

## EPUK IAQM Planning Guidance Meeting

22 May 2013 1-4pm

City of London Offices, 78-83 Upper Thames Street

### Key Discussion Points

#### Principles

- It was agreed that there was a need for guidance, to update or replace the existing EPUK Development Control Guidance.
- This will be EPUK Guidance in partnership with IAQM.
- There was some discussion over whether this should be just for England or the UK, given the separation of the Scottish division from the rest of EPUK. There is a Memorandum of Understanding between EPUK and EPS (Environmental Protection Scotland), so a joint publication could be produced. IAQM is a nationwide (and international organisation). The differences in planning policy between England, Wales, Scotland and Northern Ireland were also highlighted.
- EPUK and IAQM both stated they had a mandate to produce guidance for use by Local Authorities (LAs) and others, as they had members from all sectors of the air quality industry, including LAs, consultants and pressure groups. Some thought the quality of the document was as (or more) important than its 'ownership'; if it is good, then people will use it.
- The aims and audience of the document were discussed. The previous guidance was aimed at LAs but was often used by developers. The revised document is aimed at the LA (both air quality officer and planner), developer and consultant.
- It was agreed that a simple, easy to follow and planner-friendly report was needed. A more streamlined approach would also reflect limited time or resources available in LAs.
- There is a need to involve LA planners, and all elements of the air quality industry, from an early stage.

#### Funding/Resourcing the development of the Guidance

- DCLG has stated that its guidance, following the Taylor Review, will be short and high level and will not refer to external non-statutory guidance. There is likely to be little overlap between our guidance and the government's. There is currently some discussion in government over whether to forbid other guidance being considered in planning decisions, which might have an effect on our guidance.
- It is unlikely that financial support could be obtained from the government, given their current stance on external guidance.
- Some external guidance (on assessing the acoustic effects of wind turbines) has been 'endorsed' by the government, ie Ed Davey. Such endorsement could give our guidance weight in the

planning process, but may affect the independent nature of this guidance, which is seen by some as a strength.

- In light of a lack of funding, this guidance will be produced by the EPUK and IAQM members, from a small group of core authors. It is possible that sponsorship could be sought to fund the type-setting and publication. Members of the audience were invited to submit ideas.

## Content

- There was agreement on the need for an introductory section on planning policy, which should include some recommended policies to improve air quality. Much of the good practice which will occur in development will be driven by planning policy.
- It was agreed that the guidance should take into account climate change, and links with air quality. This should be reflected in policy, technical and mitigation sections. This should emphasise both win-wins and potential trade off areas.
- The guidance needs to be suitable for different planning environments, eg urban, rural, AQMAs, areas where LVs are exceeded, and areas where LVs are met.
- There was a request for a standard structure for air quality assessments to be set out, with links to available data.
- It was highlighted that if this guidance had gaps, LAs would develop their own, and there would therefore be less take up of this guidance.

## Methodology and Criteria

- There was a strong body of opinion that the guidance must ensure compliance with requirements of the Air Quality Directive and associated limit values (LV). So, in an area where the LVs are exceeded, any development must not worsen air quality (ie must be air quality neutral or better, compared to what was there before), otherwise it should be refused on air quality grounds.
- The use of "air quality neutral" developments was discussed. In some cases this will not necessarily be best practice, especially where the current site is very polluting. A report on the "air quality neutral" concept and the associated issues is due out soon from the GLA.
- There was a discussion around the inclusion of an emissions assessment. This is being developed by some LAs already. Some of the issues with this and bench-marking, especially in relation to transport, were discussed. This would supplement rather than replace an air quality assessment, which is required under planning law to identify the significance of an air quality impact.
- There was little support for the significance criteria as they currently stand. There was more support for the criteria as a concept (and the legal need for them was highlighted). Some wanted the labels changed (eg removing the word 'slight' from 'slight adverse').
- There was little interest in the priority consideration banding set out in Table 7 of the guidance. This did not seem to be used in practice.
- It was suggested that the maximum concentration alone did not necessarily reflect the air quality impact on health, and perhaps the assessment should take into account population and exposure and whether the development is in an AQMA. It was noted that the Treasury's Supplementary Green Book Guidance on Air Quality (released this month) had advice on population weighted concentrations.

- There was a request for better guidance to screen out trivial assessment (it was noted that a scoping assessment is already included in the current guidance).
- There was also a request for regional impacts to be considered. However, it was highlighted that this is outside the remit of an LA's decision making,
- There was a request for more emphasis on model verification (eg of average speed traffic models), sensitivity analysis, modelling uncertainty and uncertainty of the assessment as a whole.
- The quantification of new and existing exposure was highlighted as a weak area for current assessment guidance. This was felt to be especially key where a non-polluting development introduced new exposure to a polluted area. The text on new exposure of vulnerable people in the London Plan was referenced.
- Poor enforcement of planning decisions and conditions was highlighted as an issue for some LAs. There was uncertainty as to how effective this guidance could be at addressing this.

#### Cumulative impacts assessment

- More guidance on cumulative impacts assessment was considered desirable by many, but there was uncertainty on what it would say.
- It was suggested that cumulative impacts could be managed better if all developments were encouraged to implement mitigation. This would be fairer than putting all the burden on the last development submitted. An alternative suggestion was made of mitigation for all developments where the air quality is within 10% of exceeding the LV, to address risk of future cumulative impacts.
- It was noted that if individual developments are air quality neutral, then by definition the cumulative effect will also be air quality neutral.
- There was a proposal to address cumulative impacts with an emissions cap. (Where a lot of development is expected, some masterplans include an emissions cap.)
- There was also a question of how to make more effective use of the results of a cumulative impact assessment.

#### Non-traffic sources

- The existing guidance focussed on traffic sources only. There was a strong desire that this one addressed non-traffic sources too, including industrial sources (especially non-permitted and Part Bs), quarries, landfill, biomass, CHP, boilers, non-road mobile machinery (especially related to construction). There was some debate over whether Part A industrial sites needed to be included.
- There was a discussion on whether dust should be included in this guidance, given the lack of a LV. This could be addressed in the (currently being expanded) IAQM guidance on construction dust, with references and key messages in the wider guidance. One key message which would be useful to highlight is the timescales required for an effective monitoring programme for dust.
- It was noted that, in some cases, nature conservation sites are better protected than human health.

## Mitigation

- There was a strong desire for the need for mitigation in all cases, regardless of significance, so LAs could ensure that development is the best it can be even where the impact was insignificant or slight.
- This would also be a great help for planning applications which do not require an air quality assessment.
- Need to ensure that any suggested mitigation measures are future proofed, to ensure best practice is encouraged until the next revision. There is a risk that specific measures or criteria may become dated and not be best practice in the future. (On the other hand, an example from acoustics was raised where stringent criteria drove the market to deliver better products.)
- Where a LA has poor planning policy in relation to air quality, mitigation measures can sometimes be used to address this gap. Therefore, it would be reasonable to include relevant measures in both the planning policy and mitigation sections.

## Next Steps

- This guidance will be produced by the EPUK and IAQM members, from a small group of core authors. This group will meet a few times, and members will be asked to commit some time to drafting and reviewing part of the document.
- One of the first tasks will be to agree the scope and contents.
- Interested members should contact Steve Moorcroft ([stevemoorcroft@aqconsultants.co.uk](mailto:stevemoorcroft@aqconsultants.co.uk)) or Roger Barrowcliffe ([clear.air.thinking@gmail.co.uk](mailto:clear.air.thinking@gmail.co.uk)).
- There will be a full consultation on the draft document later.
- IAQM intends to hold a conference in September on Land Use Planning and Air Quality, aimed at both air quality and planning professionals.