



6 Bendall Mews, NW1 6SN
Air Quality Assessment

On Behalf of 6 Bendall Mews Ltd
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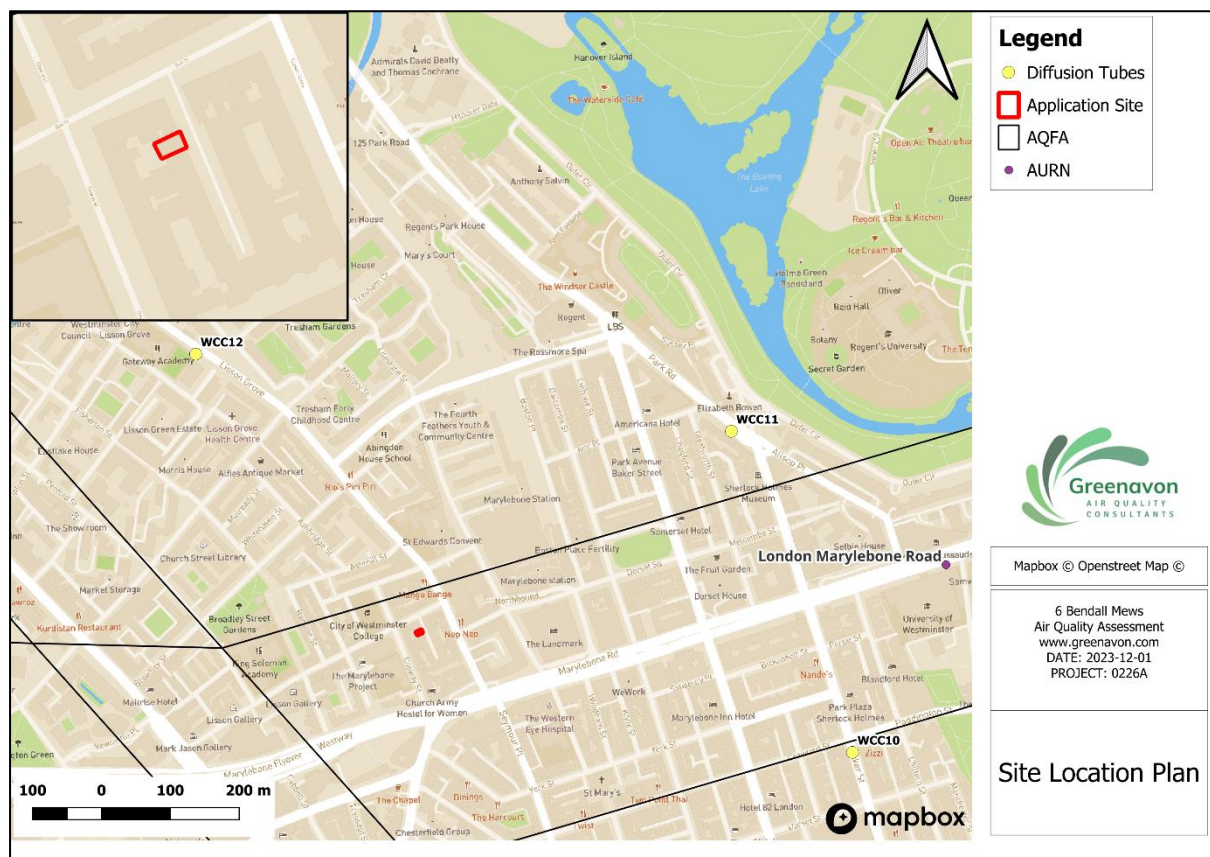
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1 Introduction

- 1.1 Greenavon Ltd was commissioned by 6 Bendall Mews Ltd to undertake an Air Quality Assessment to support an application for the change of use of 6 Bendall Mews, NW1 6SN, in the City of Westminster (CoW). A Site Location plan is included in Figure 1.1, below.
- 1.2 The proposal is for the change of use from a private GP Surgery (Class E) to C3 (Dwellinghouses) for the first and second floor of a terraced mews building, providing two separate residential flats.
- 1.3 The application site is located within both the CoW's city-wide Air Quality Management Area (AQMA) and the Marylebone Road from Marble Arch/Euston/King's Cross Junction Air Quality Focus Areas (AQFA). AQFAs are areas of both poor air quality and high human exposure (e.g. residential dwellings).
- 1.4 The main source of air pollution in the vicinity of the application site is from vehicles travelling on the local road network, particularly Marylebone Road.
- 1.5 This report assesses the proposed development's impact on, and sensitivity to, local air quality during the construction and operational phases, recommending mitigation where necessary.

Figure 1:1: Site Location Plan



2 Policy Context

Air Quality Standards Regulations and Air Quality Strategy

- 2.1 The Air Quality Standards Regulations 2010¹ and subsequent amendments, regulate the concentrations of major pollutants in outdoor air in the UK, including particulate matter (PM₁₀ & PM_{2.5}), nitrogen dioxide (NO₂), sulphur dioxide (SO₂), ozone (O₃), carbon monoxide (CO) and lead (Pb). These regulations seek to minimise the public's exposure to air pollution by requiring ambient concentrations to be within legally binding limit values, as well as target values.
- 2.2 The air quality standards (AQS) of relevance to this assessment are summarised in Table 2.1 below.

Table 2.1: Air Quality Standards for England

Pollutant	Averaging Period	Objective ($\mu\text{g.m}^{-3}$)	Date to be achieved by
Nitrogen dioxide (NO₂)	1-hour mean not to be exceeded more than 18 times per year.	200	1 January 2005
	Annual Mean	40	1 January 2005
Particulate Matter (PM₁₀)	24-Hour Mean not to be exceeded more than 35 times per year	50	1 January 2005
	Annual Mean	40	1 January 2005
Particulate Matter (PM_{2.5})	Annual Mean	20	1 January 2020

- 2.3 The Environment Act 1995 requires the Government and devolved administrations to produce a National Air Quality Strategy for the UK. The last major update to the National Air Quality Strategy (NAQS) was published in 2007², with minor updates occurring in 2011 and in 2023. Under the Environment Act 2021³, the Secretary of State must review the NAQS every five years. The most recent review in April 2023, included a PM_{2.5} annual mean target of 10 $\mu\text{g.m}^{-3}$, to be achieved by 2040.
- 2.4 Part IV of the Environment Act 1995 and Part II of the Environment (Northern Ireland) Order 2002 sets out that it is the responsibility of every local authority to review air quality within its area and designate an AQMA where air quality limit values are not being achieved. An Air Quality Action Plan (AQAP) setting out the measures to reduce pollution in that area must then be put in place. The CoW AQAP⁴ includes several measures outlining how emissions from development can be minimised.

National Planning Policy Framework

¹ Air Quality Standards Regulations 2010 (as amended) S.I 2008/30.

² Defra (2007) The Air Quality Strategy for England, Scotland, Wales, and Northern Ireland.

³ Environment Act 2021 SI No. 1274 (C. 72).

⁴ CoW (2020) Air Quality Action Plan 2019 – 2024

- 2.5 The revised National Planning Policy Framework (NPPF)⁵, updated in September 2023, sets out the Government's planning policies for England and how these are expected to be applied. A key aim of the NPPF is to promote sustainable development and regarding conserving the natural environment, paragraph 174 states:

“Planning policies and decisions should contribute to and enhance the natural and local environment by: [...]

- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans”.*

- 2.6 Paragraph 186 relates to compliance with legal limit values and how planning decisions should be consistent with local air quality policy and action plans. It states:

“Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan”.

- 2.7 Paragraph 185 relates to the appropriate siting of development and the assessment of cumulative effects, it states:

“Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.”

- 2.8 Whilst principally relating to sustainable transport, Paragraph 105 is indirectly related to air quality and states:

“The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between

⁵ Ministry of Housing, Communities & Local Government (2023) National Planning Policy Framework

urban and rural areas, and this should be taken into account in both planning and decision-making.

Planning Practice Guidance

2.9 Planning Practice Guidance (PPG)⁶ provides advice on how the planning process can take account of the impact of new development on air quality. It sets out what should be included in an air quality assessment and provides detail of when air quality is likely to be relevant to a planning decision:

“Whether air quality is relevant to a planning decision will depend on the proposed development and its location. Concerns could arise if the development is likely to have an adverse effect on air quality in areas where it is already known to be poor, particularly if it could affect the implementation of air quality strategies and action plans and/or breach legal obligations (including those relating to the conservation of habitats and species). Air quality may also be a material consideration if the proposed development would be particularly sensitive to poor air quality in its vicinity.

When deciding the relevance of air quality, the PPG suggests this as important.

- *Lead to changes (including any potential reductions) in vehicle-related emissions in the immediate vicinity of the proposed development or further afield. This could be through the provision of electric vehicle charging infrastructure; altering the level of traffic congestion; significantly changing traffic volumes, vehicle speeds or both; or significantly altering the traffic composition on local roads. Other matters to consider include whether the proposal involves the development of a bus station, coach or lorry park; could add to turnover in a large car park; or involve construction sites that would generate large Heavy Goods Vehicle flows over a period of a year or more;*
- *Introduce new point sources of air pollution. This could include furnaces which require prior notification to local authorities; biomass boilers or biomass-fuelled Combined Heat and Power plant; centralised boilers or plant burning other fuels within or close to an air quality management area or introduce relevant combustion within a Smoke Control Area; or extraction systems (including chimneys) which require approval or permits under pollution control legislation;*
- *Expose people to harmful concentrations of air pollutants, including dust. This could be by building new homes, schools, workplaces or other development in places with poor air quality;*
- *Give rise to potentially unacceptable impacts (such as dust) during construction for nearby sensitive locations;*
- *Have a potential adverse effect on biodiversity, especially where it would affect sites designated for their biodiversity value”.*

6 Department for Communities and Local Government (2019) Planning Practice Guidance Air Quality

London Policy

2.10 The London Plan⁷ is the overarching spatial development strategy for Greater London. It contains several policies of relevance to air quality, including Policy SI 1 Improving Air Quality, which states:

“Development Plans, through relevant strategic, site-specific and area based policies, should seek opportunities to identify and deliver further improvements to air quality and should not reduce air quality benefits that result from the Mayor’s or boroughs’ activities to improve air quality.

B To tackle poor air quality, protect health and meet legal obligations the following criteria should be addressed:

1) Development proposals should not:

- a) lead to further deterioration of existing poor air quality*
- b) create any new areas that exceed air quality limits, or delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits*
- c) create unacceptable risk of high levels of exposure to poor air quality.*

2) In order to meet the requirements in Part 1, as a minimum:

- a) development proposals must be at least Air Quality Neutral*
- b) development proposals should use design solutions to prevent or minimise increased exposure to existing air pollution and make provision to address local problems of air quality in preference to post-design or retrofitted mitigation measures*
- c) major development proposals must be submitted with an Air Quality Assessment. Air quality assessments should show how the development will meet the requirements of B1*
- d) development proposals in Air Quality Focus Areas or that are likely to be used by large numbers of people particularly vulnerable to poor air quality, such as children or older people should demonstrate that design measures have been used to minimise exposure.*

C Masterplans and development briefs for large-scale development proposals subject to an Environmental Impact Assessment should consider how local air quality can be improved across the area of the proposal as part of an air quality positive approach. To achieve this a statement should be submitted demonstrating:

- 1) how proposals have considered ways to maximise benefits to local air quality, and*

⁷Greater London Authority (2021) *The London Plan*: <https://www.london.gov.uk/programmes-strategies/planning/london-plan>

2) *what measures or design features will be put in place to reduce exposure to pollution, and how they will achieve this.*

D In order to reduce the impact on air quality during the construction and demolition phase development proposals must demonstrate how they plan to comply with the Non-Road Mobile Machinery Low Emission Zone and reduce emissions from the demolition and construction of buildings following best practice guidance.

E Development proposals should ensure that where emissions need to be reduced to meet the requirements of Air Quality Neutral or to make the impact of development on local air quality acceptable, this is done on-site. Where it can be demonstrated that emissions cannot be further reduced by on-site measures, off-site measures to improve local air quality may be acceptable, provided that equivalent air quality benefits can be demonstrated within the area affected by the development.”

Local Planning Policy

2.11 The CoW City Plan (2019-2040)⁸ also helps direct planning decisions within Westminster. It contains policy of relevance to air quality, including *Policy 32* which states:

“A. The council is committed to improving air quality in the city and expects development to reduce exposure to poor air quality and maximise opportunities to improve it locally without detriment of air quality in other areas.

AIR QUALITY NEUTRAL AND POSITIVE

B. Major developments and developments incorporating Combined Heat and Power (CHP) should be at least Air Quality Neutral.

C. Major developments in Opportunity Areas and Housing Renewal Areas and those subject to an Environmental Impact Assessment must additionally demonstrate how local air quality can be improved across the proposed development as part of an air quality positive approach.

AIR QUALITY ASSESSMENTS

D. Air Quality Assessments will be required for:

- 1. Major developments;*
- 2. Proposals that include potentially air pollution generating uses or combustion-based technologies*
- 3. Proposals incorporating sensitive uses; and*
- 4. All residential developments within Air Quality Focus Areas”*

⁸ City of Westminster (2021) *City Plan*: <https://www.westminster.gov.uk/media/document/city-plan-2019-2040>

Air Quality Guidance

2.12 This assessment has been undertaken with reference to the following national and local guidance:

- Defra, Local Air Quality Management Technical Guidance (LAQM.TG (22)) (2022)⁹;
- Institute of Air Quality Management (IAQM) and Environmental Protection UK, *Land-Use Planning and Development Control: Planning for Air Quality* (2017)¹⁰;
- IAQM, A guide to the assessment of air quality impacts on designated nature conservation sites¹¹; and
- Greater London Authority (2023) *London Plan Guidance: Air Quality Neutral*¹².

⁹ Defra. 2022. Part IV of the Environment Act 1995, Environment (Northern Ireland) Order 2002 Part III, Local Air Quality Management, Technical Guidance LAQM. TG(22).

¹⁰ EPUK & IAQM. (2017). *Land-Use Planning & Development Control: Planning for Air Quality*.

¹¹ EPUK & IAQM. (2020). A guide to the assessment of air quality impacts on designated nature conservation sites.

¹² Greater London Authority (2023) *London Plan Guidance: Air Quality Neutral*

3 Methodology

Consultation

- 3.1 Attempts were made to discuss the proposed scope of work with the relevant officer at Westminster Council. As of yet, however, there has been no formal contact between Greenavon and the relevant officer.
- 3.2 The proposed scope of work, however, is in line with previous air quality assessments carried out in Westminster, where the officer accepted the report (23/01162/FULL).

Baseline Conditions

- 3.3 The purpose of the baseline assessment is to gather information on existing air quality in the vicinity of the site to better understand how air quality might constrain, or be impacted by, a proposal.
- 3.4 A review of baseline conditions has been undertaken using data provided by Defra's UK AIR information resource¹³, review and assessment reports provided by CoW¹⁴ and other sources. Defra's Pollutant Release and Transfer Register¹⁵ was also reviewed to identify any major industrial or waste management sources in the vicinity.

Operational Phase Assessment

Screening Assessment

- 3.5 Minor development, on their own, are highly unlikely to cause significant increases in local air pollution concentrations. Environmental Protection UK (EPUK) & IAQM guidance, therefore, advocates a two-stage screening approach. EPUK & IAQM guidance states that the impact of a proposal on air quality cannot be screened out, based on size alone, if there are:
 - 10 or more residential units or a site area of more than 0.5ha; or
 - 1,000 m² of floor space for all other uses or a site area greater than 1ha.
- 3.6 Coupled with any of the following:
 - the development has more than 10 parking spaces;
 - the development will have a centralised energy facility; or
 - other centralised combustion process.
- 3.7 At the second screening stage, EPUK & IAQM guidance provides indicative criteria which can be used to screen out the potential for significant impacts caused by a proposed development.

¹³ Defra (2020) *Background Mapping data for local authorities – 2018* [Accessed online: <https://uk-air.defra.gov.uk/data/iaqm-background-maps?year=2018>]

¹⁴ City of Westminster (2022) *2021 Air Quality Annual Status Report*

¹⁵ Defra. *UK Pollutant Release and Transfer Register (PRTR) data sets*. [Accessed online: <https://prtr.defra.gov.uk/pollutant-releases>]

Ecological Receptors

- 3.8 Air quality assessments must also consider the impact of operational traffic on designated ecological sites, considering the sensitivity of the receptor and the predicted change in pollution concentrations. As the proposal is car-free and there are no designated sites of ecological importance in proximity, further assessment of the proposal's impact on designated ecological receptors has been scoped out.

Sensitivity of Site

- 3.9 The proposal is for residential use and members of the public would therefore regularly spend significant periods there. As such, all AQSs for NO₂, PM₁₀ or PM_{2.5} apply at the site.
- 3.10 Predictions from the London Atmospheric Emissions Inventory (LAEI)¹⁶, and local air quality monitoring been used to estimate the likely concentrations of NO₂, PM₁₀ and PM_{2.5} at the façade of the proposed development. This approach is considered reasonable for a minor development.

Air Quality Neutral Assessment

- 3.11 All developments, unless specifically excluded, are required to undertake an Air Quality Neutral Assessment. Major development, and some minor development in AQFA, are required to calculate total emissions of NO_x and PM for both building and transport. However, most minor developments are to follow a simplified assessment procedure.
- 3.12 An Air Quality Neutral Assessment compares a proposed development against benchmarks for transport and building emissions. These benchmarks set out the maximum allowable emissions of NO_x and PM based on the size and use class of the proposed development. A development must be air quality neutral for both transport and building emissions.
- 3.13 As the proposal is car free and does not include a new source of combustion (the existing boiler is being retained), the proposed development can be classified as "excluded development" and can be assumed to be Air Quality Neutral.

¹⁶ Greater London Authority (2023) *London Atmospheric Emissions Inventory (LAEI) 2019*:
<https://data.london.gov.uk/dataset/london-atmospheric-emissions-inventory--laei--2019>

4 Baseline Conditions

- 4.1 A baseline assessment has been undertaken to provide a summary of the existing air quality environment in the local area.

Local Air Quality Management

- 4.2 The proposed development is located within CoW City-wide AQMA, which is declared due to exceedances of the annual mean and 1-hour mean AQSs for NO₂ and the annual mean and 24-hour mean AQS for PM₁₀.
- 4.3 The GLA has declared 187 AQFAs across Greater London and in these areas air quality is often a significant material consideration in planning decisions. The proposed development is also located within the *Marylebone Road from Marble Arch/Euston/King's Cross Junction* AQFAs. AQFAs are areas where there is both poor air quality and high human exposure (e.g. residential dwellings). A map showing the location of the proposed development relative to the AQFAs is shown in Figure 2.1.

Industrial Sources

- 4.4 A review of the UK Pollutant Release and Transfer Register could not identify any industrial sources that would have the potential to significantly impact air quality in the vicinity of the proposed development.
- 4.5 The closest facility on the register is a Combined Heat and Power plant at Imperial College London, over 2.5km to the south.

DEFRA / UK-AIR

- 4.6 Defra provides predictions of annual mean concentrations of background NO₂, PM₁₀ and PM_{2.5}, at 1km² resolution across the UK. A summary of the predictions for the grid square (527500, 181500) containing the application site for the years 2019-2025 are set out in Table 4.1 below.

Table 4.1: UK-AIR predicted background concentrations for the application site

Pollutant	Annual Mean Concentration (µg.m ⁻³)						
	2019	2020	2021	2022	2023	2024	2025
NO ₂	39.6	37.0	35.8	34.6	33.7	32.7	31.9
PM ₁₀	20.6	19.9	19.7	19.5	19.3	19.0	18.8
PM _{2.5}	13.1	12.7	12.6	12.4	12.2	12.1	11.9

- 4.7 The data in Table 4.1 show that background annual mean concentrations of NO₂, PM₁₀ and PM_{2.5} are predicted to be below their respective AQS across the application site, in 2023. Background concentrations of PM_{2.5} are, however, predicted to be above the 2040 Air Quality Target of 10 µg.m⁻³.
- 4.8 Predicted background concentrations of NO₂, PM₁₀ and PM_{2.5} are predicted to fall between 2019 and 2025. This is due to the gradual improvement of the UK fleet with vehicles with cleaner engines and local, regional, and national policy to reduce emissions across all sectors.

Local Authority Monitoring

- 4.9 CoW manages a network of automatic monitoring stations and diffusion tubes in its administrative boundary, monitoring NO₂, PM₁₀ and PM_{2.5}.
- 4.10 Defra also carries out additional air quality monitoring across the UK. Data from the Automatic Urban and Rural Network (AURN) and the UK Urban NO₂ network can also provide relevant monitoring data for the establishment of baseline conditions. The closest automatic monitor to the application site is a part of the AURN network.
- 4.11 Table 5.2 below summarises the most recent available monitoring data for NO₂, PM₁₀ and PM_{2.5} within 1km of the site.

Table 4.2: Annual Mean Concentrations of NO₂

Site Id	Type	Distance To Site (m)	Annual Mean Concentration (µg.m ⁻³)				
			2017	2018	2019	2020	2021
NO₂							
WCC12	Urban Background	514	-	-	-	-	23
WCC11	Roadside	533	-	-	-	-	33
WCC10	Kerbside	647	-	-	-	-	35
WCC24	Kerbside	901	-	-	-	-	33
Marylebone	Kerbside	768	84	85	63	44	43
PM₁₀							
Marylebone	Kerbside	768	24	24	22	16	16
PM_{2.5}							
Marylebone	Kerbside	768	15	16	14	9	11
Bold denotes exceedance of annual mean AQS.							

- 4.12 Measured annual mean concentrations of NO₂ were below the 40µg.m⁻³ AQS at all monitoring stations within 1km of the site, in 2021, with the exception of the kerbside monitor at London Marylebone, where a minor exceedance of the annual mean AQS was recorded. It should, however, be noted that Marylebone air quality monitoring station is at the 'kerbside', within 1.5m of a major road. As such, it is not considered a suitable proxy for conditions at the application site, which is located on a less busy road, at a greater distance from the kerb.
- 4.13 Measured concentrations of PM₁₀ and PM_{2.5} were below their respective national AQSs between 2017 and 2021, at London Marylebone.
- 4.14 Concentrations of pollutants at Marylebone also demonstrated a strong downward trend between 2017 and 2021, likely as a result of measures such as the low emission zone and the ultra-low emission zone.

London Atmospheric Emissions Inventory

- 4.15 The London Atmospheric Emissions Inventory (LAEI) contains predictions for NO₂, PM₁₀ and PM_{2.5} across London, for the year 2019 and forecast years 2025 and 2030. The

predictions for PM_{2.5}, PM₁₀ and NO₂ for the closest grid square to the application site (527360, 181920) are provided in Table 5.3 below.

Table 4:3 UK AIR Predicted annual mean concentrations from the LAEI.

Pollutant	Annual Mean Concentration ($\mu\text{g.m}^{-3}$)		
	2019	2025	2030
NO ₂	36.6	25.9	20.7
PM ₁₀	19.2	17.8	16.5
PM _{2.5}	12.2	10.9	9.9

4.16 Annual mean concentrations of PM₁₀, PM_{2.5} and NO₂ are predicted to be below their relevant AQS in 2019, 2025 and 2030. Predicted concentrations are anticipated to fall in the vicinity of the application site, bringing the site further into compliance with the relevant air quality standards.

5 Operational Phase Assessment

Screening

- 5.1 The proposal does not include more than 10 residential units or a site area of over 0.5ha; as such, the potential for significant impacts can be screened out. It can, therefore, be concluded that the proposed development would have no significant effect on local air quality during the operational phase.

Sensitivity

- 5.2 The LAEI predictions for 2019, 2025 and 2030 suggest that air pollution concentrations at the application site are and will continue to be below the relevant standards. This is supported by local monitoring data which shows a strong downward trend. As such, it is considered highly likely that concentrations of NO₂, PM₁₀ and PM_{2.5} are below their respective AQSs at the application site and that the site is suitable for the introduction of highly sensitive residential use.

Air Quality Neutral

- 5.3 The proposal does not introduce any additional motor vehicle parking and does not include a new source of combustion. As such, it can be classified as “excluded development” and is Air Quality Neutral.

6 Discussion

- 6.1 Local and National Air Quality Policy seeks to sustain compliance with national objectives and limit values, and to prevent new development from contributing to, or being put at unacceptable risk, from unacceptable levels of air pollution. Furthermore, a key theme of the NPPF and CoW City Plan requires development to identify opportunities to improve air quality.
- 6.2 A review of the baseline air quality conditions was undertaken, with reference to data provided by Defra/UK-AIR, the LAEI, and the CoW. Whilst air quality in Westminster can be poor, concentrations of NO₂, PM10 and PM2.5 at the application site are predicted to be below the relevant AQs. As such, the site is considered suitable for the introduction of highly sensitive residential receptors.
- 6.3 The potential for significant impacts as a result of the operation of the proposed development was screened out, using EPUK & IAQM criteria. As such, the proposal will not significantly impact local air quality.
- 6.4 The proposed development is car-free and includes no additional source of combustion and as such, is Air Quality Neutral with respect to building and transport emissions.

7 Conclusion

- 7.1 Greenavon Ltd was commissioned by 6 Bendall Mews Ltd to undertake an Air Quality Assessment to support an application for the change of use of 6 Bendall Mews, NW1 6SN, in the City of Westminster (CoW).
- 7.2 Existing and future concentrations of pollutants at proposed residential use are predicted to be below the relevant air quality standards, and therefore the application site is considered suitable for its proposed end-use.
- 7.3 The assessment concludes that during the operational phase, the proposed development would have no significant impact on local air quality and is Air Quality Neutral.
- 7.4 Considering the above, air quality should not, therefore, present a significant barrier to the planning process.



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