

CITY AIRPORT DEVELOPMENT PROGRAMME  
(CADP1) S73 APPLICATION

# ENVIRONMENTAL STATEMENT

VOLUME 2: APPENDICES  
DECEMBER 2022



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City Airport Development Programme (CADP1) S73 Application

Volume 2: Appendices  
Appendix 3.4 ES Scope Clarification Note  
December 2022

Response to final report on the London City Airport Draft EIA Scoping Report, prepared by LUC in association with Ardent Consulting Engineering and Yellow Sub Geo (issued to LCY on 21<sup>st</sup> July 2022)

Ref.	Recommendations of Review	LCY Response
RR1	The Applicant uses the term 'scoped down' in the DSR; this is not a recognised term and topics should be defined as either scoped in or scoped out.	Albeit 'scoped-down' is a now a commonly used term/approach in the EIA profession, the final Scoping Report (submitted to LBN on 28 <sup>th</sup> July 2022) clarifies the use of this term.
EIA1	The description of development needs to be clearer, to enable all readers to understand it quickly.	The description of the development has been further improved in the final Scoping Report.
EIA2	The assessment should consider the combined impacts of the consented development and the s73 proposals. This will enable the impacts of the variation to be assessed to demonstrate that it causes no material change to the conclusions of the consented scheme. It will also ensure that consideration can be given to the mitigation of any identified significant impacts	<p>The assessment will consider the "combined impacts" of the consented development and the s73 proposals by virtue of first quantifying and assessing the CADP1 development as approved (i.e. with 6.5 mppa and existing restrictions on hours of operation) and then examining any new or materially different effects due to the proposed variations to the planning conditions. In other words, the impacts of CADP1 as amended by the s73 proposals will be set out in absolute terms (i.e. changes to the 2019 baseline environmental conditions in the With Development scenario through the building out of the remainder of the implemented CADP1 scheme and the incorporation of the s73 proposals). The Do Minimum scenario will set out changes to the 2019 baseline environmental conditions through the building out of the remainder of the implemented CADP1 scheme, without the s73 proposals. The difference in effects between the two scenarios will be assessed.</p> <p>Due to the passage of time and other factors, the operational effects of CADP1, as predicted in the 2015 Updated Environmental Statement (UES), no longer constitute an appropriate "future baseline" against which to assess the effects of the proposed S73 amendments. CADP1 has been implemented and partially built out and so to do so would be somewhat academic and irrational. For instance, the UES was founded on a Principal Assessment Year of 2025 (as opposed to 2031), the Covid-19 pandemic could not have been foreseen at the time, and significant changes have occurred to the fleet mix and passenger profile at LCY over the past 7 years, as well as more fundamental changes in the aviation sector as a whole.</p> <p>These changes, including the forecast introduction of a much greater proportion of 'new generation' aircraft than was assumed for the UES, plus a new target of 80% of passengers travelling to the airport by sustainable modes (with no additional car parking than already approved), means that the</p>

		environmental effects of the CADP1 scheme, both with and without the amendments, are predicted to be somewhat less than first predicted in the UES.
EIA3	The Applicant should consider how the impacts change due to the variation (i.e., the consented development + variation) compared to the impacts set out for the consented scheme. These changes should be used to evidence whether there is a beneficial or adverse effect of the proposed variation compared to the consented scheme	See answer to EIA2 above.
EIA4	The Applicant should ensure that the ES includes a clear list of cumulative developments being considered in the assessment, and these should be agreed with LBN	<p>Noted and agreed.</p> <p>The selection criteria set out at para 5.2.14 of the final Scoping Report will be applied to the screening of the 'long list' of cumulative schemes contained at Annex B of the scoping report. All of these schemes will be accounted for in determining the potential future populations contained within the modelled air noise contours, in both the DM and DC scenarios. However, for other topics, it is considered that this list can be further rationalised by the application of the selection criteria such that that only those developments with the potential to give rise to cumulative effects on air quality, transport, socio-economics, climate change etc. will need any detailed consideration in the ES.</p> <p>We would welcome the input of LBN and their advisors to refine this 'long list' into a reasonably proportionate 'short list' of developments which should be considered in the Cumulative Effects Assessment chapter of the ES. This approach is consistent with the methodology set out in PINS Advice Note 17: Cumulative Effects Assessment, including Stage 1 ("establishing the long list") and Stage 2 ("establishing the short list"), albeit this guidance is primarily intended for Nationally Significant Infrastructure Projects (NSIPs). The PINS guidance says <i>"It [the short list] should be prepared having regard to relevant policy or guidance documents and in consultation with the appropriate statutory consultation bodies (particularly the local planning authority)"</i>.</p>
EIA5	The Non-Technical Summary (NTS) which will accompany the ES should ensure that all terminology is clearly defined, and illustrations used to provide greater clarity should be included where relevant.	Noted and agreed.
SE1	In the absence of formal guidance that influences socio-economic assessment	Noted and agreed.

	methodology, the significance criteria for this topic should be clearly presented in the methodology section of this chapter topic in the ES	
SE2	Mitigation measures are not outlined in this section beyond the proposal to integrate existing community benefit programmes to the Proposed Development. These should be identified and outlined in the ES	Noted and agreed.  Section 5 of the Initial Environmental Report (RPS, June 2022) already contains more details on LCY's existing and proposed mitigation/ enhancement measures, and these will be further elaborated upon in the ES.
SE3	The combined socio-economic benefits of the Proposed Development and cumulative schemes should also be considered in the assessment.	Noted and agreed.
SA1	The Environmental Statement should clearly set out likely receptors	Noted and agreed.
SA2	Peak hours to be assessed should be agreed with TfL / LBN. It may be worth assessing the extended peak hours of 0700-1000 and 1600-1900 given the unique travel characteristics of an airport land use. Further assessment may also be required when the peak hours of arrivals/departures associated with the airport itself are known, if these do not coincide with the above	This is currently being discussed with LBN and TfL and will include analysis of additional impacts on Saturday afternoons/evenings.
SA3	Detailed methodology for calculating trip generation should be agreed with TfL/LBN	Noted and agreed.
SA4	It is expected that modelling of crowding on the platforms on the DLR and potentially interchange spaces at Canning Town may be required given the existing pressures on this infrastructure	The need for modelling at these locations will be reviewed once the change in DLR loadings resulting from the proposals has been established.
SA5	The use of 2019 and pre-COVID baseline data is considered appropriate subject to agreement from TfL / LBN	Noted and agreed. However, as described in the final Scoping Report (para 7.2.20), the 2019 data will be supplemented by additional traffic surveys as necessary. Discussions and agreement are being sought with LBN and TfL on an acceptable and robust approach such that the conclusions of the TA are reasonable.

NV1	It may be appropriate to consider an alternative LAeq,T index to avoid averaging over the whole night period	Noted. The choice of noise metrics is described in Section 7 of the final Scoping Report.
NV2	Clarification is sought on the reason for reallocating the six (proposed 12) early morning (0630-0700) movements to the night-time assessment	This is explained in the noise section of the final Scoping Report (see para 7.3.17 and 7.3.22 to 7.3.25)
NV3	Clarification is sought on the proposed changes to movements in the 0630-0645 and 0645-0700 periods. Impacts during these periods should be considered separately in the assessment as a change in the 0630-0645 period could have a higher proportional impact than in the later period given the low number of currently permitted movements	This is explained in the noise section of the final Scoping Report (see para 7.3.22 to 7.3.25)
NV4	Clarification is sought on the reason why a Saturday afternoon assessment would not be appropriate as there are currently no flights during this period and the introduction of new flights could be expected to generate more road vehicle movements and hence a change in associated noise impact	This is explained in the noise section of the final Scoping Report (see para 7.3.27 to 7.3.29)
AQ1	The Applicant is requested to provide clarity on the scoping in or scoping out of the effects on nature conservation sites	<p>The nearest internationally designated site, which is identified by Natural England (NE) as vulnerable to impacts from traffic derived emissions and recreational pressures, is Epping Forest Special Area of Conservation (EFSAC). NE has issued formal advice concerning the handling of Habitats Regulations Assessment (HRA) in the vicinity of Epping Forest. This requires all residential development that falls within the 6.2km 'zone of influence' to be subject to a project-level HRA screening and where necessary, appropriate assessment.</p> <p>Even if the reference to 'residential development' was widened to include other types of development (including the airport) this requirement would not apply, as the airport falls outside this zone of influence as used in Newham planning policy (<a href="https://www.newham.gov.uk/planning-policy-local-plan/11">https://www.newham.gov.uk/planning-policy-local-plan/11</a>).</p>

		<p>It is understood that Epping Forest District (EFDC) is proposing an Air Pollution Management Strategy (APMS) including the potential for a Clean Air Zone (CAZ) around the Forest. Therefore, any airport-derived traffic would be subject to restrictions imposed by these schemes and emissions within 200m of the EFSAC are at <i>de minimis</i> levels in any case (see AQ3).</p> <p>No other statutory designated conservation sites are likely to be affected by traffic related emissions associated with the airport.</p> <p>In view of the above, it is proposed to scope-out effects on nature conservation sites.</p>
AQ2	The Applicant should consider non-EIA developments within the cumulative effect assessment.	<p>See answer to EIA4 above.</p> <p>The Department for Levelling Up, Housing and Communities (DLUHC) considers that that urban development projects below the stated EIA screening thresholds “<i>will not be likely to have significant effects either alone or in combination with other projects because of their nature, location or impact</i>”. As such, the selection criteria set out at para 5.2.14 will be applied to the screening of the ‘long list’ of cumulative schemes contained at Annex B of the scoping report.</p> <p>With respect to air quality, we would welcome the input of LBN and their advisors if they consider any specific developments require assessment (assuming that valid reasons are given for their inclusion).</p>
AQ3	If there are designed nature conservation sites affected by the s73 proposals, ammonia (NH3) emissions from the road traffic and the airport will need to be included in the assessment. In addition, the deposition of air pollutants onto designated nature conservation sites would need to be considered. The Scoping Report should discuss whether these impacts need to be considered or not, and if not explain why they are excluded.	<p>See answer to AQ1 above. As the airport-derived traffic is expected to contribute &lt;0.15% AADT on roads within 200m of the EFSAC, the emission of ammonia as well as nitrous oxides will be <i>de minimis</i>. As such, it would neither be practical nor proportionate to attempt to quantify such emissions.</p> <p>Further justification for this position will be included in the ES.</p>
AQ4	The Applicant should provide an assessment of UFP	<p>See separate Technical Note on UFPs submitted to LBN on 28<sup>th</sup> July 2022</p> <p>It is fully recognised that there are concerns related to UFP emissions from airports. From the evidence available, total UFP concentrations appear to be within the range of those measured at traffic and</p>

	<p>background sites, but the size distribution is different. There is no evidence to demonstrate whether this size difference is associated with greater or lesser health effects.</p> <p>There are no national, regional or local policies that refer to the assessment of UFPs with regard to determining development proposals. There is currently no robust methodology to construct an emissions inventory for UFPs, and consequently it is not possible to predict UFP concentrations. In addition, there are currently no standards or guidelines in place against which measured or modelled UFP concentrations could be compared. Whilst the benefits of expanded monitoring networks are appreciated, there would be no advantage to undertaking a baseline survey at this time, as it could not assist in determining the likely significant effects of the proposed variation to conditions. Under this umbrella point, it is noted that LUC/ Air Pollution Solutions say <i>“Airports are known to be a significant source of UFP. To ignore this air pollutant could make the ES incomplete and not compliant with the EIA Regulations that requires the potential for significant effects to be assessed”</i>. However, this assertion is contradicted by the decisions of the Planning Inspectors in both the Bristol and Stansted 2021 Planning Inquiries, which found the corresponding ESs to be technically and procedurally robust, even though UFPs were scoped out on both occasions.</p> <p>The EIA Regulations acknowledge that it is not always possible to quantify all potentially significant effects and that professional judgement can instead be used. At para 6 of Schedule 4 (Information for Inclusion in Environmental Statements) it states that an ES should provide <i>“A description of the forecasting methods or evidence, used to identify and assess the significant effects on the environment, including details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved”</i>.</p> <p>The consideration of the impacts of UFPs falls squarely into this definition and, as such, will be assessed by qualitative means within the Public Health &amp; Wellbeing chapter of the ES. The qualitative assessment of UFPs will be informed by a literature review of recent published peer-reviewed research on UFPs. The review will have regard to the strength of evidence, the quality of research (internal validity) and its application to the LCY context (external validity). The assessment will consider the exposure pathway for UFPs and groups who may be particularly sensitive. The analysis will characterise the magnitude of the change in UFPs due to the project using a qualitative framework. A conclusion will be reached on the population health implications, including in relation to any significant inequalities.</p> <p>In light of the evident uncertainties surrounding UFPs, this is considered the most appropriate and robust approach for dealing with this topic.</p>
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AQ5	The Applicant should consider/discuss the potential for non-airport related sources of pollution in the vicinity of the airport to confirm whether this is being scoped in or scoped out	The contribution of non-airport related sources of air pollution (e.g. shipping) is already captured by the baseline monitoring undertaken by both LCY and LBN. In addition, emissions from shipping are recorded in the Defra background maps. As such, these non-airport sources will not be explicitly included as separate sources in the model.
AQ6	For UFP a baseline UFP monitoring programme should be undertaken and feed into a review of the literature on concentrations around airports to understand the contributions from different types of aircraft and airport activities (e.g. landing) and the distance over which the WHO good practice recommendations may be exceeded. When this data has been collated the Applicant (or the Applicant's air quality specialists) should recommend an appropriate assessment procedure for agreement with the local planning authority (AQ6).	See separate Technical Note on UFPs and response to AQ4.  The WHO good practice Statement does not in any way relate to a standard or guideline, as it has not been possible to derive a robust dose-response relationship for UFPs. The classification into "low" and "high" is simply intended to guide decisions on the priority of UFP source emission control. LCY is clearly in an area affected by anthropogenic emissions. A baseline monitoring study would not assist the determination of likely significant effects for this assessment.
AQ7	It is understood that IAQM is updating its guidance and it is important that the most recent guidance is used.	The CADP construction programme is not changing from that previously assessed – it is merely a delay in completion and re-phasing. As discussed at the pre-app Teams meeting with LBN on 29 <sup>th</sup> June, there is therefore no need to undertake a further Dust Risk Assessment. If IAQM issues final revised guidance prior to submission of the ES Chapter, then this will be considered as appropriate.
AQ8	It is also important that the construction traffic is not considered in isolation from the development traffic, and that the combined traffic levels are considered together on a year by year basis to ensure that the worst-case years are included in the assessment	Due to the extended and phased build-out of the remaining elements of the CADP1 infrastructure (now expected to occur between 2024 and 2031) there are unlikely to be any significant peaks in construction traffic. Moreover, these works are not expected to generate large volumes of HGVs and other vehicles in the context of other, much larger construction sites in the area. Therefore, a year-by-year assessment is not considered to be necessary and would be disproportionate to the nature and magnitude of effects. However, once the revised Construction Phasing Plan (CPP) has been finalised, this will permit the airport and its transport consultants to identify the 'worst case' year for construction traffic. These traffic flows will be assessed in combination with the 'development traffic' during this year.
AQ9	An appraisal of the worst-case year for NRMM emissions should be undertaken to identify the worst-case assessment year.	Emissions from the construction non-road mobile machinery (NRMM) will be considered as part of the abovementioned 'worst-case case year' for the remaining construction works. Reference will be made

		to the IAQM guidance, LLAQM.TG19, the operation of the London NRMM LEZ, control measures in the agreed CEMP and the distance of sensitive receptors
AQ10	When the ES is submitted all model files should be provided to the local planning authority to enable a full audit of the modelling to be carried out	All files that are not subject to specific Intellectual Property Rights can be provided on request.
AQ11	The scope of the revised emission inventory for the airport appears adequate except there is no mention of existing or consented energy centres; these should be discussed in the ES.	<p>Emissions from existing energy plant will be included in the emissions inventory. However, the Combined Heat and Power (CHP) plant which was approved under the CADP1 planning permission (but has not been installed) will not be reassessed and this system will be replaced by an alternative energy solution with ultra-low or zero emissions – likely to comprise Air Source Heat Pumps (ASHP).</p> <p>A review of existing or consented energy centres where potentially cumulative effects might occur will be undertaken. We would welcome the input of LBN and their advisors if they consider any specific energy centres require assessment (assuming that valid reasons are given for their inclusion).</p>
AQ12	The future assessment years of 2025, 2027 and 2031 also seem appropriate, however additional years may be required following the analysis described in relation to clarifications sought at AQ6 and AQ7	Noted, but see responses to AQ6 and AQ7 above. Additional assessment years will only be added where these are likely to display materially different AQ effects to the core assessment years. At this stage, there appears to be no justification to include any additional assessment years.
AQ13	The 1km buffer discussed in the air quality section also differs to the 2 km around the site boundary described for the cumulative assessments. It is unclear if this 2km buffer also applies to the air quality assessment; i.e. will it include all roads that exceed the screening criteria within 2 km of the site boundary, or will the assessment cover all roads that exceed the criteria irrespective of whether they are within 2 km of the airport. Greater clarity is required	<p>The 1km buffer refers to the extent to which any “airport sources” might have any noticeable impact. The spatial extent of the air quality assessment will depend on where any material changes in traffic flows are predicted to occur. This will be dictated by the result of the traffic model, the extent of which is to be agreed with LBN and TfL.</p> <p>Also, see answer to AQ2</p>
AQ14	It is not clear if the comparison is with the baseline scenarios set out in the UES or the proposed development scenarios in the UES. Either way, it is not appropriate to use the	The baseline and assessment scenarios applied in the 2015 UES have largely been superseded by the passage of time, the Covid-19 pandemic, and changes to the passenger and aircraft fleet forecasts. Therefore, whilst some commentary will be provided on the conclusions of the original UES, the new ES will include an entirely new assessment of the relevant environmental effects of CADP with the

	modelled air quality data reported in the 2015 ES as Defra's and the local authority's data, the LAQM tools and guidance, and the ADMS model used have all been updated since 2015. It will be necessary to repeat the modelling using the most recent data and assessment tools and guidance	proposed s73 amendments. As such, the modelled air quality data reported in the 2015 UES will be disregarded, and a new baseline (2019) and assessment timeframe (2024 to 2031) will apply and be interpreted using current standards, tools and guidance. This will apply to both the with development (DC) and without development (DM) scenarios to ensure absolute consistency.
AQ15	The assessment should not look solely at the impact of the s73 proposals; the assessment should consider the combined impacts of the consented development and the s73 proposals. This will enable the impacts of the variation to be assessed to demonstrate that it causes no material change to the conclusions of the consented scheme. It will also ensure that consideration can be given to the mitigation of any identified significant impacts	<p>See answer to EIA2 above.</p> <p>Also, as described in the answer to AQ14 above, due to the passage of time and other factors, the operational effects of CADP1, as predicted in the UES, no longer constitute an appropriate "future baseline" against which to assess the effects of the proposed s73 amendments. CADP1 has been implemented and partially built out and so to do so would be somewhat academic and irrational. For instance, the UES was founded on a Principal Assessment Year of 2025 (as opposed to 2031), the Covid-19 pandemic could not have been foreseen at the time, and significant changes have occurred to the fleet mix and passenger profile at LCY's over the past 7 years, as well as more fundamental changes in the aviation sector as a whole.</p> <p>These changes, including the forecast introduction of a much greater proportion of 'new generation' aircraft than was assumed for the UES plus a new target of 80% of passengers travelling to the airport by sustainable modes (with no additional car parking than already approved), means that the environmental/ air quality effects of the CADP1 scheme, both with and without the amendments, are predicted to be somewhat less than first predicted in the UES.</p>
AQ16	To fully understand the impacts of the s73 proposals the impact of the following scenarios will need to be modelled 1) 2019 and future baselines, 2) future years with the consented development following the restarted construction programme and 3) future years with the consented development and the s73 proposals. Scenarios 2 and 3 should also consider the cumulative impacts of other developments	<p>The modelling of the Development Case (DC) and Do Minimum (DM) forecasts encompass Scenarios 2 &amp; 3. However, there is no plausible alternative "future baselines" (in Scenario 1) beyond that which would occur under the DM case, albeit sensitivity testing will be applied to the core growth forecasts, as explained in the Scoping Report. In other words, there is no realistic situation where the airport would not seek to operate without the benefit of the existing CADP1 planning permission now this has been implemented.</p> <p>See also, answers to AQ15 above.</p>

AQA17	The ADMS model will be verified for the base year (2019), presumably following the Mayor of London's LLAQM.TG19 methodology, although this is not stated. The model verification should include all available monitoring data and if any monitoring sites are excluded, full justification for their exclusion should be provided.	LLAQM.TG19 provides no specific guidance on model verification, and reference will be made to LAQM.TG16. It is anticipated that the verification will follow the same approach as used for the UES, and which was previously agreed with LBN and their advisers.
AQ18	The model verification should aim for an adjustment factor of 2 or less with all predicted concentrations within 10% of the measured concentrations.	The model performance will be evaluated according to the criteria specified in LAQM.TG16 (Box 7.17).
AQ19	In addition, future assessment years should consider the variation in annual meteorological datasets with the assessment process	LAQM.TG16 notes that under most circumstances, only one year of meteorological data need be used, and this was tested for road schemes. With regard to aircraft operations, there are a number of studies that show that emissions from aircraft at altitude have a negligible impact. A comparison of wind roses for multiple years will be included.
AQ20	No reference has been made regarding assessing compliance with the mandatory limit values (including with the PM2.5 limit value adopted in 2020), and if information is available, even in draft form, on the 2021 Environment Act PM2.5 target. The objectives and limit values apply at different locations	Consideration to compliance with the Limit Values will be included. The proposed PM <sub>2.5</sub> target in the Environment Act is 10 µg/m <sup>3</sup> for 2040. The status of this proposed target in a compliance year of 2040 will be reviewed at the time of submission of the ES Chapter.
AQ21	Consideration should also be given to the PM2.5 exposure reduction target	An exposure reduction target for PM <sub>2.5</sub> has been in place since 2008 (EC/2008/50), but to date, no air quality assessment in support of a planning application has taken it into account, and no legislation at the national, regional or local levels has ever referred to it (in regard to the development control process). The new PERT is based on an average of concentrations at monitoring sites across England at locations representative of typical concentrations across a region, and compliance with the PERT is not relevant to the local decision-making process for a planning application. If forthcoming Defra guidance with regard to the new role of local authorities in reducing PM2.5 exposure places an explicit obligation on the development control process then this will be taken into consideration.
AQ22	Regarding the statement in the Scoping Report (paragraph 6.4.13) on the WHO guidelines, it is unclear whether this applies	The Mayor of London has set an ambition to achieve the 2005 WHO Guideline for PM2.5 by 2030. The current Government proposals are to achieve the 2005 WHO Guideline by 2040 (but subject to consultation). Neither the GLA nor the UK Government has made any reference to the 2021 WHO

	to all three pollutants or just PM2.5, or whether this is referring to the 2005 or the 2021 WHO air quality guidelines. Greater clarity is required.	Guidelines. The air quality assessment will not consider compliance with the 2021 WHO Guidelines and there is no requirement to do so at national, regional or local policy levels.
AQ23	Comparison of the predicted concentrations to the latest WHO guidelines should be provided for all pollutants.	See response to AQ22. This request is unwarranted.
AQ24	No information has been provided regarding how the odours would be assessed other than stating the impacts will be modelled using ADMS-Airport, nor what assessment criteria would be used. No reference has been made to the IAQM odour guidance which recommends that several different assessment methods should be used to assess odour for planning purposes. Further details are required.	As discussed at the pre-app meeting on 29 <sup>th</sup> June, the same approach as detailed in the CADP UES will be applied. This will include a review of recent odour complaints and predictions of odour concentrations based on the Copenhagen Airport study <sup>1</sup> and as applied by Arup to Farnborough Airport. Reference can be made to the IAQM guidance as appropriate.
AQ25	The air quality assessment should provide a commentary on how climate change will impact on air quality	Noted and agreed.
AQ26	It is recommended that baseline UFP monitoring is undertaken close to the receptors most likely to be affected (i.e. those closest to the runway and downwind most frequently) to assess whether there is potential for UFP to be a significant issue at relevant locations.	See answers to AQ4 and AQ6
AQ27	The Mayor of London's London Local Air Quality Management Technical Guidance (LLAQM.TG19) should be referenced in the ES.	Noted and agreed.
AQ28	Consideration should be given to the relevance of the following guidance documents:	Noted and agreed (but see response to AQ1 with regard to nature conservation sites).

<sup>1</sup> Winther M, Kousgaard U and Oxboel A (2006). Calculation of odour emissions from aircraft engines at Copenhagen Airport. Sci Tot Env. 366, 218-232.

	<ul style="list-style-type: none"> <li>Professional guidance published by IAQM on the assessment of odour for planning</li> <li>Professional guidance published by IAQM on the assessment of air quality impacts on designated nature conservation sites</li> </ul>	
AQ29	AQM guidance is taken into consideration in the ES	If new, final IAQM guidance is published within the timescale for submission of the ES Chapter then it will be taken into account, as appropriate.
AQ30	The Scoping Report refers to the receptors in general terms but does not identify where they will be or how many will be included. It states that the baseline study will determine the existing and new receptors introduced by committed / proposed development, likely to be affected by the s73 Proposals. These should be confirmed with the local planning authority prior to assessment of impacts.	The list of cumulative/ committed developments, which may in due course become receptors to any air quality effects from the airport, are listed in Annex B of the scoping report. See also answer to AQ2.
AQ31	The Applicant should confirm any proposed consultation.	A 10 week public consultation process has been undertaken, which commenced in 1st July 2022. It can also be confirmed that the statutory consultation bodies (Environment Agency, Historic England and Natural England) are being consulted as part of the scoping and ongoing EIA process.
AQ32	<p>The Applicant should confirm if the following documents will be used in the assessment:</p> <ul style="list-style-type: none"> <li>2019 Clean Air Strategy;</li> <li>the Mayor of London's Environment Strategy;</li> <li>2019 London Borough of Newham's Air Quality Action Plan 2019-2024.</li> </ul>	Yes, reference will be made to all of these documents.
CC1	Clarification is sought on whether additional construction activity is assumed in the future baseline, and if so, the applicant should	See Section 7.5 of the final Scoping Report (Table 7.3)

	confirm whether there will be increased emissions compared to the current baseline	
CC2	Conservative estimates (Jet Zero uptake rates are very optimistic) should be used when it comes to improvements and uptake rates	See Section 7.5 of the final Scoping Report (esp. para 7.5.19 and 7.5.30)
CC3	A growth in passenger numbers at London City Airport should be considered cumulatively also with the passenger growth limit noted in the CCC sixth carbon budget	See Section 7.5 of the final Scoping Report (Table 7.3)
CC4	The Applicant should clarify what 'other' GHGs will be considered with regards to the statement at paragraph 6.5.2	See Section 7.5 of the final Scoping Report (esp. para 7.5.19 and 7.5.30)
CC5	The assessment should refer to 'direct' and 'indirect' GHGs in line with IPCC GWP evidence	See Section 7.5 of the final Scoping Report (esp. para 7.5.16)
CC6	The Applicant should provide further detail in response to each of the following: – The Applicant has not considered indirect emissions from increased consumable which will be used by the increase in passenger numbers (manufacture-delivery-waste); – The scope of the emissions is not clear; The Applicant should confirm whether they will account for increased times for APUs/ground vehicles idling when pumping in more fuel to the larger aircraft, and similarly longer idling times when carrying out aircraft safety checks, luggage loading, etc.; and – The Applicant has not considered the increase in water use and the associated GHG increase (i.e., drinks, toilets, cleaning, refilling larger aircraft, etc).	Noted. See further explanation in Section 7.5 of the final Scoping Report (inc. Table 7.3). Additional detail on these matters will also be provided in the ES.
CC7	With regard to the scenarios, the Applicant should compare to the 5-year carbon budget periods	Noted and agreed.

PHW1	When gathering the baseline conditions, if any further sensitive human receptors are identified, these should also be considered within the HIA	Noted and agreed.
PHW2	The 2021 WHO guidelines should be the used in an HIA included in an EIA, as set out in EIA Regulations which required decisions to be based on current knowledge	Disagree - See Section 7.6 (Table 7.4) of the final Scoping Report
PHW3	The HIA is narrow in its approach to consideration of Air Quality. The Applicant needs to confirm the approach to be used in the HIA	Disagree - See Section 7.6 of the final Scoping Report which further explains and justifies the methodology and scope of the health assessment
PHW4	For the HIA, full considerations of all locations where people may be exposed to air pollution over different averaging periods should be considered	Noted.
PHW5	The Applicant should provide quantitative information on air pollution in relation to WHO guidelines in the Air Quality Assessment (AQ23) to allow the HIA to fully assess the health effects	Disagree – See answer to AQ22/ 23 and additional text Sections 7.4 and 7.6 of the final Scoping Report
PHW6	The DSR provides no information on the methodology for going from the air quality impact at individual receptors to the impact on populations. This needs to be provided	See further explanation in Section 7.6 (inc. Table7.4 ) of the final Scoping Report
PHW7	The Applicant should provide an assessment of UFP in the Air Quality Assessment (AQ4), to allow the health assessment to fully assess the health effects of the pollutant(	See separate Technical Note on UFPs submitted to LBN on 28 <sup>th</sup> July 2022 and answer to AQ4 above.
PHW8	The determination of significance in relation to air quality should be related to the health outcomes rather than a breach of a regulatory threshold or standard which for air quality are based on out of date health evidence. Table 6.5 of DSR and accompanying text/approach should be amended	Disagree - See further explanation in Section 7.6 (para 7.6.17 – 7.6.19) of the final Scoping Report



PHW9	The Applicant has stated that health chapter conclusions will be presented in both EIA categories of significance, such as major, moderate, minor or negligible; and a narrative explaining this 'score' with reference to evidence, local context and any inequalities. The details of the 'score' methodology should be clearly outlined in the ES	Noted and agreed. See further explanation Section 7.6 (para 7.6.19)
WR1	Any revisions or upgrades to the proposed mitigation measures should be specified within the ES	Noted and agreed.
WR2	Any new findings of the updated Flood Risk assessment should be detailed in the ES Chapter, with due consideration to the Environment Agency's latest modelled breach extents	Noted and agreed.
WR3	The impact that the increase in passenger traffic may have on potable water and wastewater infrastructure capacity should be assessed in consultation with Thames Water as part of the ES. The assessment and consultation should also consider any increase in wastewater capacity. This information should be covered as part of the ES	Noted and agreed.
TVIA1	Justification in the DSR for excluding the TVIA needs to be more robust with a clearer narrative on how conclusions were arrived at.	Additional text has been added to Section 8.4 of the final Scoping Report (see para 8.4.9). Further detail will be provided in the ES.
ABH1	The Applicant is to confirm that these amendments entail no ground intrusive activity (i.e., no potential for effects to buried archaeological remains) or meaningful modification to the appearance of the development (i.e., the change in the setting	This is confirmed. Further detail will be provided in the ES.

	of any assets affected would remain as per that assessed in earlier applications)	
W1	It is acknowledged that any increase in waste removal/ haulage will be negligible compared to the overall increases in traffic the site will see based on the proposed expansion and these numbers may be accounted for elsewhere. Clarification on this point may be prudent to ensure noise and traffic measures are not affected	Noted and agreed. Further information will be provided in the ES.
MAD1	The Applicant considers the estimated changes to fatality risk derived from the Proposed Development to be negligible and not significant. The Applicant should provide an explanation of why this would remain the case with the increased use of larger aircraft (and an explanation of how the use of larger aircraft is controlled)	Modern/ new generation aircraft do not introduce an increased risk factor compared to the older aircraft they replace. Further detail will be provided in the ES.
MAD2	The effect on the existing number, type or movement patterns of birds in the area. This should also be addressed in detail in the ecology section	This is an issue managed by the airport's Safeguarding Team. Further detail on Bird Strike Hazard procedures can be provided in the ES.
MAD3	A fire statement is required to accompany all major applications in London (London Plan Policy D12B)	Noted. To be discussed with LBN if such a statement is required.
EB1	Given the requirement for ongoing landscape and ecological monitoring and management, further assessment of the site's ecological value and potential to enhance biodiversity, including an assessment of baseline biodiversity, and further reporting, it is recommended that ecology and biodiversity be scoped into the ES.	Strongly disagree.  Other than the reconfiguration of existing stands, no new physical works are proposed by the s.73 amendment application, so there will be no associated loss of habitats or related impacts to ecology. Moreover, the proposals do not alter the approved CADP landscaping scheme. The Updated Environmental Statement (UES, 2015) submitted with the CADP1 application demonstrated that there would be no significant impacts to ecology from the construction and operation of the CADP infrastructure, and this conclusion remains unaltered. Therefore, a further assessment of the ecology & biodiversity/ BNG at this time is considered to be highly disproportionate to the limited environmental effects of the Section 73 amendments. In addition, this is not supported by either Government

		<p>guidance (which states that EIA should focus on the 'main' and 'likely significant environmental effects' only) nor any case law precedents for EIA.</p> <p>Because the reasoning for EB1 appears to stem from other specific comments/ points in preceding text of the Review Report, these are responded to in turn below.</p>
Para 4.32	The airport has developed and implemented a Sustainability and Biodiversity Strategy which is reviewed every 3 years. The targets, actions and initiatives of the strategy to enhance biodiversity off-site and promote access to biodiversity and how the project will align with these are not detailed.	This will be described in the Ecology & Biodiversity section of the 'scoped-out/other environmental topics' Chapter of the ES.
Paras 4.33 and 4.34	<p>While it is acknowledged that a landscaping scheme will be implemented at the airport, it does not appear that an assessment of biodiversity using the DEFRA Metric 3.0 or current 3.1 has been undertaken to inform the proposals and long-term management. It is not clear what agreements have been concluded in relation to biodiversity net gain.</p> <p>It is noted that a Preliminary Ecological Appraisal (PEA) will be undertaken, however there is no mention of undertaking BNG condition assessments or metric calculations at this point. Further consideration and clarification as to how BNG will be recorded and achieved is required.</p>	<p>The landscaping scheme was submitted to and approved by LBN under Condition 36 of the CADP1 planning permission. There will be no amendments to this planning condition or the approved details as part of the forthcoming S73 application.</p> <p>Whilst a full BNG condition assessment to support the s.73 application and ES is not required (by policy or legislation), the PEA will nevertheless provide 'condition sheets' for the existing habitats.</p>
Para 4.35	It is stated the updated PEA report is anticipated to confirm that the airport has no intrinsic habitat value and that the proposed works will have a negligible effect on terrestrial ecology and biodiversity, however the original report findings have not been provided for review. It is also anticipated that	See above. The PEA Report is in the process of being completed and will be submitted as an appendix to the ES. However, we can confirm that this does conclude that the airport has no intrinsic habitat value and that the proposed Section 73 amendments will have a negligible effect on terrestrial ecology and biodiversity.

	through the collection of habitat condition data using the DEFRA condition sheets, that a more detailed and accurate picture of the habitat value of the airport will be provided.	
Para 4.36	While it is stated that habitat and species variation is low, the justification surrounding the potential to increase the sites' biodiversity value is limited to restrictions around birds. It is not clear as to the level of habitat connectivity to the wider landscape or the baseline biodiversity value, including condition as per the DEFRA metric and associated condition sheets.	The s.73 application will not change the physical nature of the consented CADP1 development. All issues around increasing biodiversity value, connectivity etc. were addressed as part of the original UES and then subsequently incorporated into a number of planning conditions attached to the 2016 CADP1 planning permission. The latter have been advanced through the development and agreement with LBN of the airport's Sustainability & Biodiversity Strategy (the current version being adopted in March 2021) as well as the establishment of an aquatic biodiversity enhancement feature known as the 'artificial fish refugia' which was installed in KGV Dock in 2019. When the remainder of the CADP1 is built out, including the landscaping scheme within the new terminal forecourt, there will be some additional biodiversity benefits (e.g. through the planting of indigenous plant species). These features will be further described in the ES, for the sake of context and to highlight the future 'ecological baseline' of the airport.
E5 (4.38)	The scoping report does not make reference to consultee comments. It would be recommended to provide relevant comments or agreements reached with consultees, in particular the Local Planning Authority, with regard to biodiversity and on or offsite enhancement or habitat creation.	A meeting with the Environment Agency is scheduled to take place on Tuesday 16 <sup>th</sup> August to discuss the scope of the EIA and the updated FRA. At this meeting we will also discuss whether or not they agree that Ecology & Biodiversity should be scoped out of the EIA (for the same reasons presented here). The outcome of this meeting will be reported back to LBN. Due to current resourcing constraints within Natural England, they are not in a position to attend a similar meeting/discussion but will have the opportunity to respond to LBN on their scoping opinion, should they choose to do so. It is understood that LBN do not have a dedicated officer dealing with nature conservation/ biodiversity. However, we will of course respond to any additional comments they wish to make on this matter.
E6 (4.39)	The report references relevant best practice guidance for Preliminary Ecological Appraisal but does not reference DEFRA guidance and its application to the proposed works.	All relevant guidance will be referenced in the Ecology & Biodiversity section of ES, as necessary. An assessment of biodiversity using the DEFRA Metric 3.0 (or current 3.1) is not appropriate for the reasons given above and below.
E7 (4.40)	It is recommended that the updated Preliminary Ecological Appraisal Report and associated consultation, surveys and assessment with regard to Biodiversity Net Gain be undertaken and the topic of ecology	We strongly disagree that it is necessary to undertake a BNG assessment for the purpose of the s.73 application. There is no policy or legal basis to insist on this and it is not appropriate given that the proposed amendments to the existing CADP1 planning permission do not entail any new physical works which would result in additional habitat loss or ecological impact. The UES concluded that the potential

	and biodiversity be scoped in should protected or notable species or habitats be recorded and following an assessment of Biodiversity Net Gain	for impacts to protected or notable species was very low and this remains the case; the updated PEA has not identified any new habitats, protected or notable species since the site was last surveyed.
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