

Mr Tim Halley
City Aviation House, Hartmann Road
Silvertown
London
E16 2PB

Date: 13th July 2018

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England)
Order 2015 (as amended)

Dear Sir

Application No: 18/00741/AOD

Location: London City Airport
Hartmann Road
Silvertown
London
E16 2PX

Proposal: Approval of details pursuant to Conditions 77 (Traffic Management Plan), 78 (Taxi Management Plan) (Second Submission) and 80 (Bus Facilities) (First Submission) attached to planning permission 13/01228/FUL dated 26th July 2016.

The London Borough of Newham hereby gives notice with respect to your submission of details pursuant to planning permission 13/01228/FUL validated on 20th March 2018.

Conditions 77, 78 and 80 are **APPROVED** subject to the details submitted and approved, and subject to the conditions and reasons stated within the accompanying report.

The Council has considered the provisions of the approved Updated Environmental Statement and does not consider this application to warrant the need for further Environmental Impact Assessment.

Please note that a number of inter-related submissions have been made in relation to planning permission 13/01228/FUL. In order to ensure consistency, the Council has issued Decision Notices simultaneously on the following:

Applications for Approvals of Details:

- 18/01391/AOD
- 18/00557/AOD
- 18/00576/AOD
- 18/00578/AOD
- 18/00671/AOD
- 18/00741/AOD

- 18/00761/AOD
- 18/00846/AOD
- 18/00994/AOD
- 18/01029/AOD
- 18/01290/AOD
- 18/01312/AOD

Application for a Non-Material Amendment:

- 18/01001/NONMAT

Application for Deed of Variation to S106 Agreement Attached to 13/01228/FUL

- 18/01637/S106

In relation to the Approvals of Details that are second submissions under 13/01228/FUL, to ensure effective monitoring, I would be grateful if you could inform the Airport Monitoring Officer which of the permissions are to be implemented.

Signed:

A handwritten signature in black ink, appearing to read 'Amanda Reid'.

Amanda Reid

Head of Planning and Development
London Borough of Newham

TOWN AND COUNTRY PLANNING ACT 1990

Applicant's Rights following the Grant or Refusal of permission

1. Appeals to the Secretary of State

Should you (an applicant/agent) feel aggrieved by the decision of the council to either refuse permission or to grant permission subject to conditions, you can appeal to the Secretary of State for the Department of Communities and Local Government – Section 78 of the Town and Country Planning Act 1990 / Sections 20 and 21 of the Planning (Listed Building and Conservation Areas) Act 1990. Any such appeal must be made within the relevant timescale for the application types noted below, beginning from the date of the decision notice (unless an extended period has been agreed in writing with the council):

- **Six months:** Full (excluding Householder and Minor Commercial applications), listed building, conservation area consent, Section 73 'variation/removal', Section 73 'minor-material amendment', extension of time, and prior approval applications.
- **12 weeks:** Householder planning, Householder prior approval and Minor Commercial applications.
- **8 weeks:** Advertisement consent applications.
- **No timescale:** Certificate of lawful development (existing/proposed) applications.

Where an enforcement notice has been issued the appeal period may be significantly reduced, subject to the following criteria:

- The development proposed by your application is the same or substantially the same as development that is currently the subject of an enforcement notice: **28 days of the date of the application decision.**
- An enforcement notice is served **after the decision on your application** relating to the same or substantially the same land and development as in your application and if you want to appeal against the council's decision you are advised to appeal against the Enforcement Notice and to do so before the Effective Date stated on the Enforcement Notice.

Appeals must be made using the prescribed form(s) of The Planning Inspectorate (PINS) obtained from www.planning-inspectorate.gov.uk or by contacting 03034445000. A copy of any appeal should be sent both to PINS and the council (attn: Planning Appeals Officer).

The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are exceptional/special circumstances.

The Secretary of State can refuse to consider an appeal if the council could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements and provisions of the Development Order and to any direction given under the Order. In practice, it is uncommon for the Secretary of State to refuse to consider appeals solely because the council based its decision on a 'direction given by the Secretary of State'.

2. Subsequent Application Fees

No planning fee would be payable should a revised planning application be submitted within 12 months of the decision. This 'fee waiver' is permitted only where the new application meets the following criteria:

- the applicant is the same as the applicant of the original application
- site boundary is the same as the site boundary of the original application
- the nature of development remains the same.


3. Purchase Notices

Should either the council or the Secretary of State refuse permission or to grant permission subject to conditions, the owner may claim that the land cannot be put to a reasonably beneficial use in its existing state nor through carrying out of any development which has been or could be permitted. In such a case, the owner may serve a purchase notice on the council.

This notice will require the council to purchase the owner's interest in the land in accordance with the provisions of Part IV of the Town and Country Planning Act 1990 and Section 32 of the Planning (Listed Buildings Conservation Areas) Act 1990.

4. Compensation

In certain circumstances compensation may be claimed from the council if permission is refused or granted subject to condition(s) by the Secretary of State on appeal or on reference to the Secretary of State. These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.


Delegated Report			
Application for approval of details reserved by condition.			
Case Officer:	Dave Whittaker	Valid Date:	20th March 2018
Application Number:	18/00741/AOD	8-Week Date:	14.05.2018
Deemed Discharge Notice:	No	PEA Date:	N/A
Address:	London City Airport Hartmann Road Silvertown London E16 2PX		
Proposal:	Approval of details pursuant to Conditions 77 (Traffic Management Plan), 78 (Taxi Management Plan) (Second Submission) and 80 (Bus Facilities) (first Submission) attached to planning permission 13/01228/FUL dated 26th July 2016.		

Assessment:

Conditions 77, 78 and 80	<p>77 Traffic Management Plan</p> <p>No relevant Phase of the Development shall be Commenced until a Traffic Management Plan has been submitted to and approved in writing by the local planning authority in respect of the relevant Phase. Each submitted Traffic Management Plan shall:</p> <ul style="list-style-type: none"> • set out the proposed management arrangements for vehicle movement within the Phase, including the internal shared access; • include details of appropriate road markings and signage internal to the site to regulate the movement of traffic, cyclists and pedestrians; and • ensure that the internal road network is designed, operated and retained in line with current practice on highway design for all road users, including buses, cyclists, and pedestrians. <p>The relevant Phases shall be operated in accordance with the approved Traffic Management Plans for those Phases thereafter.</p> <p>Reason: <i>To prevent obstruction of the public highway surrounding the site and internal roads used by buses, taxis, delivery vehicles, cyclists and pedestrians and avoid accidents.</i></p>
	<p>78 Taxi Management Plan</p> <p>No relevant Phase of the Development shall be Commenced until a detailed Taxi Management Plan has been submitted to and approved in writing by the local planning authority in respect of that Phase. The Taxi Management Plan shall be implemented as approved and retained thereafter.</p> <p>Reason: <i>To ensure that taxi facilities are operated safely and efficiently.</i></p>
	<p>80 Bus Facilities</p> <p>No works to existing bus stops, stands, infrastructure or shelters or any works that affect bus operations shall be carried out until a Bus Facilities Works Programme has been submitted to and approved in writing by the local planning authority. The Works Programme shall include infrastructure specification, maintenance and transitional arrangements. The approved facilities shall thereafter be implemented in accordance with the approved arrangements.</p> <p>Reason: <i>To ensure that bus services can safely serve the site as if they were on the public highway including regular maintenance and appropriate management, as the forecourt design includes changes to bus facilities that are not part of the public highway and need to be accessed via private land.</i></p>

Details Submitted and APPROVED:	<ul style="list-style-type: none"> • Reports: • Condition 77 – Traffic Management Plan – March 2018 – Version 3 • Condition 78 – Taxi Management Plan – March 2018 – Version 3 • Condition 80 – Bus Facilities Plan – March 2018 – Version 4 • Plans: • Condition 80: • Bus Facilities Route Plan - 110116E/A/03.2 • Bus Facilities Plan - A400-PAW-A-14-XXX-XX-DR-DE-214-001-A-S3
Details submitted for information (Not approved):	<ul style="list-style-type: none"> • Cover Letter • Site Location Plan
Officer Assessment:	<p>This is one of a number of second submissions of Approval of Details; Conditions 77 and 78 were previously submitted and approved separately, as 17/00333/AOD and 17/00337/AOD. Condition 80 is a first submission.</p> <p>The resubmissions are primarily a consequence of the applicant's proposed revised timetable for CADP1, which includes the removal of the Interim and Completion phases and their replacement with a single phase. The proposed revised timetable has been submitted separately as the Construction Phasing Plan (Condition 4).</p> <p>An approval by the Council in relation to minor changes to permission 13/01228/FUL has been given since permissions 17/00777/AOD and 17/00778/AOD, namely 17/02865/NONMAT. In addition, details of access roads and parking areas were submitted and approved under Condition 73 (17/02817/AOD). These have been incorporated where relevant into the submission under consideration.</p> <p><u>Condition 77</u></p> <p>Condition 77 was previously submitted and approved as 17/00333/AOD.</p> <p>In summary, the report proposes arrangements for private vehicles: car and motorcycle parking, including number of spaces, charging levels, and entry/exit controls; passenger pick up/drop off; bus movements; and pedestrian and cycle movements. Taxi management is included but details are covered by Condition 78.</p> <p>Measures for monitoring and review are also included.</p> <p><u>Condition 78</u></p> <p>Condition 78 was previously submitted and approved as 17/00337/AOD.</p> <p>In summary, the report proposes arrangements for black taxis, including details on holding areas, ranks, and passenger pick up and drop off; and for private hire minicabs, passenger pick up and drop off. Problems with private hire vehicles parking in the vicinity of the Airport are also recognised, with current proposals for dealing with this issue listed. Measures for monitoring and review are also covered.</p> <p><u>Condition 80</u></p> <p>Condition 80 is a first submission.</p> <p>In summary, the report proposes arrangements for bus movements and associated infrastructure. Measures for monitoring and review are also covered.</p> <p>The applicant was advised to resubmit second then third versions of each report in order to correct a number of material errors. As a result, a second period of consultation was required. A further minor amendment was made to the Condition 80 report and was resubmitted as Version 4.</p>

	<p>External consultation (All Conditions), as listed in Appendix 2 – either: no response or no comment.</p> <p>Internal consultation (All Conditions), as listed in Appendix 2 – either: no response or no comment.</p> <p>The submission is consistent with all relevant Development Plan policies, as listed in Appendix 1.</p> <p>The submitted details comply with the requirements of Conditions 77, 78 and 80.</p>
Officer Recommendation:	Approve
Conditions and Reasons:	<p>The development shall be implemented in accordance with the Details Submitted and APPROVED listed above only.</p> <p>Condition 77 <i>Reason: To prevent obstruction of the public highway surrounding the site and internal roads used by buses, taxis, delivery vehicles, cyclists and pedestrians and avoid accidents.</i></p> <p>Condition 78 <i>Reason: To ensure that taxi facilities are operated safely and efficiently.</i></p> <p>Condition 80 <i>Reason: To ensure that bus services can safely serve the site as if they were on the public highway including regular maintenance and appropriate management, as the forecourt design includes changes to bus facilities that are not part of the public highway and need to be accessed via private land.</i></p>

Officer Recommendation:	To approve the details identified as Submitted and APPROVED listed above, pursuant to conditions 77, 78 and 80 attached to permission 13/01228/FUL.
Authorising officer Signature:	
Authorising officer	James Bolt, Senior Development Manager
Date:	13 th July 2018

Appendix 1:

<p>The Council's decision to approve the submitted details in this instance arose following careful consideration of the relevant provisions of the Council's adopted development plan and of all other relevant material considerations, including the approved Environmental Statement.</p> <p>Of particular relevance to this decision were the following Framework and Development Plan policies and ES documents:</p>	
National Planning Policy Framework (DCLG, March 2012)	
The London Plan: Spatial Development Strategy for London (GLA, consolidated with alterations since 2011, published March 2016)	At the date of assessment of original application: Policy 6.6 – Aviation
<p>The Mayor of London's Draft London Plan: The Spatial Development Strategy for Greater London (Draft for public consultation DECEMBER 2017) is at an "early" stage of preparation. Having regard to NPPF paragraph 216 the emerging document is now a material consideration and <u>limited</u> weight will be given to the emerging document in decision-making, unless other material considerations indicate that it would not be reasonable to do so.</p>	
The London Plan: The Spatial Development Strategy for Greater London (Draft for public consultation DECEMBER 2017)	Not applicable
Joint Waste Development Plan for the East London Waste Authority Boroughs (adopted February 2012)	Not applicable
<p>The Submission Draft Local Plan is now at an "advanced" stage of preparation, having regard to NPPF paragraph 216, following submission to the Secretary of State for independent examination. As a result, the document is now a material consideration and substantial weight will be given to the Plan in decision-making, unless other material considerations indicate that it would not be reasonable to do so. The Plan will not gain full weight until it is adopted by the Council, however it is not anticipated that there will be further material amendments to the document.</p>	
Local Plan (February 2018) Secretary of State Submission Version	Not applicable
London Borough of Newham Local Plan: Core Strategy (adopted January 2012)	<p>Policy INF1 – Strategic Transport</p> <p>Policy SP2 – Healthy Neighbourhoods</p> <p>Policy INF2 – Sustainable Transport</p>
London Borough of Newham Local Plan: Detailed Sites and Policies Development Plan Document (adopted 20 October 2016)	Not applicable
EIA Approved Updated Environmental Statement	<p>The covering letter includes Appendix 2 – Statement of Conformity with the Updated Environmental Statement for Planning Permission 13/01228/FUL dated 26th July 2017. This is a requirement of Condition 3 of the Permission:</p> <p>3 Environmental Statement</p> <p>The Development shall be carried out in accordance with the environmental standards, mitigation measures, requirements, recommendations and methods of implementing the Development contained in the Updated Environmental Statement (UES) and revisions, February 2016.</p> <p>Reason: To ensure that the Development is carried out in accordance with the UES, dated September 2015, and the mitigation measures proposed therein.</p>

Appendix 2:

Consultations:		
<i>Consultee:</i>	<i>Date Consulted:</i>	<i>Summary of response:</i>
LBN Transportation	21st March 2018	No response
L City Airport Consultative Committee	21st March 2018	No response
Greater London Authority	21st March 2018	No response
Transport For London - London Underground	21st March 2018	No comment
DLR - Robert Niven	21st March 2018	No response
Highways Team	21st March 2018	No response
LBN Environmental Health - Pollution General	21st March 2018	No comment
Civil Aviation Authority	21st March 2018	No response
Highways Agency For A13 And A406	29th March 2018	No response
Adam Single- Historic England - GLASS	29th March 2018	No comment
LBN Transportation	29th March 2018	No response
Crossrail Ltd	29th March 2018	No comment
L City Airport Consultative Committee	29th March 2018	No response
Greater London Authority	29th March 2018	No response
Transport For London - London Underground	29th March 2018	No comment
DLR - Robert Niven	29th March 2018	No response
Highways Team	29th March 2018	No response
LBN Environmental Health - Pollution General	29th March 2018	No comment
Civil Aviation Authority	29th March 2018	No response

Informative:

In dealing with this application, Newham Council has implemented the requirements of the National Planning Policy Framework and of the Town and Country Planning (Development Management Procedure) (England) Order 2015 to work with the applicant in a positive and proactive manner. As with all applicants, we have made available detailed advice in the form of our statutory policies in the relevant constituent parts of the Local Plan and London Plan, Supplementary Planning documents, and all other Council guidance, as well as offering a full pre-application advice service, so as to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably.