



Horsham
District
Council

Horsham District Local Plan Examination

Matters, Issues and Questions

Matter 4: Conserving and Enhancing the Natural Environment

Issue 1

November 2024

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Issue 1: Whether the approach to environmental protection and air quality is justified, effective, consistent with national policy and positively prepared?

Question 1: Is Strategic Policy 11: Environmental Protection sound?

1. The **NPPF (paragraph 174)** is clear that planning policies should contribute to and enhance the natural and local environment, 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.
2. Furthermore, **NPPF paragraphs 183 – 188** prescribe the national requirements in relation to ground conditions and pollution. In accordance with these paragraphs, and in being **consistent with national policy**, Strategic Policy 11 ensures that the potential for development to generate pollution is considered, both individually and cumulatively, and mitigated if necessary.
3. Strategic Policy 11 is an overarching policy which aims to ensure that the high quality of the District's environment is protected through the planning process. The policy criteria recognises that there are a number of potential environmental constraints to development, and the policy seeks to ensure that proposals can demonstrate how they have considered these matters and ensure that all development minimises exposure to, and the emission of, pollutants arising from all stages of development and is therefore sustainable. As well as taking into account land conditions and stability, the policy ensures that a site is suitable for its proposed use. The policy is therefore considered to be **positively prepared, justified and effective**.

Q1.a) Is "minimise" in criterion 6 with regard to air pollution and emissions effective?

4. **Paragraph 186** of the **NPPF** sets out that planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas, and the cumulative impacts from individual sites in local areas. To reflect this requirement, and following the Regulation 19 representation from **Natural England (Ref #1216944¹)**, the **HDC Schedule of Suggested Modifications to the Regulation 19 Local Plan (SD14) Ref HM017** proposes an amendment to the text of criterion 6 to remove the word "*minimise*" and replace it with wording "*Ensure no unacceptable impacts result from*", in order to increase the effectiveness of the policy and for the policy wording to be more closely aligned with the NPPF.

Q1.b) In criterion 3 should the environmental quality of water resources be maintained or improved or both?

5. **Paragraph 174 e)** of the **NPPF** details that 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. To reflect this, and following the Regulation 19 representation from **Natural England (Ref #1216944¹)**, the **HDC Schedule of Suggested Modification to the Regulation 19 Local Plan (SD14) Ref HM017** proposes an amendment to the wording of criterion 3 to remove 'or' and replace it with 'and' in order for the policy wording to be strengthened and be more closely aligned with the requirement of the NPPF.

¹ https://strategicplanning.horsham.gov.uk/Regulation_19_Local_Plan/showUserAnswers?qid=9331459&voteID=1216944

Q1.c) Is the approach to the effect on the South Downs International Dark Sky Reserve Designation effective?

6. **Paragraph 185 c)** of the **NPPF** sets out that planning policies should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. To reflect this, and following the Regulation 19 representation from **South Downs National Park Authority (#1209773²)**, the wording of **criterion 4** has been amended as detailed within the **HDC Schedule of Suggested Modifications to the Regulation 19 Local Plan (SD14) Ref HM018** to ensure that the criterion is sufficiently clear, robust and effective.

Q1.d) Is the geographical application of this policy accurately identified on the submission Policies Map?

7. Strategic Policy 11 is an overarching policy which aims to ensure that all ground conditions and pollution is taking into account when preparing and determining a development proposal. Many of the elements raised in the policy, such as noise, contamination and lighting, will only be identified through site specific assessments undertaken at the time of the application.
8. Air quality in Horsham District is of particular concern and has deteriorated in some parts of the District. Two Air Quality Management Areas (AQMAs), located in Storrington and Cowfold, have been declared and both are accurately depicted on the submission **Policies Map (SD02)**.
9. **Criterion 4** of the policy makes reference to the South Downs International Dark Sky Reserve. **Paragraph 6.9** of the policies supportive text states that the South Downs National Park (SDNP) is a designated International Dark Sky Reserve (IDSR), which is, for the purpose of clarification, referred to in the Plan as the South Downs International Dark Sky Reserve. Although the IDSR itself is not depicted on the submission **Policies Map (SD02)**, the SDNP is, and it is considered that this geographically depicts both designations.

Question 2: Is Strategic Policy 12: Air Quality sound?

10. As detailed in **paragraph 1** of this statement, the **NPPF (paragraph 174)** is clear that planning policies should contribute to and enhance the natural and local environment, and prevent new and existing development from contributing to, being put at unacceptable levels of soil, air, water or noise pollution or land instability.
11. **Paragraph 186** of **NPPF** states that planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas (AQMAs) and Clean Air Zones, and the cumulative impacts from individual sites in local areas.
12. Strategic Policy 12 specifically relates to air quality, and in accordance with **paragraph 186**, sets out the criteria required to ensure that proposals make reasonable endeavours to minimise emissions and, where necessary, offset the impact of that development on the environment. This strategic policy is therefore considered to be **positively prepared** and **consistent with national policy**.
13. The main source of air pollution in Horsham District is from vehicle emissions, although industrial, commercial and domestic emissions also contribute. The existing areas of poor air quality, together with the potential for traffic increases arising from new development across the district, have led the Council to take the decision to declare the whole of the District an 'Emission Reduction Zone'. Strategic Policy 12 therefore seeks to ensure that all developments are appropriate to their location,

² https://strategicplanning.horsham.gov.uk/Regulation_19_Local_Plan/showUserAnswers?qid=9331459&voteID=1209773

taking into account the likely effects of air pollution on health, living conditions, the natural environment and biodiversity, meaning the policy is considered to be **justified and effective**.

Q2.a) Is it necessary for proposals to take account of relevant guidance and other development plan policies?

14. Horsham District Council, along with other local authorities in West and East Sussex, is a member of the Sussex Air Quality Partnership. The partnership seeks to ensure that a consistent approach is taken to the management of air pollution across the two Counties.
15. In line with the **NPPF (paragraph 186)** and the **Planning Practice Guidance: Air Quality**, the partnership produces guidance (**Sussex Air Quality Guidance, EN04**) which outlines the steps required to assess and mitigate the impact that new development may have on local air quality.
16. The guidance document **EN04** sets out a range of locally specific measures to be used to minimise and / or offset the emissions from new development, and requires the cumulative impact of developments to be considered as part of the planning application process. It is intended that the guidance document will be updated throughout the plan period to reflect best practice, following scientific research, including mitigation measures.
17. **Paragraph 1.6** of the **Horsham District Local Plan (SD01)** is clear that all policies within the Plan relate to each other, and that the document should be read as a whole. Therefore, repetition of criteria is not required. However, and as detailed within the supportive text of Strategic Policy 12 (**paragraph 6.15**), several other policies within the Plan also help to contribute to reducing the adverse impacts on air quality, including **Strategic Policy 8: Sustainable Design and Construction** and **Policy 24: Parking**, and it is important that this is emphasised so that applicants are specifically aware of these as well as their supportive documents such as the **Electric Vehicle Charging Point Strategy (CC01)**.

Q2.b) Should this policy specifically reference the Air Quality Management Areas and does this policy or any parts of it have a geographical application which should be identified on the submission Policies Map?

18. As stated in **paragraph 17** of this paper, the Plan should be read as a whole. **Strategic Policy 11: Environmental Protection** and Strategic Policy 12: Air Quality are directly related and should be read alongside each other when preparing a development proposal. Strategic Policy 11 is the high-level overarching pollution policy, and Strategic Policy 12 sets out the specific criteria in relation to air quality.
19. The Air Quality Management Areas (AQMAs), located within Cowfold and Storrington, and the requirement to prepare **Air Quality Action Plans**³ to address the air quality issues in these areas are detailed within the supportive text (**paragraph 6.11**) of Strategic Policy 11. Although AQMAs themselves are not directly referred to within each of these policies, criteria in relation to Air Quality Action Plans and the requirement to contribute to their implementation, and not to conflict with their set objectives is included within both strategic policies which ensures issues in relation to the AQMAs are addressed.
20. Both of the Air Quality Management Areas are accurately depicted on the submission **Policies Map (SD02)**.

³ <https://www.horsham.gov.uk/environmental-health/air-quality/horsham-districts-air-quality-management-areas-aqmas>