



Air Quality in the context of positive planning

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Overview



- Context
- The driver for growth....
- Positive planning – policy overview
- Air quality in decision making
- Summary

Context

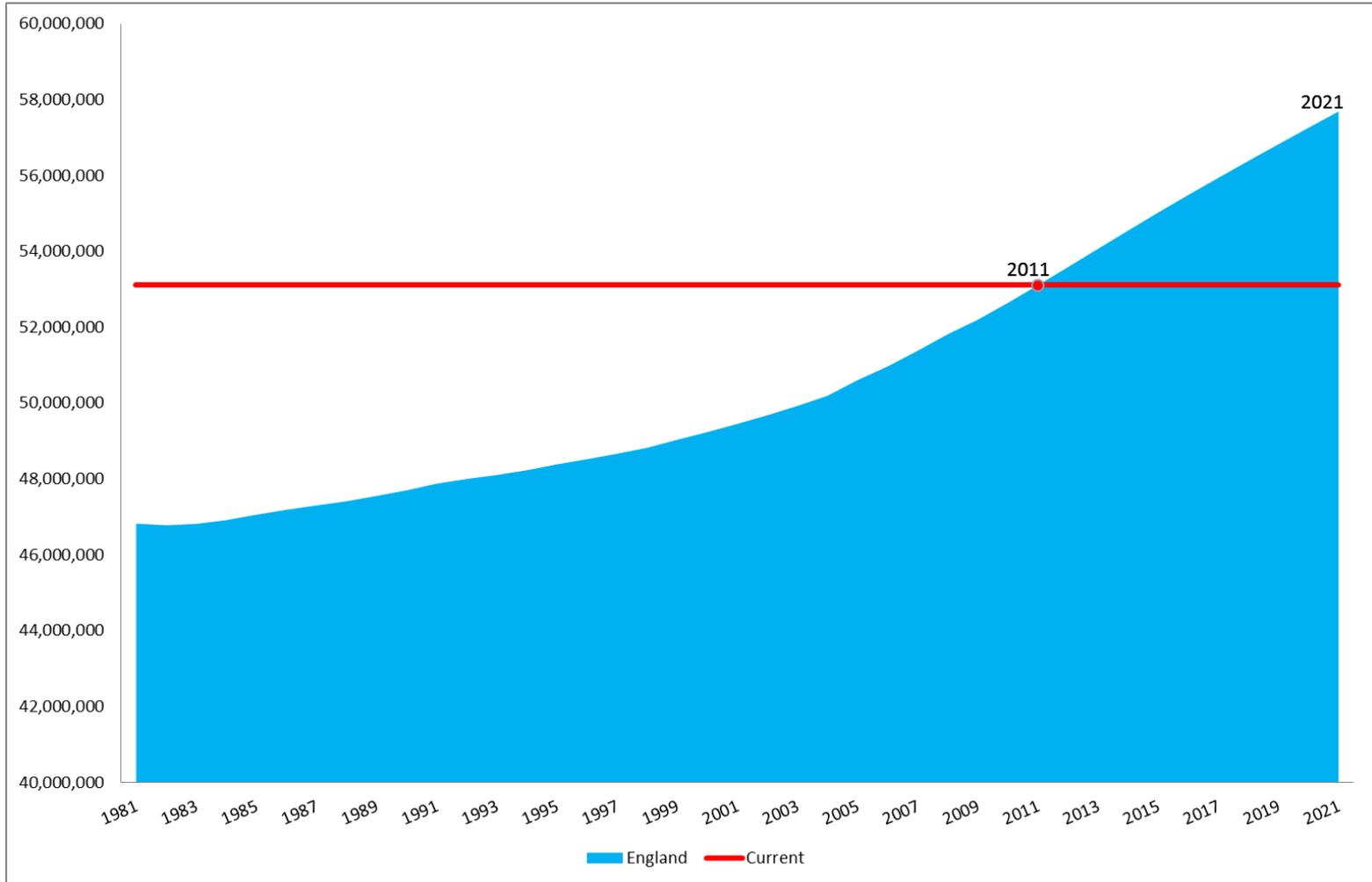


- Recognition that Planning and Air Quality professionals need to work together to improve air quality;
- UK having problems meeting EU Air Quality Limits;
- Air Quality is a material planning consideration, but it's rarely the sole reason for refusal;
- Has the planning system been effective in limiting the air quality impacts of development, or is economic growth seen as the primary consideration?
- Defra LAQM consultation;
- GLA Sustainable Design and Construction SPG and Control of Emissions from Construction and Demolition SPG;



The driver for growth.....

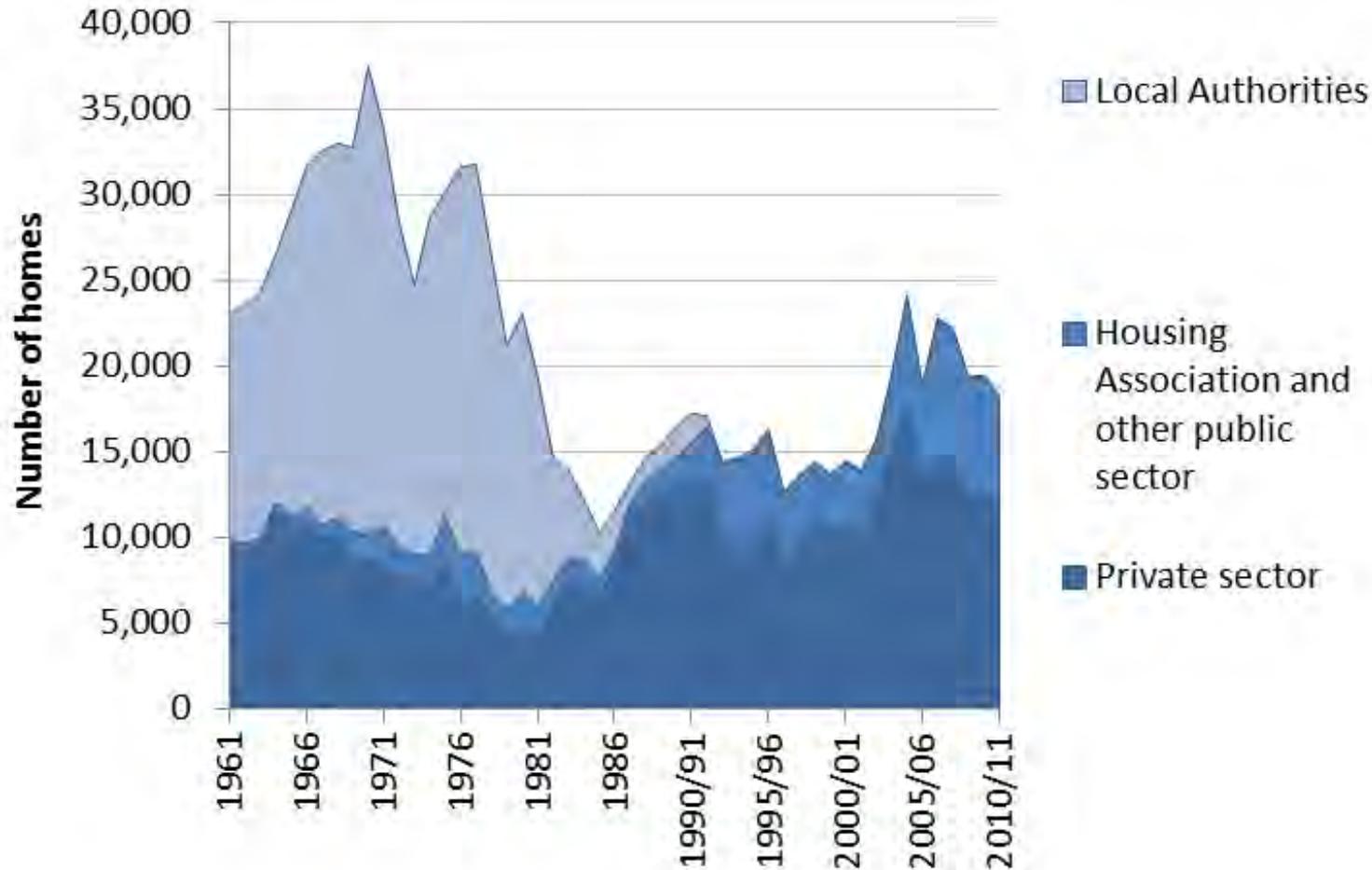
Population Pressures



Source: ONS Population Projections (2011)

Housebuilding in London

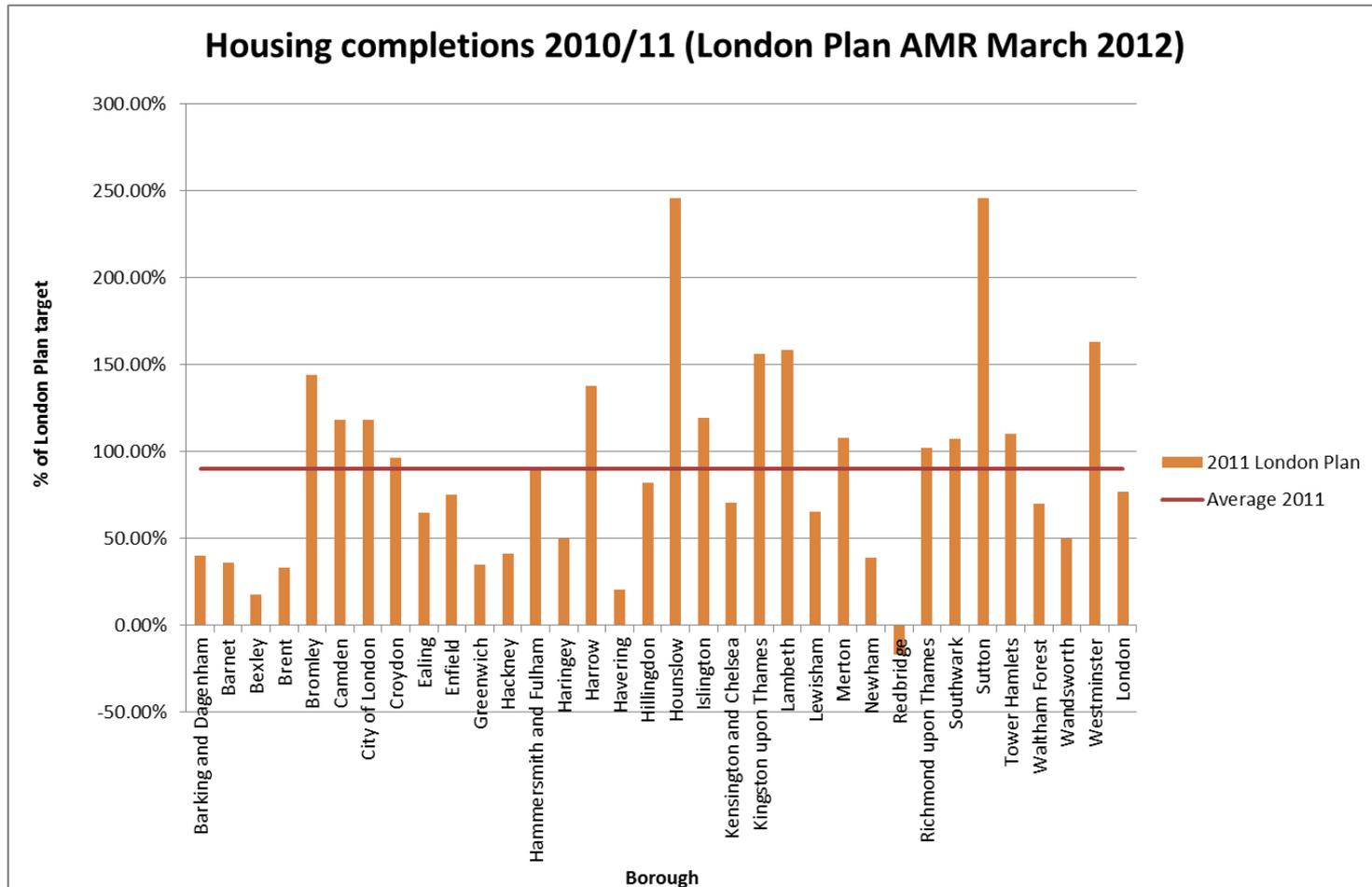
Housebuilding in London by tenure, 1961 to 2010/11



London Plan 2011



Target: Average completion of a minimum of 32,210 net additional homes per year



Positive Planning....

- The NPPF
- London Plan 2011
- Planning Practice Guidance
- National Policy Statements



National Planning Policy Framework



- Paragraph 17 – Planning Principles
 - **“every effort** should be made objectively **to identify and then meet the housing, business and other development needs of an area**”
 - Encourages positive environmental enhancement and sustainable travel;

- Paragraph 14 – Presumption in favour of Sustainable Development
 - “local planning authorities should **positively seek opportunities to meet the development needs of their area**”
 - For decision taking.... this means:
 - **“Granting permission, unless.... any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”**
 - “Unless specific policies... indicate development should be restricted.”

- Paragraph 124 – Air Quality
 - **“sustain compliance** with EU limit values.... or national objectives”
 - “taking into account AQMAs and.... cumulative impacts.”
 - Ensuring consistency with the local air quality action plan.

Planning Practice Guidance



- To replace all existing planning guidance by the end of 2013;
- Published in draft on 28th August - consultation until 9th October 2013;

Defines air quality considerations in planning decision making:

- Significant increases in traffic;
- New point sources of air pollution (including biomass or CHP);
- Exposure of new people to existing sources of pollution;
- Dust during construction;
- Affects on biodiversity – deposition and sensitive sites or European designated sites.

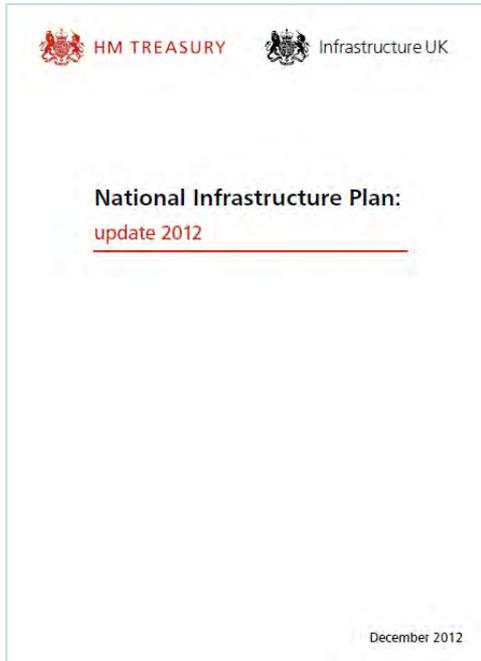
London Plan 2011



“Development proposals should:

- **be at least ‘air quality neutral’** and not lead to further deterioration of existing poor air quality (such as areas designated as Air Quality Management Areas (AQMAs)).”
- Mayor currently consulting on a Draft SPG on Sustainable Design & Construction, which includes the practical implications of the ‘Air Quality Neutral’ policy;

Major Infrastructure



- Planning Act 2008
- A fast track way of delivering the supporting infrastructure our economy needs
- Numerous applications for Development Consent Order (DCOs) have now been consented
- Some National Policy Statements in place to provide a clear framework for decision making, especially on energy infrastructure.
- Transport 'too political'?
- Air Quality given greater status in NPSs than in planning policy

National Policy Statements



e.g. NPS EN-1 – Overarching Policy Statement for Energy

- “The IPC should generally **give air quality considerations substantial weight** where a project would lead to a deterioration in air quality in an area, or leads to a new area where air quality breaches any national air quality limits.”
- “5.2.10 In all cases the IPC must take account of any relevant statutory air quality limits. Where a project is likely to lead to a breach of such limits the developers should work with the relevant authorities to secure appropriate mitigation measures to allow the proposal to proceed. **In the event that a project will lead to non-compliance with a statutory limit the IPC should refuse consent.**”

What does all this mean?



- As planners, we will often rely on expert advice
 - What do we do if there is a forecast new exceedence of a statutory limit value?
 - What do we do if there is already an exceedence of a statutory limit value?
 - What do we do if there is a significant increase in concentrations?
 - What can we do in terms of mitigating impacts?

- What weight do we attach to these issues given the positive presumption in the NPPF and the need for jobs, housing etc?

- Can growth really be complementary to reducing air pollution?

Air Quality in Decision Making

Earls Court

- Masterplan for ~7,500 dwellings, offices, open space etc (31 hectare site);
- Site located in AQMA ($\text{NO}_2 + \text{PM}_{10}$);
- Earls Court and West Kensington Opportunity Area (SPD);
- Consideration of cumulative effects;
- Demolition and construction phases managed via a Construction Environmental Management Plan (CEMP) for each phase;
- $\sim 1 \mu\text{g}/\text{m}^3$ increase in annual mean NO_2 ;
- NO_2 Concentrations 40 – 90 $\mu\text{g}/\text{m}^3$ in 2021;
- Proposed Energy Centres would lead to a reduction in NO_x emissions compared to the existing plant;
- Condition attached requiring submission of a phased Low Emission Strategy; and
- Approved July 2013.



Olympic Park – Legacy



- Masterplan-led legacy development of Olympic Park, to be delivered over 18 years from 2013;
- ~7,000 homes, schools, employment space, retail, leisure, hotels, etc;
- Connection to District Heating Network;
- NO₂ exceedences at majority of on and off-site receptors in 2008 and 2014. Compliance by 2021 at most receptors and full compliance by 2031;
- “Slight adverse” impact on NO₂
- Ongoing Exceedences of Daily mean PM₁₀ in 2031 – primarily at the A12 and A11 intersection;
- “Slight and moderate adverse” impact on PM₁₀;
- Mitigation in the ES (e.g. CEMP);
- Condition requires AQ assessment for each phase of development to reflect up to date baseline conditions and potential exposure of new residents to poor AQ;
- Approved September 2012.



Hinkley Point C

- New nuclear power station advanced through DCO process
- Air Quality an issue in Cannington village due to magnitude of change in pollutant concentrations associated with HDVs – led to Cannington Bypass;
- Air Quality an issue in Bridgwater due to forecast number of HDV movements and potential new exceedence of annual mean NO₂ limit value;
- Multiple Associated Development sites required to reduce HDV movements through Bridgwater (Freight Consolidation, P&R, Wharf and Jetty Facilities);
- Further iterations of ES to reroute HDVs in order to reduce AQ impacts (concern about paragraph 5.1.10 of NPS and AQ basis to refuse permission);
- Extensive AQMP required to mitigate on-site construction activities (dust and NRMM);
- Examination in 2012;
- Approved by SoS in March 2013.



Summary

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- The planning profession has perhaps been slow to recognise the importance of local air quality, or to develop effective mechanisms to give AQ due weight in decision making and to secure appropriate mitigation;
- In many cases, the need for housing, regeneration, employment or other scheme benefits have historically been given greater weight in decision making;
- EU limit values have brought the issue more clearly into our planning consciousness;
- The approach being adopted for Major Infrastructure Projects and the Mayor's Draft SPG are leading the way to ensure that improvements in local AQ are positively addressed in planning decision making;
- Potential for mitigation and offsetting to be a further cost to developers;
- Will best-practice in the UK follow London's approach?



Questions?

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