

HEARING STATEMENT

Name of Representor – Hertford Civic Society

1 Matter and Issue to be addressed

Matter -The Development Strategy - Housing

Issue - Has the Plan has been positively prepared and is it justified, effective and consistent with national policy in relation to the overall provision for housing?
How have local policy considerations been taken into account in reaching a final housing requirement figure?

2 Although the Hertford Civic Society objection / comment (ID 2028) was related to Policy EQ4, the thrust of it is that the Plan is unsound because the quantum of development proposed is so high that national and local air quality standards cannot be met. In other words, local air quality policy considerations have not been sufficiently taken into account in reaching a final housing requirement figure.

3 The Society's objection / comment is also relevant to Matter 4 – The Development Strategy – infrastructure

Issue - Has the Plan has been positively prepared and is it justified, effective and consistent with national policy in relation to the provision of infrastructure?
Would the distribution of development in the Plan have proper regard to (.....) wider aims to promote sustainable development?

4 The Hertford Civic Society objection / comment (ID 2028) related to Policy EQ4 (Air Quality).

5 The Society's comments were

“This section correctly identifies the issue, and Policy EQ4 sets out a range of measures which can and should be taken to mitigate the effects of developments and make all development less injurious to air quality. We fully support the analysis and the Policy. However, the Policy will not be effective in achieving

satisfactory air quality because the quantum of development proposed in the Plan, and the rates of population and economic growth to be catered for, are too high. **The quantum of development is therefore unjustified, and the Plan as a whole is unsound, because it fails to contribute towards national objectives for pollutants, taking into account the cumulative impacts on air quality from individual sites, as required by para124 of the NPPF.**

The Plan acknowledges (paragraph 2.3.6) that many local communities in East Herts are reliant on the private car as their only transport option. "This impacts on (inter alia) air quality ... in towns and villages." (paragraph 2.3.6)

An Air Quality Management Area was declared along Gascoyne Way in Hertford in 2011. This was extended to Ware Road and Old Cross area of Hertford in 2012. The Council admits that new developments proposed in the Plan will add to the level of pollution in the Hertford Air Quality Management Area (AQMA) where pollution already exceeds the acceptable level.

Policy EQ4 sets out two means of mitigation, provision of recharging points for electric vehicles on all new developments and the purchase of low emission vehicles, only for bus routes serving the new developments, when the existing fleet has to be replaced. Neither of these measures will have significant impact for many years after occupation of the proposed new developments, and even then impact will be uncertain.

In response to a Consultation by Hertfordshire County Council concerning Transport Vision 2050, the Executive of East Herts Council received a report in 6th December 2016 which referred to a County Council proposal to build, at a cost of £153-£175 million, an A414 Hertford By-pass as a result of which there would be reduction of private vehicle trips through the Air Quality Management Area and "improvements in air quality" (paragraph 2.25). However, the proposal was not expected to be implemented until 2021-2031. The Executive endorsed this proposal in principle.

The Vision set out in paragraph 2.4.1 of what the Council would like the District to be like in 2033 envisages that "The high-quality environment of East Herts will have been maintained." It is clear that with the current Plan that this Vision is unattainable, certainly so far as Air Quality is concerned.

The strategy of the Plan is un-sound because it would exacerbate, rather than ameliorate, air quality in the future.”

6 The modification that the Society considers necessary to make the Pre-Submission District Plan legally compliant, compliant with the duty to co-operate or sound is to **“Reduce the quantum of development in the Plan so that air quality is not exacerbated.”**

7 Hertford Civic Society questions whether the Draft Plan for East Herts is sound or sustainable. Air quality associated with traffic congestion in particular is a key concern here, largely neglected or overlooked by East Herts Council in preparing its Draft Plan. The seriousness of that oversight has become more obvious in the light of various developments at national level in the last couple of years, which have led to air quality issues being reappraised by Government:

- The diesel vehicles emissions scandal has highlighted the poor performance of the engines of many diesel vehicles.
- Particularly severe pollution problems in London have been widely publicised.
- Following a sequence of court activity by Client Earth, the two relevant Government Departments, Department of Environment, Food and Rural Affairs and Department for Transport, published in July 2017, their ‘UK Plan for Tackling Roadside Nitrogen Dioxide Concentrations’. This document emphasises in para 16 that “local action is needed to achieve improvements in air quality.... A leading role for local authorities is essential.”

It is worth noting that under this UK Plan, local authorities must deliver appropriate plans for their own areas to the Government by March 2018.

8 The Hertford Civic Society considers that the Submitted District Plan is seriously deficient in not addressing issues of this kind, which the Society has raised with East Herts Council as far back as 2014.

9 Hertford suffers from serious air quality issues. One set of key junctions in Hertford is already the focus for an Air Quality Management Area (AQMA). Alongside Hertford, Bishops Stortford is the other main official focus or blackspot for this kind of monitoring, though Sawbridgeworth is also acknowledged as having some issues.

10 The independent 'Sustainability Appraisal' (SA) accompanying the 2014 Draft District Plan recognised that there were pollution problems associated with rush-hour traffic on key transport links such as the A414. In particular, the SA noted that the Draft Plan's spatial strategy would lead to increased traffic congestion in Hertford, adding that "significant negative effects" in terms of air quality could be predicted. Indeed, the SA puts those three words into bold type, and then highlighted them in red as well, which scarcely suggests that the SA was as optimistic as East Herts Council in its understanding of the air quality aspect of the Draft Plan. Little has changed between the Draft 2014 version of the Plan and the Submitted Version, in terms of addressing vehicle-related pollution, even despite the national developments mentioned above.

11 More detailed evidence about air quality issues in East Herts is also available. Statistics published by Public Health England (part of the Department of Health), which were available even during the initial consultation over the Draft Plan for East Herts, show that 'the fraction of mortality attributable to particulate air pollution' (which at least in South East England is largely due to motor traffic, especially diesel vehicles) is higher in Hertfordshire than in any other area outside London. (Source: 'Public Health Outcomes Framework', November 2013.) In London, just over 7% of deaths are attributable to particulate air pollution; next comes Hertfordshire at 6%, whereas equivalent figures for England as a whole, or for the East of England, are about 5%. The precise figure for the town of Hertford has not been calculated by Public Health England but, given Hertford's AQMA, it is likely to match or exceed the 6% calculated for Hertfordshire as a whole, perhaps appreciably so. Whatever it is precisely, it is scarcely suggestive of the 'high quality environment' which the Submitted Plan claims to exist.

12 Put simply, proposing more housing for East Herts, without acknowledging the serious air pollution issues that already exist, renders the Plan unsound. Yet if more were to be done by way of tackling traffic congestion in its main settings, the two large urban centres, additional housing could still be contemplated: we do also understand a need for new housing. The Hertford Civic Society position is that development should be held up, or not proceeded with beyond a certain level, unless and until effective controls to safeguard air quality are in place.

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