Air Quality Appendix 6.1 – Legislation, Policy and Guidance

6.1.1 Legislation

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

6.1.1 The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (HM Government, 2017) require developers to evaluate the environmental and health impacts of major land development projects before planning permission can be granted. Under Schedule 4, an Environmental Statement must be provided to describe the likely significant environmental effects of a development or scheme.

Air Quality Standards Regulations 2010

6.1.2 In the United Kingdom, the Air Quality Standards Regulations 2010 (HM Government, 2010) (as amended in 2016 (HM Government, 2016), 2019 (HM Government, 2019), and 2020 (HM Government, 2020)) are an important legislative framework governing air quality. These regulations are derived from EU law, specifically the Ambient Air Quality and Cleaner Air for Europe Directive 2008/50/EC (the 'Air Quality Directive') (Council of the European Union, 2008). Following the UK's exit from the European Union, these regulations are classified as 'assimilated law' pursuant to the EU (Withdrawal) Act 2018 (HM Government, 2018) (as amended in 2023 (HM Government, 2023). This means that relevant directives previously applied directly or indirectly to the UK are still relevant to the environmental assessment within this report. However, the EU will no longer have a role in enforcement, this having passed to the UK Government and the relevant Secretary of State.

6.1.3 The limit values (LVs) for pollutants defined within these regulations are legally-binding on the UK Government and have been set for the protection of human health and of vegetation. They are considered to apply everywhere (with the exception of the carriageway and central reservation of roads and any locations where the public do not have access).

Environment Act (1995)

6.1.4 The Environment Act 1995 (HM Government, 1995) defines a Local Air Quality Management (LAQM) regime, under which local authorities bear the responsibility to monitor ambient air quality in their areas regularly against set Air Quality Objectives (AQOs). If they identify that the AQOs are unlikely to be met within the specified timescale, they must then designate an Air Quality Management Area (AQMA) and prepare an Air Quality Action Plan (AQAP) aimed at ensuring the objectives are eventually met. The boundary of an AQMA is set by the local authority to define the geographical area that is to be subject to the management measures within the AQAP. Consequently, it is not unusual for the boundary of an AQMA to include relevant locations within it where air quality is not at risk of exceeding an AQO.

Air Quality (England) Regulations 2000

6.1.5 The AQOs of relevance to the LAQM regime were set by the Air Quality (England) Regulations 2000 (HM Government, 2000) and Air Quality (England) (Amendment) Regulations 2002 (HM Government, 2002). These AQOs are not legally binding on the government as LVs are, but require action on the part of local authorities to address them as part of the LAQM regime, set out in the Environment Act 1995 (HM Government, 1995).

Environment Act (2021)

6.1.6 The Environment Act 2021 (HM Government, 2021) amends the Environment Act 1995 (HM Government, 1995) and sets a new course for the UK's environmental policy post-Brexit. It includes provisions to establish a set of statutory environmental principles to guide future legislation and policy decisions and ensure environmental governance through an environmental watchdog, the Office for Environmental Protection (OEP).

6.1.7 Under Part IV of the Act, the government is mandated to develop a National Air Quality Strategy (AQS) which contains clear standards, objectives, and measures to improve ambient air quality, and to publish a report reviewing the AQS every five years (as a minimum and with yearly updates to Parliament), in the form of the Environmental Improvement Plan.

6.1.8 The Environment Act 2021 includes a proposal that the government set a range of new environmental targets including an annual mean concentration target and a population exposure reduction target for $PM_{2.5}$. Following through on these requirements, the Environmental Targets (Fine Particulate Matter) (England) Regulations 2023 (HM Government, 2023) came into effect, introducing the two targets described above. These legislative targets must be met at relevant monitoring stations by December 31, 2040. Full guidance on how target values should be considered in development control and local air quality control is not yet available, but interim guidance on reporting how exposure to $PM_{2.5}$ and its precursors, has been published by Defra and is applicable to all forms of development.

The Environmental Protection Act (1990)

6.1.9 The main requirements with respect to dust and odour control are derived from the Environmental Protection Act (HM Government, 1990). Part III of the act includes the following descriptions of statutory nuisance:

- (b) smoke emitted from premises so as to be prejudicial to health or a nuisance;
- (c) fumes or gases emitted from premises so as to be prejudicial to health or a nuisance;
- (d) any dust, steam, smell or other effluvia arising on industrial, trade or business premises and being prejudicial to health or a nuisance;

6.1.10 Enforcement of the Act, in regard to nuisance, is currently under the administration of the local authority Environmental Health Department, whose officers are deemed to provide an independent evaluation of nuisance. If the local authority is satisfied that a statutory nuisance exists, or is likely to occur or happen again, it must serve an Abatement Notice under Part III of the Environmental Protection Act, which requires those responsible to mitigate or terminate processes, within a defined timescale. The only defence is to show that the process to which the nuisance has been attributed and its operation are being controlled according to best practice measures. Failure to resolve a statutory nuisance can result in legal action and penalties. Local authorities can issue fines and individuals affected by the nuisance can seek compensation or injunctions privately.

6.2.1 National Policy

Environmental Improvement Plan 2023

6.2.1 The 25-Year Environment Plan, originally published in 2018, sets out the actions the UK Government will take to help the natural world regain and retain good health.

6.2.2 The Environment Plan was revised in February 2023 with the publication of the Environmental Improvement Plan 2023 (HM Government, 2023). The plan outlines several actions that are being taken to improve air quality, most notably by supporting local authorities, facilitating the rollout of Clean Air Zones, supporting the transition away from petrol and diesel cars, regulating domestic burners, and regulating agricultural emissions.

6.2.3 Interim targets (deadline 2028) for $PM_{2.5}$ were also announced to demonstrate the trajectory against the long-term legal targets (deadline 2040) set out in The Environmental Targets (Fine Particulate Matter) Regulations 2023.

National Clean Air Strategy

6.2.4 In 2019, the UK government introduced the Clean Air Strategy 2019 (HM Government, 2019), a major component of its broader 25 Year Environment Plan (Department for Environment, Food and Rural Affairs (Defra), 2018), and the government's primary strategy for air quality. This strategy underscored a renewed governmental commitment to air quality improvements and also laid the groundwork for the development of more recent legislative changes as described above.

6.2.5 In recent years, air quality management has primarily focused on nitrogen dioxide (NO_2), and its principal source in the UK i.e. road traffic. However, the Clean Air Strategy broadens the focus to other areas. This shift in emphasis is part of a longer term goal to reduce the levels of $PM_{2.5}$ in ambient air. It outlined comprehensive measures to combat air pollution, from reducing emissions across various sectors to enhancing the country's monitoring and analytics capabilities. Recognizing that air pollution is a complex problem influenced by a range of factors, including industrial activity, agriculture, and domestic heating, the strategy advocated for a holistic approach to ensure cleaner air.

Air Quality Strategy (AQS) 2023

6.2.6 Functioning as a framework for local authority delivery of the above plans, a new Air Quality Strategy (AQS) was published in April 2023 (Defra, 2023). This updated strategy is action-oriented, outlining specific roles for local authorities in support of achieving the new national $PM_{2.5}$ targets and other long-term air quality goals. It specifies that local authorities are expected to take action by controlling emissions from sources within their jurisdiction.

6.2.7 The AQS outlines proposals to tackle emissions from a range of sources. This includes providing clear and effective guidance on how an Air Quality Management Areas (AQMAs), Clean Air Zones (CAZs) and Smoke Control Areas interrelate and how they can be used by local government to tackle pollution.

6.2.8 The AQS summarises current limit values, air quality objectives, and targets defined in legislation as described above. Of the seven pollutants for which AQOs have been set, national assessments have demonstrated that there is no risk of sulphur dioxide (SO_2), carbon monoxide (CO), benzene, 1,3-butadiene, lead concentrations exceeding the limits due to emissions from traffic anywhere in the UK. The remaining Air Quality Objectives, Limits and Targets for the protection of human health, as summarised in the AQS, are shown in Table 6.1.

6.2.9 An AQO for nitrogen oxides (NO_X) of 30 µg/m^3 is set for the protection of vegetation. In addition, critical loads for nitrogen and acid deposition have been determined which represent (according to current knowledge) the exposure below which there should be no significant harmful effects on sensitive elements of the ecosystem. Critical loads are set for different types of ecosystems based on their respective sensitivity to nutrient nitrogen and acidity.

Table 6.1 Relevant UK AQS Air Quality Objectives, Limit Values and Targets

Pollutant	Averaging Period	Value	Maximum Permitted Exceedances	Target Year
For the Protection of Human Health				
Oxides of nitrogen (NO_X)	Annual Mean	40 µg/m^3 [a]	None	2005
	Hourly Mean	200 µg/m^3 [a]	18 times per year	2005
Particulate matter (PM_{10})	Annual Mean	40 µg/m^3 [a]	None	2004
	24-Hour Mean	50 µg/m^3 [a]	35 times per year	2004
Fine Particulate matter ($PM_{2.5}$)	Annual Mean	20 µg/m^3 [b]	None	2020
		10 µg/m^3 [c]	None	2040
		12 µg/m^3 [d]	None	2028
	Exposure reduction	35%[b]	-	2040
		22%[c]	-	2028
Sulphur dioxide (SO_2)	15-minute mean	266 µg/m^3	35 times a year	2005
	1-hour	350 µg/m^3	24 times a year	2004
	24-hour	125 µg/m^3	3 times a year	2004
Carbon Monoxide (CO)	Maximum daily running 8 hour mean	10 mg/m^3	None	2003
Nonmethane Hydrocarbons (NMHC) as benzene (C_6H_6)	Annual Mean	5 µg/m^3 [a]	None	2005
For the Protection of Ecosystems (also referred to as Critical Levels)				
Oxides of nitrogen (NO_X)	Annual Mean	30 µg/m^3 [a]	None	2000
Sulphur dioxide (SO_2)	Annual Mean	20 µg/m^3 [a]	None	2000

[a] These values are both Limit Values as defined in the Air Quality Standards Regulations and Air Quality Objectives that apply locally under the LAQM framework
[b] These values are Limit Values as defined in the Air Quality Standards Regulations
[c] These values are a legally binding target as set out in the Environmental Targets (Fine Particulate Matter) (England) Regulations 2023
[d] These values are interim targets are set out in the Environmental Improvement Plan 2023

National Air Quality Action Plan

6.2.10 In July 2017, The Department for Environment, Food and Rural Affairs (Defra) released the 'UK plan for tackling roadside nitrogen dioxide concentrations' (Defra, 2017). The plan principally focuses on empowering local councils to make major changes to their road systems.

6.2.11 The plan identified the local authorities with exceedances projected to persist beyond the next three to four years and required them to develop local plans to improve air quality. These local plans were specifically to include consideration of the implementation of Clean Air Zone (CAZ), as well as alternative measures. Final plans were required by the end of December 2018.

Twenty-eight local authorities were initially identified, and a further two, while not expected to have persistent exceedances, were anticipated to have a CAZ.

6.2.12 Defra published its Supplement to the UK plan for tackling roadside nitrogen dioxide concentrations (Defra, 2018) in October 2018, which documents the feasibility studies conducted by a further 33 local authorities, which were predicted to have shorter term NO2 exceedances.

6.2.13 None of the local authorities of relevance to this proposed development were among the 61 which were directed to develop local plans.

National Planning Policy Framework (NPPF) (2026)

6.2.14 The NPPF (Ministry of Housing, Communities and Local Government (MHCLG), 2026) sets out national policies for plan-making and for making decisions on development proposals in England.

6.2.15 Policy P3: Living conditions and pollution states that:

"Development proposals should be appropriate for their location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, whether these effects are on or off-site; and whether this is as a result of the development itself or the product of preexisting conditions in its vicinity. In assessing the potential effects of pollution, consideration should be given to the potential sensitivity of the site, and its intended occupiers and users, as well as that of the environment and population in the surrounding area (including where certain groups could be particularly vulnerable to its effects, such as children and older people).

Within this context development proposals should:

…

Sustain and contribute to compliance with relevant limit values or national objectives and targets for air pollutants including $PM_{2.5}$. Development proposals should take account of Air Quality Management Areas and be consistent with the objectives of relevant Air Quality Action Plans, Clean Air Plans and Local Air Quality Strategies".

6.3.1 Regional Policy

The London Plan – Spatial Development Strategy for Greater London

6.3.1 The London Plan represents the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031. It forms part of the development plan for Greater London as published by the Greater London Authority (GLA). London boroughs' local plans need to be in general conformity with the London Plan. The latest version of the London Plan was published in March 2021 (Greater London Authority, 2021). The London Plan considers air quality in Policies SI1 (Improving air quality), SI2 (Minimising greenhouse gas emissions) and SI3 (Energy infrastructure).

6.3.2 The policy Sustainable Infrastructure 1 (SI1) 'Improving Air Quality' states:

"A) Development plans, through relevant strategic, site specific and area-based policies should seek opportunities to identify and deliver further improvements to air quality and should not reduce air quality benefits that result from the Mayor's or boroughs' activities to improve air quality.

B) To tackle poor air quality, protect health and meet legal obligations the following criteria should be addressed:

1) development proposals should not:

a. lead to further deterioration of existing poor air quality.

b. create any new areas that exceed air quality limits, or delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits.

c. create unacceptable risk of high levels of exposure to poor air quality.

2) In order to meet the requirements in Part 1, as a minimum:

a. Development proposals must be at least air quality neutral.

b. Development proposals should use design solutions to prevent or minimise increased exposure to existing air pollution and make provision to address local problems of air quality in preference to post-design or retrofitted mitigation measures.

c. Major development proposals must be submitted with an Air Quality Assessment. Air quality assessments should show how the development will meet the requirements of B1.

d. development proposals in Air Quality Focus Areas or that are likely to be used by large numbers of people particularly vulnerable to poor air quality, such as children or older people should demonstrate that design measures have been used to minimise exposure.

C) Masterplans and development briefs for large-scale development proposals subject to an Environmental Impact Assessment should consider how local air quality can be improved across the area of the proposal as part of an air quality positive approach. To achieve this, a statement should be submitted demonstrating:

a. How proposals have considered ways to maximise benefits to local air quality; and

b. What measures or design features will be put in place to reduce exposure to pollution, and how they will achieve this.

D) In order to reduce the impact on air quality during the construction and demolition phase development proposals must demonstrate how they plan to comply with the Non-Road Mobile Machinery Low Emission Zone and reduce emissions from the demolition and construction of buildings following best practice guidance.

E) development proposals should ensure that where emissions need to be reduced, this is done on-site. Where it can be demonstrated that on-site provision is impractical or inappropriate, off-

site measures to improve local air quality may be acceptable, provided that equivalent air quality benefits can be demonstrated within the area affected by the development."

6.3.3 The London Plan also notes that whilst developments meeting Air Quality Neutral benchmarks is necessary to control the growth in London's regional emissions, this will not always suffice to prevent unacceptable local impacts, as these may be affected by other factors such as the location of emission sources, the rate of emissions (as opposed to the annual quantum) and the layout of the development in relation to the surrounding area. Development related impacts such as concentrating emissions, increasing exposure or preventing dispersion in particular locations, therefore, need to be assessed and mitigated if required.

Mayor's London Environment Strategy

6.3.4 The London Environment Strategy was published by the Mayor of London in May 2018 and sets out the Mayor's vision of London's environment to 2050 (Greater London Authority 2018). The London Environment Strategy includes a number of policies and aspirations, with an accompanying implementation plan, setting out actions the Mayor is prioritising for the next five years to help implement the aims of this strategy.

6.3.5 Chapter 4 of the Strategy relates to air quality and sets the ambitious target for London to have the best air quality of any major world city by 2050 by requiring developments to be 'air quality positive'. The main policies with regards to air quality set out in this document are as follows:

- Policy 4.1.1 "*Make sure that London and its communities, particularly the most disadvantaged and those in priority locations, are empowered to reduce their exposure to poor air quality*."
- Policy 4.1.2 "*Improve the understanding of air quality health impacts to better target policies and action*."
- Policy 4.2.1 "*Reduce emissions from London's road network by phasing out fossil fuelled vehicles, prioritising action on diesel, and enabling Londoners to switch to more sustainable forms for transport*."
- Policy 4.2.2 "*Reduce emissions from non-road transport sources, including phase out fossil fuels*."
- Policy 4.2.3 "*Reduce emissions from non-transport sources, including by phasing out fossil fuels*."
- Policy 4.3.2 "*The Mayor will encourage the take up of ultra low and zero emission technologies to make sure London's entire transport system is zero emission by 2050 to further reduce levels of pollution and achieve WHO air quality guidelines*."
- Policy 4.3.3 "*Phase out the use of fossil fuels to heat, cool and maintain London's buildings, homes and urban spaces, and reduce the impact of building emissions on air quality*."

6.3.6 As part of the strategy the Mayor of London has also set a new guideline for ambient $PM_{2.5}$ concentration of 10 µg/m^3 to be met by 2030.

Mayor's Transport Strategy and Transport Action Plan

6.3.7 In 2017, TfL produced 'Healthy Streets for London' (Transport for London, 2017). The Action Plan recognises that poor air quality is an issue, particularly in inner London, and that road transport is a key source. A range of measures are outlined to improve air quality including

bringing forward and expanding the Ultra Low Emission Zone (ULEZ), tightening of ULEZ standards for lorries, buses and coaches, use of hybrid buses and retiring the oldest and most polluting taxis.

6.3.8 The Mayor of London published a new Transport Strategy for London (35) in 2018. This strategy is based on a Healthy Streets Approach that prioritises human health by changing the mix of transport in London to encourage walking, cycling and public transport. The Mayor aims for 80% of Londoners' trips to be made by public transport, cycling or walking by 2041. The Strategy was revised in 2022 and stated that significant progress had been made since 2018 in reducing NO_2 and PM and improving air quality for Londoners, owing mostly to the expansion of the ULEZ (Greater London Authority, 2018).

6.4.1 Local Policy

A Vision for 2026 – Local Plan: Part 1 – Strategic Policies (Adopted November 2012)

6.4.1 The Hillingdon Local Plan: Part 1 – Strategic Policies (London Borough of (LB) Hillingdon, 2012) is the key strategic planning document for Hillingdon and is intended to support the delivery of the spatial elements of the Sustainable Community Strategy. It sets out the long-term vision and objectives for the Borough.

6.4.2 Strategic Objective SO11 states that new development should:

"Address the impacts of climate change, and minimise emissions of carbon and local air quality pollutants from new development and transport".

6.4.3 Policy EM1 states that:

"The Council will ensure that climate change mitigation is addressed at every stage of the development process by:

…

5. Promoting the use of decentralised energy within large scale development whilst improving local air quality levels".

6.4.4 Policy EM8 states that:

"All development should not cause deterioration in the local air quality levels and should ensure the protection of both existing and new sensitive receptors.

All major development within the Air Quality Management Area (AQMA) should demonstrate air quality neutrality (no worsening of impacts) where appropriate; actively contribute to the promotion of sustainable transport measures such as vehicle charging points and the increased provision for vehicles with cleaner transport fuels; deliver increased planting through soft landscaping and living walls and roofs; and provide a management plan for ensuring air quality impacts can be kept to a minimum.

The Council seeks to reduce the levels of pollutants referred to in the Government's National Air Quality Strategy and will have regard to the Mayor's Air Quality Strategy. London Boroughs should also take account of the findings of the Air Quality Review and Assessments and Actions plans, in particular where Air Quality Management Areas have been designated.

The Council has a network of Air Quality Monitoring stations but recognises that this can be widened to improve understanding of air quality impacts. The Council may therefore require new major development in an AQMA to fund additional air quality monitoring stations to assist in managing air quality improvements".

Local Plan Part 2: Development Management Policies (Adopted January 2020)

6.4.5 Development Management Policies document (LB Hillingdon, 2020) forms part of Hillingdon's Local Plan Part 2. Its purpose is to provide detailed policies that will form the basis of the Council's decisions on individual planning applications.

6.4.6 Policy DMEI 1: Living Walls and Roofs and on-site Vegetation states that:

"All development proposals are required to comply with the following:

…

Major development in Air Quality Management Areas must provide onsite provision of living roofs and/or walls. A suitable offsite contribution may be required where onsite provision is not appropriate".

6.4.7 Policy DMEI 14: Air Quality states that:

"A) Development proposals should demonstrate appropriate reductions in emissions to sustain compliance with and contribute towards meeting EU limit values and national air quality objectives for pollutants.

B) Development proposals should, as a minimum:

i) be at least "air quality neutral";

ii) include sufficient mitigation to ensure there is no unacceptable risk from air pollution to sensitive receptors, both existing and new; and

iii) actively contribute towards the improvement of air quality, especially within the Air Quality Management Area".

6.4.8 Policy DMT 1: Managing Transport Impacts states that:

"A) *Development proposals will be required to meet the transport needs of the development and address its transport impacts in a sustainable manner. In order for developments to be acceptable they are required to:*

…

have no significant adverse transport or associated air quality and noise impacts on the local and wider environment, particularly on the strategic road network…".

6.4.9 Policy DMT 2: Highways Impacts

"Development proposals must ensure that:

…

ii) they do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents…".

Supplementary Planning Document – Planning Obligations (Adopted July 2014)

6.4.10 In the Supplementary Planning Document (SPD) on Planning Obligations (LB Hillingdon, 2014), the Council state that such obligations may be sought for developments that are either in the AQMA or adjacent to the AQMA and considered likely to impact on the "objectives" to improve air quality. The SPD states *"that the following matters are to be considered in the acceptability of a development from an air quality perspective:*

- *The scale of the emissions;*
- *Whether the emissions caused by the development would impede the London Borough of Hillingdon's overriding objective to improve air quality in the area;*
- *Whether significant public exposure occurs; and*
- *Ground level concentrations".*

6.4.11 According to the SPD, obligations may be sought to ensure no detrimental impacts on air quality and/or to ensure compliance with the objective of the Borough's AQMA. The following circumstances may establish a requirement for planning obligations:

- *"As a recommendation of an air quality assessment;*
- *To mitigate the impacts from emissions from new development where these cannot be resolved through other means such as planning conditions, travel plans or statutory licences;*

…

- *To mitigate air quality impacts during the construction phase where these cannot be controlled through conditions or other statutory licences".*

6.4.12 According to the SPD, the types of obligations sought by the Council include

- *"Use of low emission fuel technology and other measures to minimise emissions;*
- *Restrictions on certain types of vehicles;*
- *Use of cleaner fuels for energy and heating;*
- *Encourage company use of environmental management systems and air quality strategy; and*
- *Any other appropriate measures to meet the objective of the Air Quality Action Plan.*
- *In some cases, air quality monitoring may be required to ensure these standards can be met and maintained. As such contributions towards the establishment and ongoing maintenance of this may be required if necessary".*

6.5.1 Guidance

Local Air Quality Management Technical Guidance (2022) (LAQM.TG22)

6.5.1 The Department for Environment, Food and Rural Affairs (Defra) provides and maintains guidance and tools to support local authorities in carrying out their duties with respect to LAQM. Although not statutory guidance for assessment purposes, this assessment is carried out is in line with the guiding principles for air quality assessments and with the calculation methods and MS Excel based tools as set out in LAQM.TG22 (Defra, 2022).

6.5.2 Table 2 summarises the advice provided in LAQM.TG22 on where the AQOs for pollutants considered within this report apply.

Table 6.2 Examples of Where the Air Quality Objectives Apply

Averaging Period	Objectives Should Apply At	Objectives Should Not Apply At
Annual mean	All locations where members of the public might be regularly exposed. Building façades of residential properties, schools, hospitals, care homes etc.	Building façades of offices or other places of work where members of the public do not have regular access. Hotels, unless people live there as their permanent residence Gardens of residential properties Kerbside sites (as opposed to locations at the building façade), or any other location where public exposure is expected to be short term.
24-hour mean	All locations where the annual mean objective would apply, together with hotels. Gardens of residential properties.	Kerbside sites (as opposed to locations at the building façade), or any other location where public exposure is expected to be short term.
1-hour mean	All locations where the annual mean and 24-hour mean objectives apply. Kerbside sites (for example, pavements of busy shopping streets). Those parts of car parks, bus stations and railway stations etc. which are not fully enclosed, where members of the public might reasonably be expected to spend one hour or more. Any outdoor locations where members of the public might reasonably be expected to spend one hour or longer.	Kerbside sites where the public would not be expected to have regular access.

Planning Practice Guidance for Air Quality (2024)

6.5.3 The PPG (MHCLG, 2024) is a web-based resource for planning authorities and developers, designed to support the NPPF and make it more accessible. It was launched in March 2014 and updated most recently in December 2024. The most recent update with specific reference to air quality was in November 2019.

6.5.4 The Air Quality PPG states that:

"Whether air quality is relevant to a planning decision will depend on the proposed development and its location. Concerns could arise if the development is likely to have an adverse effect on air quality in areas where it is already known to be poor, particularly if it could affect the implementation of air quality strategies and action plans and/or breach legal obligations (including those relating to the conservation of habitats and species). Air quality may also be a material consideration if the proposed development would be particularly sensitive to poor air quality in its vicinity."

6.5.5 The Air Quality PPG states that if air quality is determined to be a relevant consideration, the local planning authority may need to establish:

- *"the 'baseline' local air quality, including what would happen to air quality in the absence of the development;*
- *whether the proposed development could significantly change air quality during the construction and operational phases (and the consequences of this for public health and biodiversity); and*
- *whether occupiers or users of the development could experience poor living conditions or health due to poor air quality."*

6.5.6 On how detailed an air quality assessment needs to be, the Air Quality PPG states:

"Assessments should be proportionate to the nature and scale of the development proposed and the potential impacts (taking into account existing air quality conditions)"

6.5.7 On mitigation options, the Air Quality PPG states:

"Mitigation options will need to be locationally specific, will depend on the proposed development and need to be proportionate to the likely impact. It is important that local planning authorities work with applicants to consider appropriate mitigation so as to ensure new development is appropriate for its location and unacceptable risks are prevented."

IAQM Guidance on the assessment of dust from demolition and construction (2024)

6.5.8 'Guidance on the assessment of dust from demolition and construction' published by the IAQM (2024) is adopted for the assessment of dust impacts and the selection of appropriate good practice control measures. This guidance addresses the potential for statutory nuisance by using a more demanding test based on the risk of significant adverse effects on amenity. The guidance provides an approach to the screening of the need for a detailed assessment, and a methodology for carrying out a qualitative assessment of the risk of dust impacts and provides a list of best-practice mitigations measures suited to the assessed risk.

EPUK/IAQM Air Quality Assessment Guidance for Planning

6.5.9 Non-statutory best practice guidance jointly issued by Environmental Protection UK (EPUK) and Institute of Air Quality Management (IAQM) (EPUK and IAQM, 2017) sets out principles of scoping and conducting air quality assessments, and how the significance of the effects arising from air quality impacts may be determined, using an impact matrix. This approach has been followed to assess air quality effects from the operational phase of the Proposed Scheme.

IAQM Air Quality Assessment Guidance for Designated Habitats

6.5.10 The IAQM has also issued guidance on the assessment of air quality impacts on designated nature conservation sites (IAQM, 2020).

$PM_{2.5}$ Targets: Interim Planning Guidance

6.5.11 Interim Planning Guidance was published in October 2024 pending publication of new guidance on the matter, which has not yet been published (Defra, 2024). The guidance moves away from an exceedance-based approach and towards a minimisation of pollution approach. It recommends key sources of air pollution schemes submitted for planning applications are identified, and appropriate action to minimise emissions of $PM_{2.5}$ and its precursors are implemented as far as is reasonably practicable. If quantitative evidence is not available, a qualitative approach can be taken.

Air Quality Neutral

6.5.12 Guidance published by the Greater London Authority (GLA) in February 2023 outlines air quality benchmarks for developments, whereby the developments contribution to air pollution must not exceed these benchmarks (GLA, 2023). The guidance outlines two benchmarks: the Building Emissions Benchmark (BEB) and the Transport Emissions Benchmarks (TEB). Developments must meet both these benchmarks in order to be air quality neutral. Where this is not possible, appropriate mitigation measures or offsetting should be identified in accordance with those outlined in Section 5 of the guidance document.

Air Quality Positive

6.5.13 In February 2023 the GLA also published guidance outlining an Air Quality Positive approach (GLA, 2023) that aims to maximise benefits to local air quality in and around a large-scale development sites and masterplan areas while also minimising exposure to existing sources of poor air quality. Air Quality Positive should be applied at the plan making stage to masterplans that include large-scale development sites that are likely to be subject to an Environmental Impact Assessment.

The Control of Dust and Emissions during Construction and Demolition SPG

6.5.14 The Control of Dust and Emissions during Construction and Demolition (GLA, 2014) provides the methodology for assessing construction phase impacts and recommends mitigation measures appropriate to the risk associated with development sites in London. This methodology for assessment has been superseded by the IAQM in 2024 (IAQM, 2024).

6.5.15 Non-Road Mobile Machinery (NRMM) is identified as a significant emissions source in the SPG, and NRMM to be used on any construction sites in Greater London need to comply with the latest European emission standards, as set out in the SPG. This policy is enforced through the planning process and compliance with the NRMM standards should be secured by local authorities as a planning condition or a section 106 agreement. If emissions of NRMM are unknown, developers will be required to provide a written statement of their commitment and ability to meet these standards as part of an Air Quality Statement. An inventory of all NRMM should be kept, stating the emission limits for all equipment, and made available to local authority officers.

Non-Road Mobile Machinery (NRMM) Practical Guide V.5 2022

6.5.16 The NRMM Practical Guide (GLA, 2022) provides guidance of minimising the impacts related to NRMM within London.

Air Emissions Risk Assessment for your Environmental Permit Guidance

6.5.17 The Environment Agency's Risk Assessment Guidance (Environment Agency, 2016) is applied in relation to Environmental Permit applications. Though the EPR Risk Assessment Guidance relates to specifically to permitting, it provides useful supplementary information for interpreting the significance of air quality impacts on human health and ecology.

6.5.18 Where legislative ambient air quality limits or objectives are not specified for the pollutant species potentially released from the Proposed Development, Environmental Assessment Levels (EAL), published in the Air Emissions Risk Assessment for Your Environmental Permit Guidance can be used to assess potential health effects on the general population. This includes an EAL for hourly concentrations of CO and annual average and hourly EALs for ammonia (NH_3).

Specified generators: dispersion modelling assessment

6.5.19 The Environment Agency's guidance on dispersion modelling of specified generators (Environment Agency, 2019) outlines the approach to evaluate the atmospheric impact of diesel-fired generator emissions. It provides technical instructions on characterising emission sources, operational envelopes, and environmental risk factors to ensure pollutant concentrations do not pose an unacceptable risk to human health or sensitive habitats.