



**AMBER VALLEY
BOROUGH COUNCIL**

**2013 Air Quality Progress
Report for
*Amber Valley Borough Council***

In fulfillment of Part IV of the Environment Act 1995
Local Air Quality Management

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Executive Summary

This report fulfils the requirements of the Local Air Quality Management (LAQM) process as set out in Part IV of the Environment Act (1995), the Air Quality Strategy for England, Scotland, Wales and Northern Ireland 2007 and the relevant Policy and Technical Guidance documents.

Since there has again been little change since the Updating and Screening Assessment 2012, the pollutants have not been considered on an individual basis but a conclusion has been reached about the overall need for a detailed assessment.

There is little likelihood of any air quality objectives being exceeded and it would therefore not be justifiable to proceed to a detailed assessment for any of the identified pollutants.

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1 Introduction

1.1 Description of Local Authority Area

The Borough covers an area of over 265 square kilometres making Amber Valley the third largest district Council in the East Midlands and the largest district authority population in Derbyshire with approximately 121,000 people living in 54,349 properties in the Borough.

Amber Valley is a mixture of rural communities in the western parishes, to more urban communities in the east. The eastern area includes the market towns of Alfreton, Heanor and Ripley with villages and parishes from Somercotes and Swanwick to Waingroves and Codnor. The historic mill town of Belper sits in the centre of the Borough and within the Derwent Valley Mills World Heritage Site, which runs from Cromford to Derby.

The borough has a wide range of industrial sectors including instrument engineering, timber and furniture manufacture, hotels and catering, business services, textiles and clothing. Almost 500 companies are located within 20 industrial estates, with a further 400 located on singular sites or within the urban areas.

Major roads include the A38, providing a link between Derby and junction 28, A6, A609 and A610. The A52 between Derby and Ashbourne cuts through the southern-most tip of the borough. The only rail stations in the area are at Belper, which is on the east coast mainline, and at Alfreton, with through trains to London, Manchester and the north.

1.2 Purpose of Report

Progress Reports are required in the intervening years between the three-yearly Updating and Screening Assessment reports. Their purpose is to maintain continuity in the Local Air Quality Management process.

They are not intended to be as detailed as Updating and Screening Assessment Reports, or to require as much effort. However, if the Progress Report identifies the

risk of exceedence of an Air Quality Objective, the Local Authority (LA) should undertake a Detailed Assessment immediately, and not wait until the next round of Review and Assessment.

1.3 Air Quality Objectives

The air quality objectives applicable to LAQM in England are set out in the Air Quality (England) Regulations 2000 (SI 928), The Air Quality (England) (Amendment) Regulations 2002 (SI 3043), and are shown in Table 1.1. This table shows the objectives in units of microgrammes per cubic metre $\mu\text{g}/\text{m}^3$ (milligrammes per cubic metre, mg/m^3 for carbon monoxide) with the number of exceedences in each year that are permitted (where applicable).

Table 1.1 Air Quality Objectives included in Regulations for the purpose of LAQM in England

Pollutant	Air Quality Objective		Date to be achieved by
	Concentration	Measured as	
Benzene	16.25 $\mu\text{g}/\text{m}^3$	Running annual mean	31.12.2003
	5.00 $\mu\text{g}/\text{m}^3$	Running annual mean	31.12.2010
1,3-Butadiene	2.25 $\mu\text{g}/\text{m}^3$	Running annual mean	31.12.2003
Carbon monoxide	10.0 mg/m^3	Running 8-hour mean	31.12.2003
Lead	0.5 $\mu\text{g}/\text{m}^3$	Annual mean	31.12.2004
	0.25 $\mu\text{g}/\text{m}^3$	Annual mean	31.12.2008
Nitrogen dioxide	200 $\mu\text{g}/\text{m}^3$ not to be exceeded more than 18 times a year	1-hour mean	31.12.2005
	40 $\mu\text{g}/\text{m}^3$	Annual mean	31.12.2005
Particles (PM ₁₀) (gravimetric)	50 $\mu\text{g}/\text{m}^3$, not to be exceeded more than 35 times a year	24-hour mean	31.12.2004
	40 $\mu\text{g}/\text{m}^3$	Annual mean	31.12.2004

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Sulphur dioxide	350 $\mu\text{g}/\text{m}^3$, not to be exceeded more than 24 times a year	1-hour mean	31.12.2004
	125 $\mu\text{g}/\text{m}^3$, not to be exceeded more than 3 times a year	24-hour mean	31.12.2004
	266 $\mu\text{g}/\text{m}^3$, not to be exceeded more than 35 times a year	15-minute mean	31.12.2005

1.4 Summary of Previous Review and Assessments

The area is semi-rural with four small towns as the main urban areas, no significant road links, no congestion problems or large industry.

Monitoring exercises, from the first round of Review and Assessment, included stage 2 reports for sulphur dioxide, particulates and nitrogen dioxide and a stage 3 assessment of nitrogen dioxide. These indicated that all pollutant levels were either currently, or anticipated to be, well below the standards by the relevant objective dates.

The results of the Updating and Screening Assessment completed in 2003 showed no change to these conclusions and the Progress Reports in 2004 and 2005 again showed no need for a 'Detailed Assessment'. The NO₂ diffusion tube survey conducted to inform the compilation of the Progress Report 2005 also indicated that the concentrations measured at all sampling locations are below the air quality standards.

The Updating and Screening Assessment completed in 2006 did not identify any significant changes which may have impacted in the borough's air quality; it was not proposed to proceed to a detailed assessment for any of the pollutants listed. The Progress Reports of 2007 and 2008 did not identify any significant changes that would require the Council to consider a Detailed Assessment before the next full round of review and assessment.

The Updating and Screening Assessment 2009 and Progress Reports for 2010 and 2011 did not identify any potential exceedances of the National Air Quality Objectives in Amber Valley. There was no requirement to proceed to Detailed Assessment. The Updating and Screening Assessment 2012 concurred with the earlier reports.

Based on the findings of previous reports, the resources needed to undertake an air-monitoring scheme in Amber Valley could not be justified.

2 New Monitoring Data

2.1 Summary of Monitoring Undertaken

The Updating and Screening Assessment 2012 Report concluded that it was unlikely that any National Air Quality Objectives would be exceeded in Amber Valley, as such it was not deemed necessary to conduct any air monitoring in the past 12 months.

2.1.1 Automatic Monitoring Sites

The Updating and Screening Assessment Reports for 2009 and 2012, and the Progress Reports for 2010 and 2011, concluded that the cost of a monitoring programme could not be justified based on the very low likelihood that National Air Quality Objectives would be breached in the borough. As such there is no new monitoring data to discuss.

3 New Local Developments

3.1 Road Traffic Sources

There are no newly identified road traffic sources.

3.2 Other Transport Sources

There are no newly identified airports, railways or ports.

3.3 Industrial Sources

There are no new or proposed industrial installations for which planning approval has been granted, and for which an air quality assessment has been carried out, within the District or nearby in a neighbouring authority

There are no industrial installations with substantially increased emissions or new relevant exposure in the District or nearby in a neighbouring authority.

3.4 Commercial and Domestic Sources

There are no new/newly identified commercial or domestic sources.

3.5 New Developments with Fugitive or Uncontrolled Sources

There are no new/newly-identified developments with fugitive or Uncontrolled Sources.

4 Local / Regional Air Quality Strategy

Amber Valley Borough Council does not have a Local Air Quality Strategy. There are no areas of the District considered to be close to the exceedence levels.

5 Planning Applications

Two planning applications have been made to Amber Valley Borough Council, in the last twelve months that were considered to have the potential to impact local air quality.

5.1.1 Ripley Gateway.

Environmental Services received a scoping opinion request for planning applications AVA/2012/1085 & AVA/2012/1086, which jointly form 'Ripley Gateway'; a mixed use development at the Recreation Ground, Nottingham Road, Ripley, including a supermarket, sports facilities, residential properties and a new section of the A610 road.

In its response to the scoping request Environmental Services requested that the Environmental Statement should include a section regarding the potential impact of the development on air quality. Whilst the locality of the proposed development is not currently designated an Air Quality Management Area, the applicant would need to show that the development is unlikely to cause exceedences of air quality objectives.

Environmental Services also requested that potential air quality impacts should include identification of potential short-term impacts arising from the construction phase. Any mitigation measures for the control of air quality impacts during the construction phase should be contained within an Construction Environmental Management Plan (CEMP).

The developer submitted an Air Quality Assessment. The report concluded that the completed development will not significantly impact on local air quality and will not cause an exceedence of the Air Quality Objectives. Section 6 of the report proposed mitigation measures to minimise any adverse effects of the construction phase.

Environmental Services accepted the findings of the report and reiterated that the mitigation measures are included in a Construction Environmental Management

Plan, to be submitted to the Council prior to any demolition or construction works commencing at the site

5.1.2 American Adventure.

An Outline Planning Application (AVA/2013/0186) was received by the Council for a mixed use development ('Shipleys Lakeside') at former American Adventure Theme Park, Pit Lane, Shipley. The site is approximately 112 acres, comprising 81 acres of land and 31 acres of lake.

As the application is outline exact details of future use have not been established, but the proposals include:

- 300-400 residential properties
- An area for retirement accommodation
- A business park for office and industrial use
- Possible retail area
- Leisure\education\training area
- Pub\restaurant, hotel and conference suite.

Although the development site is not located within an area with air quality likely to be close to national air quality objectives, the scale of the development prompted consideration of the The Town & Country Planning (Environmental Impact Assessment) Regulations 2011.

During the Scoping Opinion, the Council took the opportunity to suggest the applicant consider the potential impact of the proposed developed on air quality whilst highlighting that dust generation during the construction phase should be considered in some detail.

The Environmental Statement produced by the developer following the Scoping stage, included a Dust and Air Quality Assessment contained within Technical Appendix H, Volume 2, of the submitted Environmental Statement is a desk-based assessment of the potential air quality impacts on the development.

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The assessment appropriately considered both construction and post-construction phases of the development. The report concluded that the final development will not have a significant impact on local air quality, but that the engineering and construction phase does have the potential to give rise to significant amounts of dust. The report also considered the likely process that will give rise to dust during construction and has proposed a draft\outline Dust Action Plan.

The Council were satisfied with the content of the assessment and recommended mitigation measures but were initially concerned that the detail of the mitigation measures hadn't been included in the Dust Action Plan. The Dust Action Plan was revised to include the detail of the recommended mitigation measures and the Council accepted the document.

Environmental Services have recommended that the Dust Action Plan is referenced in planning conditions to ensure the document is adhered should the development be granted planning permission.

6 Air Quality Planning Policies

In accordance with the advice given in Planning Policy Statement 23: Planning and Pollution Control (PPS 23) the Council recognises the roles of the planning system and pollution control legislation in seeking to protect the environment from the threat of pollution.

In considering development proposals which may lead to a material increase in pollution, the Borough Council will take into account advice from its environmental services officers and other consultees in the application process; this is set out in the following Policies:

Policy EN16

Planning permission will not be granted for development that would be likely to lead to a material increase in levels of air, water, noise, light or other forms of pollution.

Where potentially polluting development is permitted in response to economic and wider social needs, conditions will be imposed on planning permissions to ensure that pollution levels created by development can be minimised

Potentially polluting development will not be permitted in proximity to existing residential or other sites sensitive to pollution, where such uses cannot reasonably co-exist

Policy EN17

Planning permission will only be granted for development close to existing sources of pollution, where the proposed use is compatible with the existing operation.

The Borough Council will impose conditions on planning permissions, as necessary, to ensure that future occupiers of development are protected from existing sources of pollution

7 Conclusions and Proposed Actions

7.1 Conclusions relating to New Local Developments

Amber Valley Borough Council can confirm that no local developments are predicted to increase the concentration levels of any ambient pollution as listed in the regulations.

7.2 Other Conclusions

This report has considered all the potential issues within the Borough that may impact on air quality. The area is semi-rural with four small towns as the main urban areas, no significant road links, no significant congestion problems or large industry, there is no reason to believe there will be any exceedances of any National Air Quality Objectives, therefore there is no requirement to procedure to Detailed Assessment.

7.3 Proposed Actions

Based on the findings of this report, and previous reports, the resources required to implement an air-monitoring scheme in Amber Valley cannot currently be justified. This decision will remain under review, and any relevant emerging information will be considered.

Amber Valley Borough Council's next course of action is to produce the Progress Report 2014 in mid 2014.

8 References

- AVBC USA 2006
- AVBC Progress Report 2007
- AVBC Progress Report 2008
- AVBC Updating and Screening Assessment 2009
- AVBC Progress Report 2010
- AVBC Progress Report 2011
- AVBC Updating and Screening Assessment 2012
- AVBC Local Plan 2006
- Defra (2003) Local Air Quality Management. Technical Guidance. LAQM.TG (03).
- Defra (2009) Local Air Quality Management. Technical Guidance. LAQM.TG (09)
- National Atmospheric Emissions Inventory website, <http://www.naei.org.uk/>
- <http://www.airquality.co.uk/laqm/tools.php>