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## Wandsworth Council

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Our ref: ECS/LPEID2017/ID/01  
Your ref:  
Date: 29 November 2017

Dear Mr Stone

### **Wandsworth Council – Examination of Local Plan Employment and Industry Document (LPEID) Inspector's preliminary observations to the Council (ref ID/01)**

Thank you for your communication dated 8 November 2017, reference ID/01 seeking further clarification on correspondence with Natural England (NE) regarding Habitat Regulation Assessment (HRA) scoping.

The following sets out the matters you have raised and our response:

**The Council have determined that HRA scoping is not required and provide correspondence with Natural England (NE) to confirm that NE support this position (SD-017 HRA correspondence with Natural England – Formal opinion). I require some clarification around that correspondence and any further actions undertaken by the Council.**

**NE's letter appears to limit its consideration to the impact arising from possible residential development resultant from the Employment and Industry review; have NE considered wider implications elsewhere or agreed that this is the main effect on the potentially affected sites? Is there evidence of that?**

Natural England have clarified in their recent email of 21 November (Document Reference Number PS-005) that recreational pressure arising from new housing allocations on the sites proposed in the Employment and Industry Document (LPEID) would be the only possible main impact (as also identified in table 3.2 of the 2015 HRA (Document Reference Number PS-001), but that the scale of this is limited therefore any resulting increase in visits would not generate significant impacts. Importantly Natural England also confirm that their consideration of impact also extended to non-residential elements of the Employment and Industry Document (LPEID). Natural England concluded that it was unlikely that there would be an impact as a direct result of the allocations made.

The Council considers it is relevant to note that the borough is well served by existing open spaces and that the proposed site allocations in the LPEID are within walking distance of other open spaces much closer to the LPEID sites, such as King Georges Park, Wandsworth Park and smaller spaces and sitting out areas including along the Thames Riverside. Existing Area Spatial Strategies, such as Central Wandsworth and Nine Elms also propose new open spaces which should also assist mitigation of any impact. It is relevant to note the analysis and conclusions of the 2015 HRA (paragraphs 4.17-4.19 and 4.21-4.22) which noted the inaccessibility of the European sites<sup>1</sup>, the provision of new open spaces and the reason why the impact of the local plan on levels of pollution would be negligible. None of the site allocations in the LPEID are within the 400m buffer (standard 15m walking distance) of either Richmond Park or Wimbledon Common. Regarding the in-combination effects this is considered in paragraph 4.32-4.35 of the 2015 HRA and conclude that there would be no adverse impact.

**The letter refers to a short Habitats Regulations screening document can you confirm that this is the document in SD-017 entitled “Email to Natural England” dated Wednesday 19 April 2017?**

Yes it is it is contained on pages 5-6 of document SD-017.

**Within the preceding email chain there is an email dated 19 April with the person ‘from’ redacted. In that email it states there are a number of attachments to the ‘Habitats Regulations’ screening email, can you confirm what these documents were and that I have copies of them within the evidence base, as this is not clear from the correspondence?**

The relevant attachments in support of this response, as forwarded to the Programme Officer by email on 10 November 2017 are (now renamed and indexed):

<b>Existing Documents – see Council’s website via the following link</b> <a href="http://www.wandsworth.gov.uk/employmentlandreview">http://www.wandsworth.gov.uk/employmentlandreview</a> <b>We will also add the remaining documents onto our website by 1 Dec 2017.</b>	
Document	Notes
SD-028 Scoping report consultation comments and the Council’s response (March 2017)	Comments on draft scoping report
SD- 017 HRA Correspondence with Natural England	Pages 5-6 contains the screening information
<b>Post submission documents</b>	
PS-001 Wandsworth adopted Local Plan 2016 - Habitats Regulations Assessment (April 2015)	
PS-002 Draft IAA Scoping Report for Consultation (August 2016)	This is background information supplied to assist Natural England in their formal response
PS-003 Initial Screening Opinion email WBC to Natural England	This is background information to assist Natural England. This was the first email sent to Natural England dated 13 January 2017 – this was not forwarded initially as it is

<sup>1</sup> For ease of reference, the term ‘European sites’ is used in this letter to refer to Wimbledon Common and Richmond Park as sites protected under the European Directive (92/43/EEC The Habitats Directive).

	effectively superseded by WBC's subsequent email of 19 April to Natural England which sought a more detailed response in the form of a formal opinion/ LBC considered it was necessary to follow up this email seeking a formal opinion on HRA screening which is on pages 5 and 6 of SD-017
PS-004 List of Site Allocations in the WBC Employment and Industry Local Plan Review	This was background information supplied to assist Natural England in their formal opinion. The results are summarised on page 6 of SD-017

**In terms of the substance of NE's letter it accepts that the short Habitats Regulation screening document provides an acceptable level of assessment on the basis that the Local Plan has been recently adopted and has its own full HRA in support of allocations. This acceptance however is caveated by the following paragraph drawing attention to the recent Wealden decision and the necessity to ensure any assessment covers the in combination effects satisfactorily.**

**Can you confirm what action the Council has taken to satisfy itself on the issue of in combination effects and whether legal advice was sought? If so what was the outcome of that work and any legal advice?**

The Wealdon Judgement related to the effects of traffic associated with housing and employment development on European sites. The Design Manual for Roads and Bridges (DMRB) describes a widely used approach for the assessment of the impact of emissions from road schemes in England on European sites and provides a series of screening criteria for determining the need for further assessment based on traffic data. The use of these criteria is optional – they do not represent threshold values above which harm is likely but rather provide a relatively quick and easy method of determining whether the more resource-intensive task of air quality modelling is required. The DMRB screening criteria include whether there will be a significant change in annual average daily traffic (AADT) flows on roads within 200m of European sites that are sensitive to air pollution.

The Council recognises that the Design Manual for Roads and Bridges provides screening criteria for determining the need for further assessment based on traffic data; this includes a criterion as to whether there will be a significant change in traffic flows within 200m of protected European sites. The A3 trunk road carries significant volumes of through traffic with journeys starting and ending beyond the Wandsworth boundary and passes almost directly to the south east of Richmond Park and adjoins Wimbledon Common. The A3 serves freight and logistics traffic linking central London to the Cross-Channel ports such as Portsmouth. This road is designated as part of the Transport for London (TfL) Road Network (TLRN). As the A3 carries through traffic, the influence of the LPIED and the new sites proposed and the impact flow of traffic generated by the sites will not be significant or have adverse impacts upon the European sites. The site allocations contained within the LPEID are at least 2000 meters away from the nearest European site (Wimbledon Common) and it is considered that whilst there could be some potential small change in air quality across the Borough resulting from a potential increase in car generating trips, this is negligible and can be dismissed. Given this

negligible impact and together with the general trend that in Wandsworth Borough mode share by car continues to fall and active travel is increasing, the need for a detailed air quality modelling assessment including an assessment of 'in combination' effects is not considered necessary and legal advice was therefore not sought.

Strategically, the Mayor has made a commitment to reduce CO2 emissions in London by 60% from 1990 levels by 2025. Section 5.22 of the Mayor's Transport Strategy (MTS) includes several proposals aimed at reducing ground-based CO2. For example the London Electric Vehicles Partnership aims to deliver significant growth in the take-up of electric vehicles, tapping into other funding sources such as 'Plugged-in Places' where possible. The Council has put in place new electric vehicle charging points. Mayoral policies on tube, rail and the TLRN will influence the overall level of ground-based emission in Wandsworth. National Government policies and incentives for new technologies will also be key influences. The London Plan 2016 Table 6.1 (which supports Policy 6.1) sets out an indicative list of transport schemes. These include public transport, cycle and pedestrian schemes, Low Emission Zones and a variety of freight-based projects. These initiatives, which also expect the continuation of the modal shift away from car use, are expected to reduce the impact of vehicular traffic including on air quality. More recently the Mayor for London has committed to bringing forward the Ultra Low Emission Zone (ULEZ) to start in 2019. This is a vehicle charging initiatives relating to emission and revenues will be used by TfL to maintain a greener transport fleet and to reduce pollution across the transport network.

The Council's 2015 HRA (Document Reference Number - PS-001) of the adopted Local Plan (2016), which was accepted by the Inspector in his report of December 2015, ruled out likely significant air pollution effects. The LPEID is only a partial review, focussing on polices and site allocations relating to planning for employment and industry and therefore the existing HRA can be relied upon. In addition the Inspector should note that the Council has wider plans and programmes in place to tackle air pollution as the borough is a designated Air Quality Management Area and an Air Quality Action Plan (AQAP) together with regular monitoring of air quality is in place. As the purpose of the LPEID is to provide policy guidance and site specific allocations in relation to industrial and employment uses, the scale of housing growth resulting from the policy changes set out in the LPEID is significantly less than that already planned for under the 2016 Local Plan. The 2015 HRA's conclusion in terms of the Local Plan having a negligible impact on air pollution at Wimbledon Common SAC is therefore robust, particularly in light of the Council's existing planning policy on air quality – [Policy DMS1](#) - Sustainable urban design and the quality of the environment air quality and/or the London Plan policy 7.14, which requires developments to be "at least air quality neutral". The HRA ruled out air pollution effects on the other European sites identified as sensitive to NOx pollution because growth in Wandsworth Borough is not expected to contribute to traffic growth at Wimbledon Common because of its distance from the borough.

The Council's Air Quality Action Plan acknowledges that the main source of PM10 and NO2 pollutants in the borough is road transport, with heavy duty diesel engines in HGVs largely responsible. The Council supports pan-London initiatives to reduce pollutants from these vehicles (e.g. via the Low Emission Zone and through changes to bus tenders) The AQAP includes: the Council replacing its fleet over time with less-polluting vehicles; training for Council drivers in eco-driving techniques and reducing unnecessary mileage; measures aimed at reducing the use of cars (detailed elsewhere

under other LIP Objectives); vehicle emissions testing; and the introduction of electric vehicle charging points.

The draft London Plan, which will include new housing targets for all of London's boroughs, is anticipated to be published on 1 December for public consultation; see the Mayor of London's website for further information: [www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan/what-new-london-plan](http://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan/what-new-london-plan). This will be accompanied by an Integrated Impact Assessment, incorporating the requirements for HRA. In addition, as set out in the Council's Local Development Scheme, the Borough will commence the full review of the Local Plan in 2018, with anticipated adoption in 2021, and this will be subject to HRA to ensure any likely significant effects on European sites arising from additional housing and other non-residential growth in the borough is fully assessed in accordance with relevant legislation.

**NE also suggest that it would be prudent to ensure that any of the new sites potentially allowing residential are screened themselves to ensure appropriate avoidance and mitigation is in place. Can you confirm how this matter has been taken forward and is addressed?**

Natural England's latest correspondence (Document Reference Number PS-005) states that the main pressures are recreational at Wimbledon Common SAC and that this is the only likely route for any possible impacts. They also state that there isn't likely to be a significant increase in visits as a result of the LPEID and its policies/allocations, both in terms of potential visits from employees as well as residents. It is considered that any potential impact would be mitigated in the form of existing policy requirements to provide open space provision associated with the development of the site allocations. Other areas which are local to the site allocations would also be available to use such as the nearby Wandsworth Park or King Georges Park. Open space requirements include habitat restoration and/or new public open space to be provided along with new play space where family housing is proposed.

Reference to habitat restoration is stated where relevant in the individual LPEID allocations. The majority of the new site allocations are in central Wandsworth where new public spaces are proposed as part of the former Ram Brewery Development (currently under construction) and have parks and open spaces located nearby. It is important to note that all the site allocations are within walking distance to other more conveniently located existing open spaces (such as Wandsworth Park or King Georges Park and Wandsworth Common). The degree of mitigation proposed is considered to be adequate and proportional to the possible recreation impacts of the European sites as it is considered that both the remote location and restricted access points to both Wimbledon Common and Richmond Park make it highly unlikely that the LPEID sites would give rise to any significant increase in visits to from either new residents or employees.

As explained in the 2015 HRA the London Plan also contains policies that explicitly protect European sites from adverse effects of increased recreational pressure or air pollution by requiring protection of opens spaces, provision of new open space and by requiring development to be 'at least air quality neutral'. These policies are part of the Borough's statutory development plan and therefore also apply to the new allocations, and as the main changes in the LPEID have largely lead from updates to local evidence

and London-wide evidence produced by the GLA relating to employment and industry, it is not considered necessary to assess this further.

If you have any queries or require any further information on this response, please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Stone', with a horizontal line drawn through the middle of the signature.

**John Stone**

Head of Planning and Transport Strategy