Comments

Site Specific Part 2 Local Plan - Publication Plan Consultation (18/12/19 to 12/02/20)

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Consultation Point Policy HWC1 Health and Well-being (View)
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Representation
Please use a separate form for each representation.

Which part of the Publication Plan does your representation relate to?
Paragraph Number 7.1
Policy Number: HWC1
Page Number: 48-49

Tests of Soundness
Do you consider the Local Plan is sound in terms of being:

Justified . Yes
Effective . No
Positively prepared . Yes
Consistent with National Policy . Yes

Legal and Procedural requirements

Do you consider the Local Plan has been prepared in line with legal procedural requirements? Yes

Duty to Cooperate

Do you consider the Local Plan to be compliant with the Duty to Cooperate? No
Please give the reason(s) why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the statutory Duty to Cooperate.

The 2019 Air Quality Annual Status Report shows that NO2 (nitrogen dioxide) pollution from traffic at several sites in the Borough are so high that they present a danger to public health on a monthly basis. The Bowling Green Road-London Road junction (KT11 – figure 7.2 in the Sustainability Appraisal) would have been declared an Air Quality management Area were it not for exceedingly low measurements from one month (June), which forced the average below the legal 40ug/m3 threshold, meaning the site was not classified as a danger that necessitated the creation of an AQMA (Air Quality Management Area). The June measurement was only 15ug/m3, which is unusually low as all other measurements were between 35 to 53ug/m3 in 2018. In light of the East Kettering development, traffic flow through the town is likely to increase. The response outlined in 7.2.2 of the Sustainability Appraisal nor the Publication Plan do not represent an adequate mitigation strategy to protect residents from harmful levels of pollutants in the near future, and only vague pledges to monitor that do not accord with the urgent action implied by the Climate Emergency declaration KBC made in July 2019. Residents of Kettering and Rothwell were exposed to unsafe levels of pollution at 4 sites in 2018 judging by monthly data presented in the 2019 ASR. Any pedestrians walking through these areas – especially during times of peak traffic – would have breathed unsafe levels of polluted air. The World Health Organisation states that children are especially vulnerable to pollution, as they breathe faster than adults and inhale air closer to the ground where pollutant levels are higher. The risk to children has not been accounted for in the plan, especially at other candidate high pollution zones – of particular concern are the roads and junctions in the vicinity of schools and areas where children congregate, such as the western end of Deeble Road near Kettering Science Academy, and Barton Road-Windmill Avenue junction near Wicksteed Park and St Edward’s and Isebrook schools. Monitoring sites do not exist in these areas – especially in those idling such as Southfields School. Air quality is therefore not afforded sufficient respect in the Local Plan, and it does not offer strategies to address the ongoing (and growing) risk to public health in the borough at key monitoring sites given that air pollution is recognised as a contributing factor in onset of heart disease and cancer, and the health cost to society of impacts of pollution in UK is around £16bn per year. The arbitrary 40ug/m3 threshold seemingly precludes the council from making it abundantly clear to Kettering residents that current pollution levels at the site and elsewhere in the borough are dangerously high – 39ug/m3 is seen as a concerning figure simply warranting further monitoring, however a 41ug/m3 figure would be of major concern and result in the declaration of an AQMA. The Council’s plan must be proactive, not reactive in response to this aspect of the report.

The ASR annual value from KT11 states the NO2 level was 37.4ug/m3 in 2017 and 35.7ug/m3 in 2018 – a supposed ‘reduction’ of 1.7ug/m3 as stated in the Executive Committee summary. This ignores that KT11 exceeded the national air quality objective for NO2 of 40ug/m3 on 8 of 11 months in 2018. The ASR misleadingly suggests NO2 levels broadly declined at KT11 in 2018, however the reality is that two months (October and December) saw increases in pollution compared to 2017. UK Air Quality Strategy objectives for NO2 state roadside pollution must not exceed 40ug/m3 annually and 200ug/m3 hourly no more than 18 times per year. KBC’s hourly ASR does not include hourly values. Mean monthly concentrations of NO2 at KT11 rose as high as 53.7ug/m3 in December. Annualised raw data from 2018 for KT11 exceeds the UK Air Quality Strategy objective for NO2 at 41.2ug/m3 (even with June’s curiously low vale of 15.5ug/m3 factored in). Two additional Kettering sites (KT20 and KT21) exceed 40ug/m3 on a combined 13 of 20 months in 2018 (readings were not taken in January and March at these sites). NO2 levels at a site in Rothwell (RW1) were also higher than 40 ug/m3 on 2 months of 11 in 2018. RW1 has the highest monthly value recorded in the borough at 58.1ug/m3 (December). KBC uses national ‘diffusion tubes bias adjustment factors’ from DEFRA to recalculate raw annualised values from each of the 17 sites as there are ‘no diffusion tubes co-located with automatic monitoring units that can provide local adjustment factors’. Diffusion tubes used by other local authorities for air monitoring purposes are analysed by laboratories using differing preparation methods. This process seems to result in a range of bias adjustment factors that effect how raw roadside pollution data is recalculated. Instead of having its own diffusion tubes analysed, KBC relies on an aggregate factor from other Gradko laboratory tests to generate the 0.89 bias adjustment used in its 2019 ASR. Bias adjustment factors for Gradko tests performed for other local authorities range from 0.75-1.29. This is suggestive of a large variance between diffusion tubes and necessitates laboratory testing of KBC’s own equipment to ensure accuracy of the bias adjustment factor used to calculate mean NO2 concentrations at Kettering sites subsequent ASR’s.
Proposed Actions/Changes

Please explain what changes or actions are needed to make the Local Plan legally compliant.

It must include a plan to broaden pollution monitoring in the borough through the introduction of a raft of new sites to the scheme that cover as many major thoroughfares as is logistically feasible and affordable. Traffic monitoring should be undertaken in advance to ascertain the current and projected busiest routes, and readings compared to those from control sites. The current level of sites being monitored in Kettering does not encompass problem areas known for high congestion and poor traffic flow, such as near London Road-Pytchley Road-Barton Road junction, Northampton Road-Netherfield Road roundabout and other sites outlined in this response. Accurate conclusions about air quality borough-wide cannot be drawn from the small amount of data that is available. Provisions for more sustainable modes of transport should be presented in the Local Plan, including clear, achievable strategies to improve cycling and walking options and public transport options that discourages the use of private, emission producing vehicles in built-up areas (e.g. Kettering and Rothwell town centres where data is available and pollution levels are concerning elevated). More transparent, less misleading and more granular reporting on data in annual reports such as the ASR is necessary – if air quality data is in the public domain (as it should be) in subsequent years, it will be most assuredly found and flagged up if interpretations or summaries written by the council or contractors are believed to be erroneous or do not reflect the gross trend of data, which should be accessible in raw form (e.g. Excel spreadsheets) to allow the general public to gain confidence in the council’s progress on this front.

Attendance at the examinations hearings

If you are seeking to change the Plan, would you like to attend the examination hearings? Yes

If Yes, please outline the reason(s) why, below.

Attendance will enable me and my colleagues to gain a thorough understanding of the processes involved in how amendments to the Local Plan are decided upon and implemented, and to ensure that every facet of the adjudged lack of compliance and unsound practice stated on this form (where deemed reasonable) have been heard.

Notifications

Do you wish to be notified?

. When the Plan is submitted for independent examination?
. When the Inspector’s Report is published?
. When the document is adopted?