

## **Greetland Pressure Group's Response to CC149d Habitats Regulations Assessment**

### **Introduction:**

Greetland Pressure Group's comment on CC149d, the Habitats Regulation Assessment, will focus on the relationship between the Housing Allocation sites in the 'Elland' area and the SAC/SPA of concern in the HRA, around the South Pennine Moors. This area of land equates to 292 hectares of land, and therefore, we believe that the council should be able to demonstrate that they have applied a degree of caution in their approach to protecting the South Pennine Moors.

The Elland Bypass Cutting SSSI will also be impacted by the Housing Allocation sites in the 'Elland' area. Our comment will examine the robustness of the council's air quality modelling, which is used to form the basis of the council's assumptions on the impact of the local plan on the SPAs, SACs and SSSIs listed in the council's HRA.

The council has included the semi-rural village of Greetland within the 'Elland' area, which is an area of Calderdale that is within close proximity to the South Pennine Moors, and so as the result of the location of the 'Elland' area, traffic from this area will directly impact on the South Pennine Moors; increasing congestion and air pollution around the area of concern. We will also discuss why the Additional Housing Allocation sites will increase motorway traffic, thus impacting on the South Pennine Moors, due to the homes likely being bought by people commuting to areas outside of Calderdale. The council has not allocated enough employment land, as suggested in CC173, to provide employment for the population the council hope to encourage to migrate into the borough in order to fill the surplus of homes that the council has included within the plan.

The plan is based on a population growth assumption that is 4 times larger than the population growth projected by ONS calculations, and so huge levels of inward migration will be required to fill the homes. The housing allocation included in the plan is not based on the needs of the current population of Calderdale, and so Greetland Pressure Group is questioning the council's inclusion of the Policy On + Transport in the plan. We consider this part of the plan to be wasteful, unsustainable

and unnecessary. We are arguing that the inclusion of the Additional Housing Allocation sites within the plan will put the South Pennine Moors and the Elland Bypass Cutting SSSI at an unjustifiable increased risk. This risk is born through the level of uncertainty surrounding the assumptions made in the council's air quality modelling, which is based on a failing government objective.

CC149d states that there is a degree of uncertainty around the claims made in the HRA, and so for this reason it is important to ensure that the council has taken an appropriately cautious approach to including such a large proportion of housing in the 'Elland' area.

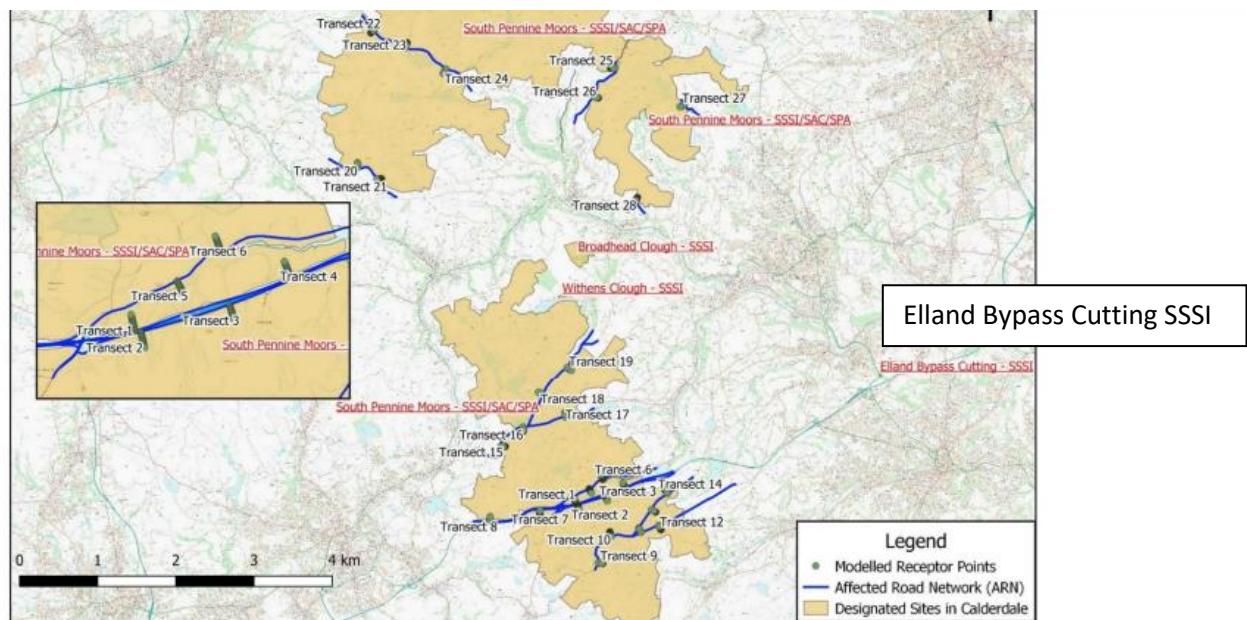
The council has produced a car-centric local plan, and is currently making significant changes to the Strategic Road Network around the 'Elland' area, in order to provide better motorway access for new homes located within the 'Elland' area. We consider that the council has produced a plan which actively seeks to increase road travel and motorway commuting, due to the location of the majority of the Housing Allocation, and Additional Housing Allocation sites, being close to the motorway. A more cautious approach to protecting the South Pennine Moors would have been to use a Housing Allocation figure that is appropriate for the borough, and to have located homes within close proximity of employment or close proximity to public transport. The Additional Housing Allocation sites in Greetland meet neither of these criteria.

#### **The Location of the 'Elland' Area in Relationship to the Areas of Concern Established in CC149d**

CC149d identifies the South Pennine Moors along the M62 as a key area negatively impacted by Calderdale's Local Plan. 6.1.8 of CC149d states that the modelled receptors predicted to experience an increase in NOx above the 1% significance criterion are located adjacent to the M62, A672, A640, A58 and B6114. It is worth noting that the locations of all the receptors listed as experiencing an increase above the 1% significance criterion are within close proximity to the village of Greetland,

within the 'Elland' area. The B6114 is Saddleworth Road, the road the council has put forward for largescale development in Greetland.

Elland is also an area home to an SSSI, as shown below, taken from CC149d. Elland Bypass Cutting SSSI is the only area outside of the South Pennine Moors to have an SSSI allocated, and so this is further reason why the area of 'Elland' must be thoroughly scrutinised in terms of the risk it poses to the sensitive areas of land listed in CC149d. We must attempt to establish whether the degree of uncertainty around air quality in the 'Elland' area is acceptable, due to the location of Elland in relation to the sensitive areas of habitat.



We do not agree that it is good planning practice to allocate large-scale development in the 'Elland' area, because of the relationship between the locations of the 'Elland' area, the SSSI, and the South Pennine Moors. Development in the 'Elland' area will generate motorway commuter traffic, which will directly impact on the SSSI of Elland Bypass Cutting and the South Pennine Moors along the M62. It was not a sustainable option to include Additional Housing Allocation sites in the 'Elland' area. The risk posed by the Additional Housing Allocation sites on Saddleworth Road has not

properly been taken into consideration in CC149d, which we will discuss later in our comment when we examine the case study of West Vale.

### **The Lack of Employment Land, suggested in CC173, will Encourage Motorway Travel**

The Additional Housing Allocation sites on Saddleworth Road, within the 'Elland' area, will be bought by people who will need to commute to work via the motorway, as Calderdale Council has not demonstrated that employment will be generated for the people living in these expensive homes, which will be expensive because of the viability issues with this expensive land.

The type of employment that Calderdale will generate through the plan will be low paid employment, and so the people living in the homes on Saddleworth Road will have to commute outside of the borough to work. This appears to be supported by CC173, in which the council appears to explain that they do not need to meet their own employment needs because they will be working collectively with the Leeds City Region, and that employment land is not distributed evenly across the LCR.

This brings us back to a point raised by Andrew Wood, Lead Planner for the CPRE, who raised concerns early on in the EiP, that Calderdale Council could be double counting population figures that other councils had already included in their Housing Allocation figures; meaning that a number of councils may collectively release more land from the green belt than there is a justifiable need for, which of course brings the argument of Exceptional Circumstances into question, but also, in the case of Calderdale, puts increased pressure on air quality and motorway journeys. If there is a "degree of uncertainty" in the council's HRA, as stated in CC149d, then the council should be cautious and not take unnecessary risks. Development should be as close to employment as possible, and the location of development should seek to avoid increasing motorway travel.

If Calderdale Council was serious about producing a sustainable local plan that sought to minimise an increase in air pollution and protect the South Pennine Moors, the council would have used a Housing Allocation figure that reflected the amount of employment growth that the plan will generate, thereby reducing car journeys and limiting motorway travel. The homes should be located where the employment is, or at least close to public transport. The proposed development on Saddleworth Road will not benefit from access to good public transport, nor will employment be created in Calderdale for the people who would live in these homes. In order for public transport to be an attractive option, it needs to be within close proximity of housing.

Calderdale Council has produced a car-centric local plan that actively encourages road traffic commuting via the motorway; this should be our starting point for judging whether the council's approach to air quality and protecting the South Pennine Moors is both acceptably cautious and sustainable.

Where is the evidence to show that the council has taken steps to minimise the plan's impact on air quality? The council appears to have used motorway travel as the backbone to the plan. CC149d compares the impact of Calderdale's local plan against Bradford and Calderdale's local plans combined, and what CC149d shows is that all of the negative impact is derived solely from Calderdale's local plan. Once development that favours motorway travel is in place, that development will be permanent, and the environmental impact of that development will build up year on year. The council should instead focus on reducing emissions by sustainably locating development in areas that benefit from public transport.

CC149d states that the council's assessment is open to a "degree of uncertainty," and this degree of uncertainty is why it is so important to first assess whether the council's car-centric local plan is completely necessary. Is the risk justifiable?

If there is a risk, we need to decide whether the risk should be taken. An analogy for this could be, there is an apple in front of you, but there's a chance it's poisoned and could kill you. You must ask

yourself, do I really *need* to eat this apple? What are my circumstances? Am I at the point of starvation, so if I don't eat the apple I will die, or can I last a bit longer until I can find some food I know is safe and poses me less risk? The Additional Housing Allocation sites are the apple, and the council does not *need* to eat the apple, nor *should* it eat the apple because of the risk involved. It's a matter of sustainability, and also common sense. The planet cannot afford for Calderdale Council to produce a car-centric local plan that will increase road traffic by such a significant amount. We are relying on the conclusions drawn in CC149d being accurate, but what if they're not; what if the risk has not been accurately assessed due to the degree of uncertainty involved in the modelling?

CC177 helps to explain why Calderdale Council has allocated such a large amount of housing close to the motorway, due to a lack of employment land in Calderdale, and it is our belief that this approach is not sustainable or responsible, especially given the roads which pose the most risk, as outlined in CC149d; M62, A672, A640, A58 and B6114 (Saddleworth Road). There is a clear relationship between these roads and the Additional Housing Allocation sites in the 'Elland' area.

### **Car-Centric Local Plan**

Calderdale's local plan is unforgivably car-centric. The council has neglected to prioritise locating development in areas close to public transport hubs, resulting in increased commuting via the motorway instead of via public transport. This is evident in CC149d which draws attention to the impact of the local plan on air quality along the M62.

The changes made to the Use Classes Order, during the EiP of the local plan, was the perfect opportunity for the council to locate high density housing close to the borough's main transport hub in Halifax town centre, which is set to undergo huge rejuvenation, costing millions of pounds. The council should be doing everything in their power to make sure that the new train station and bus station are used to their full potential, ensuring that road traffic is reduced both locally and on the

motorway; thus, reducing emissions. This is the most effective way of reducing the harm caused to people and the environment by air pollution, which is why central government has awarded Calderdale Council millions of pounds to improve Halifax's bus and train stations. The council is required to help reduce emissions. The local plan does not do a good job of fulfilling this requirement.

<https://publications.parliament.uk/pa/cm5801/cmselect/cmenvfru/1362/136202.htm>

The Department has started discussions with key stakeholders on some of the complexities involved and work is underway on drafting regulations and statutory guidance. Implementation will require a number of statutory instruments to be made covering matters such as enforcement, level of penalties, approved devices, adjudication, representations and appeals. However, it is not possible at this stage to say when in 2021 the powers will be available to local authorities.

The Department for Transport/ Government is developing a bold and ambitious Transport Decarbonisation Plan to achieve net zero emissions across all modes of transport, which we expect to publish in Spring 2021. It will set out a credible and ambitious pathway to delivering transport's contribution to carbon budgets and meet net zero by 2050.

**19. The Government needs to ensure that the Planning White Paper delivers the wider infrastructure development, especially in rural areas, that can help reduce car journeys such as fast broadband to enable working from home. In its response to this Report, the Government should set out specifically how its planning reforms will improve air quality, and support the modal shifts and changes in the built environment that are needed to reduce pollution from road transport.**

#### **Response**

Consultation on the Planning for the Future White Paper closed on October 2020. The White Paper set out Government's ambitious plans for reform of the planning system. More detail is required on some of the proposals, and MHCLG is undertaking further detailed policy development on the individual elements. No decisions have been made on the details at this stage. In considering how to take forward its proposals for planning reform, Government will consider how those reforms contribute to different environmental objectives, including air quality.

The Planning for the Future White Paper set out our commitment to protect our natural environment, supporting net gains for biodiversity and progressing our efforts to address climate change. These reforms will leave an inheritance of environmental improvement with environmental assets protected, more green spaces provided, more sustainable development supported, new homes that are much more energy efficient and new places that can become the heritage of the future, **built closer to where people want to live and work to reduce our reliance on carbon-intensive modes of transport**. As the Environment Bill completes its passage through Parliament, spearheaded by proposed reform to environmental assessment, this will help us be the first generation to leave our environment in a better state than we found it.

Public transport should play a better role in the local plan in order to protect the South Pennine Moors. Mytholmroyd has an existing train station with links to both Leeds and Manchester, yet the council has allocated very little development in this Calderdale town. Instead, the council has allocated most of the development in the South East of Calderdale, close to the motorway, where air pollution is far worse.

The council has chosen to make Mytholmroyd a Rural Exception Area, which doesn't make any sense, given that the council should be prioritising sustainable development in areas that are close to public transport hubs. This would help to take the pressure off the areas of concern in CC149d; M62, A672, A640, A58 and B6114 and the South Pennine Moors. Development in Mytholmroyd

would be less likely to encourage commuting via the motorway, because in Mytholmroyd the train would be a more attractive mode of transport for commuting to Leeds and Manchester.

The areas shown to have the most negative impacted in the HRA are the areas close to the motorway, or leading to the motorway, and these are the areas of Calderdale that are already worst affected by air pollution. The council is effectively compounding, adding to, an existing air quality problem in the south East of Calderdale.

Page 82 of CC149d quotes paragraph 103 of the NPPF, which states the importance of locating development in sustainable areas that limit the need to travel, reducing congestion and improving air quality. The council has instead located new housing in areas that will encourage commuting via the motorway, which will have a negative impact on air quality.

In relation to air quality, the following paragraphs in the document are relevant:

- Paragraph 54, which states *'Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.'*
- Paragraph 102, which relates to the need to consider transport related issues at the earliest stages of plan making and development proposals, so that *'...c) opportunities to promote walking, cycling and public transport use are identified and pursued; d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains...'*
- Paragraph 103, which states *'Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health.'*
- Paragraph 170, which states *'Planning policies and decisions should contribute to and enhance the natural and local environment by: ...e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans.'*

Below are minutes taken at Parliament, which demonstrate the significant role that public transport, like buses and trains, must play in the UK's ambitions to improve air quality. The solution is public transport, not motorways. A greater focus on public transport would help to remove some of the risk to the South Pennine Moors shown in CC149d.

15. As restrictions are lifted, the Government should work with local authorities and providers to reassure the public that public transport is safe and to promote its use. We welcome the Government's efforts to help maintain public transport capacity through financial support to providers, given the likely shift in public behaviours this will need to be maintained for a period after restrictions are lifted. The Government will also need to consider whether the financial stress providers are under will slow their move to cleaner vehicles and whether further public investment will be needed to maintain momentum. (Paragraph 102)

#### **Response**

The government's policy has been to reassure the public that public transport is safe to use, even in the context of current restrictions. Our message has been that the public must adhere to the 'Stay Home' guidance, other than for essential journeys; but where essential journeys must be undertaken, it is safe for them to be undertaken on public transport, provided that Government safety guidance is followed. As restrictions lift, we will work with operators and local authorities through a range of stakeholder engagement channels to reinforce the message that public transport is safe to use.

Going forward, the government's forthcoming National Bus Strategy will focus on the needs of passengers so that more people want to use the bus, and will set out how national and local government and the private sector will come together to serve local communities. The Department for Transport recognises that buses will continue to play a significant role in helping the economy meet our net zero ambitions and improve air quality. As set out in the Ten Point Plan for a Green Industrial Revolution and Spending Review 2020, the Government will invest £120m in 2021-22 to start the delivery of the 4,000 zero emission buses announced by the Prime Minister last year. Further details on how the first year of funding for the 4,000 zero emission buses will be distributed will be announced in the spring.

The Government is currently providing up to £27.3m per week of emergency bus funding through the covid-19 Bus Services Support Grant (CBSSG) scheme. This funding will continue until it is agreed that it is no longer needed. The government will work with operators and local authorities to ensure that the transition from emergency CBSSG funding to long-term recovery is timed appropriately.

16. During the first lockdown in spring 2020, active travel increased significantly, facilitated in part by timely Government action. It is important that this progress is not lost, and the Government must match its rhetoric on a longer-term shift to active travel with sufficient funding. (Paragraph 114)

The local plan will rely on huge levels of inward net migration in order to achieve the level of unprecedented population growth that is used to justify the Housing Allocation figure of Calderdale's local plan. The local plan, if it is passed, will increase the number of dwellings in Calderdale by 15%, mostly in areas of Calderdale that are close to the motorway. For this reason, we do not agree that it is sustainable to include the Additional Housing Allocation Sites in the plan.

#### **Unrealistic Air Quality Objectives Form the Basis of the Council's Air Quality Modelling**

We believe that the council's air quality modelling undervalues NO2 concentrations by approximately 20%, and due the way that the local plan focuses on motorway travel, the impact of air pollution on the South Pennine Moors will be significantly worse than the council suggests in CC149d.

Page 30 of CC149d shows that in 2019 the number of receptors exceeding the benchmark is 136, but by 2032 130 of those receptors, 96%, will fall below the benchmark. That is an enormous improvement in just 13 years. Can an improvement of 96% really be substantiated though? That's

almost 100% improvement. The only areas not to improve are the roads which are near the ‘Elland’ area.

It is also worth noting that there is no difference between the local plan only model and the local plan with Bradford model, meaning that the negative impact is solely derived from Calderdale’s local plan, potentially from the ‘Elland’ area. We believe this is due to Calderdale’s approach to motorway travel offsetting the borough’s lack of employment land, which may not even be fully represented in CC149d due the degree of uncertainty with the modelling.

**Table 6 – Summary of predicted changes in annual mean NO<sub>x</sub> concentrations at transect receptors within South Pennine Moors**

| Annual Mean NO <sub>x</sub> Parameter (µg/m <sup>3</sup> )   | Sc. 1<br>2019 Base | Sc. 2<br>2032 Fut Base <sup>1</sup> | Sc. 3<br>2032 With Local Plan Only <sup>2</sup> | Sc. 4<br>2032 With Local Plan + Bradford <sup>2,3</sup> |
|--|--------------------|-------------------------------------|---|---|
| Max. Roadside Contribution ( <i>Model</i> )  | 102.0              | 29.2                                | 33.1  | 33.1  |
| Max. Total Concentration ( <i>Model + Background</i> )   | 119.8              | 39.3                                | 43.3  | 43.3  |
| Number of receptors exceeding benchmark (30 µg/m <sup>3</sup> )  | 136                | 6                                   | 7   | 7   |
| Total number of receptors (28 transects)   | 574                | 574                                 | 574   | 574   |
| <b>Local Plan Alone (Sc. 3 – Sc. 2):</b>   |                    |                                     |   |   |
| Maximum worsening (µg/m <sup>3</sup> )   | 2.2                |                                     |   |   |
| Maximum improvement (µg/m <sup>3</sup> )   | -                  |                                     |   |   |
| No. receptors <b>increasing</b> ≥1% criterion  | 35                 |                                     |   |   |
| No. receptors <b>decreasing</b> ≤-1% criterion   | -                  |                                     |   |   |
| <b>Local Plan In-Combination (Sc. 4 – Sc. 2):</b>  |                    |                                     |   |   |
| Maximum worsening (µg/m <sup>3</sup> )   | 2.3                |                                     |   |   |
| Maximum improvement (µg/m <sup>3</sup> )   | -                  |                                     |   |   |
| Number of receptors <b>increasing</b> ≥1% criterion  | 36                 |                                     |   |   |
| Number of receptors <b>decreasing</b> ≤-1% criterion   | -                  |                                     |   |   |
| <sup>1</sup> – Without Calderdale Local Plan <sup>2</sup> – With Calderdale Local Plan <sup>3</sup> – Calderdale Local Plan + Emerging Bradford Plan<br>Note: All 2032 scenarios based on 2030 vehicle emissions factors |                    |                                     |   |   |

At the Stage 4 Hearing for Air Pollution, WSP consultant Stuart Bennet explained that the council’s air quality modelling was based on the government’s ambitious targets for reducing air pollution between 2005 and 2030. However, the government is not currently meeting the objectives that have been set for improving air quality. The government is failing to meet the objective for improving NO<sub>2</sub> by a massive 20%. Therefore, the objective used as the basis of the council’s air quality modelling for the HRA is not fit for purpose, and potentially underestimates NO<sub>2</sub> concentrations by 20%.

Recent court proceedings between the UK government and Client Earth, and the UK Government and the European Union, have revealed that the UK Government is not on track to meet the targets set for reducing air pollution. The huge, counter intuitive, reduction in air pollution shown in the council's HRA is in part due to the ambitious targets for air pollution reduction set by the UK government, which the government is not on track to meet.

Figures from the Department of Food Environment and Rural Affairs (Defra) show the UK is not on course to achieve binding emission reduction targets for multiple harmful air pollutants, for both 2020 and 2030.

The UK is on trajectory to miss its 2030 emissions reduction targets by 57 per cent for sulphur dioxide (SO<sub>2</sub>), 45 per cent for fine particulate matter (PM<sub>2.5</sub>), 20 per cent for ammonia, and **20 per cent for nitrogen oxides.**

Ms Nield, a lawyer, and spokesperson from Client Earth, publicly commented on this issue; “[The UK Government] is so far off track that a serious rethink is needed. The Government should not have to be dragged to the courts yet again to force it to live up to legal commitments to clean up the air,”

Client Earth has challenged the government's air quality modelling and highlighted the unacceptable amount of **uncertainty** in the modelling, drawing attention to what Client Earth calls an “over optimistic forecast” of improvements.

<https://www.clientearth.org/latest/press-office/press/uk-on-track-to-miss-2020-and-2030-legal-targets-for-toxic-pollution-government-data-show/>

Press release: 18 March 2021

## **UK on track to miss 2020 and 2030 legal targets for toxic pollution - government data show**

The UK Government is set to miss the legal targets for four out of the five pollutants covered by a crucial piece of clean air law, according to new government data.

The National Emission Ceilings Regulations 2018 set binding emission reduction targets for a number of harmful air pollutants, for both 2020 and 2030. These pollutants significantly harm human health and the environment.

The new data show that the UK is set to miss its 2030 emissions reduction targets by 57% for sulphur dioxide (SO<sub>2</sub>), by 45% for fine particulate matter (PM<sub>2.5</sub>), by 20% for ammonia and by 20% for nitrogen oxides.

The figures also suggest that the UK has missed its 2020 emissions reduction targets by 12% for PM<sub>2.5</sub> and 7% for ammonia, although final emissions data for 2020 will be released in 2022.

The council's air quality modelling reflects the UK government's air quality modelling; it is over optimistic and has an unacceptable degree of uncertainty. The picture painted in CC149d is not realistic.

## Air Quality Legislation

Page 80 of CC149d reads:



### UK AIR QUALITY STRATEGY

The UK Government and the devolved administrations are required under the Environment Act 1995 to produce a national air quality strategy. The Air Quality Strategy (AQS) was last reviewed and published in 2007<sup>45</sup>. The AQS provides a framework for reducing air pollution in the UK and implements the Air Quality (England) Regulations 2000, setting national objectives for local authorities in England.

The AQS sets standards and objectives for nine key air pollutants to protect human health. These are benzene (C<sub>6</sub>H<sub>6</sub>), 1,3 butadiene (C<sub>4</sub>H<sub>6</sub>), carbon monoxide (CO), lead (Pb), nitrogen dioxide (NO<sub>2</sub>), particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>), sulphur dioxide (SO<sub>2</sub>), ozone (O<sub>3</sub>), and polycyclic aromatic hydrocarbons (PAHs).

In addition, the AQS has set an annual objective for oxides of nitrogen (NO<sub>x</sub>) for the protection of vegetation and ecosystems. NO<sub>x</sub>, comprising mainly nitrogen monoxide and NO<sub>2</sub>, are of concern in relation to protected ecological sites, which have features that are sensitive to changes in NO<sub>x</sub>. Objectives are also set for SO<sub>2</sub> and O<sub>3</sub>, however the objective for NO<sub>x</sub> is considered in this assessment given that the focus is on the direct impact of vehicle emissions from roads adjacent to the sensitive ecological sites.

“The objective for NO<sub>x</sub> is considered in this assessment given that the focus is on the direct impact of vehicle emissions from roads adjacent to the sensitive ecological sites.”

NO<sub>x</sub> is made up of NO<sub>2</sub>. The assessment submitted by the council is relying on an objective that was set in 2007 and has been proven, in a court of law, by Client Earth, to be failing by 20%.

The HRA air quality assessment is likely out by 20%. We will discuss the case study of West Vale later in our comment, where the council’s air quality model underestimates the 2019 NO<sub>2</sub> concentration by approximately a 20%. We will also demonstrate that the council’s model prediction for NO<sub>2</sub> concentrations in West Vale, in 2019, is out by a factor of a global pandemic, which NASA has calculated as 20% less than a typical year.

Law requires the UK government to review its strategy for tackling NO2 and NOx, currently set out in the UK's 2019 Clean Air Strategy, within 18 months from March 2021.

The UK government is under a legal obligation to overhaul its strategy to tackle major emissions sources like road transport. CC149d does not address this crucial legal point, instead it focuses on an out-of-date AQS from 2007, using an objective that the government is failing to meet by 20% for NO2.

It is wholly irresponsible of the council to keep pushing forwards with such a car-centric local plan, a plan that is designed to drastically increase motorway traffic, as well as local traffic. The Additional Housing Allocation sites will impact on all roads exceeding the 1% significance Criterion highlighted in CC149d. These roads are all within close proximity to the 'Elland' area.

We need homes close to public transport hubs in order to support the legal obligation that the government is under to reduce NO2 and NOx emissions from road transport. The council should not be allowed to undermine the UK's legal obligation to reduce emissions from road traffic by building new homes on the grounds of an *assumption* that the borough will experience huge, unprecedented levels of inward net migration, without the employment land to accompany the population growth, thus increasing motorway travel. The council has a legal obligation to improve air quality in the shortest amount of time, as does the UK government.

In March 2021, the UK government was legally obliged to overhaul its Air Quality Strategy (AQS), which now leaves us with a timeframe of just 6 months remaining. The local plan still has not yet been passed, so the new AQS will impact the plan for the whole of the plan period, possibly even before the plan is passed, if the plan *can* be passed as it stands.

There is no excuse for CC149d not taking this very important legal point into consideration. Time is running out in a legal sense, but also in terms of the survival of life on Earth. We are sabotaging our

lifeline in exchange for economic growth. Local government has a duty to support national government. We cannot keep passing the blame and ignoring responsibility. We must work together.

The desires of developers must not be allowed to come before the needs of the environment and the health of human beings. What is the sense in locating development in areas that will increase road traffic at a time when the government is legally bound to reduce emissions from road traffic?

The recent release of CC177 draws into question the update of the West Yorkshire Low Emissions Strategy, which I brought up during the Stage 4 hearing, and which CC177 aims to respond to. We are still left questioning, however, the level of consideration that the council has given to the pending changes to air quality legislation, and to the WYLES, and whether the council has allowed for a buffer to accommodate the changes. Has the council demonstrated that development has been allocated in a responsible and sustainable manner that takes the pending need to improve air quality nationally into consideration? We do not agree that the council has, because the council has allocated the majority of development in the local plan in a very car-centric approach that heavily depends on the motorway, which is reflected in CC149d.

#### **The Under Valued NO2 Concentrations in West Vale in Relation to the HRA Air Quality Modelling**

The council's air quality modelling undervalues the NO2 concentration in West Vale in 2019, which has already been discussed in previous hearings within the EiP. Greetland Pressure Group is concerned that the HRA air quality modelling highlights roads around the 'Elland' area (including Greetland and West Vale) as those experiencing an increase above the 1% significance criterion. We are also concerned that these areas could be undervalued by the air quality modelling in a similar way that West Vale is.

The level of improvement to air quality that the council’s air quality modelling claims will occur during the plan period does not appear to be accurate, as the modelling clearly undervalues actual monitored data collected in West Vale.

Page 90 of CC149d shows that the model massively under predicts NO2 concentrations at all modelled locations. HQ9 is underpredicted by almost 50%.

Table C.2 on page 90 states, “The initial comparison between the total modelled and monitored annual mean NO2 concentration values illustrates that the model under predicts NO2 concentrations at all modelled locations.”

Greetland Pressure Group does not believe that the council’s claim that the local plan will not have serious ecological impacts, due to increased air pollution, can be relied on. CC149d acknowledges that the conclusions of the modelling cannot, with certainty, rule out more severe impacts than the model claims will occur.

The model outputs of road-NO<sub>x</sub> have been compared with the ‘measured’ road-NO<sub>x</sub>, which was determined from the NO<sub>2</sub> concentrations measured using diffusion tubes at the monitoring locations, utilising the NO<sub>x</sub> from NO<sub>2</sub> calculator provided by Defra and the NO<sub>2</sub> background concentration (from the Defra background map).

The tables and figure below present the data used in the verification exercise.

**Table C.2 – Data Used in Model Verification Before Adjustment**

| Monitoring Site ID                       | 2019 Measured Data (µg/m <sup>3</sup> ) | Measured Road-NO <sub>x</sub> (µg/m <sup>3</sup> ) from NO <sub>x</sub> :NO <sub>2</sub> Calculator | Modelled road-NO <sub>x</sub> (µg/m <sup>3</sup> )- Before adjustment | Modelled Annual Mean NO <sub>2</sub> Concentration (µg/m <sup>3</sup> )- Before adjustment | % Difference (Measured vs Monitored NO <sub>2</sub> ) |
|--|---|---|---|--|---|
| AQS3 - A646 adjacent to Central Street   | 34.3                                    | 52.7  | 24.0  | 20.5   | -40.2%  |
| HB6 – A646                               | 30.0                                    | 42.4  | 21.0  | 19.5   | -35.0%  |
| HQ9 – A646 adjacent to Crown Street      | 35.0                                    | 53.3  | 18.7  | 18.3   | -47.7%  |
| LF2 – A646                               | 29.0                                    | 39.1  | 16.1  | 17.5   | -39.5%  |
| BS1 HB - A646 adjacent to Central Street | 33.0                                    | 49.9  | 24.0  | 20.5   | -37.8%  |
| MY02 – A646                              | 21.0                                    | 23.8  | 11.1  | 14.4   | -31.5%  |
| MY04 - A646                              | 27.0                                    | 35.9  | 12.9  | 15.4   | -43.1%  |
| MY05 - A646                              | 28.0                                    | 37.97   | 14.98   | 16.5   | -41.2%  |

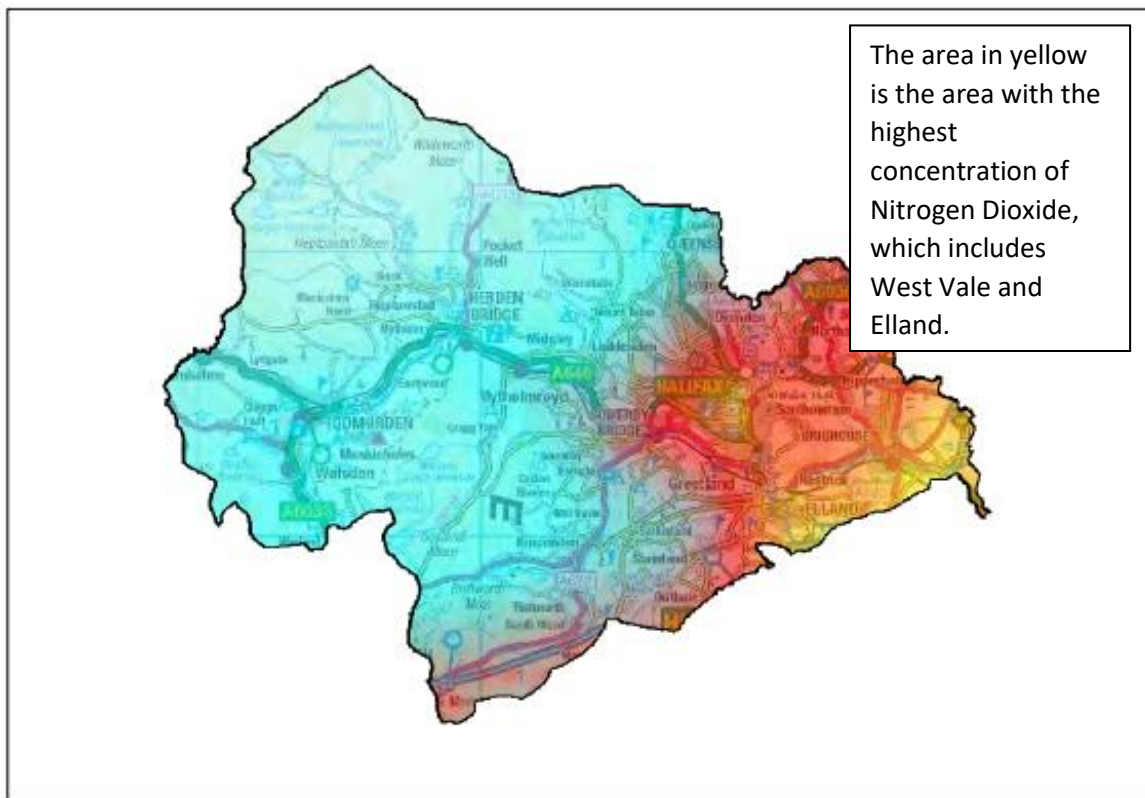
The initial comparison between the total modelled and monitored annual mean NO<sub>2</sub> concentration values illustrates that the model under predicts NO<sub>2</sub> concentrations at all modelled locations. Therefore, verification and adjustment of modelled road-NO<sub>x</sub> was undertaken in accordance with LAQM.TG(16) for the monitoring locations included in the verification. The calculation steps taken to adjust modelled road-NO<sub>x</sub> are summarised in **Table C.3**, with the relationship between monitored

The problem with air quality is rooted in the council's car-centric approach to the local plan. We have too many houses, an unjustifiably large number, located in areas that will produce too many car journeys, in the East of Calderdale where air quality is already worst. We needed housing located close to public transport hubs. CC149d does not provide sufficient certainty that the inclusion of the Additional Housing Allocation sites in the 'Elland' area will not cause an unacceptable amount of damage to sensitive habitats.

As we have explained, we believe that the inaccuracies with the council's air quality modelling are due to an out of date government objective, and potential flaws in the traffic data used to model West Vale. We have explained why the vast majority of the proposed new homes in the 'Elland area' will be commuter homes due to the council making improvements to the Strategic Road Network around the Elland area, and thus improving, and also encouraging, road access to the motorway. The council's approach to employment land also suggests that the homes on Saddleworth Road will be for commuters traveling to other areas of the Leeds City Region, and given the lack of employment opportunities in Calderdale. Commuters will also travel in the other direction towards Manchester, towards the South Pennine Moors.

In the air quality evidence that the council has submitted to the Inspector, the picture is painted that air quality in Calderdale is improving, but this is not the same picture that the council is submitting to Defra. The council's ARSs, submitted to Defra, show that some areas of Calderdale are improving on the West side of Calderdale, but the East is getting worse for air pollution. What is extremely concerning is the air quality modelling done by the council to justify the local plan takes improvements in air quality to the West of Calderdale and wrongly applies them to the East.

The 'Elland' area is the area of Calderdale that feeds traffic onto Ainley Top, and then onto the motorway. Ainley Top is the worst area for air pollution in the whole of Calderdale, far exceeding the legal limit for NO<sub>2</sub>, as shown in the council's Air Quality Annual Status Reports, and indeed evidence submitted for the local plan. A visual of this can also be seen in the map below.



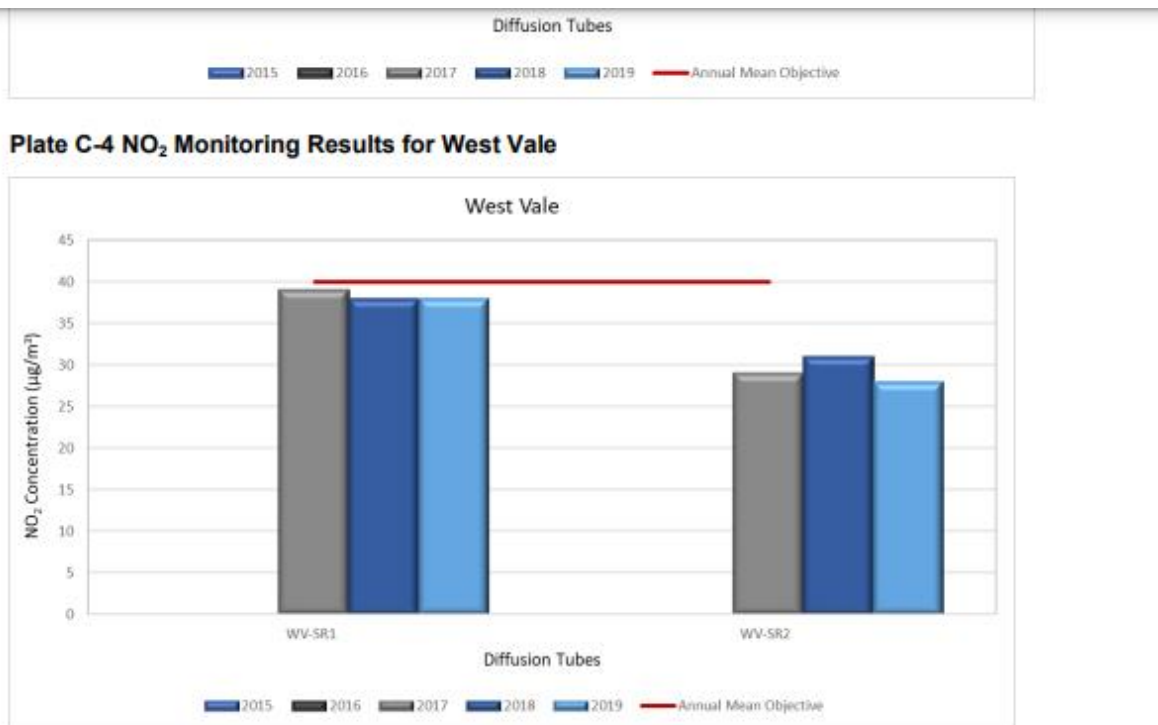
Air Quality Modelling for the local plan also assumes that air quality in Calderdale will improve universally in all areas of Calderdale, despite some areas improving, while others are actually deteriorating or remaining fairly constant, like West Vale.

Evidence submitted by the council on West Vale shows that West Vale is an area that has in recent years remained fairly constant, while areas like Luddendenfoot and Hebden Bridge, to the West of Calderdale, have seen significant improvement, as shown in the graph below.

In 2005, West Vale had 5 air quality receptors, which has now been reduced to just 2, despite NO<sub>2</sub> concentrations in West Vale significantly increasing since 2005, unlike other areas of Calderdale.

What is more alarming is that the receptor which in 2005 recorded the highest concentration of Nitrogen Dioxide has since been removed (this was the receptor that was close to West Vale Academy, and the highest level of human exposure).

Air Pollution in West Vale, as show in Local Plan evidence:



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CALDERDALE LOCAL PLAN EXAMINATION MATTER 8 GROWTH, DELIVERY, INFRASTRUCTURE AND VIABILITY  
Project No.: 70074883 | Our Ref No.: 70074883-001  
Calderdale Council

WSP  
June 2021

As we can see in the graph above, the rate of improvement that the council’s air quality modelling claims will occur during the plan period is not occurring in West Vale, where NO<sub>2</sub> concentrations have remained fairly constant at WV-SR1, and have actually dramatically increased since they were first monitored in 2005. We have submitted evidence of this in previous comments on air quality, and at the Stage 4 hearing. CC149d is not justified in its claim that Calderdale is currently experiencing universal improvements in air quality, nor will it thus experience universal improvements in air quality during the plan period. We believe that this is what is meant in CC149d by “a degree of uncertainty.”

The table below is taken from the 2019 Air Quality Annual Status Report (ASR):

The screenshot shows a web page titled "Annual Status Report 2019". It features a navigation menu on the left and a main content area on the right. The main content area contains a table with the following data:

| Designation     | Location           | Declared     | Amended    |
|-----------------|--------------------|--------------|------------|
| Calderdale No.1 | Halifax A629       | October 2005 | April 2014 |
| Calderdale No.2 | Sowerby Bridge A58 | July 2006    |            |
| Calderdale No.3 | Hebden Bridge A646 | August 2006  |            |
| Calderdale No.4 | Luddendenfoot A646 | July 2007    | March 2014 |
| Calderdale No.5 | Stump Cross A58    | July 2007    | March 2014 |
| Calderdale No.6 | Brighouse centre   | July 2007    |            |
| Calderdale No.7 | Hipperholme A58    | April 2014   |            |

Below the table, there is a paragraph of text: "The nitrogen dioxide monitoring results for 2018 are similar overall to those for 2017, with no real evidence of improvement in many areas. One exception is Hebden Bridge town centre, where the lower concentration of nitrogen dioxide may be related to changes in through traffic due to major long term roadworks at Mytholmroyd, a mile to the west on the A646."

The 2019 ASR states, as above, "The nitrogen dioxide monitoring results for 2018 are similar overall to those for 2017, with no real evidence of improvement in many areas. One exception is Hebden Bridge town centre, where the lower concentration of nitrogen dioxide may be related to changes in through traffic due to major long-term roadworks at Mytholmroyd, a mile to the west on the A646."

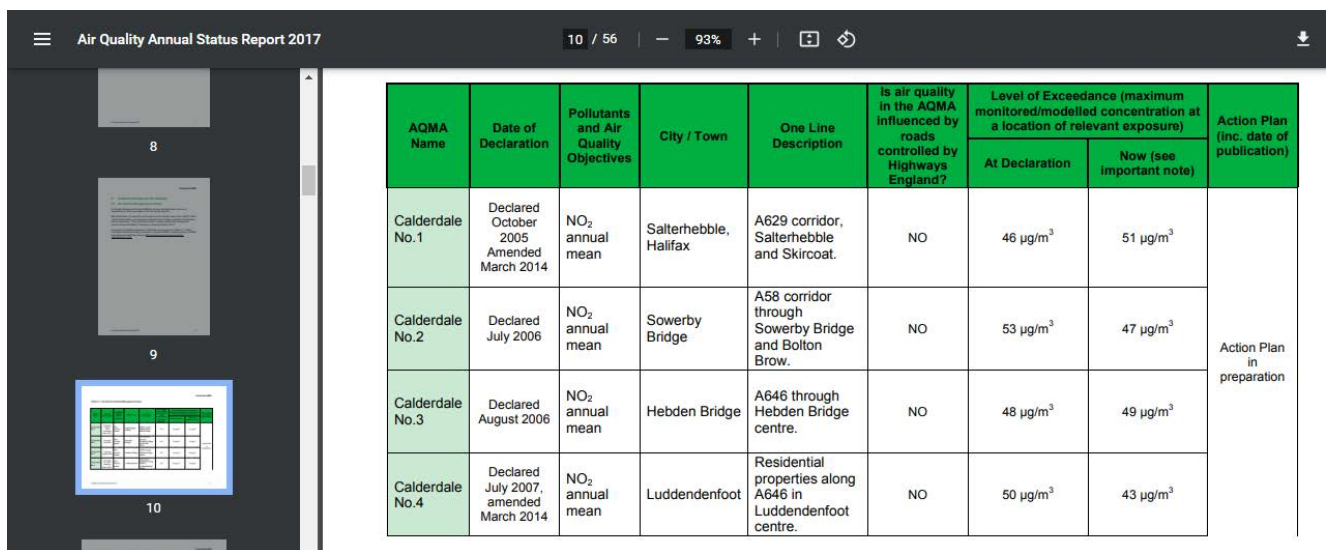
So, the ARS assumes that even the improvements seen in Hebden Bridge are questionable. Why does the author of the ARS seem surprised to see improvements to air quality, when the council's evidence for the local plan is trying to convince us that during the plan period, we will see huge improvements to air quality? The end of plan period is now only ten years away.

The 2018 ASR states, "Air quality monitoring during 2017 gave a mixed picture of the trends in different areas. The continuous monitoring stations at Hebden Bridge and Sowerby Bridge showed a decrease in the annual average for nitrogen dioxide, although some of the diffusion tubes in those areas continued to show concentrations above the annual mean objective. The continuous monitor at Huddersfield Road, Salterhebble showed concentrations a little higher than those for 2016."

So, we are seeing improvements in the West of Calderdale, but the East of Calderdale is experiencing a deterioration in air quality. However, instead of responding to these trends in air pollution, the council has allocated most of the development in the local plan in the East of Calderdale where air

quality is a problem and is not improving. It also appears as though the council has used the improvements seen in air quality in the West of Calderdale, like in Hebden Bridge and Luddendenfoot, to input data into the air quality modelling to assume larger improvements across the whole of Calderdale, when the East and West should be assessed as two distinctly separate areas experiencing different trends. We do not agree that the trends seen in the council's ASRs support the huge improvements in air quality claimed in CC149d.

Taken from the 2017 ASR:



The screenshot shows a digital document viewer displaying the 'Air Quality Annual Status Report 2017'. The page number is 10 of 56, and the zoom level is 93%. The table below is extracted from the document.

| AQMA Name       | Date of Declaration                         | Pollutants and Air Quality Objectives | City / Town           | One Line Description                                       | Is air quality in the AQMA influenced by roads controlled by Highways England? | Level of Exceedance (maximum monitored/modelled concentration at a location of relevant exposure) |                          | Action Plan (inc. date of publication) |
|-----------------|---|---------------------------------------|-----------------------|--|--|---|--------------------------|--|
|                 |   |                                       |                       |  |  | At Declaration  | Now (see important note) |  |
| Calderdale No.1 | Declared October 2005<br>Amended March 2014 | NO <sub>2</sub> annual mean           | Salterhebble, Halifax | A629 corridor, Salterhebble and Skircoat.                  | NO   | 46 µg/m <sup>3</sup>  | 51 µg/m <sup>3</sup>     | Action Plan in preparation             |
| Calderdale No.2 | Declared July 2006                          | NO <sub>2</sub> annual mean           | Sowerby Bridge        | A58 corridor through Sowerby Bridge and Bolton Brow.       | NO   | 53 µg/m <sup>3</sup>  | 47 µg/m <sup>3</sup>     |  |
| Calderdale No.3 | Declared August 2006                        | NO <sub>2</sub> annual mean           | Hebden Bridge         | A646 through Hebden Bridge centre.                         | NO   | 48 µg/m <sup>3</sup>  | 49 µg/m <sup>3</sup>     |  |
| Calderdale No.4 | Declared July 2007, amended March 2014      | NO <sub>2</sub> annual mean           | Luddendenfoot         | Residential properties along A646 in Luddendenfoot centre. | NO   | 50 µg/m <sup>3</sup>  | 43 µg/m <sup>3</sup>     |  |

In 2017, air pollution from Nitrogen Dioxide has increase at Salterhebble since the time the AQMA had been declared. Salterhebble is in the East of Calderdale. Luddendenfoot appears to have always seen improvement.

## Calderdale MBC

Table 2.1 – Declared Air Quality Management Areas

| AQMA Name                      | Date of Declaration                       | Pollutants and Air Quality Objectives | City / Town    | One Line Description                        | Is air quality in the AQMA influenced by roads controlled by Highways England? | Level of Exceedance (maximum monitored/modelled concentration at a location of relevant exposure) |       |     |       | Action Plan                                   |                     |      |
|--------------------------------|---|---------------------------------------|----------------|---|--|---|-------|-----|-------|---|---------------------|------|
|                                |   |                                       |                |   |  | At Declaration  |       | Now |       | Name  | Date of Publication | Link |
| Calderdale No.1 Salterhebble   | Declared October 2005, amended April 2014 | NO2 Annual Mean                       | Halifax        | Stretch of the A629 south of Dryclough Lane | YES  | 46<br>µg/m3   | µg/m3 | 52  | µg/m3 | AQAP 2019<br><a href="#">Action Plan 2019</a> |                     |      |
| Calderdale No.2 Sowerby Bridge | Declared July 2006                        | NO2 Annual Mean                       | Sowerby Bridge | A58 through central Sowerby Bridge          | YES  | 53<br>µg/m3   | µg/m3 | 45  | µg/m3 |   |                     |      |

In the 2020 ASR, the Nitrogen Dioxide concentration at Salterhebble had increased even further. This is a deterioration, not an improvement.

The community of the Greetland and Stainland Ward have been arguing that West Vale should have been included in the council's list of AQMAs, as far back as 2017. And we argue that the council's ASRs support this argument.

2017 ASR:

<https://www.calderdale.gov.uk/v2/sites/default/files/ASR-Calderdale-2017.pdf>

- The highest monthly concentration of NO2 in West Vale (WV-SR1) was 76µg/m3 (almost double the legal limit of 40).
- Ten out of twelve months of the year record an exceedance of the legal limit of 40.
- The raw data for the year records an annual mean concentration of 50 (10µg/m3 over the legal limit).
- The council then applies a national reduction factor of 0.78, which brings the raw data down from an annual mean of 50 to 39 (just 1µg/m3 under the legal limit).

- At the Stage 4 hearing for Air Quality, the council's air quality specialist stated that the council should be using a local reduction factor.
- A national reduction factor of 0.78 was however used in 2017 ASR, which is why the annual mean for the raw data was reduced by so much (11µg/m).

The council should have made West Vale an AQMA because of data presented in the 2017 ASR, and the council should have used a local reduction factor, instead of a national reduction factor, which would have reduced the annual mean concentration, but not to below the legal limit. The annual mean of the raw data was 50 micrograms per cubic meter. West Vale is a built-up area in the bottom of a valley.

Air quality data from West Vale, monitored as an AQMA, is the only way to obtain accurate data for an area with high concentrations of NO<sub>2</sub>. This kind of reliable data should then have been inputted into the council's air quality modelling. This is extremely important and extremely relevant to the council's HRA because of the location of West Vale in relation to the locations of sensitivity listed in the HRA, which are on the East of Calderdale and close to West Vale. Increases in traffic and pollution needed to be examined thoroughly and robustly. Trends needed to be verified. Instead, West Vale wasn't even included in the modelling.

As we can see from the council's ASRs, not all areas in Calderdale are experiencing improvements in air quality, because it is not that simple. So, to gloss over an area of high pollution, to ignore it because it is convenient to do so, is not acceptable. West Vale should have been included within the modelling, because it is an important area for ensuring that the modelling was robust. It was wrong for the council not to properly consider the monitored data for this area, and it was wrong for the council to not make West Vale an AQMA.

I attended the council's Place Scrutiny Meeting, on Thursday 3<sup>rd</sup> March 2022, where we presented a petition to the council with well over 1,000 signatures, asking the council, yet again, to make West Vale an AQMA. The council's Place Scrutiny Board voted in agreement that West Vale should be

made an AQMA, and votes in support of this motion were received from all three main political parties. The council has acknowledged that there is a serious problem with air quality in West Vale, but the decision was made 6 years after it should have been. It would be wrong to include the Additional Housing Allocation sites in the local plan, and then realise six years later that it was a mistake.

To counter the argument from the people of the Greetland and Stainland Ward, the council put forward an argument that West Vale should not be made an AQMA, and to justify their argument they used air quality data collected in West Vale from 2020, when the annual mean concentration for NO<sub>2</sub> was just 33 micrograms per cubic meter, way below the legal limit, and so the council argued that West Vale did not qualify for an AQMA. It was completely disingenuous for the council to use data from 2020 to argue that West Vale did not qualify for AQMA, because 2020 was the first year of a global pandemic. Interestingly however, the Local Plan's air quality modelling predicts West Vale at the same NO<sub>2</sub> concentration for 2019 as monitored data collected in West Vale in 2020. So effectively, the council's air quality modelling for the local plan is out by a factor of a global pandemic! That is truly shocking. Computer modelling produced by NASA researchers found that since February 2020, pandemic restrictions have reduced global nitrogen dioxide concentrations by nearly 20% [by November 2020]. The figure of 20% crops up again.

<https://www.nasa.gov/feature/goddard/2020/nasa-model-reveals-how-much-covid-related-pollution-levels-deviated-from-the-norm/>

An air quality assessment should be robust and credible and should therefore properly examine all areas that are high risk. The council should have made West Vale an AQMA after the release of the 2017 ASR, which would have provided accurate data for the council to input into their air quality model, reducing the degree of uncertainty in CC149d.

### **The Height from the Ground of Air Quality Receptors**

The NO<sub>2</sub> receptor at WV-SR1, in West Vale, is located at 2.5m from the ground.



In order to accurately monitor NO<sub>2</sub> concentrations, the receptor should be located at “breathing height,” as receptors located above breathing height “underestimate the actual concentrations to which the public are exposed.”



Department  
for Environment  
Food & Rural Affairs

Seacole Building  
2 Marsham Street  
London  
SW1P 4DF

T 03459 335577  
[defra.helpline@defra.gov.uk](mailto:defra.helpline@defra.gov.uk)  
[www.gov.uk/defra](http://www.gov.uk/defra)

Rob Shepherd  
[request-608630-7a701613@whatdotheyknow.com](mailto:request-608630-7a701613@whatdotheyknow.com)

Our ref: TO2019/20509

October 2019

Dear Mr Shepherd,

Thank you for your email of 2 October about the local air quality monitoring and site selection for diffusion tubes. I have been asked to reply.

Advice to local authorities on the correct siting of diffusion tubes is provided by Defra in the Practical Guidance for Laboratories and Users and the Technical Guidance (TG16) for local air quality management. Ideally, samplers should be placed at breathing height, but in order to reduce theft of tubes, it is recommended that tubes are placed at a height between 2 and 4 metres where this is a risk. This advice accords with the Ambient Air Quality Directive which states in Annex III - C that in general, the inlet sampling point shall be between 1.5 metres (the breathing zone) and 4 metres above the ground.

The current guidance states that concentrations of NO<sub>2</sub> typically decrease with height above street level, but studies completed on the subject are not conclusive in their findings. Although some tubes placed above 1.5m may under-estimate the actual concentrations to which the public are exposed, we feel it is better to reduce the risk of tube theft and maximise the amount of monitoring data collected.

Yours sincerely,

Tuan Vu  
Ministerial Contact Unit - Defra



The receptor at WV-SR1 is circled in blue. The blue arrow indicated the breathing height of my child.

The breathing height of my child is closer to ground level, which is also closer to the ground (SPA)

which is under consideration in CC149d. Measuring NO<sub>2</sub> concentrations at 2.5m in the air is not a

robust method for monitoring either human exposure to NO<sub>2</sub> or the exposure of the land within SPAs to NO<sub>2</sub>. Some of the receptors in Calderdale are even higher than 2.5m from the ground. The height of the receptors across Calderdale should be kept constant in order to accurately assess differences in air quality across the borough.

Recent scientific studies have found that children are 37% more exposed to air pollution than adults; this is because they are closer to the ground. Air pollution is proven to be worse closer to the ground. The modelling used to support the local plan does not take account for this crucial fact.



“The health effects of air pollution are more acute for babies and young children than adults, according to the Royal College of Physicians. Exposure to toxic particulates during these critical early stages of development can leave a child with stunted lungs, with respiratory conditions like asthma and potentially even reduced brain development.”

**“Dorothee Saar, head of traffic and air pollution control for Deutsche Umwelthilfe, said: “Our research is a picture almost certainly reflected in cities across Europe. NO<sub>2</sub> is emitted close to the ground and therefore impacts pets and children more than adults. It’s a matter of physics.”**

<https://epa.org/children-37-more-exposed-to-air-pollution/#:~:text=reduce%20air%20pollution-Children%20up%20to%2037%25%20more%20exposed,air%20pollution%20than%20adults%20%E2%80%93%20research&text=Children%20are%20more%20exposed%20to,a%20high%2Dprofile%20health%20problem.>

Calderdale Council has provided the Inspector with data for NO<sub>2</sub> concentrations in West Vale that are 2.5m from the ground, and the council’s air quality model even underestimates the monitored data collected at this height. The council’s air quality modelling, therefore, significantly underestimates the reality of air pollution by a wholly unexpected degree. Air Quality is a legal

matter. Even at 2.5m up in the air, air quality in West Vale is teetering on a knife edge of the legal limit. Air quality closer to the ground, in West Vale, will obviously exceed the legal limit of NO<sub>2</sub>, but CC149d does not address this. We are concerned that the risk posed to sensitive land and habitats is likewise underestimated by the council's air quality modelling.

### **Smart Motorways**

The council's air quality modelling appears to focus on the stretch of motorway towards Leeds, but neglects to properly assess the stretch of motorway in the direction of Manchester, which is where the South Pennines are. The council has used a traffic flow uplift figure of 7%, but this is significantly lower than the uplift figure used by Highways England. Natural England in the Statement of Common Ground appears to suggest that the council should be using the figures produced by Highways England.

It feels like the council has been undervaluing pollution concentrations on top of undervaluing pollution concentrations, and so we have completely lost track of the fundamental reality of air pollution in Calderdale and how it relates to the local plan. This is how we end up with such an enormous reduction in NO<sub>2</sub> presented in CC149d.

### **Uncertainty around the Delivery of Smart Motorways**

I was surprised to read on page 17 on CC149d, 3.7.3, that the council's air quality assessment in relation to the Habitats Regulations Assessment appears to rely on assumptions derived through the implementation of Smart Motorways. The council has recently released a document explaining that if Smart Motorways are not introduced it will not have an impact on the council's evidence supporting the local plan. This appears to be a contradiction.

5.2.5 explains that 13% of the receptors experience a 1% or more increase. However, does this figure increase even further if the Highways England traffic flow uplift is applied, which is greater than the 7% uplift used in CC149d? We are concerned that more cars will be using the motorway during the plan period that CC149d predicts.

Is the delivery of the smart motorways crucial to the delivery of the local plan? If it is, then this further supports our argument that Calderdale's local plan has put too much focus on motorway travel, when the focus should have been on sustainable travel via public transport. The council has a duty to encourage the use of public transport, to allocate development in areas that will make public transport an easy, attractive option. It is not in keeping with the national requirement to improve air quality, to produce a car-centric Local Plan that is heavily dependent on motorway travel.

Whatever the harm caused the South Pennine Moors in reality, whatever the risk or degree of uncertainty, the approach taken by Calderdale Council is not justifiable when put into the national picture. As a nation, we must focus on reducing emissions; and we must reduce and limit car journeys. We shouldn't be improving capacity on the motorway; we should be focused on increasing the use of public transport by locating development close to public transport hubs.

We know what we must do to tackle the Climate Emergency, we do not need to dress it up in complicated technical documents designed to distract us from the very clear and simple action that needs to be taken. On a very basic level, we know what is sustainable and we know what is not.

Time is running out. Rhetoric will not save us from Climate Change, only appropriate action will save us. The smaller failings are adding up and contributing to something catastrophic looming on the horizon. I have three children, and I'm not prepared to allow Calderdale Council to contribute to dooming my children to a life of flooding and natural disasters.

Greetland was on the regional news (BBC Look North) yet again last month, again for flooding in our village. This has happened three times since Stage 2 of the EiP. It wasn't like this when I was a child.

Things are getting worse, and they are getting worse very quickly. We all need to wake up and realise this before it's too late. Our children will be punished for the crimes that we are committing, and I for one do not want to be culpable in that haunting scenario, so I'm trying my absolute best to demonstrate the flaws with this plan. We all have a part to play.

Under 'Relevant Planning Policy Context,' CC149d refers to the presumption in favour of sustainable development, "... meeting the needs of the present without compromising the ability of the future generations to meet their own needs."

## **RELEVANT PLANNING POLICY CONTEXT**

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### **NATIONAL PLANNING POLICY FRAMEWORK**

The Government's overall planning policies for England are described in the National Planning Policy Framework<sup>46</sup>. The core underpinning principle of the Framework is the presumption in favour of sustainable development, defined as:

- '... meeting the needs of the present without compromising the ability of future generations to meet their own needs

### **Conclusion**

Greetland Pressure Group does not support the council's approach to the Local Plan as a whole, due to the council's use of an inflated population assumption, combined with the council's car-centric approach to allocating development close to the motorway. We feel that the degree of uncertainty around the conclusions the council draws in CC149d are not robust in their analysis of the impact from the Additional Housing Allocation sites on the sensitive habitats listed in the HRA.

Greetland Pressure Group has highlighted the significance of the Additional Housing Allocation sites in the 'Elland area' in relation to the areas of concern established in CC149d, and we do not agree that it is sound to include these sites in the local plan due to the degree of uncertainty in CC149d.

We believe that we have demonstrated the degree of inaccuracy in the council's assumptions around air quality in West Vale, which in turn will lead to inaccuracies elsewhere in the council's air quality model. The HRA even lists the B6114, which is Saddleworth Road, as one of the key areas subject to the most concern. The level of risk involved with the council's car-centric approach is not acceptable or necessary, especially given the council's inflated population figure that does not appear to be supported by a proportionate amount of employment land. The *need* for the Additional Housing Allocation sites is not there, and so arguably neither is the justification for exceptional circumstances.

To summarise, we do not believe that the council has demonstrated that the risk of uncertainty highlighted in CC149d is justifiable. We have been unable to find evidence of the council having made an acceptable attempt to try and limit the impact of the local plan on the South Pennines. The council does not appear to have demonstrated caution in prioritising the protection of the South Pennine Moors, because it has allocated most of the development in the areas of Calderdale that will have a negative impact on this protected land.

CC149d is an attempt to justify the council's car-centric approach to the local plan, but the approach remains unsustainable, nevertheless. The council has declared a Climate Emergency but has produced a car-centric local plan centred around motorway travel.

The best way to address Climate Change is to reduce emissions. The best way to ensure a cautious approach to protecting the South Pennine Moors is to limit the increase of motorway car journeys generated by the local plan. The only way to reduce motorway journeys is to locate homes close to public transport hubs.

We suspect that the council's modelling used in CC149d has overestimated the level of public transport use during the plan period. If the new homes are located close to the motorway, the people living in the homes will be encouraged to use the motorway. The council's approach of locating most

of the local plan's housing allocation close to the motorway puts the South Pennine Moors at an unnecessary increased risk that may not have been picked up in the modelling used in CC149d.

We feel that the council has not prioritised sustainability when producing the Local Plan, because the approach taken by the council appears to be greedy and wasteful. The council has not considered the current circumstances around pending changes to legislation concerning air quality, because the council has not been conservative when allocating development and has instead allocated most of the new development in the areas of Calderdale that are currently suffering from the worst levels of air pollution. The UK is required to make considerable improvements to its efforts to improve air quality, and the council has not taken this into consideration when producing the local plan; the council has not left itself enough of a buffer for what will be required when the changes to UK legislation around air quality will be introduced.

Calderdale will not provide employment for most people who are intended to migrate into the borough, Calderdale will merely provide people with improved access to the motorway, which will have a negative impact on motorway traffic and subsequent air pollution. The council has used modelling that is based on a government objective to reduce air pollution, but the government has been defeated in court on several occasions for not meeting legal targets for improving air pollution. If targets are set but not met, we must then return to the drawing board.

The level of air pollution reduction claimed in the council's HRA is unrealistic, it is flawed, and the only way to achieve significant improvements to air quality is to locate housing close to public transport hubs.

The Additional Housing Allocation sites are intended for people migrating into Calderdale. The most up to date data sets show that 73% of the current population of the Greetland and Stainland ward travels to work by private vehicle. The proposed train station in Elland is an hour's walk away from the proposed new homes. This is a lethal cocktail for forcing a substantial amount of additional

traffic onto the motorway, however, it is also completely unnecessary and avoidable. The negative impact shown in CC149d is entirely derived from the Calderdale local plan, when compared to the inclusion of Bradford's local plan, which makes no difference. How have Calderdale gotten it so wrong, while Bradford Council appears to have set out on the path to a sustainable future?

If the council's air quality modelling in West Vale is out by such a significant amount, by a factor of a global pandemic, what does this then mean for the council's conclusions in CC149d? The council has used a motorway uplift figure of 7% in CC149d, however, this is significantly lower than the figure used by Highways England, which Natural England has advised Calderdale Council should be using. We do not believe that the council has provided a robust picture of the true risk posed by the local plan, in CC149d.

Calderdale's local plan does nothing to reduce emissions; this car-centric local plan will increase motorway traffic from Calderdale on a scale never seen. Yet this is not even remotely reflected in the council's Habitat Regulation Assessment, which claims that 96% of the receptors currently exceeding the benchmark will fall below the benchmark by the end of the plan period. Common sense tells us that the conclusions produced in CC149d do not make sense. In CC149d, it is almost as if the impact of the local plan is invisible. We believe that there is a systemic pattern of undervaluing NO2 concentrations caused by road transport in CC149d.