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### **Inquiry into York's draft Local Plan: Phase 4**

#### **Written Statement in connection with Matter 7 – Transport and Air Quality**

**29<sup>th</sup> August 2022**

This statement in relation to Matter 7 is submitted by York Civic Trust. The Civic Trust is a membership organisation representing some 1300 individuals. Our vision is 'promoting heritage, shaping tomorrow'. Our Mission is to: protect and contemporise York's unique heritage; champion our environment and its sustainability; encourage the city's economic development in line with its character and engage with all sectors of the community.

This statement has been prepared by Professor Anthony May OBE FREng CEng FICE, chair of our Environment Committee.

York Civic Trust is committed to helping to secure a Local Plan, based broadly on the current draft. We are concerned, however, that there are weaknesses in the way in which the Plan has been formulated, and aspects of its resulting content which render it unsound. We have endeavoured throughout the process to work with City of York Council to secure improvements which overcome these deficiencies. In June 2022 we prepared a Statement of Common Ground with the Council, which we understood had the Council's support, and which we expected to be signed and submitted in time for consideration in Phase 3. Two months later, and within two working days of the deadline for submitting statements for Phase 4, we finally received a suggested redraft, with no explanation. Regrettably, therefore, we have had to submit our draft of June 2022, as evidence of our good intent. We focus here on the areas in that draft Statement which we suggest still need to be resolved.

The Inspectors ask us to:

- Explain which part of the Plan is unsound;
- Explain why it is unsound, having regard to the Framework;
- Explain how the plan can be made sound; and
- Explain the precise/change/wording that is being sought.

We have endeavoured to do this, though where we have concerns over the process of plan making, we are clearly unable to answer the last of these.

### **Matter 7**

We have answered all questions, but have devoted most of our response to Question 7.2, which covers nine disparate policies, on each of which we have comments.

#### **Question 7.1 Will the transport impacts of the Plan fall within reasonable bounds? Can improvements be undertaken within the transport network that cost-effectively limit the significant impacts of development, or will the residual cumulative impacts be severe?**

We base our answers to this question on the Council's reports CYC/87 and CYC/87a, which present updated estimates of impacts of all developments on the road network. These reports, commissioned in October 2021, but only submitted in late June 2022, provide an update to the 2019 Transport Topic Paper, and hence have potential implications for many of the submissions which we made in Phase 2. We provided an interpretation of these reports in an annex to our submission on Matter 4 of Phase 3, and we refer the Inspectors to that summary, which is included here, slightly updated, as an annex.

The reports show that, whether the planned increase in development is assigned as proposed in the Local Plan, or distributed consistently across the city, car journeys are predicted to rise by around 15% by 2033, and public transport journeys to fall by around 4%. These trends run counter to the targets set in the Council's recently published draft Climate Change Strategy, which envisage a 25% reduction in person travel, a 3% reduction in road use and a 25% increase in bus use by 2030. They also suggest that congestion will increase, and hence demonstrate a failure to satisfy Para 3.12 of the Local Plan which says that new development should not lead to increased congestion, should facilitate the use of sustainable transport, and should minimise the future growth of traffic.

CYC/87 only provides selective information on changes in traffic flow and in queue lengths on the overloaded primary road network in the city. CYC/87 gives a very misleading impression when compared with the more comprehensive DfT traffic count data which show continuing traffic growth up to 2019, with a 27% increase in traffic between 2011 and 2019. The explanation for this difference, we suspect, is that most growth has occurred on the secondary road network most of which runs through overwhelmingly residential areas of the city and which is wholly unsuited for the traffic which now uses it, given its impacts on the environment, safety and quality of life. Thus the basic premise of CYC/87, that the predictions in CYC/87a will overstate the growth in traffic, is grossly misleading, and the Council's failure to address the serious adverse effects of growth in traffic on secondary roads wholly unacceptable.

We recommend that the Inspectors discount the arguments in CYC/87 and accept the predictions in CYC/87a as reasonable indications of the growth in traffic which is likely to arise as a result of the Plan. We also suggest that the Council be asked to explain the marked inconsistency between its understanding of traffic flow changes and that recorded by government.

We had previously expressed our concern that the Transport Topic Paper made no attempt to assess impacts of the transport system on other policy objectives, including changes in carbon emissions, air pollution, casualties and inequalities in access. Unfortunately, although the Council's new strategic model is designed to provide such information, no such results were presented in CC/87a. Subsequently, the Council issued CYC/91, which purports to estimate the changes in carbon and local pollutant emissions between 2019 and 2033 as a result of the Plan. These show reductions of 29% in CO<sub>2</sub>, 65% in NO<sub>x</sub>, 4% in PM<sub>10</sub> and 9% in PM<sub>2.5</sub>. We comment on the implications of the predictions for carbon emissions in our response on Matter 13, and for local emissions in our answer to Question 7.3 below. At this point we simply note the following weaknesses in this analysis:

- it fails to present the assumptions on which these estimates are derived; those for NO<sub>x</sub> in particular appear to us highly suspect;
- it fails to answer the key question, which is how much these emissions would fall were the developments in the Local Plan not to take place;
- it fails to assess the distribution of local pollutants across the network, and hence the implications for AQMAs;
- it makes no attempt to compare these predictions with the Council's own targets; for CO<sub>2</sub> the 29% reduction reflects a reduction of perhaps 35% from 2005, which is only half of the target which the Council has set itself for 2030, thus reinforcing our concern that the Plan as it stands is incompatible with the Council's other strategies.

It is clear to us, therefore, that reports CYC/87 and CYC/87a reinforce the need for the Council to identify and assess ways of mitigating such impacts of development. During Phase 2 the Council committed to doing so, and to reporting in good time for the consideration of these results in Phase 4 of the Inquiry. Given our past work on our *Transport Strategy for York* we had been offered the opportunity, by mid June, to review a confidential first draft of the Council's promised Local Transport Strategy. Unfortunately that draft never materialised, and we now understand that the Council no longer intends to submit the document which it promised in Phase 2. We have instead received a short presentation entitled *York Local Transport Strategy – an emerging picture* which we understand has been submitted to the Inquiry. While this introduces a selective set of principles, it is at it stands totally inadequate as a response to the concerns raised in Phase 2 of the Inquiry; in particular:

- it only addresses a limited number of policy objectives; for example there is no reference to safety or accessibility;
- it makes no attempt to review the scale of the problems being faced now or anticipated in the future;
- it fails to offer a holistic strategy of the kind which we outline in our answer to Question 7.2 below;
- it gives no consideration at all to the strategic approach of reducing the need to travel;

- it provides no context for the strategies currently offered in Policies T2, T4, T5, T8 and T9; and
- fundamentally it fails to answer the question posed in Phase 2 of how the adverse effects of the development envisaged in the next 15 years would be mitigated.

Given the Council's failure to present a full range of impacts or to identify and appraise a range of mitigation measures, neither it nor we can reliably answer the Inspectors' questions above. However, we can conclude as follows:

1. The evidence in CYC/87, CYC/87a and CYC/91 indicates that the development anticipated in the Local Plan, however distributed, will lead to increases in travel and congestion which are incompatible with the principles of the Plan and with the Council's own draft Climate Strategy. In the absence of mitigation, these impacts will not "fall within reasonable bounds".
2. The Council has provided no assessment of the improvements which might be undertaken, and therefore it is impossible to say whether any such improvements would be cost-effective or would "effectively limit the significant impacts of development".

We do not understand why the Council appears unable to think strategically about transport policy, and hence to offer the Inspectors a justification for this part of the draft Local Plan. Regrettably we have to recommend to the Inspectors that any decisions on the transport policies of the draft Local Plan should be deferred until the Council has issued, and consulted on, a convincing draft Local Transport Strategy.

### **Question 7.2 Are Policies T1 to T9 justified, and would they be effective?**

Section 14 of the Local Plan makes clear that the transport policies are based on the Council's third Local Transport Plan (LTP3), which was published in 2011 with a detailed action plan only for the first five years, and which is now seriously out of date. The Council had initially committed to producing a new Local Transport Plan (LTP4) in 2021, but this has now been repeatedly deferred. In the interim we have produced our own *Transport Strategy for York*, which encapsulates the advice which we offered to the Council, and which offers the basis for a new Local Transport Plan. The Department for Transport has indicated that the Council has to produce a new Local Transport Plan by March 2024. In the recent Devolution Deal this has been revised to a requirement for a provisional area-wide Local Transport Plan, covering York and North Yorkshire, but it is clear to us that the Council will need to set out its own aspirations for transport strategy prior to any negotiation with North Yorkshire Council.

The Council can be expected to have a new Local Transport Plan early in the life of this Local Plan. We recommend therefore that all reference to the Local Plan being compatible with LTP3 be changed to associate it with the Local Transport Plan which is current at the time that planning decisions are taken.

One aspect of LTP3 which has been central to Council policy since 1989, and which we would hope will form the basis for LTP4, is the hierarchy of users, which considers in turn the needs of pedestrians, disabled people, cyclists, public transport users, freight and car users.

We recommend that this hierarchy be specified at the outset in Section 14 and be used to structure the resulting policies. In this context, the Plan needs to be more specific in its implications for disabled people and for freight, neither of which is given sufficient consideration.

Policies T1-9 As we indicate in our Statement of Common Ground, we are broadly supportive of Policies T1, T3, T6 and T7. Our only reservations are:

- that Policy T1 is dependent on the proposed Sustainable Transport for Development SPD, and we would wish to satisfy ourselves that the standards contained within it are at least as demanding as those in the 2005 and 2014 drafts of the Local Plan;
- that the level of parking provision at York Station (Policy T3) needs to be compatible with policies to support sustainable travel and park and ride services, and thus can be expected to be lower than that currently available;
- that space needs to be set aside at York Station (Policy T3) for additional capacity for the increased Harrogate line service, and for a bus interchange which fully meets the needs of the public transport network, which the currently proposed development fails to do;
- that action to protect key locations in the transport network (Policy T6) be extended to include those sites which we propose, under Policies T2 and T5 below, should be protected pending the development of a new Local Transport Plan;
- that the impact of any additional traffic generated by new development should be assessed not just in terms of safety (Policy T7 criterion iii) but as being compatible with the Council's policies for reducing carbon emissions, air pollution, congestion and restrictions on access.

Again as we indicate in our draft Statement of Common Ground, we are concerned that Policies T2, T4, T5, T8 and T9 still reflect schemes and timescales which were developed in LTP3, which is now 11 years old. We consider that more should be done to support public transport (T2) and active travel (T5), that there is an over-reliance on highway provision (T4), that the proposals for demand management are incompatible with the aspirations in Principles DP2 and DP3 and Policies SS1 and T1 (T8) and that more needs to be said on Freight, which should be treated separately from alternative fuels (T9). We expand on these below.

We also wish at this point to raise a more fundamental concern. It is clear from all the literature on good practice in urban transport planning that an effective strategy must involve more than simply a set of free-standing modal policies. The challenging targets which the Council needs to set, such as its 71% reduction in carbon emissions by 2030, will only be met if a holistic strategy is developed in which each of the strategies, for reducing the need to travel, supporting active travel, supporting public transport, managing the road network, enhancing freight transport and managing car use are designed mutually to support one another. This is the approach which we have adopted in our *Transport Strategy*

for York, but there is unfortunately no sign in any of Policies T2, T4, T5, T6 or T9 that these Policies have been designed to reinforce one another and hence to achieve certain objectives. Neither is there any reference at all to the strategy of reducing the need to travel, which sits squarely at the interface of transport and land use policy, and should thus be a central tenet of a Local Plan.

We recommend that a new Policy T1a is included to stress the importance of such a holistic approach, and to demonstrate that (revised) Policies T2, T4, T5, T8, T9 and DP3 have been designed in this way.

#### Policy T2

Policy T2 lists a series of public transport improvements which broadly reflect those considered in LTP3, and assigns them to timeframes, the first of which (2017-22) is virtually at an end without any of the specified measures being implemented. Report CYC/79 provides an update to the associated Infrastructure Development Plan, on which we commented during Phase 2. Since then the Council has made commitments, in its Bus Service Improvement Plan and its draft Climate Change Strategy, to increase bus patronage by 25% by 2030. It seems improbable that the schemes listed in the Local Plan or in CYC/79 will be sufficient to deliver such an increase. The Council now needs to review its public transport strategy both to ensure that it is effective in helping to mitigate the adverse impacts of Local Plan developments and to provide the enhanced and more equitable levels of access needed to achieve the targeted increases in patronage. We envisage, as set out in our *Transport Strategy for York*, that this will include some use of new technologies on dedicated routes, for which provision should be made in the Local Plan. One serious risk with the Council's current approach is that station and interchange sites and strategic public transport routes which might be proposed in the Council's new Local Transport Plan will not receive the protection afforded by Policy T6. It is difficult to predict where these locations might be, but one simple expedient would be to extend protection to those sites and routes shown on the current 2005 Development Control Local Plan.

We recommend that any decision on Policy T2 be deferred until the Council has submitted an analysis of public transport requirements and provision, and that it should then be revised to reflect that analysis. Failing that, we recommend that Policy T2 is revised to include all those sites and routes shown on the current 2005 Development Control Local Plan.

#### Policy T4

Policy T4 lists a series of highway improvements, largely based on LTP3. Only one of those listed for implementation between 2017/8 and 2022/3 is as yet in place. Report CYC/79 provides an update to the associated Infrastructure Development Plan, on which we commented during Phase 2. Paragraph 4.4 of the IDP states that transport infrastructure is needed for:

- supporting development where it minimises the need to travel and maximises the use of more sustainable modes of transport,
- providing quality alternatives (to the car),
- providing strategic links,
- supporting and implementing behavioural change,

- tackling transport emissions, and
- improving the public realm.

Yet none of these documents provides any analysis to demonstrate that any of the highway projects listed achieves these outcomes, or that they are the most cost-effective ways of doing so.

We are particularly concerned that the proposals for upgrading the outer ring road (A1237) are presented as free-standing schemes rather than as part of a wider strategy. As we have argued elsewhere, and as demonstrated in CYC/87, upgrading the outer ring road without taking additional measures will simply attract more traffic and add further to carbon emissions and air and noise pollution, without improving access or the environment elsewhere. While we support the upgrade in principle, we do so on the clear understanding that it will be associated with measures to divert traffic to it from inner York, thus removing extraneous traffic from the city centre, the inner ring road and the secondary road network in inner York, and hence improving both access and environment in the built-up area.

As we said in our submission on CYC/79:

“We consider it essential that the Council does carry out an analysis, as specified in the Government guidance on the transport assessment of Local Plans (DfT, 2015 in relation to NPPF 2012), to identify a broad set of land use and transport measures which would ameliorate those effects, assess the impacts of different packages of measures, and select that set which most cost-effectively meets the objectives specified in para 2.16 of the revised Local Plan.

“Such an analysis should inform both the assessment of transport strategy in Phase 4 of the Inquiry, and the selection of infrastructure projects which are being considered in Phase 2.”

As noted above, that analysis has still not been conducted. We recommend, therefore, that the Inspectors once again instruct the Council to carry out such analysis, and that any decisions on the appropriateness of the transport infrastructure projects included in the IDP, EX-CYC-70a and EX-CYC-79, and others identified during this analysis, be deferred until then. In relation specifically to the proposals to upgrade the outer ring road, we recommend that a rider be added to stress that any such upgrades must be associated with a package of accompanying measures that will remove through traffic from the city centre, the inner ring road and the secondary road network of inner York.

#### Policy T5

Policy T5 lists a series of active travel improvements, largely based on LTP3. Only one of those listed for implementation between 2017/8 and 2022/3 is as yet in place. Report CYC/79 provides an update to the associated Infrastructure Development Plan, on which we commented during Phase 2. It only includes an allocation of £4.9m for improvements across the city, together with two specific schemes for access to ST14 and ST15. More recently the Council’s draft Climate Change Strategy commits it to a 33% increase in active travel by 2030, reversing the current trend which has seen a 20% fall in cycling since 2014.

As we argued in Phase 2, the infrastructure proposals and funding allocated are insufficient to achieve this target.

The Council was invited by government in 2017 to produce a Local Cycling and Walking Infrastructure Plan (LCWIP). Apart from commissioning a scoping study in 2020 it has yet to make a start, and is now the only local authority in Yorkshire to have failed to do so. This is incompatible with its commitment, in its hierarchy of transport users, to placing pedestrians, disabled users and cyclists first. Moreover, the measures proposed are predominantly for cyclists rather than pedestrians, with little or no mention of provision for disabled users.

The Council needs urgently to start work on its LCWIP, and to demonstrate that the measures which it proposes will contribute cost-effectively to mitigating the impacts of the Local Plan and to achieving the Council's target for growth. Policy T5 should then be comprehensively revised to reflect the proposals agreed in the LCWIP.

One serious risk with the Council's current approach is that new active travel routes and facilities which might be proposed in the Council's LCWIP and new Local Transport Plan will not receive the protection afforded by Policy T6. It is difficult to predict where these routes might be, but one simple expedient would be to extend protection to those sites and routes shown on the current 2005 Development Control Local Plan.

We recommend that any decision on Policy T5 be deferred until the Council has submitted an analysis of active travel requirements to mitigate the impacts of the Local Plan and to achieve its targets, and has used that analysis to produce an LCWIP. Policy T5 should then be revised to reflect the proposals in the LCWIP. Failing that, we recommend that Policy T5 is revised to include all those sites and routes shown on the current 2005 Development Control Local Plan.

#### Policy T8

Policy T8 proposes that development needs to be in compliance with the Council's "up-to-date Parking Standards, as contained in the Sustainable Transport for Development SPD". As far as we can tell that SPD has still not been published, so it is not possible to assess whether the proposed standards would be effective. Paragraph 14.54 refers to a "York Parking Strategy Review" but as far as we can tell no such document has been produced. The only other policy measures under this heading are ones to refuse applications which permit parking in the city centre for over four hours, and to consider "development proposals incorporating [unspecified] appropriate demand management measures".

This Policy is wholly inadequate as a basis for demand management, and incompatible with the aspirations of Principles DP2 and DP3 and Policies SS1 and T1. The Council's new draft Climate Change Strategy makes clear that, by 2030, carbon emissions from transport need to be reduced by 71%, and that to that end person-km of travel need to fall by 25%, bus use to increase by 25% and active travel by 33%. [The draft strategy also proposes a 3% reduction in road use, but this is clearly inconsistent with the other targets; we estimate that it should be around 30%.]



Such behavioural changes will not arise solely as a result of the limited investments proposed for public transport (Policy T2) and active travel (Policy T5). Evidence from effective transport strategies elsewhere makes clear that direct action is also needed to stimulate car drivers to switch to alternatives. In our *Transport Strategy for York* we identify the following measures:

1. support for working, studying and shopping from home, which requires enhancements to Policy C1;
2. design of new communities, and redesign of existing ones, to ensure that the community facilities which people need are close at hand and readily accessed on foot and by bicycle; as noted in our responses in Phase 2, this needs to be reflected in Policies DP2 and SS1;
3. personalised, workplace and school travel plans to make individuals and organisations aware of the options available and encourage modal transfer;
4. managing the road network to give priority to active travel and public transport, and to divert traffic away from environmentally sensitive areas;
5. using parking charges as a direct influence on car use and to encourage a switch to other modes;
6. managing the supply of parking space to reflect the level of car use which is compatible with policy objectives;
7. consideration of workplace parking levies and road pricing, both to influence car use and to generate revenues to finance alternatives.

Of these, only (6) is considered in Policy T8. We have argued in Phase 2 that the Council now carries out an analysis, as specified in the Government guidance on the transport assessment of Local Plans (DfT, 2015 in relation to NPPF 2012), to identify a broad set of land use and transport measures which would ameliorate the adverse effects of the proposed development, assess the impacts of different packages of measures, and select that set which most cost-effectively meets the objectives specified in para 2.16 of the revised Local Plan. We had understood that the Council was to have carried out such an analysis in time for consideration in Phase 4, and are disappointed that it has failed to do so. We expect that the resulting package will include a set of demand management measures from the above list, and argue strongly that Policy T8 should be comprehensively revised to reflect the outcome.

We recommend that the Inspectors now instruct the Council, again, to carry out such analysis, and that they require Policy T8 to be revised to reflect the outcome. In the interim the Policy should be revised to refer to the current version of the parking standards from Annex E of the 2005 Development Control Local Plan.

### Policy T9

Policy T9 includes two separate elements: support for new motive power and management of freight transport, and is very partial in its coverage of both.

It is now clear that the principal form of new motive power will be electric vehicles, and the Council's draft Climate Strategy envisages that 89% of cars will be electric or hybrid electric by 2030. [Unfortunately it fails to make clear whether this represents 89% of the fleet – which all the evidence suggests is infeasible – or of sales in that year – which would place a

far greater reliance on behavioural change to reduce carbon emissions.] The Council produced a strategy for an electric vehicle charging network in 2021. We commented on it then, and expressed concern that it made no provision for the 25% of dwellings which have no off-street parking, and that the target levels of provision were not clearly related to the anticipated size of the electric fleet or experience with use of charging facilities. However, it does provide a basis for a more robust strategy, and it has clear implications for infrastructure and new development, none of which is reflected in the current draft Local Plan.

For freight, the only reference is to a single freight consolidation centre, which has been studied intermittently for the last decade but has not been implemented. In practice policy on urban freight has moved away from such solutions and, indeed, the Council has recently received a report from AECOM, which we recommend is added to the evidence base, and which advocates a transshipment centre close to the city centre with onward travel by cargo bicycle, portage and small electric vehicles. In our *Transport Strategy for York* we have considered a wider range of policy measures, including:

1. delivery and servicing plans for businesses
2. logistics company plans
3. a set of transshipment sites, including one at York Station
4. the Clean Air Zone extended to cover freight vehicles
5. support for cargo bicycles to use the footstreets and wider road network
6. support for hand portage in the city centre and district centres
7. a review of loading facilities to improve capacity and manage usage
8. an agreed network which vehicles over 7.5T would be expected to use
9. a 3.5T weight limit within the city centre
10. a target of 50% of all deliveries by zero-emission vehicles by the end of the Plan period.

None of these was considered in LTP3, and it is essential that a broader freight policy is now developed for inclusion in LTP4.

We recommend that Policy T9 is split into two. The replacement Policy T9 should focus on freight and consider the full range of measures listed above. The new Policy T10 should focus on the planning and infrastructure requirements needed to achieve the Council's target for electric vehicles in the overall fleet.

**Question 7.3 Will the (cumulative) effect of the Plan on air quality be acceptable?**

The principal pollutants of concern in York are nitrogen dioxide (NO<sub>2</sub>) and particulates (PM<sub>10</sub> and PM<sub>2.5</sub>). The UK government has set annual mean thresholds for these of 40, 40 and 20 µg/m<sup>3</sup> respectively for these. However, the World Health Organisation in 2021 specified new Air Quality Guidelines (AQGs) of 10, 15 and 5 µg/m<sup>3</sup> respectively. In its July 2022 report reviewing these AQGs, the UK Government's expert committee, COMEAP, concluded that *"Overall, COMEAP's view is that the WHO's revised AQGs for pollutants in outdoor air are suitable as long-term targets to inform policy development. We stress that the AQG values should not be regarded as thresholds below which there are no impacts on health - the current evidence has not identified thresholds for effect at the population level, meaning that even low concentrations of pollutants are likely to be associated with adverse effects on*

*health. Therefore continued reductions, even where concentrations are below the AQGs, are also likely to be beneficial to health.”* The Local Plan is a long term policy document, and we consider therefore that it should be aiming to meet WHO’s AQGs.

In practice the Council’s 2022 air quality update report shows that three of its eight monitoring sites still exceed the UK’s NO<sub>2</sub> threshold, with Gillygate now higher than in 2016; even the least polluted site, Fulford, is 2.5 times the WHO threshold. The more limited number of particulate monitoring sites are all below the UK thresholds for PM<sub>10</sub> and PM<sub>2.5</sub>, but are with one exception above the WHO AQGs. It should however be noted that the air pollution monitoring site locations do not necessarily indicate the worst exposure values.

Transport is the largest source of NO<sub>2</sub> and PM<sub>10</sub> particulates, and a major source of PM<sub>2.5</sub> particulates. The anticipated switch to electric and lower emission vehicles will reduce NO<sub>2</sub> emissions, but have limited effect on particulates.

It is against this background that the Plan needs to be assessed. As noted under Question 7.1 above, the Council’s latest projections (CYC/87) are that the Plan will lead to a 15% increase in road traffic. The Council’s brief report CYC/91 purports to estimate the change in levels of these three pollutants as a result of the total development in the Plan. It shows levels of NO<sub>x</sub> (not NO<sub>2</sub>) falling by 65% between 2019 and 2033 despite the 15% increase in road traffic. This suggests that vehicles are on average 70% less polluting. Allowing for the anticipated proportion of zero emission vehicles (as in our response on Matter 13) this implies that the fleet of internal combustion engine vehicles becomes 58% less polluting. No basis is offered for this conclusion, which appears to us implausible. No attempt has been made to predict the impact on streets in the AQMAs, but even if this 65% reduction is achieved across the network, all eight of the Council’s monitoring sites would remain above the WHO AQG for NO<sub>2</sub> by 2033. The same report shows that PM<sub>10</sub> would only fall by 4%, and PM<sub>2.5</sub> by 9%. This would still place two of the four PM<sub>10</sub> monitoring sites, and all of those for PM<sub>2.5</sub>, above the WHO AQGs.

Since the draft Local Plan does not at present include any suitable mitigation measures, it is clear to us that the cumulative effects of the Plan would not, as it stands, be acceptable.

We recommend that the Inspectors instruct the Council to develop proposals, as part of the analysis which we recommend under Question 7.1, which substantially reduce the resulting levels of air pollution, and aim to achieving WHO AQGs within the Plan period.

#### **Question 7.4 Will Policy ENV1 prove effective?**

No. There has been an existing policy similar to this in place for many years and it has had very little or no effect in improving air quality. Its weakness is that it focuses on the individual development rather than the cumulative effects of planned development. The impacts from an individual development at local junctions often do not breach the statutory limits, unless those junctions are already experiencing relatively high pollution levels, because the additional pollution, even if significant, is not enough to take them over the limit. The impacts at remote junctions which are in or near breach tend to represent a small proportion of the total emissions at those locations are therefore ignored. Thus planning

decisions typically result in no amendments to proposals or requirements for mitigatory measures.

The Policy fails to address what will be the significant cumulative impact of the new developments proposed in this Plan on areas at or near breaching the statutory limits. Indeed, the Council has as yet failed to assess the traffic generated from individual strategic development sites, and has made no attempt to estimate emissions of the three key pollutants.

The Policy does refer briefly to the requirement for new development to “support and contribute towards delivery of City of York Council’s AQAP”. However, no guidance is given as to how this should be achieved. Instead, para 12.6 and Figure 12.2 focus on ways of protecting occupants from pollution. The Council’s 2012 Low Emission Strategy and expired Air Quality Action Plan 3 (both in the Plan evidence base documentation) list an extensive set of mitigatory measures that could be implemented, but for the extremely constrained Council funding position. Positive funding contribution via section 106 or CIL payment arrangements could address this and help mitigate these cumulative effects. The Council urgently needs to publish its late-running AQAP4, and the Low Emission CPD referred to in para 12.9.

We recommend that Policy ENV1 is strengthened to require an assessment of air pollution generated by the entirety of each strategic development, to provide a list of the mitigation measures available, and to require the use of S106 or CIL funds to achieve greater compliance with WHO AQGs. We also suggest that the Inspectors should require the Council to provide a more comprehensive analysis of the air pollution impacts of its Plan before final decisions are taken on this Policy.

#### **Annex: our interpretation of documents CYC87 and CYC87a**

Documents CYC/87 and 87a present the results of the Council’s assessment of the impacts of the Local Plan developments on the highway network, using the Council’s new strategic model. These tests were commissioned in October 2021, but the results have only been received within the last week before the deadline for making this submission. We have done our best to assimilate these documents in the limited time available. We offer a brief summary here, which we hope will be of assistance to the Inspectors.

The scenarios tested Two sets of scenarios have been tested for three-time horizons: 2025, 2033 and 2040. The first set assumes that all developments proposed by those dates will be in place. The second set, tested only for 2025 and 2033, represents a “do-minimum” in which the same level of new development takes place, but distributed across the city. All assume that the northern section of the outer ring road between the A19 and A64 has been dualled, together with some specific highway interventions within the city. There are in addition, for 2040, three alternative versions of the ST15 development, and one which includes dualling of the section of the outer ring road between the B1224 and the A19. No attempt has been made to assess the individual impacts of specific strategic sites.

The assumptions made The forecasts use Department for Transport procedures for estimating changes in journey making by residents and businesses. Taken together with the increase in activity resulting from new development, this leads to an increase of around 15% in car travel and a reduction of around 4% in public transport use between 2019 and 2033. As noted earlier, these run counter to the Council's own targets for 2030 in its Climate Change Strategy. It is clear, therefore, that mitigation measures are needed, but none have yet been tested. We expect to see these in time for Phase 4 of the Inquiry.

The analysis in CYC/87 This document reviews trends in traffic flows on several parts of the network and uses these to suggest that the predictions based on Department for Transport procedures are 'a very conservative approach which is likely to overstate the traffic impacts of growth in York'. This assessment should, we suggest, be treated with caution. The recently released data for the 2021 census indicates that population in York has only risen by 2.4% in the last decade, which calls into question the data presented on page 9 of CYC/87. Moreover, the principal growth has been in the student age group and those over 65 who respectively have low car ownership or who travel less. Any growth in traffic will thus have arisen from a greater propensity to travel among the existing population.

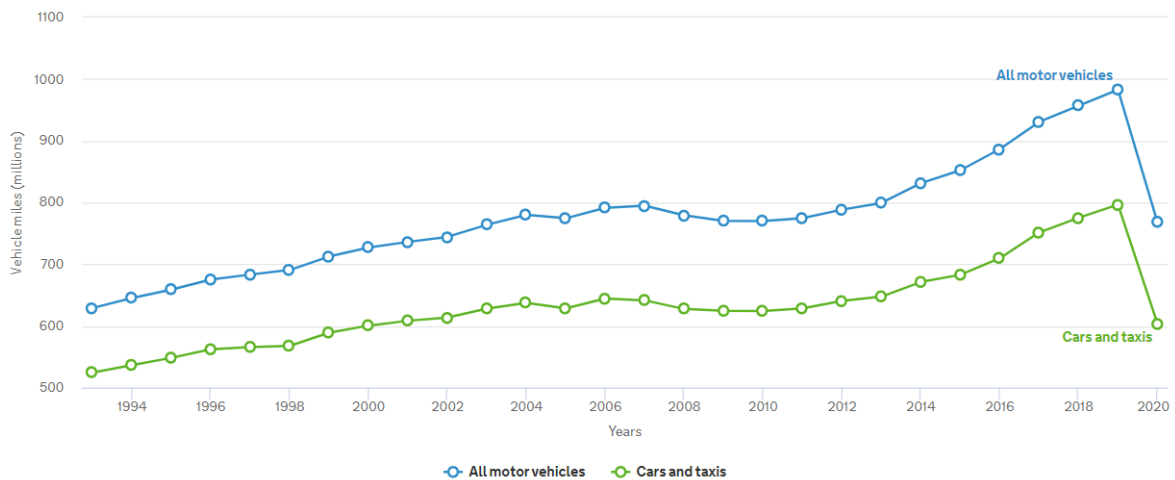
The picture shown in CYC/87 on the principal road network almost certainly indicates significant trip suppression and re-routing to secondary roads as a result of traffic congestion. The projected upgrades to the ORR may well allow such suppressed trips to reappear on the road network. This assessment is reinforced by the results in Table 2, which indicate that, on the one section of the outer ring road to be improved (the A59 roundabout) traffic levels increased by 23% in the first seven years after the upgrade, despite continuing capacity constraints to the east. On balance we would suggest that the predictions for car traffic growth in CYC/87a should be treated as a realistic estimate of the increase in demand arising from the Local Plan if no mitigating measures are adopted.

The data presented Unfortunately, only limited results are available. The consultants' report (CYC/87a) only provides selective information on changes in traffic flow and in queue lengths; fuller information is clearly available but has not been provided. The only comprehensive data is on travel times for selected routes, and we have focused on these in our responses to the Inspectors' questions above. It is important to note that it is not possible, as a result, to compare these results with those in the 2019 Transport Topic Paper, which predicted that travel times would rise by 35%, and congestion by 65%. The Transport Topic Paper estimated that the number of journeys would rise by between 20% and 25%, which is higher than the 15% for car journeys in the current reports. Thus, while we might expect the current results to show travel times and congestion increasing, the impacts on congestion will probably be smaller than in the 2019 results.

CYC/87 suggests that such increases are unlikely to occur in practice, and points to limited growth in traffic levels at its monitoring sites. This does not match the picture from the DfT data on traffic trends in York which covers a wide range of both unclassified and classified roads in the Local Authority area (see figure below):

## Annual traffic by vehicle type in York

Traffic in Great Britain from 1993 to 2020 by vehicle type in vehicle miles (millions)



We suspect that the discrepancy arises because the Council's data collection points are not registering where much of the traffic growth is. Their monitors cover the inner and outer ring roads and the outer sections of the radial roads. What they do not cover is the secondary road network within the city, which previous council models have shown as the roads which disproportionately accommodate traffic growth pressures. It is these roads and the outer orbital routes which we suspect account for much of the growth shown in the DfT data. Most of these secondary routes are heavily residential and completely inappropriate as major traffic routes. Further disproportionate increases of traffic on these roads as a result of the growth envisaged by the Local Plan, would be unacceptable in terms of residential amenity, noise, air quality and quality of life.

The alternative scenarios CYC/87 makes the point that the changes in travel time for the routes assessed are generally very similar between the two scenarios of development on the specified sites and development distributed across the city. It then suggests that the concentration of growth in the proposed set of developments is, on balance, preferable to wider distribution of growth across the city. This is a plausible argument, but it is important not to lose sight of the point that the increased development envisaged will in either case add to traffic levels, travel times and (though not demonstrated in the results presented) congestion. The question remains, therefore, as to how the Local Plan can be made more sound by demonstrating that, as specified in Para 3.12, new development will not lead to increased congestion, will facilitate the use of sustainable travel, and will minimise the future growth of traffic. It is clear to us that significant increases in the share of sustainable travel will be needed. This is reinforced by the Council's recently published draft climate change strategy, which sets targets for a 25% increase in bus use and a 33% increase in active travel by 2030.