Creating a better place
for people and wildlife

Environment Agency

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Our reference: EA/LBOH/2025
Your reference: AQAP 2025-2030

Dear Mike,

London Borough of Havering - Air Quality Action Plan 2025-2030

Thank you for the opportunity to comment on your Air Quality Action Plan (2025 to 2030) for the London Borough of Havering (LBOH).

Please send future requests for consultations to our National Customer Contact Centre (using this email address: enquiries@environment-agency.gov.uk and copy in air.quality@environment-agency.gov.uk) so we can coordinate a response for you.

We are not able to provide detailed comments on every Air Quality Action Plan (AQAP) we receive so we have compiled a summary of the issues/priorities that we feel are common to each AQAP and where possible/appropriate, we have made LBOH specific comments.

General

Air quality has a significant role to play in the health and wellbeing of communities and the prospects of the natural environment, reducing both life expectancy and biodiversity in heavily polluted areas, and otherwise impacting upon the perception of the quality of life and amenity offered by the area. For example, reports suggest that there over 40,000 brought forward deaths per year in the UK due to air pollution and costs to the UK economy of up to £13 billion per year.

The Environment Agency – our role in Air Quality

We have a number of duties related to air quality:

1. We ensure that the industrial facilities we regulate comply with the Environmental Permitting (England and Wales) Regulations 2016, thus contributing to compliance with:
    - UK requirements such as the UK Air Quality Strategy, the Countryside and Rights of Way Act and the Natural Environment and Rural Communities Act; and
    - EU requirements on the UK such as Air Quality Directives, Habitats Directive, the National Emissions Ceiling Directive and the Industrial Emissions Directive.
2. We support local authorities in improving local air quality, particularly through providing technical guidance on behalf of Defra to local authorities in respect of industrial facilities they regulate.
3. We coordinate ambient air quality monitoring for incidents that may have a significant impact on air quality.
4. We were not generally responsible for assessing or monitoring ambient air quality until April 2016 when we took on the contract management of the latter in the form of the ten monitoring networks that were formally managed by Defra.

The Environment Agency is committed to working with local authorities and to play our part fully in Local Air Quality Management (LAQM). We have found that several sectors we regulate under the Environmental Permitting Regulations have the potential to affect air quality negatively. Nationally some individual installations in these sectors have already been found to contribute significantly and we have been working with the affected local authorities for some time to implement the necessary

improvements. Installations we regulate may be covered by freestanding Air Quality Action Plans or ones, which are transport-related and incorporated into Local Transport Plans.

We suggest that any new Air Quality Action Plan adheres to the principles in the London Plan and Air Quality policy SI 1, including air quality neutrality and air quality positive, as well as the relevant SPD's. The plan must also help to bring local air quality below EU limit values for local pollutants - in particular PM10, PM2.5 and NO2, as expressed in the EU Air Quality Directive and implemented in the UK through the 2010 air quality regulations or subsequent revisions.

The Agency as an Air Quality Partner -

The Environment Act 2021 established a formal role of Air Quality Partners into the Local Air Quality Management framework.

As an Air Quality Partner, the Environment Agency can assist local authorities with reasonable requests, if a source of pollution from an Environment Agency permitted site which is responsible for significantly contributing to failures of air quality standards. For example, by providing information on a source of air pollution.

We always work to minimise emissions from all sectors of regulated industry, and we already work closely with most local authorities on local air quality matters.

It is possible to declare the Environment Agency as an Air Quality Partner, however, we expect this to only be necessary where (1) one or more of our regulated sites are "significantly contributing to exceedances of local air quality standards" (2) there is a legal pathway available to us to deliver improvements and (3) we have not responded to requests to work in partnership with a local authority via our business as usual approach.

Please contact us (and cc in air.quality@environment-agency.gov.uk) as early in the process as possible if you consider it necessary to nominate us as an Air Quality Partner. We will provide any reasonable assistance in connection with requests.

Preferred Position for Air Quality Action Plans –

In principle any Air Quality Action Plan should;

1. Have a clear commitment to meeting the relevant air quality standards;
2. Clearly state the current status of air quality within the borough;
3. Clearly report on the progress against targets set out in any previously published Air Quality Action Plan (if appropriate);
4. Where the borough does not meet the relevant air quality standards, they should clearly detail what mitigation measures will be used to ensure compliance with air quality standards in the shortest possible time period. It should ensure that compliance is not just 'possible' but 'likely';
5. Make clear what other organisations the borough is working with/planning to work with to implement improvement measures (as in 2 above), and what they are agreeing to deliver;
6. Include basic costs required to implement the required mitigation standards and compare against the level of funding available;
7. Take steps to ensure the measures in the Mayor of London's SPDs on sustainable design and construction or any update thereof to an equal or higher standard are implemented into the air quality action plan; in particular this should include;
    a) Require all new buildings be constructed and designed in a manner that minimises emissions of pollutants to the air both during construction and demolition and post-construction, making new development 'air quality neutral' or better;
    b) In the case of a major development, include an air quality assessment (as set out in the Mayor of London's SPDs on sustainable design and construction, or update thereof, to an equal or higher standard) that considers the potential impacts of pollution

from the major development and on neighbouring areas during construction and operation, including development related traffic and the potential for exposure to pollution levels above;

c) Implement any policies on transport which pertain to improving air quality;

d) Require any waste transfer stations to be in a building, enclosed on all vertical sides with small access and egress points covered by doors which default closed when not in use and an air extraction and filtration system to collect particulates as per London Plan Policy SI 8 E 4;

e) Require all industrial sites that use non road going mobile machinery to meet the latest NRMM standards on the date of purchase, or hire;

8. Contribute to achieving EU established health-based standards and objectives for the relevant air pollutants (particularly NO2, PM10, and PM2.5);
9. Take steps to ensure measures in the Mayor of London's London Environment Strategy (LES) are fully adopted by your Air Quality Action Plan.
10. Refer to and take account of, where necessary, Defra's Interim Planning Guidance on the consideration of the Environment Act $PM_{2.5}$ targets in planning decisions https://uk-air.defra.gov.uk/pm25targets/planning

Traffic –

Where there is a significant incidence of poor air quality within and adjacent to the area of concern (and in most cases this is directly attributable to emissions from road traffic) air quality policies must work in partnership with transport policies but also the councils' own fleet procurement policies, and partner authorities/ organisations.

New Developments –

Any new development, particularly in air quality 'hotspots' or development 'Opportunity areas', will need to consider how they mitigate the impacts of poor air quality. During construction the main air quality effects from development are anticipated to result from emissions of oxides of nitrogen (NOx) and fine particulate matter and dust (PM10 and PM2.5) emanating from an increase in road traffic, and from traffic management schemes. Therefore, mechanisms for minimising air pollution will need to be closely tied into the transport policies in the London Plan and London Environment Strategy.

Major developments planned within the borough will need to significantly mitigate their emissions and thus contribute towards improving local air quality as per the requirements of Air Quality Neutral and Air Quality Positive. This is particularly the case where they include potentially new sources of emissions such as biomass boilers, data centres, diesel array power generation, combined heat and power plants, and increased traffic-generated emissions. The effects on air quality during construction will also need to be managed, both in terms of emissions that generated from traffic, and from the treatment and processing of material from demolition and excavation.

Construction and demolition works should be required to meet or exceed the requirements set out in the Institute of Air Quality Management's Guidance on the 'Assessment of Dust from Demolition and Construction' or the Mayor of London's published supplementary planning guidance on 'Sustainable Design and Construction', and the 'Control of Dust and Emissions' during Construction and Demolition or published updates thererof.

We are also aware that Air Quality Neutral, Air Quality Positive and 'Agent of Change' policies can affect existing industrial sites we regulate where they are within or adjacent to new development. In these cases, we encourage early contact with our relevant officers.

Non-Road Mobile Machinery –

Where a commercial or industrial site involves the use of any non-road going mobile machinery with a net rated power of 37kW and up to 560kW, that is used during construction, and/ or operation, and/ or demolition at that site, we strongly recommend that the machinery used shall meet or exceed the latest emissions standards set out in Regulation (EU) 2016/1628 (as amended). This shall apply to

the point that the machinery arrives on site, regardless of it being hired or purchased, unless agreed in writing with the Local Planning Authority. We also advise, the item(s) of machinery must also be registered (where a register is available) for inspection.

Waste Management Sites –

Waste management sites are a potential source of dust and fine particulate emissions to air if not managed correctly. Those sites which mitigate the potential effects of air pollution by enclosing processes within buildings tend to be far less polluting and enclosure is now recognised as best practice for such sites. Consequently, we encourage any new Air Quality Management Area declaration, Air Quality Action Plan and/or proposed Clean Air Zones to require the further enclosure of existing waste handling sites and expect future waste development to be fully enclosed within buildings to minimise health impacts, improve amenity, and contribute towards improving air quality.

Data Centres –

This is a rapidly growing industry sector with specific environmental and regulatory challenges for the Environment Agency and Local Authorities. Data centres provide security and reliability in storing digital data on servers with back-up diesel powered power supply in the event of grid failure. They are often critical to national and local infrastructure systems, financial institutions and other large commercial interests. They are often housed in large buildings, sometimes in clusters in urban areas, and may have low or horizontal stacks that are not optimised for dispersion of emissions.

Many are also located in Air Quality Management Areas. Depending upon the size of the diesel stand by generation on site, the Environment Agency usually requires the operator to hold an Environmental Permit. When operating their standby generators during a power outage or testing, they will release emissions of NO_2, PM_{10} and $PM_{2.5}$.

In the event of a power outage (planned or otherwise) short term emissions could be considerable, especially where several are co-located data centres. They can also present other significant environmental impacts outside of the Environment Agency's regulatory remit. These are often controlled through planning conditions, but care must be taken to ensure there isn't an overlap in regulatory controls.

Both the Agency and several Local Authorities have found that there are considerable advantages in early liaison and coordination of the planning and permitting controls for these sites. Therefore, we would encourage Local Authorities that have data centres or become aware of potential new data centres to liaise closely with the Environment Agency from an early stage.

Regional Approach to Local Air Quality –

It is recognised that LBOH will need to work with others on the implementation of the measures necessary to address poor air quality as the matter is not confined to one planning authority area, and development is often governed by separate regulatory regimes and legislation, such as building regulations and environmental permitting.

We would like to advise that LBOH should regularly participate in the North or East London (whichever is more appropriate) Air Quality Cluster Group with representatives from adjacent boroughs and the Environment Agency to discuss local matters of Air Quality and share information and initiatives.

Summary –

It is important to note that we are not aware of any waste facilities or other industrial installations regulated by the Environment Agency in the borough that are causing or contributing to failures of air quality standards.

We are pleased to see LBOH has used national and local legislation, policies, strategies, plans and resources to aid in the planning and development of the AQAP, and that these have helped identify

issues and aid development of LBOH's key actions under the six topics of focus within the new AQAP: air quality modelling, reducing emissions from buildings and developments, public health and awareness, borough fleet actions, localised solutions and cleaner transport.

It is encouraging to see that LBOH is targeting the predominant sources of emissions across the borough and has adopted nine priority actions to improve air quality including: the enforcement of NRMM air quality policies, promotion and enforcement of smoke control areas, energy efficiency and supply projects to council housing stock and workplaces, promotion of pollution alert services, improving air quality around schools, reducing emissions from council fleets, regular car free days and pedestrian schemes, installation of ULEV infrastructure and infrastructure to support walking and cycling. The AQAP positively outlines how LBOH plan to effectively tackle air quality issues within its control.

Also, it is good to see that the Environment Agency and LBOH agree that we both need to cooperate and work together, not just with one another – but also with other London borough's, partners, stakeholders and organisations referenced in the AQAP, to secure a positive outcome for the AQAP, in line with the London Plan.

If you have any questions, please do not hesitate to contact me in the first instance.

Kind regards,

Scott Garrod

Environment Officer
Air Quality Champion
Environment Management | EPR Waste | Regulated Industry

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