

Dear Ian,

I note your response and believe TMBC are deliberately attempting to water down existing AQ rules from Policy SQ4 in the MDE-DPD LDF, noted below (which you ignored anyway).

That policy is quite unequivocal in stating "development will not be permitted".

Neither SQ4 or LP20 set any limit on extra pollution, so one single picogram of extra pollution triggers the theoretical development ban.

Your draft LP20 for the Local Plan now fudges the issue by allowing "offsets" or "mitigation".

This watering down of clear policy means that TMBC is moving in the opposite direction to the recent High Court Client Earth ruling against the Government, that insists AQ must be tightened up, and that the Government has been failing.

The clear fact is that you cannot "mitigate" against pollution without removing pollution sources such as traffic and industry, which is clearly contrary to your Local Plan.

I would be most interested to hear what these "offsets" and "mitigation" actually are, what proposals by a developer will be accepted.

And remember "cumulatively" also includes all the other mass development in other boroughs.

Kind regards

Mike

Policy SQ4 Development will only be permitted where all of the following criteria are met:

(a) the proposed use does not result in a significant deterioration of the air quality of the area, either individually or cumulatively with other proposals or existing uses in the vicinity;

(b) proposals would not result in the circumstances that would lead to the creation of a new Air Quality Management Area;

(c) proximity to existing potentially air polluting uses will not have a harmful effect on the proposed use; and

(d) there is no impact on the air quality of internationally, nationally and locally designated sites of nature conservation interest or appropriate mitigation is proposed to alleviate any such impact.

LP20: Air Quality

Developments, either individually or cumulatively with other proposals or existing uses in the vicinity, that could directly or indirectly result in material additional air pollutants and worsening levels of air quality within the area surrounding the development site or impact on the existing Air Quality Management Area will not be permitted unless evidenced, specific, detailed measures to offset or mitigate any potential impacts, to the satisfaction of the Council, are included as part of the proposal.

LDF SQ4 "significant deterioration"

LP20 "material additional pollutants"

- 1 Can you define the specific level or measurement of "material additional pollution" that will trigger a refusal?
2. . What methods of mitigation or offset a developer might propose, and how the authority will measure their effect?
3. Will the mitigation or offsets you refer to be required to meet a specific lower level of pollutants?
4. How can you make informed decisions about Air Quality when you aren't measuring Particulates?