M74 Written Statement from Just Space 2718

Air Quality and Water Infrastructure
M74. Would the policies for air quality and water infrastructure assist in creating a healthy city in accordance with Policy GG3 and provide an effective strategic context for the preparation of local plans and neighbourhood plans?

Firstly, water: although Policy GG3 does not explicitly reference water infrastructure, it almost goes without saying that a sufficiency of water infrastructure is fundamental for a healthy and efficient city. Whilst the overwhelming balance of the answers below concern Air Quality, further attention is given to water infrastructure under Matters 72 & 73.

Air pollution of the magnitude and persistence presently experienced by London is fundamentally contrary to a healthy city that Policy GG3 sets out to create. Whilst Just Space appreciates that the Mayor has shown serious concern regarding the issue of air pollution, and how it directly affects the health of Londoners, he needs to do more as soon as possible, including within the London Plan.

For example, he has said that London's air quality is a 'public health emergency'[1]. On 26th February 2019 the Mayor issued a 'high pollution alert' in response to the Met Office forecast of dangerous toxic air across London[2]. The issue of air pollution is pressing and serious, and, therefore, the plan must reflect this urgent need for stronger policy measures to be put in place to avoid further continuing harm to the health of Londoners and to assist fulfil the promise of a healthy city.

The strong policies needed on air quality to support policy GG3 are not found in Policy SI1. Although we appreciate that in the 'minor suggested changes' DLP that the "working to achieve" World Health Organisation targets has been added, this is only in text (para 9.1.1) and not in Policy. However, this small recognition of WHO's recommended targets does not equate to a clear plan of how these targets will be met. In order to create a healthy city, through a reduction on air pollution, road traffic, in particular, must be addressed.

Road traffic is currently the biggest obstacle to meeting more ambitious and necessary air pollution reduction targets. Therefore, the key to meeting targets in air pollution reduction will be the management and reduction of traffic. To reduce and regulate road traffic and reduce air pollution we have the following requests:

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[1] https://eandt.theiet.org/content/articles/2019/01/london-s-air-quality-is-a-public-health-emergency-says-mayor-sadiq-khan-ahead-of-ulez-launch/

[2] https://www.standard.co.uk/futurelondon/cleanair/sadiq-khan-air-quality-met-office-air-pollution-a4076496.html

- Strong road traffic reduction targets and implementing London-wide road user charging (see Just Space March 2018 response to public consultations re Policy T1).
- Reduce the need to travel, designate and promote of by-way routes that have lower levels of pollution for walkers and cyclists. This would also assist in meeting policy GG3B which is to 'promote more active and healthy lives lifestyles for all Londoners and enable them to make healthy choices'.
- Fewer and cleaner vehicles, including a phasing out of diesel vehicles (including buses, construction equipment and water transport).
- Strengthening low emissions targets (including cars).

However, to be effective the plan should operationalise air quality measures through policies on spatial organising and land use, here and elsewhere in the plan. For example, new schools, health facilities, care homes or community centres should not be built in air pollution hotspots. Again, policies that support local employment and services, life time neighbourhoods and life time suburbs, as advocated by Just Space, can reduce the need to travel.

In addition, it is also vital that air pollution reduction targets are set in accordance with not only those most vulnerable in terms of their health (such as children and older people, as stated in SI1 clause 2), but also for those currently most exposed to air pollution.

In the report published by the GLA entitled 'Updated Analysis of Air Pollution Exposure in London' (a report considering pollution exposure in London in 2013 and showing exposure varies by indicators of relative deprivation and ethnic groups in London), page 3 discusses the main findings of the report stating that:

'There are still considerable differences in average levels of exposure in 2013 between more deprived and less deprived communities, with more deprived communities experiencing higher NO2 and PM10 concentrations than less deprived communities.'

And '*people living in places with high proportions of Black, Mixed or "Other" ethnic groups (defined in Table 2) are more likely to be exposed to above EU NO2 limit value concentrations than those in areas with a high proportion of white people*[3]

Air pollution disproportionately affects more deprived communities, and BME communities. This is a clear equalities issue that the plan and decision-makers are negligent in failing to have due regard to and to set about effectively remedying. Para 9.1.1's acknowledgement that '*the impacts tend to be most heavily felt in some*

3 https://www.london.gov.uk/sites/default/files/aether_updated_london_air_pollution_exposure_final_20-2-17.pdf

of London's most deprived neighbourhoods, and by people who are most vulnerable to the impacts' is not enough.

For instance, air quality focus areas (AQFAs) in para 9.1.8 focus on Transport for London routes. But, there needs to be a greater emphasis in the plan on how air pollution will be reduced for those currently disproportionately affected by air pollution by more immediate actions and longer term planning through spatial organising and land use policies, rather than a limited focus on transport links. A clear strategy for w those worst affected by air pollution is needed if Policy GG3 A's objective for a *'systematic approach to improving the mental and physical health of all Londoners and reducing health inequalities*' is to be fulfilled.

Are the individual policies and detailed criteria justified and necessary and would they provide an effective basis for development management?

As emphasised above, particularly sensitive uses, such as new health facilities, care homes and community centres should not be built in air pollution hot spots. Therefore, policy should make clear that these forms of development should not take place in areas of low air quality, so as to not further exacerbate health issues and inequalities.

With large areas of London still in excess of legal limits for nitrogen dioxide, and with levels of particulate matter pollution above World Health Organisation guidelines, more ambition is needed to ensure that development plays its part in delivering cleaner, safer air across the city. Technological solutions exist to enable clean development and increased levels of pollution are not inevitable. The New London Plan should work to ensure that development in areas of high pollution does not threaten compliance with legal limits and is designed to reduce negative impacts on human health.

Development should be required to contribute to improving air quality, rather than simply maintaining the status quo. Adopting an "Air Quality Positive" (AQP) approach is a step in the right direction. However, in recognition of the extent of the problem, this requirement should apply to a wider range of developments than the large-scale ones suggested at SI1A.3. Whilst this clause and para 9.1.3 outlines AQP approach, greater clarity and specificity is needed on requirements, parameters and implementation measures. Otherwise, it will remain aspirational rather than a certain and unambiguous component of policy.

Operation of standards for both Air Quality Neutral and AQP need to be thoughtfully designed if they are to deliver pollution reductions in an effective and equitable way. In particular, any reliance on mitigation measures to offset projected negative air quality impacts of a development should be subject to strict safeguards to ensure that benefits are in fact delivered and health inequalities are avoided. For example,

to be incorporated into any “Air Quality Positive” or “Air Quality Neutral” assessment mitigation measures must:

- Be certain and measurable. It can be difficult to quantify the air quality impact of proposed mitigation measures with accuracy. For example, an assessment of the actual air quality impacts of “softer” measures such as anti-idling campaigns or projects to promote the uptake of active travel can be problematic and subject to a significant degree of uncertainty. Measures’ effectiveness may also be constrained by factors outside of developers’ control. For instance, where fiscal incentives for the purchase of ultra-low emission vehicles are lacking, the installation of electric vehicle charging points within a development may have limited impact. Whilst developers should be made to play their part in delivering and/or funding a wide range of pollution reduction measures, these should only be incorporated into any “net-gain” assessment where impacts can be quantified with certainty.
- Assessment mitigation measures must not permit onsite pollution to be offset by off-site improvements – see answer below.

In particular:

a) Are the requirements in Policy SI1 clear and will they be effective in improving air quality whilst delivering the homes Londoners need in accordance with Policy GG4?

The requirements in policy SI1 are not clear, and in places, will not be effective in improving air quality whilst delivering homes that Londoners need in accordance with policy GG4.

Just Space takes particular exception to Policy SI1 clause A6). The relevant para 9.1.9 on offsetting measures indicate that “*it may be possible to make the development acceptable through additional mitigation or offsetting payments”.*

However, including offsetting measure for some developments directly contradicts targets of reaching air quality improvements, as in-situ air quality improvement, or at least a lack of harm will not take place. Levels of air pollution in the immediate area of such development will be adversely affected, possibly breaching legal EU limits, in conflict with the health and legal imperatives of tackling air pollution levels. Health is not a tradable asset. Making air quality worse in and around a specific development site cannot be justified by improving it elsewhere - eroding people’s wellbeing in one area by making improvements off-site does not provide an equitable solution and should not be endorsed.

b) Will Policy SI5 ensure adequate provision for water infrastructure and encourage a sustainable use of resources? Is the requirement to use the optional requirement of the Building Regulations justified?

London is in a region of high water stress, one that is predicted to become more severe due to weather and climate changes and as unmanaged water demand and urban development grows, so water supply becomes more precarious. Concomitant with that is the flood risk – its extent, likelihood and recognition are increasing[4]. The crucial need to remedy issues around all aspects of water infrastructure requires purposeful and instructive policy.

The Building Regulations Optional Requirement is a necessary part of the mix of policy requirements. The Sustainable Design and Construction SPG 2014 could be usefully referenced as a textual footnote[5].

Minor Modification Policy clause EA on Integrated Water Management Strategies is an important and necessary addition given that there are development areas with problematical water infrastructure issues, often those Opportunity Areas that the plan sets much store by to deliver 'good growth'. Support for the Policy wording that concludes "… at an early stage." can be found in an Imperial College study, 'Blue Green Solutions[6] which, among other things, advocates and justifies a holistic and integrated design methodology from inception using a Blue Green approach with nature based solutions and their multiple benefits.

Such an approach was part of Just Space's March 2018 response to public consultations which not only proposed valuing the connection between blue and green assets, as a cross-cutting approach to environmental sustainability – 'Making London a Blue Green City'; but also creating greater environmental awareness and stewardship to build socio-environmental justice. (This was proposed be added to Policy GG6).

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[4] This is well explained in chapter 2 of London Assembly Environment Committee 'Growing, growing, Gone' Report March 2016

[5] Chapter 2.6 sets out water efficiency measures, if somewhat outdated now https://www.london.gov.uk/sites/default/files/osd34_sustainable_design_construction_spg.pdf

[6] Imperial College Blue Green Solutions A Systematic Approach to Sustainable Resilient and Cost-Effective Urban development 2017
(Access via study project's website http://bgd.org.uk/about/blue-green-solutions-the-guide/)