

**SUBMITTED IN ACCORDANCE WITH THE INSPECTOR'S INSTRUCTIONS**

**SALFORD FOREST PARK**

**APPEAL NOS APP/V4250/A/08/2089891/NWF and  
APP/U4230/A/08/2089906**

**AIR QUALITY**

**POSITION STATEMENT OF THE APPELLANT**

**Introduction**

1. Neither of the local planning authorities, Salford City Council ("SCC") and Wigan Metropolitan Borough Council ("WMBC"), is objecting to the applications which are the subject of these appeals on grounds related to air quality.
2. The purpose of this Statement is to advise the Inspector of the Appellant's present understanding of the position of each local planning authority on air quality matters so that the inquiry can focus upon any issues which may remain to be resolved between the Appellant and the local planning authorities.

**WMBC**

3. WMBC's Report to its Planning Committee on 2 December 2008 represents its Statement of Case (CD/F1). In the section on conclusions, paragraph 32.3, on page 25 of the Report, states that the two main issues raised by the Wigan application relate to traffic and green belt policy. Air quality issues are not mentioned in this section on conclusions although they are considered in Section 29.
4. The Recommendation contained in the Report, at paragraph (c) on page 3, is to the effect that WMBC has concluded that it would not be justified in refusing planning permission on the basis that the development would have

an unacceptable impact on air quality but that WMBC considers that further methods for mitigating or compensating for the air quality impacts should be investigated by the Appellant and agreed with WMBC. In this regard, Section 29 makes reference to supplementary improvements to access to and along the Bridgewater Canal.

5. The Appellant understands that WMBC intends to call a witness to deal with air quality but does not intend to cross examine witnesses of other parties to the inquiry.

### **SCC**

6. The main text of SCC's Statement of Case does not refer to air quality issues. In SCC's Report to Panel (CD/E1), it is stated that SCC considers that the Salford Forest Park proposals accord with Policy EN17 of its UDP, subject to implementation of conditions relating to dust management and a green travel plan. SCC also recommends that a payment towards air quality management to be secured through a Section 106 Agreement.

### **Comments**

7. The Appellant agrees to the imposition of appropriately worded conditions relating to a dust management plan and green travel plan. It will seek to agree the wording of such conditions with SCC and WMBC.
8. The Appellant considers that neither SCC nor WMBC would be justified in requiring mitigation or compensation additional to that to which the Appellant has already agreed, in the sense that, without such additional mitigation or compensation, planning permission should be refused. The Appellant believes that neither WMBC nor SCC is suggesting otherwise in their respective Statements of Case.
9. Two types of additional mitigation/compensation have been suggested in the Statements of Case – a payment towards air quality management and improvements to access to and along the Bridgewater Canal.
10. As to the former, attached to this Note are copies of:-

- A Memorandum from Miller Goodall to SCC dated 23 September 2008. The Appellant understands that Miller Goodall are consultants to both SCC and WMBC.
- Letter from Jacobs to Miller Goodall dated 14 October 2008, commenting on the Memorandum. Jacobs are the Appellant's consultants.

11. From these documents, it can be seen that Miller Goodall proposed a method for calculating the size of a potential payment. Miller Goodall calculated this at £52,500 but Jacobs' calculation is zero.

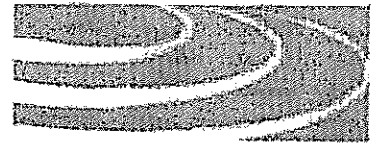
12. So far as the Appellant is aware, no response to Jacobs' letter has been received from Miller Goodall, WMBC or SCC.

13. As to improvements to access to the Bridgewater Canal and to its towpaths, there have been some general discussions with WMBC regarding this but nothing specific has been proposed by WMBC.

14. The Appellant does not rule out agreeing to further mitigation or compensation measures but would need to be told more precisely what is proposed by each authority so it can decide whether such measures are feasible and judge the extent to which they accord with the Secretary of State's policy approach in circular 05/05 (CD/A18) or 11/95(CD/A17).

15. The Appellant will review its position in the light of the evidence submitted on behalf of the local planning authorities. Subject to that, it will address the position further at the session on conditions and Section 106 Obligations.

**Peel Investments (North) Limited**  
**March 2009**



**Miller Goodall**  
Environmental Services

**To** Director of Development                      **Date** 23.9.08  
**Division** Planning                                      **From** Jo Miller  
**Your ref** 04/58900/HYBEIA                      **My ref** MAU 48644  
**Copy to** Johnathon Pennick                      **Tel. No.** 01204 596166

**Subject**                      **PLANNING APPLICATION CONSULTATION**

**Proposal:** Race course, Forest Park, conversion of barn to hotel, landscaping, equestrian area, grandstand, residential accommodation

**Location:** Forest Park, Leigh road, Salford

Further to our discussions with regard to the air quality issues for the above application I have discussed the matter with Wigan MBC. I can confirm that if funding was secured through a S106 agreement for Salford City Council to fulfil its obligations for Air Quality Management then this would be acceptable in air quality terms.

Wigan MBC has developed a calculation method for the section 106 contribution. The link is [http://www.wigan.gov.uk/pub/planning/DevelopmentAndAirQuality/chapter\\_124.html](http://www.wigan.gov.uk/pub/planning/DevelopmentAndAirQuality/chapter_124.html).

### ***Appendix F Methods used to guide the level of a Section 106 contribution***

1. Contribution in pounds sterling will be based on the factor 'N' generated by the difference between the NO<sub>2</sub> background level used in the assessment and the level predicted i.e. the road traffic component calculated by the Design Manual for Roads and Bridges screening model.
2. Guide Contribution = £(factor 'N' X 75,000)

Factor N is different depending upon the different air quality scenarios modelled, obviously it is higher when the flagship event is modelled rather than the standard race events. The largest increase in NO<sub>2</sub> is for receptor 3 at Farm Lane, being 0.7µg/m<sup>3</sup>. Therefore from this location the contribution would be £52500.

I would therefore suggest that a contribution for the local authority should be made. The above calculation gives a guide figure for the appropriate level of contribution.

If you have any queries, please contact me on the above telephone number or email me at [Jo@millergoodall.co.uk](mailto:Jo@millergoodall.co.uk)

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14<sup>th</sup> October 2008

Ms J Miller  
Miller Goodall Environmental Services  
214 Turton Street,  
Bradshaw  
Bolton  
BL2 3EE

Dear Ms Miller,

**Forest Park, Leigh Road, Salford – Proposed Race Course Development and associated Country Park.**

Further to our discussions regarding the air quality issues for the above development and a possible developer contribution secured through a Section 106 Agreement. You have advised the Council that, if a contribution is secured by a S106 obligation the development is acceptable in air quality terms. In order to assess the potential Section 106 developer's contribution you have suggested using Wigan's Appendix F calculation methodology, which uses the DMRB spreadsheet for calculating pollutant concentrations.

The air quality assessment presented the results as alterations in the peak hour pollutant concentrations as a result of the various types of race meeting, with the Flagship Event producing the marginal increases in NO<sub>2</sub> concentrations. DMRB calculates annual mean concentrations. If DMRB were used to model the results of the various activities at the development site then it would show no alteration in pollutant concentrations from the Dominum due to the averaging out over the yearly period.

A development which operates on a peripatetic nature such as the racecourse will not register a change in pollutant concentrations using this methodology. Therefore, instead of a suggested contribution of £52,500.00 we would contend that the contribution calculation should be -

Guide Contribution = £ (factor 'N' x 75,000) Where N is the difference in annual mean, which in this case is 0.

Please contact me should you wish to discuss this.

Yours sincerely

Richard Woolley  
[Richard.woolley@jacobs.com](mailto:Richard.woolley@jacobs.com)  
01622 666059

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