Warrington Local Plan Examination

Matters Statements

MATTER 13 – OTHER POLICIES

August 2022

WARRINGTON
Borough Council

MATTER 13 – Other policies

Issue
Whether the Local Plan is justified, effective and consistent with national policy in relation to waste management, flood risk and water management, minerals, energy and environmental and amenity protection.

(NB. Examination Library reference numbers are provided in brackets after each document referred to in the Matters Statement)

Relevant policies ENV1 to ENV8

Questions

Waste management (ENV1)

1. What is the current situation in relation to waste arisings and the cross boundary movement of waste?

1.1 The situation in respect of the principal waste streams identified in the Waste Needs Assessment (M4) is summarised in paragraphs 9.1.8 to 9.1.14 of the Updated PSVLP 2021 (SP1) and remains unchanged. The situation in respect of cross boundary issues relating to waste are outlined in the Council's response to Question 13(h) of the Matter 2 Statement on Duty to Co-operate matters.

1.2 In terms of Local Authority Collected Waste (LACW) these figures are reported in the Council's Annual Monitoring Reports (AMR). The latest AMR is the AMR 2021 (CD01), which covers the period from 1st April 2020 to 31st March 2021. The amount of municipal waste arisings by waste type for the monitoring period, along with a comparison of figures for the last 10 years, is shown on pages 27 to 28 of the report.

2. What is the current situation regarding capacity in waste management facilities?

2.1 The Council commissioned a Waste Needs Assessment (Waste Arisings and Capacity Requirements Report, Urban Vision 2017) as part of its Local Plan Review, which provides estimates of the amount of waste likely to be generated in the Borough over the Plan Period; reviewed the capacity of existing and planned waste treatment facilities; confirmed cross boundary movements of waste; and provided an estimate of future gaps in waste management capacity.

2.2 The report provides a detailed assessment of the need for future waste management capacity up to 2037 for a number of recycling and growth options for the following waste streams:

- Local Authority Collected Waste (LACW);
- Commercial and Industrial (C&I) Waste;

- Construction, Demolition and Excavation (CD&E) Waste;
- Hazardous Waste;
- Agricultural Waste;
- Low Level (Non-Nuclear) Radioactive (LLR) Waste; and
- Water Waste/Sewage Sludge.

2.3 The situation in respect of capacity for these waste streams is outlined in paragraphs 9.1.8 to 9.1.14 of the Updated PSVLP 2021 (SP1) and remains unchanged. Although, it should be noted that whilst it identifies a need for some additional capacity for a range of waste streams these requirements are based on the higher housing and employment requirements in the PSVLP (2019).

3. Is the approach to proposals for waste management facilities justified?

3.1 The National Planning Policy for Waste (NPPW) (Paragraph 2) states that when preparing their Local Plans, waste planning authorities should, to the extent appropriate to their responsibilities:

- ensure that the planned provision of new capacity and its spatial distribution is based on robust analysis of best available data and information, and an appraisal of options (avoiding spurious precision);
- work jointly and collaboratively with other planning authorities to collect and share data and information on waste arisings, and take account of:
    i. waste arisings across neighbouring waste planning authority areas;
    ii. any waste management requirement identified nationally, including the Government's latest advice on forecasts of waste arisings and the proportion of waste that can be recycled; and
- ensure that the need for waste management facilities is considered alongside other spatial planning concerns, recognising the positive contribution that waste management can bring to the development of sustainable communities.

3.2 Paragraph 3 requires Waste planning authorities, when preparing Local Plans, to identify sufficient opportunities to meet the identified needs of their area for the management of waste streams. Paragraph 4, indicates that waste planning authorities should identify, in their Local Plans, sites and/or areas for new or enhanced waste management facilities in appropriate locations.

3.3 With the exception of a Waste Transfer Station (WTS) to screen and bulk up LACW and a replacement Community Recycling Centre (CRC) in the south of the Borough there is no specific need identified for waste management facilities in the Borough. The Council is in the process of seeking to identify a site for a WTS from land within our own ownership. If a site cannot be found from this source then the Council will look to identify a site from existing or proposed employment allocations. The Council has undertaken a review of its CRC's, which has identified a need for additional capacity in the south of the Borough. It is proposed to meet this need by closing the existing facility in Stockton Heath and providing a replacement facility in the new South East Warrington Urban Extension that will have sufficient capacity to cater for the increased capacity required. It is proposed to meet any future

requirement for waste management facilities through a criteria based policy for both built and open (landfill) types of facilities should a need be identified.

3.4 Therefore, it is considered that the Council's approach to proposals for waste management facilities is justified.

4. In other respects, is Policy ENV1 justified, effective and consistent with national policy?

4.1 The Council is satisfied that Policy ENV1 will ensure management of waste as far up the waste hierarchy as possible and provision of sufficient opportunities for locating new waste management facilities in the Borough. The policy also provides adequate protection and seeks to minimise impacts on environmental and other concerns.

4.2 Paragraph 5 of NPPW requires that Waste planning authorities should assess the suitability of sites and/ or areas for new or enhanced waste management facilities against, amongst other things, the cumulative impact of existing and proposed waste disposal facilities on the well-being of the local community, including any significant adverse impacts on environmental quality, social cohesion and inclusion or economic potential. The policy requires cumulative impacts to be considered when two or more developments are potentially capable of causing significant effects on the environment, biodiversity interests or on the amenity of the local community. It is also relevant where a new development may affect communities or the environment cumulatively with existing developments.

4.3 Paragraph 8 of NPPW requires that land raising or landfill sites are restored to beneficial after uses at the earliest opportunity and to high environmental standards. The requirements for restoration and aftercare are essentially the same for waste sites as they are for mineral sites. Policy ENV6 addresses this issue.

4.4 The NPPW requires waste planning authorities to ensure that the impact of proposed, non-waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities. The encroachment of non-compatible development near waste management facilities has the potential to result in future difficulties regarding the operating of a waste site. Policy INF3 addresses this issue.

4.5 Therefore it is considered that the policy is fully justified and consistent with national policy in the Waste Management Plan for England, the National Planning Policy for Waste and other relevant guidance.

Flood risk and water management (ENV2)

5. What is the situation in terms of flood risk across the Borough and how has this informed the Spatial Strategy and the identification of Main Development Areas and site allocations?

5.1 Warrington is at risk from many different sources of flooding including, main rivers, ordinary watercourses, surface water runoff, sewer flooding and the residual risks associated with artificial water bodies such as the Bridgewater Canal, the Manchester Ship Canal and reservoirs. The Manchester Ship Canal effectively provides a floodwater bypass channel for Warrington.

5.2 The main source of flooding is the River Mersey and its five key tributaries, which flow through the centre of the Borough. The Manchester Ship Canal plays a vital role in managing fluvial flood risk along the Mersey. Although principally a navigation canal, the canal provides a floodwater bypass channel for Warrington, which significantly reduces the incidence of flooding from fluvial flows.

5.3 Surface water flooding is also a key flood risk consideration in Warrington. Surface water flooding includes surface water runoff (pluvial flooding), sewer flooding and flooding from groundwater. Whilst pluvial flooding from heavy rain fall can occur anywhere in the Borough, there are certain locations in Warrington where the probability and consequences of these mechanisms are more prominent.

5.4 The Council undertook a Level 1 Strategic Flood Risk Assessment (SFRA) (E2) in support of the Local Plan review, taking into account flooding from all sources. As part of the level 1 SFRA, every individual site submitted as a potential development site for inclusion in the Local Plan through the call for sites exercise (including all previously submitted Strategic Housing Land Availability sites) were screened for flooding from all sources, and a recommendation made as to the suitability based on flood risk constraints of the site for development and what should be considered.

5.5 Based on the sequential approach of the Level 1 SFRA, it was concluded that a Level 2 SFRA was required for identified sites requiring the application of and passing of the Exception Test.

5.6 The findings of the Level 1 and Level 2 SFRA (E3) have informed the Council's site assessment process and the overall approach taken has ensured that in allocating sites, the Plan has selected sites that are at a lower risk of flooding, thereby complying with the advice in paragraph 161 of the NPPF (2021).

6. Is Policy ENV2 justified, effective and consistent with national policy?

6.1 Yes, the Environment Agency (EA) has generally endorsed the Local Plan's approach to managing flood risk and as can be seen from above, Policy ENV2 is supported by a robust evidence base. Therefore, it is considered that Policy ENV2 is justified, effective and consistent with national policy.

Minerals (ENV3 to ENV6)

7. Is the approach to the safeguarding of mineral resources in Policy ENV3 justified, effective and consistent with national policy?

7.1 Yes. The policy is consistent with paragraphs 210 of the National Planning Policy Framework (NPPF). It safeguards sand and gravel aggregate; coal; sandstone and clay resources and key infrastructure, ensures that resources will not be sterilised and encourages prior extraction.

7.2 Paragraph 210(c) of the NPPF requires that Mineral Planning Authorities (MPAs) should identify Mineral Safeguarding Areas (MSAs) and Mineral Consultation Areas (MCAs) and adopt appropriate policies in their Plans so that known locations of specific mineral resources of local and national importance are not sterilised by non-mineral development wherever possible. In addition to safeguarding mineral resources which may become of economic importance, paragraph 210(e) of the NPPF requires the council to safeguard existing, planned and potential minerals infrastructure such as; rail heads and wharfs; sites for the manufacturing of concrete and concrete products; and permanent facilities for the processing and distribution of substitute, recycled and secondary aggregate material.

7.3 The broad extent of mineral resource has been defined in the Mineral Resource Study (M3) that was undertaken in 2017, along with mineral processing, management and transport facilities. Non-minerals development near a resource can result in sterilisation of that resource even where the development does not overlie the mineral. Therefore, in order to ensure that all identified mineral resources are safeguarded from proximal development, a buffer has been applied around the MSAs to ensure that proposals for non-minerals development within a specified distance of a mineral resource must consider the potential for the sterilisation of the mineral occurring and the associated impacts. The buffer zones outlined in Table 9 (Page 159) of the UPSVLP 2021 (SP1) have been included in the MSA boundaries identified in the Council's Mineral Resource Study (2017) and shown on the Policies Map: The Council has not proposed to designate any MCAs because it is not a two tier authority.

7.4 The planning policy guidance explains that safeguarding mineral resources should be defined in designated areas and urban areas where necessary to do so. For example, safeguarding of minerals beneath large regeneration projects in brownfield land areas can enable suitable use of the mineral and stabilisation of any unstable land before non-minerals development takes place. Applying the MSA based on the geological occurrence of minerals only would cover a significant portion of the main urban area of Warrington north of the Manchester Ship Canal. Whilst, a significant amount of development is proposed within the existing urban area of Warrington, including a few large sites, analysis of the resources reveals that much of it has already been built on and sterilised by urban development in the areas where deposits occur. Also, identifying the full extent of resources available and requiring prior extraction may place onerous requirements on developers and the Council to provide/assess data on mineral resources when applications for non-mineral development are made in the urban area when the housing and employment development is one of Warrington's priorities. Therefore, in order to remove this burden, the policy only requires those proposed developments on sites of greater

than 5ha within the urban area to undertake a mineral resource assessment. Other, smaller, developments within the urban area will not be required to consider prior extraction, although this does not preclude prior extraction should a developer consider this appropriate.

8. To what extent are any of the Main Development Areas or site allocations affected by Mineral Safeguarding Areas and where they are how will this issue be addressed?

8.1 The options and site assessment process took account of the proposed MSA's, as is explained in the Development Options and Site Assessment Technical Report (O1). The Options assessment process is explained in paragraphs 2.25 to 2.28; the allocation of sites to the outlying settlements is explained in paragraphs 3.1 to 3.16; and the main development area options assessment is explained in paragraphs 4.1 to 4.59.

8.2 Paragraph 2.25 refers to the housing growth and high level spatial options assessment set out in Appendix 2 of (O1) and paragraph 2.26 indicates that the options assessment took into account the Minerals Resource Assessment (M3). Paragraph 3.5 indicates that the Council undertook a more detailed review of the potential impact of sites on identified Minerals Safeguarding Areas as part of the site assessment of sites that had not already been ruled out due to making a strong contribution to the Green Belt or being at a high risk of flooding. These assessments are contained in the Site Assessment Proformas 2019 (SAP2) and the Site Assessment Proformas 2021 (SAP1). The Main Urban Area Options Assessment process is explained in paragraphs 4.35 to 4.47 and refers to Appendix 5.

8.3 Some of the Main Development Areas and Settlement Sites Allocations were covered by a small extent of the proposed sand and gravel MSA but they were not excluded from the selection process because the resource was either predominantly already sterilised by existing development; was in such close proximity to existing development/receptors so as to make extraction unacceptable or was considered to be too small an extent to be worked for practicality and economic reasons.

8.4 The only site that is affected by any of the proposed MSA designations is the Main Development Area MD4 (Peel Hall). This site lies completely within the proposed sand and gravel MSA. It is proposed to address this issue through the requirement in Policy ENV3 for sites over 5ha in size within the urban area to undertake a mineral resource assessment in order to demonstrate that; the mineral is not of economic or potential value, or does not exist; or that extraction of the mineral would not be physically viable or practicable; or that the mineral can be extracted prior to development taking place; or that the development is of a temporary nature that would not prevent future mineral extraction; or material considerations indicate that the need for the development overrides the presumption for mineral safeguarding such that sterilisation of the mineral can be permitted following the exploration of opportunities for prior extraction. This requirement is cross referenced in Part 34 of Policy MD4.

9. What is the current situation in terms of landbanks for aggregates and how is it intended to address any shortfalls?

9.1 The most up-to-date published data at a sub-regional level is still the Greater Manchester, Merseyside, Halton and Warrington Local Aggregate Assessment (LAA) published in January 2019 (M1), which uses data for the period 1st Jan 2018 to 31st Dec 2018. This indicates that the total reserves of crushed rock were 17.50 million tonnes at the end of 2018. This would provide for a total of 29.16 years of sales based on the average sales over the most recent 10-year period. However, the land bank for sand and gravel is estimated to have fallen below 7 years for the third year in succession, with a total reserves of 1.2 million tonnes, representing 4.4 years of sales based on the average sales over the most recent 10 year period.

9.2 At a North West region level the North West Aggregates Working Party (NWAWP) Annual Monitoring Report 2021 was published in May 2022 (M7). This includes data from 2019 to 2020 (Calendar years 1st January to 31st December) and provides a breakdown of data to a sub-regional level as well as the aggregated figures for the North West as a whole. In terms of the sub-region this indicates that the total reserves of crushed rock were 12.05 million tonnes at the end of 2020. This would provide for a total of 15.06 years of sales based on the average sales over the most recent 10-year period. However, the land bank for sand and gravel is estimated to have fallen below 7 years for the third year in succession, albeit that it has recovered significantly from the position in 2018. The total reserves being 1.68 million tonnes, representing 6.22 years of sales based on the average sales over the most recent 10 year period. These figures are contained in Tables 3 and 4 of the NWAWP AMR 2021 (M7) (Pages 18 and 21).

9.3 In the case of crushed rock the permitted reserves in the North West have decreased from 282.51mt in 2019 to 247.89mt in 2020. Over the last 10 years there has generally been a decreasing trend in crushed rock reserves. Nevertheless, there is still a fairly healthy landbank of crushed rock at both a sub-regional and regional level.

9.4 However, in terms of sand and gravel permitted reserves at both a sub-regional and a regional level, there has been a generally decreasing trend in sand and gravel reserves over the last 10 years. This is demonstrated in Table 3 (Page 18) of the NWAWP AMR 2021 (M7).

9.5 At a sub-regional level the level of resource is significantly restricted by the substantially urbanised nature of the region and the quality of the resource. This, in addition to restricting the level of resource available, impacts on the opportunities to extract the resource due to proximity issues to sensitive receptors (ie. residential areas and ecological designations). Nevertheless at a North West regional level it has been recognised that there is a need to work collaboratively to try and address the shortfall in the sand and gravel landbank, and the authorities, through the NWAWP, have been actively engaging with the Crown Estates to explore the

possibility of marine landings replacing historic land-won sand and gravel sales, as there is significant reserves in three off-short licenced areas in Liverpool bay (Marine Aggregates Capability & Portfolio 2020; The Crown Estate; Page 12) (M8)

9.6 In terms of Warrington itself the Council has sought to identify MSA's for the first time and develop a policy approach that will support mineral extraction both within the proposed MSA's and any other appropriate locations that might come forward as windfall opportunities.

10. Is the approach to the primary extraction of minerals in Policy ENV4 justified, effective and consistent with national policy?

10.1 The justification for the approach to the primary extraction of minerals is outlined in paragraphs 9.4.4 to 9.4.12 of the Updated PSVLP 2021(SP1).

10.2 The Council is satisfied that Policy ENV4 will allow for sites to come forward to help contribute towards minerals production, whilst providing adequate protection and minimising impacts on environmental and other concerns. The policy is fully justified and consistent with national policy and other guidance.

11. Is the approach to energy minerals in Policy ENV5 justified, effective and consistent with national policy?

11.1 The justification for the approach to energy minerals is outlined in paragraphs 9.5.1 to 9.5.5 of the Updated PSVLP 2021(SP1).

11.2 The Council is satisfied that Policy ENV5 will allow for sites to come forward for the exploration, appraisal and extraction of energy minerals, whilst providing adequate protection and minimising impacts on environmental and other concerns. The policy is fully justified and consistent with national policy and other guidance.

12. Is the approach to the restoration and aftercare of mineral and waste sites in Policy ENV6 justified, effective and consistent with national policy?

12.1 The justification for the approach to the restoration and aftercare of mineral and waste sites is outlined in paragraphs 9.6.1 to 9.6.9 of the Updated PSVLP 2021(SP1).

12.2 The Council is satisfied that Policy ENV6 will allow for high quality restoration and aftercare of mineral and waste sites in accordance with paragraph 210(h) of the NPPF. The policy is fully justified and consistent with national policy and other guidance.

Renewable and low carbon energy development (ENV7)

13. What is the basis for the requirements for allocations and other major development proposals to meet 10% of energy needs from renewable and/or other low carbon energy sources or to reduce carbon emissions by at least 10%

when measured against Building Regulation (Part L)? How would it be implemented in practice?

13.1 The Government has taken a number of steps to limit the UK's emissions of greenhouse gases through legally binding targets, both now and in the future. As part of an international effort the UK has been signed up to the Kyoto Protocol since 1995 and in 2016 ratified the Paris Agreement. The 2008 Climate Change Act commits the Government to reducing targeted UK greenhouse gas emissions by at least 80% in 2050 from 1990 levels.

13.2 The Government is also committed to reducing the carbon emissions associated with heating and electricity supply, which has been affirmed in the recent 'Net Zero Strategy: Build Back Greener' (October 2021), which lays out the Government's strategy for meeting the sixth Carbon Budget.

13.3 The Council declared a Climate Emergency in 2019. The Council's Climate Emergency declaration pledges to make Warrington a net zero carbon area. This will involve both an inward looking focus relating to the Council's own operations and an outward looking focus looking at the wider development of the Borough. In addition, the Council's Green Energy Strategy outlines our intentions for our own estate, the emissions of our Borough and how we will look to adapt to climate change. One way of helping to achieving this goal is to ensure that new development is as energy efficient as possible and to support the provision of renewable and low carbon energy infrastructure.

13.4 Paragraph 155 of the NPPF requires Local Plans to seek to increase the use and supply of renewable and low carbon energy and heat, by providing a positive strategy for energy from these sources and identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems.

13.5 The Planning Practice Guidance (Ref ID: 6-012-20190315) indicates that 'Provisions in the Planning and Energy Act 2008 also allow development plan policies to impose reasonable requirements for a proportion of energy used in development in their area to be energy from renewable sources and/or to be low carbon energy from sources in the locality of the development.

13.6 The basis for the policy is rooted in the existing adopted Local Plan Core Strategy 2014 (Policy QE1), which carried forward the former North West Region Spatial Strategy renewable energy target of 10%. This is still considered to be a reasonable requirement to carry forward, in order to support the transition to a low carbon economy. The justification for the option for the allocations and other major development proposals to reduce their carbon emission rates by at least 10% above the requirements of Part L of the Building Regulations is in recognition of the fact that many commercial/employment schemes have low electricity demands but often have higher heating and cooling demands that are often better met by improved energy efficiency measures in the building fabric.

13.7 The requirements of Parts 3, 4 and/or 5 of the policy could be demonstrated through the submission of an Energy/Carbon Reduction Statement.

13.8 In respect of the specific requirement to meet 10% of energy needs from renewable and/or other low carbon energy sources, contained in Part 4 and Part 5(b) of Policy ENV7 the Council would expect an applicant to submit an Energy/Carbon Reduction Statement which would need to provide details of:

- The baseline energy demand of the development;
- The renewable/low carbon options considered to meet the 10% requirement;
- The option that has been chosen and why it has been chosen;
- The % of the energy demand that the chosen option will meet, together with any justification for not meeting the 10% minimum requirement.
- The Statement should provide full SAP calculations to demonstrate, what would be the predicted energy use of the building, as designed to meet the current Building Regulations at the time (ie. the TER) and what would be the predicted energy use as a result of the proposed energy efficiency measures;
- In addition, precise details/plans/specifications of the chosen measures/technologies, the qualities of each, their appearance, scale and location should be provided, including any acoustic treatment to any noisy equipment (ie. In the case of Air Source Heat Pumps).

13.9 As indicated in paragraph 13.6 above, through experience the Council has learnt that not all types of development are suited to the use of renewable energy generating technologies because they do not actually have high power demands and in those instances the preference is to allow schemes to achieve improved energy efficiency (and hence carbon reduction) through other means rather than constraining them to meet a target that would probably not achieve the same carbon savings that could be achieved by other methods.

13.10 Therefore in respect of the requirement to reduce carbon emissions by at least 10% when measured against Building Regulation (Part L), contained in Part 4 and Part 5(c) of Policy ENV7 the Energy/Carbon Reduction Statement would need to:

- Commit to firm proposals and explain what measures will be introduced into the design of the development in order to minimise their energy demand, maximise the efficiency of their use in accordance with the principles of the energy hierarchy and the subsequent reductions in $C0_2$ emissions that this will achieve.
- The Statement should provide full SAP calculations to show the reduction to the baseline energy use of the development that will be achieved by the proposed energy efficiency measures (such as enhanced insulation) together with the associated carbon savings in order to allow for the proper assessment of the proposals. In other words, what would be the predicted energy use of the building, as designed to meet the current Building Regulations at the time (ie. the TER) and what would be the predicted energy use as a result of the proposed energy efficiency measures.
- In addition, precise details/plans/specifications of the chosen measures/technologies, the qualities of each, their appearance, scale and

location should be provided, including any acoustic treatment to any noisy equipment (ie. ASHP's).

13.11 This would essentially be a similar process to that which has been in operation since the introduction of the North West Regional Spatial Strategy policy requirement in 2008 and the same as has been in operation since the Local Plan Core Strategy was adopted in 2014.

14. How has the effect on viability been taken into account and is the approach justified and consistent with national policy?

14.1 The Council has undertaken a comprehensive Local Plan Viability Assessment August 2021 (V2), the details of which are outlined in the Council's response to Questions 35 to 37 of Matter 3. Specific provision is made in the Viability Assessment for the requirements of Policy ENV7, as detailed in paragraphs 7.235 to 7.247.

14.2 It should be noted that in response to representations made to the Updated PSVLP 2021, the Council has updated its viability assumptions around complying with the Policy and has increased the build cost per dwelling to ensure full account is given to the Part L Building Regulation requirements. This is set out at paragraph 4.37 of the Local Plan Viability Report Addendum 2022 (V1).

14.3 The Council is satisfied that the effects on viability of the requirements of Policy ENV7 have been taken into account and that the approach to assessing the effect on viability is fully justified and consistent with national policy.

15. Is the approach to renewable and low carbon infrastructure justified and consistent with national policy?

15.1 The Government's approach to climate change and how renewable and low carbon energy and associated infrastructure can support this is outlined in paragraphs 155 to 158 of the NPPF.

15.2 The justification for the Council's approach to renewable and low carbon infrastructure in the context of these national policy requirements are outlined in paragraphs 9.7.5 to 9.7.17 of the Updated PSVLP 2021(SP1).

15.3 The Council considers that Policy ENV7 is justified in responding to the climate change emergency and can help deliver one of the core principles of the National Planning Policy Framework to support the transition to a low carbon future. There is flexibility within the policy with regards to a range of measures that can be employed to deliver energy efficiency measures and renewable/low carbon energy supply. The policy sets clear expectations for new development, and the revised design and Construction SPD will provide additional guidance to assist applicants and the Council's Development Management service.

Environmental and amenity protection (ENV8)

16. What is the current situation in terms of air quality in the Borough?

16.1 The 2020 Air Quality Annual Status Report (E8) provides the most up to date analysis on the current situation in terms of air quality in the Borough. The 2022 Status Report is due to be published prior to the start of the Examination hearing sessions.

16.2 The majority of Warrington meets the national objectives for air quality except for some locations immediately adjacent to major roads which have been designated as (Air Quality Management Areas) AQMAs. The current trend is seeing air quality improving especially for nitrogen dioxide. The majority of locations within AQMAs now meet the national objective level for nitrogen dioxide. The improvements have further increased since the pandemic due to reductions in road traffic. The long term trend though has been forecast for further reductions due to improvements in vehicle technology.

16.3 There has been less of an improvement for particulate levels, especially PM2.5. This is due to local traffic having less of an impact on particulates compared to nitrogen. Particulate levels at a local level are affected by additional sources such as domestic burning and transboundary effects. PM2.5 levels have been assessed as part of the Local Plan and these are expected to improve although at a lower rate than for nitrogen dioxide. There are no current exceedances in the national limit for PM10. The proposed limit for PM2.5 to be met by 2040 is expected to be met if there are further national actions on reducing emissions from sources outside of local authority's control.

17. How have air quality impacts been taken into account in preparing the Local Plan and identifying allocations?

17.1 The Local Plan Air Quality Modelling Report undertaken for the previous PSVLP 2019 (E5) concluded that the burden of poor air quality on people's health is expected to reduce in Warrington in the future, as emissions are reduced, largely due to improvements in vehicle emissions outweighing increases in the number of vehicle journeys. However, the Report highlights the health threat posed by particulate matter. As such the Council is committed to implementing the actions of its Air Quality Action Plan, to ensure that opportunities to improve air quality are fully realised.

17.2 The Council has not undertaken a full review of the Local Plan Air Quality Modelling report given the Updated PSVLP (2021) is proposing a lower level of development. The existing report is therefore considered to assess a 'worst case' scenario. Updated air quality modelling has however informed the Updated Habitats Regulation Assessment (2021) (SP12).

17.3 The extent of Air Quality Management Areas have been taken into account in the site assessment process. Where allocations have been made in the Plan, there are

specific requirements to protect environmental amenity in respect of air quality, where this is considered to be an issue.

17.4 The Council is committed to reducing the exposure of residents to poor air quality and the Local Plan is seen as a key document in supporting this approach. Policy ENV8 sets out the Council's overall approach to ensure proposals will not have unacceptable impacts on air quality and confirms that sensitive developments (including but not limited to residential, schools, nurseries, hospitals) are not desirable in areas of poor air quality, unless a suitable assessment, review and identification of mitigation to lessen the effects on future site users is provided.

18. Is the approach towards air quality impacts on the Manchester Mosses SAC and potential mitigation justified and effective? How does the approach in Policy ENV8 link with the findings of the HRA?

18.1 The approach in ENV8 directly relates to the findings in the HRA in respect of the impact of the Plan on the Manchester Mosses SAC, the identified mitigation measures and the sites which will be required to provide mitigation.

18.2 As stated in the answer to Matter 1 Question 14, the Council has undertaken additional air quality modelling work to give a more detailed understanding of the impact of the Plan on Holcroft Moss within the SAC. This work has confirmed that the Warrington Local Plan would not have a likely significant effect on the SAC bog habitat alone. It is only when it is considered in combination with other plans and projects, including with the Manchester Places for Everyone Plan, that the impact becomes significant. Nonetheless such in combination effects trigger the requirement for an appropriate assessment and potentially the need for mitigation to avoid the risk of impact within the bounds of scientific knowledge.

18.3 The Council is therefore working with Natural England and Greater Manchester Combined Authority (GMCA) (on behalf of the nine PfE districts) to identify potential mitigation measures for the impact on the Moss.

18.4 The Council is proposing modifications to the Plan which will require the site allocations specified under Policy ENV8, together with other developments that meet the threshold set out in Policy ENV8, to undertake a project level HRA and, if required, provide a financial contribution towards appropriate mitigation measures. The mechanism for establishing any required contribution from individual developments and how this will be used to undertake the mitigation could then be set out in an SPD as outlined in the response to Matter 1 Question 5.

19. In other respects, is Policy ENV8 justified, effective and consistent with national policy?

19.1 Yes. The Council is confident that Policy ENV8 is justified, effective and consistent with national policy.

Main modifications

20. Are any main modifications to the above policies necessary for soundness?

20.1 As a result of concerns expressed by Natural England regarding the potential in-combination impact of the Local Plan on Holcroft Moss within the Manchester Mosses Special Area of Conservation, the Council is currently working with Greater Manchester Combined Authority (GMCA) on potential mitigation measures for the moss. The Council is therefore proposing a modification to the Plan, and specifically a modification to Part 4 of Policy ENV8, which will require a project level HRA to be undertaken and, if required, provide a financial contribution towards appropriate mitigation measures. The mechanism for establishing any required contribution from individual developments and how this will be used to undertake the mitigation could then be set out in an SPD and therefore an addition to the supporting text will need to be made referring to this.