

As discussed please find attached contributions from my team around environmental impacts including AQ. These were policies we introduced into Richmond's Plan and were subsequently enhanced by the Inspector.

Ideally we would like to mirror these in the Merton's Plan?

Happy to discuss, below are the amendments requested by the Inspector.

Kindest regards

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Policy LP 10

Local Environmental Impacts, Pollution and Land Contamination

A. The Council will seek to ensure that local environmental impacts of all development proposals do not lead to detrimental effects on the health, safety and the amenity of existing and new users or occupiers of the development site, or the surrounding land. These potential impacts can include, but are not limited to, air pollution, noise and vibration, light pollution, odours and fumes, solar glare and solar dazzle as well as land contamination.

Developers should follow any guidance provided by the Council on local environmental impacts and pollution as well as on noise generating and noise sensitive development. Where necessary, the Council will set planning conditions to reduce local environmental impacts on adjacent land uses to acceptable levels.

Air Quality

B. The Council promotes good air quality design and new technologies. Developers should commit to 'Emissions Neutral' development where practicable. To consider the impact of introducing new developments in areas already subject to poor air quality, the following will be required:

1. an air quality impact assessment, including where necessary, modelled data;
2. mitigation measures to reduce the development's impact upon air quality, including the type of equipment installed, thermal insulation and ducting abatement technology;
3. measures to protect the occupiers of new developments from existing sources;
4. strict mitigation for developments to be used by sensitive receptors such as schools, hospitals and care homes in areas of existing poor air quality; this also applies to proposals close to developments used by sensitive receptors.

Noise and Vibration

C. The Council encourages good acoustic design to ensure occupiers of new and existing noise sensitive buildings are protected. The following will be required, where necessary:

1. a noise assessment of any new plant and equipment and its impact upon both receptors and the general background noise levels;
2. mitigation measures where noise needs to be controlled and managed;
3. time limits and restrictions for activities where noise cannot be sufficiently mitigated;
4. promotion of good acoustic design and use of new technologies;
5. measures to protect the occupiers of new developments from existing sources.

Light Pollution

D. The Council will seek to ensure that artificial lighting in new developments does not lead to unacceptable impacts by requiring the following, where necessary:

1. an assessment of any new lighting and its impact upon any receptors;
2. mitigation measures, including the type and positioning of light sources;
3. promotion of good lighting design and use of new technologies.

Odours and Fume Control

E. The Council will seek to ensure that any potential impacts relating to odour and fumes from commercial activities are adequately mitigated by requiring the following:

1. an impact assessment where necessary;
2. the type and nature of filtration to be used;
3. the height and position of any chimney or outlet;
4. promotion and use of new abatement technologies;

Land Contamination

F. The Council promotes, where necessary, the remediation of contaminated land where development comes forward. Potential contamination risks will need to be properly considered and adequately mitigated before development proceeds.

Construction and demolition

G. The Council will seek to manage and limit environmental disturbances during construction and demolition as well as during excavations and construction of basements and subterranean developments. To deliver this the Council requires the submission of Construction Management Statements (CMS) for the following types of developments:

1. all major developments;
2. any basement and subterranean developments;
3. developments of sites in confined locations or near sensitive receptors; or
4. if substantial demolition/excavation works are proposed.

The Council will seek a charge to cover the cost of monitoring the CMS; a discount may be applied if the applicant/developer uses the Council's Building Control services.

4.10.1 Developers should explore ways to minimise any harmful and adverse environmental impacts of development, including during construction and demolition. Where possible, development that is likely to generate pollution should be located away from sensitive uses such as hospitals, schools, care homes and wildlife sites. The design and layout of new development should minimise conflict between different land uses, taking account of users and occupiers of new and existing developments. Therefore, any noisy or polluting activities or features such as plant equipment, should be positioned away from sensitive areas where possible to ensure any detrimental impacts on health, living conditions or amenity are kept to acceptable levels.

4.10.2 In addition, where there are already significant adverse effects on the environment, amenity or living conditions due to pollution, sensitive uses should ideally be steered away from those areas. However, given the limited availability of land for development in this borough, this will not always be possible. Therefore, new developments, including changes of use, should mitigate and reduce any adverse impacts resulting from air and light pollution, noise, vibration and dust to acceptable levels.

4.10.3 The Council will be preparing SPDs on local environmental impacts, pollution and noise, which will contain further guidance and clear requirements, including methodologies, for the various assessments that may need to be submitted as part of certain types of planning applications.

Air Quality

4.10.4 Good air quality is vital to the health and wellbeing of the borough. There are a number of areas in the borough that do not comply with the air quality targets and action must be taken to control, minimise and reduce the contributing factors of poor air quality.

4.10.5 The whole of the borough has been declared as an Air Quality Management Area (AQMA) and as such any new development and its impact upon air quality must be considered very carefully. The Council will consider the impact of introducing new developments to areas already subject to poor air quality, and the impact on the new occupiers of that development, especially in sensitive uses such as schools.

4.10.6 The Council will seek financial contributions through the use of Planning Obligations towards air quality measures where a proposed development is not air quality neutral or mitigation measures do not reduce the impact upon poor air quality.

Noise and Vibration

4.10.7 Noise and/or vibration arise from a variety of sources, such as major roads, railways and aircraft, as well as industrial and commercial sources. This can have a significant effect on health, quality of life, amenity, living conditions and the environment in general. Therefore this needs to be considered when new developments may create noise and vibration, and also when new developments would be sensitive to existing conditions.

4 Local Character and Design

Publication Local Plan

4.10.8 Applicants need to consider acoustic design at an early stage of the planning process to ensure occupiers of new and existing noise sensitive buildings are protected.

4.10.9 The Council is in the process of developing a SPD for Noise Generating and Noise Sensitive Development. This sets out guidance intended to help protect the local occupiers of new or existing noise sensitive buildings from existing or introduced noise sources, and, where possible, improve amenity and living conditions. The SPD will assist applicants, decision makers, agents, occupiers and others to identify issues to be addressed in any planning application in which noise and/or vibration will be an important consideration.

4.10.10 The Council will protect existing businesses and industrial uses in line with the Employment policies set out in this Plan. Businesses should not have unreasonable restrictions put on them because future noise sensitive uses are subsequently permitted adjacent to the business or within the surrounding area; this also includes changes of use. Therefore, proposed new noise sensitive developments should follow good acoustic design principles and incorporate adequate mitigation measures to ensure appropriate acoustic conditions in new developments.

Light Pollution

4.10.11 Though an important part of the urban environment, artificial lighting when not controlled, is poorly designed or positioned incorrectly can have a detrimental effect upon occupiers and residents. As part of the development process steps must be taken to ensure that the impact of artificial lighting is considered carefully.

Odours and Fume Control

4.10.12 Some commercial activities can have an impact upon the local environment; these impacts can include such things as odours, fumes, dust and steam. As part of the development process steps must be taken to ensure that any impact is considered carefully and that mitigation is in place to manage these types of emissions.

4.10.13 Applicants will be required to apply the Department for Environment, Food & Rural Affairs' (DEFRA) Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems.

Land Contamination

4.10.14 A wide range of uses have occurred in the borough throughout its history and there are areas where small scale industrial uses, such as factories, garages, manufacturing works and wharves were once present, and which may have left a legacy of contamination. All new development in the borough is envisaged to take place on previously developed land (i.e. brownfield sites) and therefore remediation is encouraged. The duty to ensure that a safe development is secured on a site that is affected by contamination rests with the developer.

4.10.15 The Council promotes the remediation of land where development comes forward. Potential contamination risks will need to be properly considered and adequately mitigated before development proceeds.

4.10.16 To deliver this the Council will:

- require a desk top study and preliminary risk assessment, including an assessment of the site's history, potential contamination sources, pathways and receptors;
- where necessary, require a site investigation and detailed risk assessment in line with current best practice guidance, including where appropriate physical investigations, chemical testing and assessments of ground gas risks and risks to groundwater;
- where necessary, require a remediation strategy that sets out how any identified risks from the reports above are going to be addressed;

- where necessary, require a validation report once remediation has taken place, including evidence that demonstrates that risks from contamination have been controlled effectively; and
- require all above reports and investigations to be carried out by a competent person.

Construction and demolition

4.10.17 There is a need to ensure that occupiers are protected from environmental disturbances during the construction and demolition phase of major developments, and in particular during excavating and construction of subterranean developments such as basements.

4.10.18 The Council requires the submission of Construction Management Statements (CMS) for the types of developments as set out in the policy. In addition, the Council's Good Practice Guide on Basement Developments sets out guidance to ensure that problems relating to excavation and constructions of basements, such as highway/parking impacts, noise, dust, vibration and disturbance to neighbours, are avoided. Developers of basements are also expected to sign up to a Considerate Construction Scheme. To manage the environmental impacts and ensure that the Construction Management Statements are adhered to, the Council will seek a charge to the applicant/developer to cover the cost of monitoring the CMS. Where an applicant/developer uses the Council's Building Control services, a discount may be applied to this charge.

4.10.19 The Council may also consider requiring a Construction Logistics Plan (CLP) in areas that are subject to high traffic congestion to ensure that vehicles entering the site do not adversely impact on local traffic.

4.10.20 The Council may also require a management plan that sets out how developers monitor dust, noise and vibration, and where necessary take the appropriate action if issues arise.

4.10.21 It will also be necessary to control the hours of operation for noisy site works and the processes that would need to be followed in order to work outside these hours when and if required.

4.10.22 As part of the Council's commitment to better air quality, the Council will also request, through planning conditions, that the GLA Regulation relating to Non Road Mobile Machinery (NRMM) is imposed where necessary.