

DECLARATION OF AIR QUALITY MANAGEMENT AREAS

Environment Select Committee - 19 March 2013

Report of the: Community and Planning Services Director and Deputy Chief Executive

Status: For recommendation to Cabinet

Also to be considered by: Cabinet – 11 April 2013

Key Decision: Yes

Executive Summary: This report confirms the results of the detailed Air Quality Assessment report that was completed in 2012 and the outcome of the public consultation carried out in February 2013. It recommends that the existing Air Quality Management Areas (AQMAs) along the A25 are merged and replaced by one AQMA running the length of the A25 based on monitored exceedances of the nitrogen dioxide (NO₂) annual mean objective and that an additional AQMA is declared at the junction of Birchwood Road and London Road, Swanley.

This report supports the Key Aim of the Community Plan of a green and healthy environment.

Portfolio Holder Cllr Mrs A Hunter

Head of Service Head of Environmental and Operational Services – Mr Richard Wilson

Recommendation to Environment Select Committee:

It be RESOLVED that it be recommended to Cabinet that orders be declared to extend the following Air Quality Management Areas to include the following

a) The existing Air Quality Management Areas (AQMAs) along the A25 are merged and replaced by one AQMA running the length of the A25 based on monitored exceedances of the air quality nitrogen dioxide (NO₂) annual mean objective.

b) An additional AQMA is declared at the junction of Birchwood Road and London Road, Swanley.

The geographical locations of these AQMAs are defined in Appendices A, B and C to this report.

Background

- 1 Sevenoaks District Council Currently has eleven Air Quality Management Areas (AQMAs). The first of these were declared in 2002 for fine particles (PM10) and Nitrogen dioxide [NO₂] along the routes of the M20, M25, M26, A20 (T), A21, and at the junction of the A25 and A224 at Riverhead.
- 2 Following a detailed assessment in 2006, five further AQMAs were declared as a result of traffic related NO₂ levels identified in excess of national air quality objectives. These are B2173 Swanley - London Road (East), High Street, Bartholomew Way and parts of Central town area; A25 Seal – High Street; A225 Sevenoaks – High Street ; A25 Westerham – High Street, Market Square, Vicarage Hill, London Road (A233) and A25 Sevenoaks – Bat & Ball junction with A225. During 2007 the boundaries of existing AQMA's in Sevenoaks, Riverhead, Dunton Green and Farningham were extended because of traffic related exceedance of NO₂.
- 3 Local authorities are required to carry out regular review and assessments of air quality in their areas. As part of this statutory requirement, the Environmental Health team undertook an Updating and Screening Assessment in 2012 which highlighted several roadside monitoring sites along the A25 as having levels of nitrogen dioxide in excess of objective levels and made recommendations for further AQMAs to be declared. Of these sites, two have been identified as being at levels where the objective is likely to be breached at the nearest residential dwelling. These locations are at the junction of Chart Lane and the High Street in Brasted and Amherst Hill in Riverhead where levels were recorded at 55 µg/m³ and 48 µg/m³ respectively. (Compared to the 40 µg/m³ annual average air quality objective). The proposed extended AQMA contains an additional 239 properties.
- 4 An Updating and Screening Assessment carried out by the District Council in 2009, identified an area at the junction of Birchwood Road and London Road in Swanley that was at risk of exceeding the annual mean nitrogen dioxide (NO₂) objective. As a result a Detailed Assessment of this junction was carried out in December 2011 to confirm whether or not the objective was exceeded and to estimate the extent of any area that does exceed the air quality objective. The Detailed Assessment estimated the levels of NO₂ to be 57 µg/m³ at the worst affected property and therefore confirmed the need to designate an AQMA at this junction. The proposed AQMA contains 22 residential properties.

Consultation

- 5 Public and statutory consultation has been carried out in accordance with statutory guidance.

See Appendix E for summary of comments received from consultation.

Proposed Air Quality Management Areas

- 6 It is proposed that the four existing AQMAs along the A25 at Seal, Bat & Ball, Riverhead and Westerham are revoked and merged into a single AQMA running the length of the District from the border with Tonbridge and Malling in the East to the

border with Tandridge in the West. This new AQMA will incorporate the new areas of identified exceedance in Brasted and Riverhead.

See Appendix A for maps showing the location of the current AQMAs along the A25 and Appendix B for maps showing the location of the proposed new single A25 AQMA

8. It is also proposed that an additional AQMA is declared at the junction of Birchwood Road and London Road, Swanley.

See Appendix C for a map showing the location of the proposed Swanley AQMA

9. An Action Plan for these extended areas will be incorporated into the current Air Quality Action Plan 2009 for the existing AQMAs and submitted to DEFRA within 12 – 18 months of the declaration, with annual progress reports thereafter.

See Appendix D for the full list of current and proposed AQMAs

Other Options Considered and/or Rejected

10. Where a local authority identifies that any part of its area is unlikely to meet a prescribed air quality objective, it has a mandatory duty to designate by Order Air Quality Management Areas. As a result of identifying breaches of air quality objectives at Riverhead and Brasted, the District Council is required to designate these areas as new AQMAs or amend existing AQMAs to incorporate these areas. It is felt that merging the existing A25 AQMAs into one would lead to benefits in terms of action planning and administration and would be more cost effective than potentially keep declaring individual new areas along the road.

11. As a result of identifying breaches of air quality objectives at the junction of London Road and Birchwood Road Swanley, the District Council is required to designate this area as a new AQMA. This is a small area with localised traffic conditions and it is therefore felt that this should be designated as a separate AQMA from the existing AQMA in Swanley.

Key Implications

Financial

12. The monitoring required and preparation of action plans relating to the further extended AQMAs can be met from within existing budgeted resources.

Community Impact and Outcomes

13. NO₂ has been identified as having various adverse health effects particularly on the respiratory system and in both asthmatics and non-asthmatics. Short term exposure to this pollutant can increase the likelihood of reaction to allergens such as pollen and has been known to increase asthma in some people. Children exposed to this pollutant may have increased risk of respiratory infections.

14. These levels are regularly monitored by the Environmental Protection Team, the main cause being pollution from vehicle emissions. Councils have a duty to produce a plan that outlines the action that they are able to take on a local level.

See Appendix F for currently available Air Quality Monitoring Data

Legal, Human Rights etc.

15. The Environment Act 1995 places a statutory duty on Local Authorities to review air quality within their Districts. If it appears that air quality objectives prescribed in the Regulations and the National Air Quality Strategy are not likely to be achieved, then the Local Authority must designate the affected areas as Air Quality Management Areas.

Equality Impacts

16. The decision being made or recommended through this paper does not have potential to disadvantage or discriminate against different groups in the community. The declaration of AQMA's is based on incidental pollution levels and increased levels may cause a minor effect on persons suffering from respiratory difficulties.

17. The decision being made through this paper does not have the potential to promote equality of opportunity. It is a legislative requirement that a local authority declares an AQMA when a national objective level has been exceeded.

18. By declaring Air Quality Management Areas, and delivering an associated action plan, the local authority is effectively taking all possible steps within in their power to manage pollution levels in their district.

Sustainability Checklist

19. A sustainability checklist has been undertaken.

Conclusions

It is a statutory duty to review air quality in the District and where it appears that any national air quality objective is not likely to be achieved, the Local Authority must designate the affected areas as AQMAs.

Risk Assessment Statement

Failure to comply with legislation as outlined above, may lead to action against the Council by the Secretary of State under the powers contained in the Environment Act 1995, or may result in a judicial review on complaint to the courts.

Appendices

Appendix A – maps showing the location of the current AQMAs along the A25

Appendix B – maps showing the location of the proposed new single A25 AQMA

Appendix C - map showing the location of the proposed Swanley AQMA

Appendix D - for the full list of current and proposed AQMAs

Appendix E - Summary of comments received from consultation

Appendix F - for currently available Air Quality Monitoring Data

Background Papers:

Updating and Screening Assessment 2009
Sevenoaks District Council.

Detailed Assessment 2011 Kings College
Environmental Research Group.

Updating and Screening Assessment 2012
Sevenoaks District Council.

[Air Quality Action Plan 2009](#)

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