

AIR QUALITY STRATEGY

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Appendices

Appendix 1; Objectives given in the National Air Quality Strategy 2000, for the purposes of Local Air Quality Management.

Appendix 2: PPC Register (not including petrol vapour recovery).

The Air Quality Strategy – Executive Summary

The South Hams District Council's (the Council) first Air Quality Strategy was approved by Members on 27 June 2002. It drew together, in a strategic manner, the existing air quality work undertaken by the Environmental Health section of the Council. All of the work was driven by statutory obligations and the strategy provided a means of organising and co-ordinating it to best effect.

In the last 5 years local, national and global interest in the potential adverse impacts of poor air quality has increased markedly. The direct impact on health is one of the primary drivers behind the Air Quality Review and Assessment which forms part of a national programme termed 'Local Air Quality Management'.

The importance and profile of Air Quality was increased further when the Rogers Review of Local Authority Regulatory Priorities, published as part of the March 2007 Budget, identified Air Quality as one of only five national priorities for enforcement.

In June 2000, the Council completed its first ever review and assessment of air quality as required by the Government under the National Air Quality Strategy. This involved the investigation of data and the use of Government-specified calculations and estimates to assess likely levels of seven key pollutants throughout the District. The assessment process is now continuous with a specified review being undertaken and submitted each year.

Despite subjective impressions that the South Hams has little in the way of air pollution, the results of the reviews have indicated various areas of concern where air quality limits (which are specified by the Government) are being approached or exceeded. As a result an Air Quality Management Area (AQMA) has been declared at Dean prior because of nitrogen dioxide (NO₂) levels from vehicles on the A38. Further detailed investigation is also ongoing at other locations across the district.

In addition to local air quality management, the Council has numerous other statutory duties with regard to air quality such as the management of specified 'prescribed processes'. These processes are industrial/commercial installations with a potential to emit harmful chemicals and pollutants into the environment. In the South Hams there are approximately 43 installations which are permitted by the Council and inspected in line with a risk based approach.

Other areas of work for the Environmental Health section which are related to air quality issues include responding to air quality complaints and advice requests (there were more than 230 received in the year 2006/7); and the provision of advice to the planning service (both forward planning and development control).

This revised Air Quality Strategy outlines the Council's approach to delivering the work outlined above in direct support of CP4 'maintaining a clean environment'. It does not cover, directly, Climate Change issues which are dealt with separately under the Council's draft Climate Change Strategy. It identifies five specific air quality objectives and summarises the approaches to these and the suggested methods of monitoring and reviewing the Council's progress in meeting them.

1.0 Introduction

1.1 Air Quality and South Hams District Council's key objectives

- 1.1.1 The development of a Local Air Quality Strategy was originally identified as a priority objective in the Environmental Health Service Plan for 2002/03. The revised strategic approach links with the service group's long term vision which is 'to work towards a safer, cleaner, healthier and distinctive environment'.

This vision directly supports two of the Council's key objectives namely ;

- CP 4: Maintaining a clean environment, and to;
- CP 3: Maintain the district's distinctive environment whilst enabling access and sensitive development.

- 1.1.2 The Environmental Control Division's aim is to 'To promote well-being through the protection and enhancement of the environment'. 'The Protection of Local Air Quality' is a key performance outcome of the Division and is supported by specific performance indicators for both reactive and proactive areas of work.

1.2 Structure of this report

- 1.2.1 Sections 2 through to 6 of this report describe the work that is currently undertaken in this field by the Environmental Health Control service and others within the District Council. They detail the main air quality legislation, recent developments in this field and the measures that the Council has taken (or will take) to implement them. Section 7 outlines the overall approach and the key aims of the air quality strategy, while section 8 identifies the principal objectives of the strategy and summarises the proposed approaches to delivery and monitoring.

2.0 Local Air Quality Management

- 2.0.1 The Environment Act 1995 and the associated regulations (the Air Quality (England) Regulations 2000) impose a duty on Local Authorities to review the air quality within their districts on a regular basis. Air quality within the Local Authority area must be assessed and compared with health-based objectives which have been set by the Government and which relate to seven key pollutants.
- 2.0.2 If there are any locations in an authority's area in which an objective is unlikely to be met within a specified period; and, if members of the public could be exposed to the poor air quality in such a location, an 'Air Quality Management Area' (AQMA) must be designated. Possible measures to improve air quality within that management area should then be reviewed within an Air Quality Action Plan.

- 2.0.3 South Hams District Council undertakes the Air Quality Review process each year according to a schedule set out by the Government. As a result of this review process, one Air Quality Management Area at the edge of the A38 was declared in 2005.
- 2.0.4 Although only one AQMA has so far been declared, other locations have been found to have air quality which approaches the objective levels. Therefore, these locations (which are along busy roads where houses are close to the kerbside) are carefully monitored by the Council.
- 2.0.5 A district-wide programme of Nitrogen Dioxide monitoring (NO₂) is in place to inform the Review and Assessment process. Results can be viewed on the Council's website www.southhams.gov.uk.

3.0 Pollution Prevention and Control Act 1999 (PPCA)

- 3.0.1 Certain types of industrial and waste disposal processes must be permitted under the Pollution Prevention and Control Act and associated Regulations in order to operate legally. The authority responsible for issuing the permit is either the Environment Agency or South Hams District Council, depending on the type of process involved. All processes which fall under Parts B or A2 of the regulations are regulated by the Council.
- 3.0.2 The Environmental Health Control section is currently responsible for the regulation of a total of nearly 40 Part B and 3 A2 processes. The permit applies controls on the levels of prescribed substances that may be emitted to the atmosphere, or in the case of A2 installations, to the three media of air, land and the water environment. Operators of the processes must provide detailed information on monitoring and controls to prevent or minimise emissions based on the principle of 'Best Available Techniques' (BAT). The documentation for all Part B and A2 permitted processes in the South Hams is maintained on a Public Register as required by statute.
- 3.0.3 There are a small number of Part A processes in the District which are regulated by the Environment Agency. It is likely that the regulatory system, and the division of responsibilities that it sets out between the Environment Agency and the Council, will change over the coming years.

4.0 Air Quality Complaints and Advice Requests

- 4.0.1 The Environmental Protection Act 1990 Part 3 requires local authorities to inspect their districts for the presence of any statutory nuisance, to investigate complaints alleging nuisance and to serve an abatement notice where it finds that a statutory nuisance exists. As far as air quality is concerned, this section of the Act means

that the Environmental Health Control Section of the Council is obliged to check for, and investigate, incidents of nuisance arising from smoke, fumes, odours and dust.

- 4.0.2 The Clean Air Act 1993 prohibits the emission of dark smoke from any industrial or commercial premises except for processes prescribed for control under the PPCA (see section 3.0 above) which are exempt from all parts of the Clean Air Act. It also deals with pollution from smoke, grit, dust and fumes from furnaces and the creation of smoke control areas.

5.0 Current Activity in the South Hams

- 5.0.1 In the year 2006/7 over 230 requests regarding air quality issues were received by the Environmental Health Control section. The majority of domestic air quality complaints regarding sporadic events cannot be easily resolved using the statutory nuisance provisions of the Environmental Protection Act 1990 due to problems in gathering adequate evidence. Problems arising from a fixed, continuous commercial or industrial source are easier to quantify but the solutions are often complex and expensive. Also, if businesses can show that they are using the 'best practicable means' to reduce the impact of a nuisance, the local authority cannot pursue legal action against them.
- 5.0.2 There are no bye-laws relating to bonfires, and no designated smoke control areas in the district. However officers from the Environmental Health Control section do investigate any complaints about bonfires and other smoke problems and offer appropriate advice to both the complainant and complaine. Further information is available on the website.

6.0 Air Quality and the Planning Process

- 6.0.1 Government Guidance such as PPS 23 : Planning and Pollution Control emphasises the need for the Council to consider air quality in forward planning and development control functions.
- 6.0.2 Air quality will be a key issue in the development and adoption of the Council's Development Control Core Policy and associated documents.

6.1 Transport Planning

- 6.1.1 Air Quality has been identified as one of the four key themes of the Local Transport Plan that has to be prepared and submitted by Devon County Council. As one of the key partners in this preparation the Council liases closely with County to ensure that existing and potential air quality issues are identified at the planning stage. Data from local modelling and monitoring provides important background information to inform the decision-making process at a more strategic level.

6.1.2 There is also liaison between Environmental Health and the Devon County Council transport planners regarding developments in air quality issues which relate to traffic on the County's roads. This is effected primarily through the Devon CEHO's Environmental Protection sub-group and the South Hams Freight Quality Partnership.

6.2 Development Control

6.2.1 Potential impacts on air quality are a material planning consideration. On a day to day basis, Environmental Health Officers check all relevant planning applications for any potential impacts on air quality and work with the Development Control Officers to minimise any likely adverse effects. Key work is presently underway with regard to the Sherford Area Action Plan and associated planning applications. In addition guidance has been drawn up to enable developers to determine as and when air quality impacts will need to be assessed as part of the application process.

7.0 A Strategic Approach to Air Quality

7.0.1 As identified in previous sections South Hams District Council already plays a major role in controlling the adverse effects of pollution of air quality via its Environmental Health service. In addition, the Local Development Framework and development control activities help to minimise the creation of new polluting activities and promote sustainable development.

7.0.2 South Hams District Council undertakes the prime role in managing Local Air Quality and has a duty to continuously review and assess ambient air quality against specific objectives.

7.0.3 Local air quality management is an on-going process and, in order to facilitate accurate assessment and control of present and future air quality, it is important to adopt a strategic approach.

7.0.4 The strategy draws together existing Council activities, in addition to some new approaches that, in combination, will work towards achieving the prescribed objectives.

7.0.6 To further develop the air quality strategy two key aims have been identified:

The key aims are:

1. To ensure that the air breathed by residents and visitors to the South Hams is of the highest possible quality and without unacceptable risk to health.
2. To ensure that air quality issues are identified, considered and taken into account by the Council in order to secure more sustainable forms of development.

7.0.7 A series of objectives have been drawn up which support these two key aims. These objectives are explained and the approach to delivery are summarised in the following section (Section 8) of this report. Performance is measured annually against service plan targets, by documented review of the strategy and against National and Local performance indicators.

8.0 Objectives of the Air Quality Strategy

Objective:	Approach:	Monitoring and Review:
1. To meet the air quality objectives laid down in the National Air Quality Strategy.	<ol style="list-style-type: none"> 1. Carry out Assessments of Air Quality in line with Government timetable. 2. Where objectives are not met declare an AQMA in line with statutory requirements. 3. Implement an AQAP within 18 months of declaration of an AQMA. 4. Undertake a comprehensive risk based NO₂ diffusion tube survey of the South Hams establishing at least 12 months data at each location prior to re-siting. 	1-4.Undertake, and document, an annual review of progress against objective 1.
2. To provide an effective service for responding to and resolving air quality complaints and enquiries.	<ol style="list-style-type: none"> 1. Undertake a consultation exercise with users of the service to determine the quality of the existing service. 2. Review existing procedures for dealing with air quality complaints/enquiries in line with findings of the above. 3. Investigate methods for improving efficiency and effectiveness of the service e.g. remote working. 	<p>1-2. Undertake consultation and review within 24 months of adoption of strategy.</p> <p>3. Ongoing in line with corporate/service ICT developments</p>
3. To work in partnership with operators and regulate processes prescribed under the Environmental Protection Act (1990) and Pollution Prevention Control (1999) Acts in line with DEFRA's requirements and best practice.	<ol style="list-style-type: none"> 1. Inspect all prescribed processes in line with risk-ranking as detailed by DEFRA guidance. 2. Review all prescribed processes at least once every six years. 3. Identify and secure key pollution control improvements as specified in Sector Guidance Notes through education or, if necessary, enforcement. 4. Benchmark the service, across Devon, against Best Practice as outlined in AQ 5/05. Secure improvements where appropriate. 	<p>1-3. Monitor achievement against National and Local performance indicator targets as specified in Service Plan.</p> <p>4. Undertake Benchmarking exercise within 12 months of adoption of the strategy.</p>
4. To raise public awareness of Air Quality Issues and to promote behaviour aimed at improving air quality.	<ol style="list-style-type: none"> 1. Make regular contributions to 'South Hams Matters' on air quality issues with which the Council is involved. 2. Provide accurate, up to date 'stakeholder' literature on air quality issues. 3. To establish a comprehensive, informative and up to date Air Quality 	<p>1-2. Monitor direct feedback from articles and/or questionnaires.</p> <p>3. Monitor 'hits' on Air Quality pages and assess performance against other sites as assessed annually</p>

Objective:	Approach:	Monitoring and Review:
	database on the Council website.	by AQM Magazine.
5. Identify and address air quality issues through the Local Development Framework and Development Control process.	<ol style="list-style-type: none"> 1. Ensure the protection of Air Quality is identified within the Local Development Framework. 2. Further develop guidance for developers on the assessment of Air Quality impacts from proposed developments. 3. Identify and control air quality issues arising from individual planning applications through close liaison with the Development Control section. 	<ol style="list-style-type: none"> 1. Monitor development of LDF. 2. Within 24 months of adoption of strategy. 3. Monitor achievement against local performance indicator targets as specified in Service Plan.

Objectives given in the National Air Quality Strategy 2000, for the purposes of Local Air Quality Management

Pollutant	Objective	Measured as	To be achieved by
Benzene All Authorities	16.25 µg/m ³	Running Annual Mean	31 December 2003
Benzene Authorities in England and Wales only	5 µg/m ³	Annual Mean	31 December 2010
Benzene Authorities in Scotland and Northern Ireland only	3.25 µg/m ³	Running Annual Mean	31 December 2010
1,3-Butadiene	2.25 µg/m ³	Running Annual Mean	31 December 2003
Carbon monoxide Authorities in England, Wales and Northern Ireland only	10.0 mg/m ³	Maximum daily running 8 Hour Mean	31 December 2003
Carbon monoxide Authorities in Scotland only	10.0 mg/m ³	Running 8 Hour Mean ^a	31 December 2003
Lead	0.5 µg/m ³	Annual Mean	31 December 2004
	0.25 µg/m ³	Annual Mean	31 December 2008
Nitrogen dioxide^b	200 µg/m ³ Not to be exceeded more than 18 times per year	1 Hour Mean	31 December 2005
	40 µg/m ³	Annual Mean	31 December 2005
Nitrogen Oxides**	(V) 30 µg/m ³	Annual Mean	31 December 2000
Ozone[*]	100 µg/m ³	Running 8 hour Mean Daily maximum of running 8 hr mean not to be exceeded more than 10 times per year	31 December 2005
Particles (PM10) (gravimetric)^c All authorities	50 µg/m ³ Not to be exceeded more than 35 times per year	24 Hour Mean	31 December 2004
	40 µg/m ³	Annual Mean	31 December 2004
Particles (PM10) Authorities in Scotland only ^d	50 µg/m ³ Not to be exceeded more than 7 times per year	24 Hour Mean	31 December 2010
	18 µg/m ³	Annual Mean	31 December 2010

Poly aromatic hydrocarbons^e	0.25 ng/m ³ B(a)P	Annual Mean	31 December 2010
Sulphur dioxide	266 µg/m ³ Not to be exceeded more than 35 times per year	15 Minute Mean	31 December 2005
	350 µg/m ³ Not to be exceeded more than 24 times per year	1 Hour Mean	31 December 2004
	125 µg/m ³ Not to be exceeded more than 3 times per year	24 Hour Mean	31 December 2004
	(V) 20 µg/m ³	Annual Mean	31 December 2000
	(V) 20 µg/m ³	Winter Mean (01 October - 31 March)	31 December 2000

Notes:

a. The Quality Objective in Scotland has been defined in Regulations as the running 8-hour mean, in practice this is equivalent to the maximum daily running 8-hour mean.

b. The objectives for nitrogen dioxide are provisional.

c. Measured using the European gravimetric transfer sampler or equivalent.

d. These 2010 Air Quality Objectives for PM 10 apply in Scotland only, as set out in the Air Quality (Scotland)Amendment Regulations 2002.

e. Not included in vegulations

µg/m³ - micrograms per cubic metre

mg/m³ - milligrams per cubic metre

*Ozone is not included in the Regulations

** Assuming NOx is taken as NO2

(V) These standards are adopted for the protection of vegetation and ecosystems. All of the remainder are for the protection of human health.

New particle objectives for England, Wales, Northern Ireland and Greater London not included in Regulations

Region	Objective	Measured as	To be achieved by
Greater London	50 µg/m ³ not to be exceeded more than 10 times per year	24-hour Mean	31 December 2010
Greater London	23 µg/m ³	Annual Mean	31 December 2010
Greater London	20 µg/m ³	Annual Mean	31 December 2015
Rest of England, Wales and Northern Ireland	50 µg/m ³ not to be exceeded more than 7 times per year	24-hour Mean	31 December 2010
Rest of England, Wales and Northern Ireland	20 µg/m ³	Annual Mean	31 December 2010

Appendix 2.

PPC – PERMITTED PROCESSES REGISTER (not including petrol vapour recovery).

Address of process	Description	Type Of Permit	Section Of Schedule	Date Permit Issued
St. Ives (Plymouth) Ltd Langage Industrial Estate, Plympton, Plymouth.	Printworks	A2	6.4	5.7.04
Wienerberger Ltd. Steerpoint Brickworks, Brixton, near Plymouth	Brickworks	A2	3.6	20.12.4
Imerys Herreschhof kiln number 3, Lee Moor, Plympton.	Clay calciner	A2	3.6	10.10.5
Foundry & Fabrication (Totnes) Ltd, Babbage Road, Totnes Ind. Est, Totnes TQ9 5JD	Non-ferrous foundry	B	2.2	30.3.5
RMC, Mortars Ltd, Torr View Ind. Est., East Allington	Blending, packing, loading and use of bulk cement	B	3.1	17.2.4
WBB Minerals Headon China Clay Works Cornwood, Ivybridge, PL21 (01752) 837345	Heating of a designated material Grading and screening	B	3.5	17.2.4
Imerys Ltd. Herreschoff Kilns, Lee Moor, Plymouth	Heating of designated mineral	B	3.5	3.3.4
Imerys Ltd. Herreschoff Kiln no. 2, Lee Moor, Plymouth	Heating of designated mineral	B	3.5	10.10.5
Logic Office Furniture Ltd. New Lane, Staverton, Nr Totnes TQ9 6AQ 01803-762404	Manufacture of Timber Products Furniture	B	6.6	24.3.4
Handside, Strashleigh View, Lee Mill Ind Est, Ivybridge, PL21 9JP (01752) 690369	Stone crushing	B	3.5	17.2.4
X-Fab UK Ltd., Tamerton Road, Roborough, Roborough, PL6 7BQ (01752) 693000	Computer chip manufacture	B	6.4	30.3.5
F R Hill (Contractors) Ltd Tor Hill, Ipplepen Road, Marldon Nr Paignton, TQ3 1SE (01803) 521188	Blending, packing, loading & use of bulk cement	B	3.1	17.2.4
Rittal CSM Ltd, Broadley Park Road, Broadley Ind. Est., Belliver, Roborough, Plymouth, PL6 7EZ (01752) 207600	Computer cabinet coating	B	6.4	30.3.5
Nicholas Rowell Haulage, Torr Quarry, East Allington, Kingsbridge 01548 521333	Mobile stone crusher	B	3.5	17.2.4
Princess Yachts International PLC, North Road, Lee Mill Industrial Estate, Lee Mill, Ivybridge, Plymouth (01752) 227771	Boat manufacture	B	4.1	3.11.05
Ugborough Garage Ltd, Well Cross, Ugborough, Plymouth	Waste Oil Incinerator less than 0.4 MW	B	1.1	1.30.04
Plymstock Commercials, Unit 14, Central Avenue, Lee Mill Industrial Estate, Ivybridge, PL21 9ER	Waste Oil Incinerator less than 0.4MW	B	1.1	19.2.04
Premier Garage (Dartmouth), Stoke Fleming, Dartmouth, TQ6 0RE	Waste Oil Incinerator less than 0.4MW	B	1.1	16.11.04

Perrett and Pengelly Auto Engineers, Unit 7, Torr View Industrial Estate, East Allington, TQ9 7QQ	Waste Oil Incinerator less than 0.4MW	B	1.1	16.11.04
Nicholas Rowell Haulage Torr View Industrial Estate, East Allington, TQ9 7QQ	Waste Oil Incinerator less than 0.4MW	B	1.1	5.05.05
DJB Haulage, Torr Quarry, East Allington, TQ9 7QJ	Mobile stone crusher	B	3.5	09.03.06
Dartmouth dry cleaners, Townstal Industrial Estate, Collingwood Road, Dartmouth, TQ6 9JY	Dry cleaners	B	7	04.04.06
Princess Yachts International PLC., Garden Close, Langage Industrial Estate, P7 5EU	Boat manufacture	B	4.1	Application made 23.03.07
Mike Spray and Sons, Haulage and Digger Hire, Dundry Yard, Harberton, Totnes, TQ9 7PP (office)	Mobile crusher	B	3.5	Application made 27.04.07
Westbrook Laundry and Dry Cleaners, 17 Church Street, Kingsbridge, TQ7 1BT	Dry cleaners	B	7	Application made 18.08.06
Totnes Dry Cleaners, 16 Fore St., Totnes, TQ9 5DX	Dry cleaners	B	7	Application made 04.09.06
Swift Dry Cleaners, 44 Fore St., Ivybridge, PL21 9AE	Dry cleaners	B	7	Application made 09.10.06