

14 July 2015

Head of Law and Governance
Oxford City Council



Sir,

Northern Gateway Area Action Plan

As a representative of the Upper Wolvercote Action Group, I wish to exercise my right, under Section 11.11. a. of the Constitution of the Oxford City Council, to address the Full Council on Monday 20 July, 2015.

We urge the council not to adopt the NG AAP for the following reasons:

The Inspector's report does not adequately ensure that the the ruling, given on 14 November 2014, in the European Court of Justice on the Government's obligations to meet air pollution targets, as laid down in the Ambient Air Quality Directive on safe levels of NOx is met when the Northern Gateway development and the supporting road network is implemented.

There is insufficient data on the impact of air pollution on Port Meadow's unique and protected habitats which are NOx sensitive and the impact of air pollution on the Green Belt and the hay meadows

The AAP has relied on projected improvements in car technology but this has now been superseded by recent Supreme Court and Appeal decisions, the latter clearly demonstrating that improved car technology cannot be relied upon.

We have run our own extensive air quality tests through recognised Laboratories and found that in many residential areas affected by the development (and within the proposed NG development area) NOx levels are in breach of the statutory legislation of 40 $\mu\text{g} / \text{m}^3$ in a 24 hr period over a yearly mean.

Similarly particulate levels (PM2. 5s) are also in breach of these limits **a situation that will be made worse by this development .**

Under adopted EU legislation and DEFRA guidelines: 'Government must ensure that development does not make air quality worse.' The legislation also states that **no development** (or increases in traffic caused by roads or development) **may cause a breach in the permitted pollutant figures.** It is our firm view and that of other professionals that this development will increase

pollutants and cause breaches in the permitted levels in many different places within and around the proposed development.

Oxford City Council has failed to take proper measurements in this part of the Air Quality Management Area

We would like to ask what measures are the council taking to protect their residents, particularly in areas where there are schools and children who are vulnerable to pollutants.

In view of very recent road and building schemes being overturned due to a breach of permitted pollutant levels caused by road traffic there is a very real threat of legal action being taken against this scheme, costing Oxford city council significant sums of money. What measures are Oxford City council taking to ensure that residents' concerns are being addressed in relation to traffic pollutants in and around the development site of the Northern Gateway?

The inspector's report totally ignores climate change issues and due regard was not given to the recent Client Earth decisions regarding NOx and PM.

The Inspector did not give adequate consideration to either human health or ecological concerns.

The Inspector disregarded data we presented and accepted incomplete AQMA data sets from the Council.

The Inspector did not address issues clearly laid out by the previous enquiry for the AAP stage.

J W Semple

North Wolvercote Action Group