	Bourne Leisure	<p>Electric Vehicle Charging Points</p> <p>Bourne Leisure supports the provision of EVCPs across its holiday sites wherever it is appropriate and viable to do so. As currently drafted, paragraph 4.3 of the Air Quality SPD sets out that:</p> <p>"Action to protect and improve air quality in the District will be undertaken by requiring all planning applications (except householder applications) creating additional traffic to provide mitigation in the form of electric vehicle (EV) charging points and, these must be provided as follows:</p> <ul style="list-style-type: none"> • One electric vehicle charging point for each residential unit with dedicated parking space. • One electric vehicle charging point for every ten un-allocated residential parking spaces (including hotels) - Mode 3 charging point with a type 2 outlet socket - The cable and circuitry ratings for the charging points shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32 Amps" <p>Policy NE1 (Air Quality) of the adopted Harrogate Local Plan includes no explicit requirement for EVCPs to be provided as part of new development, albeit they are encouraged by Local Plan policies T11 and T13, as well as the Council's Air Quality Action Plan (2018). Notwithstanding this, none of these set minimum standards for EVCP provision and, on this basis, it is questioned whether the SPD complies with Regulation 5 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) in so far as it seeks to introduce development management policies intended to</p>		

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		<p>guide the determination of applications. Indeed, in setting out the role of SPDs, PPG states that "as they do not form part of the development plan, they cannot introduce new planning policies into the development plan" (Planning Practice Guidance: Paragraph 008; Reference ID: 61-008-20190315; Revision dated: 15 03 2019).</p> <p>The policy on EV charging points, as set out by paragraph 4.3 of the SPD, therefore requires introduction through a development plan document and should be viability tested.</p> <p>Bourne Leisure considers that a flexible approach is required and is appropriate when applying the proposed standards to tourism development such as hotels and holiday resorts/parks. To this end, the proposed standards included within the SPD should be presented as guidelines only.</p> <p>Notwithstanding the above, paragraph 4.3 of the draft SPD should be amended to clarify that any guideline standards for EVCPs are to be based upon a ratio of new car parking spaces created by development and not as a ratio of total cumulative parking spaces. For example, if development was proposed at Nidd Hall Hotel that would create the need for an additional 10 parking spaces, the recommended provision should be 1 no. EVCP space and not 21 (based on the 200 existing spaces at the hotel plus 10 new spaces).</p> <p>The Department for Transport published its 'Electric Vehicle Charging in Residential and Non-Residential Buildings' document (July 2019), which states that installing charging points in an average non-residential carpark costs around £1,100 (DfT (July 2019). Electric Vehicle Charging in Residential and Non-Residential Buildings. Source: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/406860/efr-vehicle-charging-in-residential-and-non-residential-buildings.pdf).</p> <p>It is therefore imperative that the requirements</p>		

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			<p>of EVCPs - as set out within the draft SPD - have regard to viability and practicality. This, in turn, emphasises why the proposed standards included within the SPD should be guidelines only.</p> <p>As an appropriate response to the issues raised above, we request that paragraph 4.3 of the draft SPD is reworded as follows:</p> <p>"Action to protect and improve air quality in the District will be undertaken by requiring all planning applications (except householder applications) creating additional traffic to provide mitigation in the form of electric vehicle (EV) charging points where it is practical, feasible and viable to do so.</p> <p>For residential development, where the provision of EV charging points is feasible and viable, the cable and circuitry ratings for the charging points shall be of adequate size to ensure a continuous current demand of 16 Amps.</p> <p>For hotels, the type of EV charging points and associated infrastructure will be agreed on a case by case basis. Any agreed requirement for EV charging points will be based upon a ratio of new car parking spaces created by development and not as a ratio of total cumulative parking spaces. This ratio will be assessed by the Council on a case-by-case basis."</p> <p>Summary</p> <p>Bourne Leisure supports the provision of EV charging points and is already ensuring that for new and upgraded facilities, low carbon infrastructure and systems form an important part of delivering its objectives.</p> <p>The draft Air Quality SPD should be amended to provide greater flexibility with regard to the provision of EVCPs and, in the case of hotels,</p>		

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Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
4	AQ19	Homes England	<p>the draft SPD should clarify that EVCs are to be provided as a ratio of parking spaces created by new development.</p> <p>Electric Vehicle Charging Points</p> <p>The primary mitigation measure for protecting and improving air quality in the District is the requirement for electric vehicle charging points to be provided in all planning applications (except householder applications) which create additional traffic.</p> <p>Paragraph 4.3 of the SPD, as currently drafted, states that these must be provided as follows:</p> <ul style="list-style-type: none"> • One electric vehicle charging point for each residential unit with dedicated parking space. • One electric vehicle charging point for every ten un-allocated residential parking spaces (including hotels). - Mode 3 charging point with a type 2 outlet socket - The cable and circuitry ratings for the charging points shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32 Amps." <p>Homes England supports the provision of electric vehicle charging points in new homes wherever it is appropriate and viable to do so. As drafted, however, the requirement set out by paragraph 4.3 is unduly onerous and too rigid. It does not consider situations where the provision of electric vehicle charging points may not be possible due to development viability or site layout considerations.</p>	<p>Comments noted</p> <p>Para. 4.3 to refer to exceptional circumstances.</p>	

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Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
			<p>The provision of electric vehicle charging points is a significant additional cost for a development. Whilst the benefits of supporting a transition to low carbon transport is undisputed, it is considered that paragraph 4.3 should be amended to allow for flexibility at sites where overall development viability is marginal.</p> <p>The Department for Transport published its 'Electric Vehicle Charging in Residential and Non-Residential Buildings' document (July 2019), which states that installing charging points in residential buildings will add an additional cost of approximately £976 per car parking space for an average home¹.</p> <p>On a site of 200 units, the provision of one charging point per unit would amount to an additional cost of almost £200,000. Furthermore, it is also often necessary to upgrade the cabling at a site so that it can cope with the additional demand on the electricity supply. The Institute of Engineering and Technology (IET) wiring regulations (BS7671) states that the maximum fuse size for domestic installations can be 100 amps. If, for example, a 32-amp unit is installed as referred to in the SPD, this, in combination with heating, lighting and unregulated energy at the property, could overload the supply and all the lights and power could go off for everyone else on the estate and in the local area.</p> <p>In addition to cost constraints, there can also be physical factors associated with site layout which prevent the delivery of electric vehicle charging points. Private services should not cross a public footpath or land in other ownership, and this can prevent the provision of charging points where parking spaces are located away from the dwelling. For example, where parking is proposed to the rear of corner plots no electricity is available as it is detached from the unit itself. It is often the case that parking is located at the end of a turning head would require cables to cross the footpath to provide a charging point.</p>		

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			<p>Furthermore, not every resident will have an electric car at the point of their occupation and possibly not at any other point in the immediate future (until at least 2030 when diesel / petrol / hybrid cars stop being made). Some residents may not even own a vehicle - ever.</p> <p>Homes England therefore suggests a more flexible approach and seeks for paragraph 4.3 of the draft Air Quality SPD to be amended to read:</p> <p>"Action to protect and improve air quality in the District will be undertaken by requiring all planning applications (except householder applications) creating additional traffic to provide mitigation in the form of electric vehicle (EV) charging points where it is practically feasible and viable to do so.</p> <p>Where the provision of EV charging points is feasible and viable, the cable and circuitry ratings for the charging points shall be of adequate size to ensure a continuous current demand of 16 Amps."</p> <p>Summary</p> <p>It is considered that, as currently drafted, the requirements for EV charging points are unduly onerous and too rigid. Homes England supports the provision of electric vehicle charging points in new homes and does not dispute the need to transition to a low-carbon future, however due consideration needs to be given to situations where it may not be possible to provide a charging point for every property due to site constraints or development viability.</p> <p>As such, it is essential that the wording of paragraph 4.3 is amended as suggested in this representation to allow more flexibility to respond to such circumstances.</p>		

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Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
4	AQ16	Persimmon Homes (Yorkshire)	<p>Electric Vehicle Charging Points</p> <p>Justification</p> <p>Persimmon supports the provision of electric vehicle charging points in new homes wherever it is appropriate and viable to do so. Currently, paragraph 4.3 of the SPD sets out that:</p> <p>"Action to protect and improve air quality in the District will be undertaken by requiring all planning applications (except householder applications) creating additional traffic to provided mitigation in the form of electric vehicle (EV) charging points and, these must be provided as follows:</p> <ul style="list-style-type: none"> • One electric vehicle charging point for each residential unit with dedicated parking space. • One electric vehicle charging point for every ten un-allocated residential parking spaces (including hotels). - Mode 3 charging point with a type 2 outlet socket - The cable and circuitry ratings for the charging points shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32 Amps." <p>Policy NE1 (Air Quality) of the adopted Harrogate Local Plan, to which this SPD relates, includes no explicit requirements for EV charging points to be provided as part of new development. Additionally, although it is noted that Local Plan policies T11 and T13 seek to 'encourage the provision of EV charging points, they do not set an absolute requirement for charging points to be provided for all developments. On this basis, it is considered that the SPD does not comply with Regulation 5 of the Town and Country Planning (Local</p>		

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			<p>Planning (England) Regulations 2012 (as amended) in so far as it seeks to introduce development management policies intended to guide the determination of applications. Indeed, in setting out the role of SPDs, PPG states that "as they do not form part of the development plan, they cannot introduce new planning policies into the development plan"¹. The policy on EV charging points, as set out by paragraph 4.3 of the SPD, therefore requires introduction through a development plan document and should be viability tested.</p> <p>Furthermore, the requirement for a Mode 3 charging point also appears unjustified. It is understood that recent planning permissions in the borough have not specified this type of charging point, and we would therefore request that the Council provides specific evidence to demonstrate a requirement for this type of charging point.</p> <p>Viability</p> <p>The provision of electric vehicle charging points is a significant additional cost for a development. Whilst the benefits of supporting a transition to low carbon transport is undisputed, paragraph 4.3 should be amended to allow for flexibility at sites where overall development viability is marginal.</p> <p>The Department for Transport published its 'Electric Vehicle Charging in Residential and Non-Residential Buildings' document (July 2019), which states that installing charging points in residential buildings will add an additional cost of approximately £976 per car parking space for an average home².</p> <p>On a site of 200 units, the provision of one charging point per unit would amount to an additional cost of almost £200,000. Furthermore, it is also often necessary to upgrade the cabling</p>		

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			<p>at a site so that it can cope with the additional demand on the electricity supply. The Institute of Engineering and Technology (IET) wiring regulations (BS7671) states that the maximum fuse size for domestic installations can be 100 amps. If, for example, a 32-amp unit is installed as referred to in the SPD, this, in combination with heating, lighting and unregulated energy at the property, could overload the supply.</p> <p>It is noted that the Whole Plan Viability Assessment (2016), which forms part of the evidence base for the Local Plan, did not include any assessment of the costs of providing EV charging points as part of future developments. This is presumably because the Local Plan does not explicitly require them, and this reinforces our concerns above that the SPD may be contrary to Regulation 5 of the Town and Country Planning (Local Planning) (England) Regulations 2012, by seeking to introduce a policy requirement which has not been tested during the examination of the Local Plan.</p> <p>In addition to cost constraints, there can also be physical factors associated with site layout which prevent the delivery of electric vehicle charging points. Private services should not cross a public footpath or land in other ownership, and this can prevent the provision of charging points where parking spaces are located away from the dwelling. For example, where parking is proposed to the rear of corner plots no electricity is available as it is detached from the unit itself. It is often the case that parking located at the end of a turning head would require cables to cross the footpath to provide a charging point.</p> <p>Paragraph 4.3 of the draft Air Quality SPD should therefore be amended to read:</p> <p>*Action to protect and improve air quality in the District will be undertaken by requiring all planning applications (except householder applications) creating additional traffic to provide</p>		

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Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
			<p>mitigation in the form of electric vehicle (EV) charging points where it is practically feasible and viable to do so.</p> <p>For residential development, where the provision of EV charging points is feasible and viable, the cable and circuitry ratings for the charging points shall be of adequate size to ensure a continuous current demand of 16 Amps.</p> <p>*For hotels, the type of EV charging points and associated infrastructure will be agreed on a case by case basis. Any agreed requirement for EV charging points will be based upon a ratio of new car parking spaces created by development and not as a ratio of total cumulative parking spaces. This ratio will be assessed by the Council on a case-by-case basis."</p> <p>(The text amendment marked with an asterisk has been added for consistency between these Persimmon representations and the representations submitted by Lichfields on behalf of Bourne Leisure Limited).</p> <p>Summary</p> <p>There is no explicit requirement in the Local Plan for the provision of EV charging points for all new non-householder developments, raising concerns regarding whether the SPD complies with Regulation 5 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). This requirement has also not been tested as part of the Whole Plan Viability Assessments, bringing into question the viability of residential allocations in the Plan.</p> <p>Persimmon supports the provision of electric vehicle charging points in new homes and does not dispute the need to transition to a low-carbon future, however due consideration needs to be given to situations where it may not be possible to provide a charging point for every property</p>		

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			<p>due to site constraints or development viability. As such, it is essential that the wording of paragraph 4.3 is amended as suggested in this representation to allow more flexibility to respond to such circumstances.</p> <p>We trust that these comments on the Consultation Draft Air Quality SPD will be taken into account and are used to assist with the progression of the document. Please do not hesitate to contact me if you have any queries on the comments raised above.</p>		

Table 4.1

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- 4.1 Due to technical errors in recording comments on the system the following comment references were not used: AQ2 and AQ6.

