

## **Committee: Cabinet**

**Date: October 2020**

**Wards:** all

**Subject:** Approval of public consultation on Merton's draft Air Quality Supplementary Planning Document (SPD).

**Lead officer:** Director for Environment and Regeneration, Chris Lee

**Lead member:** Councillor Martin Whelton, Cabinet Member for Regeneration, Housing and Transport.

**Contact officer(s):** Ann Maria Clarke: Strategic Planner, Future Merton  
Jason Andrews: Environmental Health Manager (Pollution)

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### **Recommendations:**

That, following recommendation from the Borough Plan Advisory Panel (BPAC) on 7<sup>th</sup> October 2020:

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- A. Approve the six-week consultation on the draft SPD, to run for six weeks by winter 2020/21.
  - B. Delegate approval of the final consultation draft SPD to the Director of Environment and Regeneration in consultation with the Cabinet Member for Regeneration, Housing and Transport.
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## **1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1. Our environment can impact significantly on the health and wellbeing of the population and of all the environmental factors, air pollution has the greatest impact. Current evidence shows that air pollution is associated with cardiovascular disease, lung cancer, respiratory disease, asthma and stroke. In 2003, Merton was designated as an Air Quality Management Area due to poor air quality across London.
- 1.2. The planning system has a key role in protecting people from unacceptable risks to their health and wellbeing in providing an adequate protection to the local environment. Therefore, air quality is a material consideration in determining development proposals. The draft SPD supports Local Plan policies and does not introduce new planning policies.
- 1.3. The purpose of this SPD is to help developers, decision makers, agents, residents and other interested parties to identify air quality issues to be addressed by way of development proposals.
- 1.4. The draft SPD includes information on planning policy and legislation, reducing dust and air quality impacts during construction, Air Quality Assessments, the role of green infrastructure in improving air quality and commercial premises.

## 2 DETAILS

- 2.1. The draft SPD provides technical advice for developers on how to minimise and reduce adverse impacts on air quality in development. It provides developers with clear information as to what is needed and how planning applications are evaluated in terms of air quality, which should help to speed up the planning process.
- 2.2. The draft SPD includes information on construction, development design, traffic reduction, electric vehicles, commercial premises - building ventilation and odour and how to carry out an air quality assessment to support development proposals. In accordance with planning legislation, the draft SPD also outlines:
  - Set out the planning policy framework.
  - Explain why air quality is important
  - Emphasise the importance of air quality as a material planning consideration.
  - When development proposals will need to carry out an air quality assessment to support their planning application.
  - Provides guidance on the process of air quality assessments.
  - The Council's approach to the use of planning conditions and S106 agreements in respect of air quality.

## 3 ALTERNATIVE OPTIONS

- 3.1. **Option 1.** not to prepare a SPD: An SPD will help in improve air quality, reducing the potential impact to population health. It will be a valuable tool for developers and highlight the role they can play in reducing poor air quality in Merton. *This is not recommended.*
- 3.2. **Option 2:** to prepare a shorter and less comprehensive document: this would not fulfil its intended role to guide and support applicants through the process. *This is not recommended.*
- 3.3. Importantly, the Council has commitment to produce an air quality SPD within Merton's Air Quality Action plan.

## 4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. Subject to Cabinet and Council approval and in line with planning regulations a six-week public consultation is proposed on the draft SPD by winter 2020/21.

## 5 TIMETABLE

- 5.1. A six-week public consultation is proposed on the draft SPD by winter 2020/21

## 6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. The costs of preparing the SPD are covered in existing budgets. There are no further financial implications arising from this report.

## **7 LEGAL AND STATUTORY IMPLICATIONS**

- 7.1. The process for preparing SPDs (Supplementary Planning Documents) is set out in Part 5 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

## **8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

- 8.1. No implications.

## **9 CRIME AND DISORDER IMPLICATIONS**

- 9.1. No implications.

## **10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

- 10.1. No implications.

## **11 APPENDICES – *the following documents have been relied on in drawing up this report but do not form part of the report***

- The Planning and Compulsory Purchase Act 2004 (as amended)
- The Localism Act 2011
- The Town and Country Planning (Local Planning) (England) Regulations 2012
- The Town and Country (Development Management Procedure) (England) Order 2010
- The National Planning Policy Framework (NPPF 2019) and associated national planning practice guidance

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