

Appendix C

Worcestershire Minerals Local Plan (WMLP) Air Quality Issues

In Policy MLP29 the first paragraph quotes:

“Planning permission will be granted where it is demonstrated that the proposed mineral development, including associated transport, will not give rise to unacceptable adverse effects on air quality, and will help secure net improvements in overall air quality where possible.”

Whilst MLP 29 requires the applicant to submit a “technical assessment”, the policy does not include guidelines or indicative thresholds for pollutants, above which proposals for minerals development would not be supported.

The UN Agency the World Health Organisation (WHO) has recently tightened their air pollution guidelines after evidence that toxic particles and gases harm human health at much lower levels than previously thought. The WHO have stated there was “clear evidence of the damage air pollution inflicts on human health at even lower concentrations than previously understood”.

Under the new guidelines, the WHO recommends that concentrations of PM2.5 and NO2 should not exceed an annual mean concentration of 5 micrograms per cubic metre (mcg/m3) and 10 mcg/m3 respectively. Previous WHO guidelines were set at 10 mcg/m3 for PM2.5 and 40 mcg/m3 for NO2.

As a result of this the UK legal limits for the most harmful pollutants are four times as high as the maximum levels recommended by the WHO.

Asthma UK commented that 99.8 per cent of schools in England were in areas where air pollution exceeds the WHO’s new PM2.5 guideline compared with 31 per cent under the previous guideline.

Analysis of official data by the campaign group ClientEarth found that 96 per cent of roads assessed by HM Government [note that the government data doesn’t include all roads] exceeded the WHO’s new PM2.5 guideline and 99 per cent of the NO2 guideline.

The Department for Environment, Food & Rural Affairs (Defra) have stated: “We will consider the updated WHO guidelines on PM2.5 to inform the development of air quality targets but we must not underestimate the challenges these would bring particularly in large cities and for people’s daily lives. We must all understand the impact of the choices we need to make, which is why we will be running a public consultation on the proposed targets early next year which will inform the target-setting process alongside independent expert advice and analysis on a range of factors.”

The NPPF states that:

Para 210. Planning policies should:

f) set out criteria or requirements to ensure that permitted and proposed operations do not have unacceptable adverse impacts on the natural and historic environment or human health, taking into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality;

Para 211. When determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy⁷¹. In considering proposals for mineral extraction, minerals planning authorities should:

b) ensure that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality;

In view of what is now understood to be a far greater risk to human health from the present levels of air quality clearly the ambition to “not give rise to unacceptable adverse effects on air quality, and will help secure net improvements in overall air quality where possible” is not sufficient. Any activity at the current levels of pollution has been shown to be detrimental to human health. Communities need protection from the additional risks that have now been identified and to protect them. The WMLP does not satisfactorily address this issue. In our opinion, there needs to be suitable cordon sanitaire of at least 1km between minerals operations and any neighbouring communities. In addition, as there is an increased risk of additional pollution from minerals processing plants, we believe that these should not be within 2km of any community.

RSS comments

Planning permission will be granted where it is demonstrated that the proposed mineral development, including associated transport, will not give rise to unacceptable adverse effects on amenity, or health and well-being, ~~the environment, or areas of tranquillity.~~

A level of technical assessment appropriate to the proposed development will be required to demonstrate that, throughout its lifetime and taking into account the cumulative effects of multiple impacts from the site and/or a number of sites in the locality, the proposed development will not cause unacceptable harm to sensitive receptors from:

~~a) air quality;~~

~~b) a) dust;~~

~~c) b) odour;~~

~~d) c) noise and vibration;~~

~~e) d) light;~~

~~f) e) visual amenity and visual intrusion impacts; and/or g) land instability; and/or~~

~~h) f) contamination.~~

We've lost "areas of tranquillity" (but there are none listed in Worcestershire), but gained "cumulative effects" of a number of sites in the locality.

Page 216, paras 6.27 ~ 6.29 – policy on air quality removed and replaced by new policy:

Policy MLP 29: Air Quality

Contributing to: Objectives MO2, MO3, MO4, MO5

Planning permission will be granted where it is demonstrated that the proposed mineral development, including associated transport, will not give rise to unacceptable adverse effects on air quality, and will help secure net improvements in overall air quality where possible.

A level of technical assessment appropriate to the proposed development will be required to demonstrate that, throughout its lifetime, and taking into account the cumulative effects of multiple impacts from the site and/or a number of sites in the locality, the proposed development will:

a) not cause unacceptable harm to sensitive receptors, sensitive habitats, or designated sites of importance for biodiversity from air quality. Particular consideration will need to be given to air quality impacts in or impacting upon areas where air quality is known to be poor, such as designated Air Quality Management Areas (AQMAs) or areas that are at risk of designation; and

b) deliver improved air quality even when legally binding limits for concentrations of major air pollutants are not being breached, unless it is clearly demonstrated that this is not possible.

A bonus since planning permission will (only) be granted where proposed mineral development will not give rise to unacceptable adverse effects on air quality and will help secure net improvements in overall air quality where possible.

Page 218, paras 6.49 ~ 6.54, MMo3 expands on the procedures to be followed to implement Policy MLP29.

Page 224, paras 6.16 ~ 6.17, MMp3, MMp4 & MMp5 lay down rules for back filling of quarries replacing previous statements on land instability.

NPPF

Para 210.

Planning policies should:

f) set out criteria or requirements to ensure that permitted and proposed operations do not have unacceptable adverse impacts on the natural and historic environment or human health, taking into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality;

Para 211. When determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy⁷¹. In considering proposals for mineral extraction, minerals planning authorities should:

b) ensure that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality;