

# **Cheltenham Plan Examination**

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## **Matter 5: Health and Environmental Quality**

**Written statement by Cheltenham Borough Council**

**23<sup>rd</sup> January 2019**

**Updated 6<sup>th</sup> February 2019**

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## Main Issue: The impact of the CP proposals on air quality

### 1. Are the Policies of the JCS together with the CP adequate to enable improvements to air quality in Cheltenham?

JCS Policy SD14 stipulates that new development must:

- ii. Result in no unacceptable levels of air, noise, water, light or soil pollution or odour, either alone or cumulatively, with respect to relevant national and EU limit values;
- iii. Result in no exposure to unacceptable risk from existing or potential sources of pollution. For example, by avoiding placing sensitive uses in locations where national or EU limit values are exceeded, or by incorporating acceptable mitigation measures into development;

The air quality in central Cheltenham resulted in the declaration of the whole Borough, in 2011, as an Air Quality Management Area (AQMA). The poor air quality is almost solely as a result of vehicular activity within the town centre area, which cannot be easily addressed. Areas outside of the town centre consistently meet the air quality objectives. To address the failures of air quality objectives at a number of locations, an Air Quality Action Plan was created.

The Cheltenham Air Quality Action Plan was released in April 2014 and proposed 20 separate initiatives. These mainly consisted of promoting alternative modes of travel, various traffic/highway measures, and a change to planning policy. The Air Quality Annual Status Report 2018 states the following regarding planning policy:

“An Air Quality Policy was to be adopted as part of the new Cheltenham Local Plan, to ensure that air quality impacts of all significant developments are properly assessed and mitigation actions taken where necessary. However it was decided that this was not required because the JCS (Joint Core Strategy for Gloucester, Cheltenham and Tewkesbury) already covers this in policies SD3 and INF1. These policies require applicants to assess any potential impacts on air quality. This will integrate with Cheltenham’s Air Quality Action Plan.”

The Council consider that the various proactive measures being carried out as part of the Air Quality Action Plan together with JCS Policies SP2, SD2, SD14 and INF1 will enable improvements to air quality in Cheltenham.

## **2. Has account been taken of the impacts on air quality of the proposals for development in the CP?**

An assessment of air quality is a consideration in the sustainability appraisal which has been used to shape the Cheltenham Plan. This includes establishing the 'baseline', appropriate objectives for the assessment of impact and proposed monitoring.

The SA is an iterative and ongoing process that informs plan-making by assessing developing elements of the plan, evaluating and describing the likely significant effects of implementing the plan, and suggesting possibilities for mitigating significant adverse effects and enhancing positive effects.

The SA found that the Cheltenham Plan overall may have some minor negative effects. These are largely as a result of the overall, cumulative effect of increased housing, employment and associated infrastructure development in the plan area. There may be negative effects on noise, air quality reduction, pollution, and congestion, arising from the overall predicted growth in road based traffic.

A key function of the SA process is to inform the development of the plan, helping to mitigate identified negative effects and enhance positive effects.

The sustainability appraisal (SD017) on page 64 concludes that three of the Cheltenham Plan allocation sites could potentially have negative effects on air quality but that with mitigation these are reduced to a neutral effect:

“Monkscroft primary school, Coronation Square and Old Gloucester Road all had potential major negative effects on transport and air quality, with some uncertainty. However, mitigation is available through the development management policies in both the GCT JCS and the Draft Cheltenham Local Plan. JCS policies INF1-4 and INF6 Renewable Energy/Low Carbon Energy Development and Cheltenham Plan Policies TN1-2 will favour public transport and therefore reduce emissions from private vehicles. Furthermore, the sites have good access to sustainable transport and services/facilities, such that an increase in private vehicle use is less likely. Therefore, taking into consideration the available Policy mitigation, it is considered major negative effects are reduced to a neutral effect.”

In light of the above the Council believe that the impacts on air quality of the proposals for development in the Cheltenham Plan have been adequately taken into account.

## **3. Would the CP proposals when added to those in the JCS lead to any breach in EU air quality targets or to any deterioration in air quality where any breach has already occurred?**

The whole of the Borough is designated as Air Quality Management Area but that does not mean that areas outside the town centre have poor air quality. The air quality is reasonably good in most areas of the town and almost all monitoring of Nitrogen Dioxide levels in the Borough come well within EU limit values.

Of the areas monitored, 2017 data indicates three distinct locations that still give cause for concern regarding annual failure of EU limit values for Nitrogen Dioxide. These are; at the lower High Street (No 422), at the High Street junction with Gloucester Road and at one location on Swindon Road. There are two other hotspot locations which also exhibit elevated Nitrogen Dioxide levels but have fallen within the EU limit for annual average levels in 2017. The other monitoring locations are used to monitor representative background levels in areas outside of the town centre, and also where the Council might see some change in traffic load due to development or a change in the road layout.

The level of development over the plan period has already been approved through the JCS. The local plan does not add to that growth. It is unlikely that there will be any additional negative impact on air quality in the borough due to Cheltenham Plan allocations.

## **Main Issue: Flood risk**

### **1. Would the proposals in the CP when added to those in the JCS lead to any increase in flood risk bearing in mind the impacts of climate change?**

The Council has commissioned consultants to undertake a L2 SFRA, including the impacts of climate change. The Council, their consultants and the Environment Agency (EA) met on 3 January 2019 to agree the scope for the L2 SFRA. The consultants have issued the finalised L2 SFRA (see Appendix A). The EA will review the assessments expeditiously.

### **2. In particular, have the implications of the proposals in the CP when added to those in the JCS been assessed for the Cheltenham Flood Alleviation Scheme?**

The commissioned L2 SFRA work has taken into account the River Chelt Flood Alleviation Scheme.

### **3. Has a Level 2 Strategic Flood Risk Assessment been carried out to inform the selection of the sites allocated in the CP?**

As per answer to question 1.

### **4. The Environment Agency (EA) raises concerns in relation to flood risk at the following sites: MD4, MD5, HD3, HD7, HD8, E4. To what extent have these concerns been addressed and if not, how will they be addressed?**

Please refer to answer to question 1. Discussions between the Council and the EA have been positive and are ongoing. The initial Statement of Common Ground between the Council and EA (ED005b) identified a number of concerns which the EA had with the evidence base. The Council believe that the commissioned L2 SFRA resolves all of the outstanding concerns regarding flood risk.

The EA were also concerned about evidence regarding foul water infrastructure. Through further discussion and additional evidence from Severn Trent Water the EA's concerns have been addressed. They recommend that the sites that have been classified as having a medium or high risk of potential impact on sewerage infrastructure by Severn Trent should have some site specific policy wording in the plan. The Council is supportive of this.

## **Main Issue: Wording of Policy SL1**

### **1. Are changes necessary to the policy wording in order for it to be sound?**

Yes. Policy SL1 erroneously refers to JCS Policy SD15. This should be amended to refer to Policy SD14.