

Luton Local Plan *Supplementary comments from Luton Friends of the Earth*

Contact: David Oakley-Hill, Co-ordinator, Luton FoE david@wastebook.org 01582 724257
(I am also Co-Chair of Luton Friends of Parks & Green Spaces, and member of the Upper Lea Catchment group)

We do not wish to speak at the hearings.

I attach a summary of comments or questions which update our submission sent on 7 Dec 2015.

These comments/questions relate to

1) Reports, national agreements, court decisions and statistics published since our submission.

Highlights of the relevant articles in italic; comments or questions from Friends of the Earth in roman. These are in date order, but perhaps the most important is 2 Nov 2016.

They relate mainly to Policies LP1, LP6, LP37 and LP38, and Matters 18-21, 24-26.

2) Comments or questions on the Inspector's Matters, Issues and Questions (14/10/16)

1) Reports, national agreements, court decisions and statistics published since our submission.

Climate change Guardian 17 Oct 2016

<https://www.theguardian.com/science/political-science/2016/oct/17/the-gap-between-ambition-and-action-in-tackling-global-warming>

IPCC Agrees Outlines of New Reports in Support of Paris 21 Oct 2016

Report on 1.5°C Goal in 2018

<http://newsroom.unfccc.int/paris-agreement/ipcc-agrees-outlines-of-new-reports-in-support-of-paris/>

The Panel approved the outlines of Global Warming of 1.5°C, an IPCC special report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty, to be delivered in 2018.

What measures are in Luton's Local Plan to contribute to alleviating these threats to our future wellbeing?

We believe that the Local Plan policies would continue to increase these problems, not reduce their effects.

If measures are inadequate, the Plan must be revised, particularly plans relating to airport expansion, which is already bringing millions more vehicle journeys with consequent ill-health, with which the poor are least equipped to cope, and frequent traffic gridlock. In only 3 years, airport throughput has risen from 11m to 14m passengers. In the light of the documents quoted, Luton Council should not be allowed to further increase passenger numbers.

Vehicle Idling 26 Oct 2016

<http://www.airqualitynews.com/2016/10/26/campaigners-tackle-vehicle-idling-on-london-streets/>

Events took place in twelve London boroughs last week in support of the Vehicle Idling Action campaign - aimed at stamping out engine idling on the city's streets.

"Our children live and breathe the effects of air pollution every day. Our Roads and Transport Enforcement Officers have been out and about working with enthusiastic volunteers to help educate drivers of the dangers leaving their engines on when stationary in traffic. It is pleasing to see that once motorists were spoken to, they were more than happy to play their part in cleaning up the

Capital's toxic air."

Drivers allowing their vehicles to idle for long periods is an extremely common problem in Luton. There is a particular need in our town to introduce an advisory service like the one described.

UN - Sustainable Transport and Sustainable Development Goals 28 Oct 2016

<https://sustainabledevelopment.un.org/?page=view&nr=1118&type=230&menu=2059>

Expert panel finds that greener, more efficient and sustainable transport can save trillions and help achieve Sustainable Development Goals.

This must start with a radical reduction in diesel vehicles and a moratorium on airport expansion. Plane exhausts kill people and damage the planet's thin and vulnerable upper atmosphere.

Pollution: 300 million children breathing toxic air - UNICEF report 31 October 2016

UN Children's Fund calls for urgent action at upcoming COP 22

http://www.unicef.org/media/media_92979.html

Almost one in seven of the world's children, 300 million, live in areas with the most toxic levels of outdoor air pollution - six or more times higher than international guidelines - reveals a new UNICEF report.

"Air pollution is a major contributing factor in the deaths of around 600,000 children under five every year - and it threatens the lives and futures of millions more every day," said UNICEF Executive Director Anthony Lake. "Pollutants don't only harm children's developing lungs - they can actually cross the blood-brain barrier and permanently damage their developing brains - and, thus, their futures. No society can afford to ignore air pollution."

We believe that Luton is not just ignoring air pollution - by allowing airport expansion and huge increases in traffic, it is deliberately MAKING IT WORSE, demonstrating a disregard for the health and well-being of its citizens.

Luton has the additional burdens of above UK national average car use coupled with major airport expansion, not discussed in national dialogue about Heathrow and Gatwick. This brings millions more car journeys and more flights every year to a town sitting in a valley beneath hills where air pollution is trapped on all days with still air or very light winds. Planes as well as diesel vehicles produce toxic pollution.

Growth of city trees can cut air pollution 31 October 2016 *Mark Kinver Environment reporter, BBC*

News <http://www.bbc.co.uk/news/science-environment-37813709>

Planting trees is a cost-effective way to tackle urban air pollution, which is a growing problem for many cities.

Trees are estimated to provide the equivalent of "at least £133 million" of benefits each year in London, such as cutting air pollution, a study suggests. A study by US-based The Nature Conservancy (TNC) reported that the average reduction of particulate matter near a tree was between 7% and 24%. Particulate matter (PM) is microscopic particles that become trapped in the lungs of people breathing polluted air. PM pollution could claim an estimated 6.2 million lives each year by 2050, the study suggests.

Lead author Rob McDonald said that city trees were already providing a lot of benefits to people living in urban areas. "The average reduction of particulate matter near a tree is between 7-24%, while the cooling effect is up to 2C (3.6F). There are already tens of millions of people getting those kinds of benefits," he said.

Dr McDonald said the study of the use of trees in 245 cities around the world compared the cost-effectiveness of trees with other methods of cooling and cleaning air. But most of the cities featured in the study were losing more trees than they were gaining.

By raising awareness of the ecosystem services they can play, the TNC report's authors hope that urban trees can become an integral part of cityscapes once again. "One of our goals outlined in the report is to remind cities that you have the parks or urban forestry department on one side and the

health department on the other side. On this issue at least, they need to be talking to each other," Dr McDonald suggested. "I am really hopeful that if more cities start thinking that way then we will see a rebirth in urban tree planting."

Luton's air pollution is significantly above national average, as is its incidence of respiratory problems.

Trees can act to mitigate air pollution effects. But Luton has STOPPED its tree planting programme and ACCELERATED the removal of old trees. For the health of its citizens, Luton must REVERSE this policy.

<http://www.airqualitynews.com/2016/10/14/defra-defends-air-quality-ambitions-ahead-clientearth-case/>
<https://www.theguardian.com/environment/2016/nov/02/high-court-rules-uk-government-plans-to-tackle-air-pollution-are-illegal>
<http://www.airqualitynews.com/2016/11/02/high-court-rules-defra-air-quality-plan/>

Government loses a second legal challenge on Air Pollution in the High Court 2 Nov 2016.

Government has lost in the High Court for the second time over its failure to tackle illegal air pollution across UK.

Ministers must by law now cut the illegal levels of nitrogen dioxide suffered by dozens of towns and cities in the "shortest possible time".

Air pollution causes 50,000 early deaths and £27.5bn in costs every year, according to the government's own estimates, and was called a "[public health emergency](#)" by MPs in April.

The increased action required would very likely include bigger and tougher clean air zones in more cities and other measures such as scrappage schemes for the dirtiest vehicles: "The government will have to be tougher on diesel."

The case is the second the government has lost on its failure to clean up air pollution in two years. In April 2015, ClientEarth won a Supreme Court ruling against the government which ordered ministers to come up with a plan to bring air pollution down within legal limits as soon as possible. Those plans were so poor that ClientEarth took the government back to the High Court in a Judicial Review.

The UK govt has acknowledged that it needs to do more on air pollution to protect health (and prevent increase in respiratory problems putting more strain on the health service).

The government was admonished because Defra's planned 2020 compliance for some cities, and 2025 for London, had been chosen because that was the date when ministers thought they'd face European Commission fines, not which they considered "as soon as possible."

The Treasury had previously blocked plans to charge diesel cars to enter towns and cities blighted by air pollution. "Future compliance need to be based on what is really coming out of the exhausts of diesel cars when driving on the road, not just the results of discredited laboratory tests."

A Clean Air Zone should be declared around Luton Airport, where the fumes are already intolerable and exceed Nitrogen Dioxide limits.

Why should the thousands who work at the airport, and also passengers, be subjected to dangerous levels of air pollution? It is simple negligence by Luton Council and the airport authorities (who also allow de-icing chemicals to be washed down the hill to the lakes at Luton Hoo where they regularly kill the fish and other wildlife).

Further expansion above 14m passengers, bringing millions more diesel vehicles, could not be allowed.

NOTE

<https://www.theccc.org.uk/tackling-climate-change/the-legal-landscape/global-action-on-climate-change/>

The **Climate Change Act** was passed in 2008 and established a framework to tackle the problem. It commits the UK to reducing emissions by at least 80% in 2050 from 1990 levels. The first four carbon budgets have been put into legislation and run up to 2027.

2) Comments or questions on the **Inspector's Matters, Issues and Questions** (14/10/16)

Matter 18 Local technical standards for construction, internal layouts and performance, high quality design

LP25, LP26, LP37 Due to the urgency of climate change, and the difficulties of retrofit, the highest standards of energy performance eg Level 4 and BREEAM Excellent should be demanded in all new development.

Matter 21 Green Belt LP4B

Green Belt policy appears to have been widely abused since Green Belt release became possible. This was supposed to occur only in the most exceptional circumstances. 5,500 homes have already been permitted north of Houghton Regis. Exceptional circumstances therefore no longer apply. The main threats are along Luton's northern and eastern borders. The traffic that developments in either location would generate has been consistently underestimated. Luton's Green Belt borders should now be sacrosanct, because Luton is so overdeveloped that its residents have an overwhelming need for these green spaces both as 'green lungs' due to pollution from roads and airport, and as places to escape to from their densely housed neighbourhoods. They already have much less green space than national standards suggest they need. Any major road running east from the M1 north of Luton would gridlock the vital A6 to the north (already at capacity in peak hours) and many feeder roads. There is simply no extra road capacity to bring more people in to Luton from any development on the border with Hertfordshire.

Matter 23 Education & Community Facilities LP24

Since our submission in Dec 2015, a Primary school has been built on tennis courts south of the Brache. The ground for this was levelled, causing much unnecessary destruction of trees. We have, we believed, successfully lobbied for the retention of trees on the site on which a Secondary School is to be built on the opposite side of the river. We do not consider that this land was surplus - it was donated by Lady Zia Wernher of Luton Hoo in perpetuity to the people of Luton for recreational use. Schools are not for general public use, but this is now a fait accomplis. Friends of the Earth is a member and regular attendee of the Upper Lea Catchment group chaired by Groundwork, which includes Luton Council, Central Beds, The Environment Agency and Affinity Water, meets every two months. The only thing that this group believes can be salvaged here for the people of Luton is a **public walkway along the River Lea** through the Brache between the schools, from Osborne Road to the public footpath and cycle route along the foot of the East Circular Road (Airport Way) embankment. It would also be a valuable educational resource for pupils of the two schools. This was proposed, with attractive drawings, by Vauxhall, the landowner, 3 years ago when it proposed a supermarket on the site where the Secondary School is now to be built. A proposal was also made that a public walkway might continue beside the river, north from Osborne Road to Manor Park. This is the once in a generation opportunity to make that happen. With this in mind, Luton BC has already acquired ownership for part of this land, but has not identified funds for upkeep of banks or river. It is hoped that local groups could gain access to and maintain part of the river. It would be good to have the aspirational policy of re-opening this whole stretch to the public.

Matter 24 Natural & Historic Environment LP27-30

Nothing in the policy should reduce our much-diminished local heritage. We commend strongly the officers who have contributed to designation of County Wildlife Sites. Our Local Heritage Forum was disbanded by an officer who has now left, and it should be reinstated.

Matter 25 Transport, Communications & Climate Change

Luton simply is not doing enough to tackle air pollution. This has contributed to shocking local health statistics in the Joint Strategic Needs Assessment. The council has accelerated the borough's climate emissions with its continued support for airport expansion. See new reports above.

Matter 26 Strategic allocations LP5-12

LP5 We believe it is irresponsible, given knowledge about pollution and health outlined in the

reports above, together with proven noise impacts on health, to permit housing within a few metres of the M1. We also consider that landscape and biodiversity in Stockwood Park (particularly the adjacent pond) would be adversely affected.

LP6 Airport and Century Park - we believe the proposed growth and expansion is purely for financial gain, and would have major adverse effects on people of Luton and surrounding areas.

Wigmore Valley Park acts as a buffer absorbing pollution and giving at least some protection to people living close to the airport. Luton's provision is already well short of the accepted amount of green space. Building on the open green fields known as Century Park, the last sizeable piece of countryside within Luton's boundaries, would mean a very large new loss. "Demand" would be created for a large amount of new traffic. It is simply not necessary, as the airport land still has much spare capacity. Demand management was the sustainable traffic policy for the nineties, and we must return to this wise policy. Brownfield sites should be favoured, and there is a current CPRE campaign to adhere strongly to this more sustainable policy.

In view of the above new information, a new road to the airport through Wigmore Valley Park should not be permitted. It was not part of the application for airport expansion to 18m passengers.

LP7 Butterfield Green It is totally unacceptable that Park & Ride, initially promised at the start of the development when it was mis-sold as a 'science park', is still not delivered, for a town the size of Luton with major pollution and congestion. Located behind the hotel, this would significantly reduce commuting from the east into the town centre.

If further plots are to be developed at Butterfield, given the threats already present to the remaining wildlife trying to cling on in Luton, any existing features such as hedges, ponds and meadow features should be retained.

LP9 Power Court Attached is Luton FoE's response to the application for Power Court (which we support) and for J10A Newlands Court (which we do not support). Note our request for part of the existing stadium to be made into a park.

LP10 High Town The original plan showed a green orchard/recreation area. Given the dense population, space must be found for this.

LP37 & 38 Matters 18/26 AIRPORT *since our submission in Dec 2015 referring to annual passenger numbers using the airport as 11m, it was recently announced that the figure is now 14m. This is NOT sustainable, and will be causing huge damage in terms of: millions more vehicles, half being diesels producing toxic emissions; health effects (air pollution can cause illness, pain and hardship and shorten lives by 10 years); congestion (the east circular road and town centre roads are gridlocked during most peak hours); effects on wildlife (an almost unnoticed catastrophe is occurring as we see a huge decline in almost every species); and failure to comply with national climate targets under both the Climate Change Act and the freshly-signed Paris Agreement.*