



Department
for Transport

Ben Million

Department for Transport
7&8 Wellington Place
Leeds
LS1 4AP

E-Mail: ben.million@dft.gov.uk

Web site: www.gov.uk/dft

Mark Boulton
The Planning Inspectorate
Temple Quay House
Bristol
BS1 6PN

5 December 2023

Dear Mark,

London City Airport s.73 appeal (reference: 332646) – Regulation (EU) No. 598/2014

Thank you for your email (dated 4 December 2023) regarding the London City Airport planning appeal inquiry. As you are aware, we have been considering the requirements of retained Regulation (EU) No. 598/2014 (“the regulations”) and their application to the appeal. Thank you for your patience while we considered this matter.

We consider that London City is an airport that falls within scope of the regulations, as defined in Article 2 and that given the appeal, the Secretaries of State are the competent authorities for the purposes of the regulations. As such, the Secretaries of State are responsible for ensuring that the processes set out in the regulations are followed when adopting noise-related operating restrictions proposed as part of the planning appeal.

The regulations set out rules on the process to be followed for the introduction of noise-related operating restrictions, including allowing interested parties three months prior to the adoption of new operating restrictions to submit comments. Though not explicitly set out in the regulations, our interpretation is that these rules apply to changes to existing operating restrictions as well as to new restrictions. We note that London City’s Environmental Statement (volume 1) includes Regulation 598/2014 among the list of relevant legislation.

Our view is that the consultations undertaken as part of both the planning and appeal processes should largely serve to satisfy this requirement.

I have made colleagues at the Department for Levelling Up, Communities and Local Government aware of this matter and am copying them for information.

I am happy for you to make this letter available to interested parties.

Please let me know if you or the Inspector have any questions.

Kind regards,

Ben Million

Head of Airport Planning