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**Date:** 27th September 2017

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

Dear Sir/Madam,

**Application No:** 17/02817/AOD

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

**Proposal:** Approval of details pursuant to Condition 73 (Access Roads and Parking Areas) attached to planning permission 13/01228/FUL dated 26<sup>th</sup> 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 23<sup>rd</sup> August 2017.

Conditions 73 is **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 Environmental Statement – known as the Updated Environmental Statement (UES) and revision, February 2016 and does not consider this application to warrant the need for further Environmental Impact Assessment.

**Signed:**



**Deirdra Armsby**  
*Director of Regeneration & Planning*  
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](http://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.			
<b>Case Officer:</b>	James Burton	<b>Valid Date:</b>	23 <sup>rd</sup> August 2017
<b>Application Number:</b>	17/02817/AOD	<b>8-Week Date:</b>	17 <sup>th</sup> October 2017
<b>Deemed Discharge Notice:</b>	No	<b>PEA Date:</b>	N/A
<b>Address:</b>	London City Airport, Hartmann Road, Silvertown, London		
<b>Proposal:</b>	Approval of details pursuant to Condition 73 (Access Roads and Parking Areas) attached to planning permission 13/01228/FUL dated 26 <sup>th</sup> July 2016		

#### Assessment:

Condition 73	Access Roads and Parking Areas
<p>No part of the Eastern Terminal Extension hereby approved shall be occupied until the Access Roads and Parking Areas have been constructed in accordance with details that shall be submitted to and approved in writing by the local planning authority and the Access Roads and Parking Areas shall be retained thereafter.</p> <p>Reason: To ensure the development makes adequate provision for the off-street parking and manoeuvring of vehicles likely to be associated with the approved use.</p>	
<p><b>Details Submitted and APPROVED:</b></p>	<p><b>Drawings:</b></p> <ul style="list-style-type: none"> <li>• Dockside General Arrangement Overall (A400-ATK-L-16-XXX-DR-GA-200-001-01-S2) dated 20<sup>th</sup> July 2017</li> <li>• Dockside General Arrangement Overall – Sheet 1 of 2 (A400-ATK-L-16-XXX-DR-GA-200-001A-01-S2) dated 20<sup>th</sup> July 2017</li> <li>• Dockside General Arrangement Overall – Sheet 2 of 2 (A400-ATK-L-16-XXX-DR-GA-200-001B-01-S2) dated 20<sup>th</sup> July 2017</li> <li>• Dockside General Arrangement – Sheet 1 of 10 (A400-ATK-L-16-XXX-DR-GA-200-002-01-S2) dated 20<sup>th</sup> July 2017</li> <li>• Dockside General Arrangement – Sheet 2 of 10 (A400-ATK-L-16-XXX-DR-GA-200-003-01-S2) dated 20<sup>th</sup> July 2017</li> <li>• Dockside General Arrangement – Sheet 3 of 10 (A400-ATK-L-16-XXX-DR-GA-200-004-01-S2) dated 20<sup>th</sup> July 2017</li> <li>• Dockside General Arrangement – Sheet 4 of 10 (A400-ATK-L-16-XXX-DR-GA-200-005-01-S2) dated 20<sup>th</sup> July 2017</li> <li>• Dockside General Arrangement – Sheet 5 of 10 (A400-ATK-L-16-XXX-DR-GA-200-006-01-S2) dated 20<sup>th</sup> July 2017</li> <li>• Dockside General Arrangement – Sheet 6 of 10 (A400-ATK-L-16-XXX-DR-GA-200-007-01-S2) dated 20<sup>th</sup> July 2017</li> <li>• Dockside General Arrangement – Sheet 7 of 10 (A400-ATK-L-16-XXX-DR-GA-200-008-01-S2) dated 20<sup>th</sup> July 2017</li> <li>• Dockside General Arrangement – Sheet 8 of 10 (A400-ATK-L-16-XXX-DR-GA-200-009-01-S2) dated 20<sup>th</sup> July 2017</li> <li>• Dockside General Arrangement – Sheet 9 of 10 (A400-ATK-L-16-XXX-DR-GA-200-010-01-S2) dated 20<sup>th</sup> July 2017</li> <li>• Dockside General Arrangement – Sheet 10 of 10 (A400-ATK-L-16-XXX-DR-GA-200-011-01-S2) dated 20<sup>th</sup> July 2017</li> <li>• 9.25 Dockside Indicative Sections (LCY-CADP-ATK-0012 Rev B) dated 2<sup>nd</sup> July 2017</li> <li>• 9.26 Dockside Path Indicative Details (LCY-CADP-ATK-0013 Rev B) dated 2<sup>nd</sup> of July 2017</li> </ul> <p><b>Documents:</b> London City Airport, Condition 73: Access Road and Parking</p>

	<b>Facilities (N10/110116E) prepared by Vectos dated August 2017 – including swept path analysis at Appendix A</b>
<b>Details submitted for information (Not approved):</b>	<ul style="list-style-type: none"> <li>• Covering letter prepared by Quod dated 18<sup>th</sup> of August 2017</li> <li>• Condition 73 UES Conformity Statement prepared by RPS</li> </ul>
<b>Officer Assessment:</b>	<p>In seeking to meet the requirements of Condition 73 the applicant has provided a series of plans demonstrating the layout and operation of dockside parking facilities and access roads, together with a swept path analysis.</p> <p>These details have been considered by LBN Transportation and Highways, as well as TfL, Highways England and the Port of London Authority and no objections have been raised.</p> <p>Officers have reviewed the Statement of Conformity with the UES and find it to be well reasoned and appropriately detailed. Its findings are therefore agreed. In light of these matters, officers recommend that the details submitted are approved pursuant to this Condition.</p> <p>Recognising that the submission of these details reflects a number of design amendments to the planning permission which are separately sought via an application submitted under Section 96A of the Town and Country and Planning Act (17/02865/NONMAT), it is recommended that in taking a decision the delegated officer note the recommendation of this application.</p>
<b>Officer Recommendation:</b>	<b>Approved</b>
<b>Conditions and Reasons:</b>	<p>The development shall be implemented in accordance with the <b>Details Submitted and APPROVED</b> listed above only.</p> <p>Reason: To ensure the development makes adequate provision for the off-street parking and manoeuvring of vehicles likely to be associated with the approved use.</p>

<b>Officer Recommendation:</b>	To approve the details identified as Submitted and APPROVED listed above, pursuant to Condition 73 (Access Roads and Parking Areas) attached to planning permission 13/01228/FUL dated 26 <sup>th</sup> July 2016
<b>Authorising officer Signature:</b>	
<b>Authorising officer</b>	James Bolt, Senior Development Manager
<b>Date:</b>	27th September 2017

## 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>		
<i>National Planning Policy Framework (DCLG, March 2012)</i>		
<i>The London Plan: Spatial Development Strategy for London (GLA, consolidated with alterations since 2011, published March 2016)</i>	Policy 1.1 Policy 6.10 Policy 6.3 Policy 6.1 Policy 6.11 Policy 6.13 Policy 7.1 Policy 7.5	Delivering the strategic vision and objectives for London Walking Assessing the effects of development on transport capacity Strategic approach Smoothing traffic flow and tackling congestion Parking Lifetime neighbourhoods Public realm
<i>London Borough of Newham Local Plan: Core Strategy (adopted January 2012)</i>	Policy S1 Policy S3 Policy SP1 Policy SP2 Policy SP3 Policy SP7 Policy INF1 Policy INF2	Spatial Strategy Royal Docks Borough-wide Place-making Healthy Neighbourhoods Quality Urban Design within Places Quality Movement Corridors and Linear Gateways Strategic Transport Sustainable Transport
<i>London Borough of Newham Local Plan: Detailed Sites and Policies Development Plan Document (adopted 20 October 2016)</i>	Policy SP8	Ensuring Neighbourly Development
<i>EIA Approved ES</i>	<p>A Statement of Conformity with the Updated Environmental Statement for Planning Permission 13/01228/FUL has been provided as described above. This relates to the requirement of Condition 3 of the Permission:</p> <p><b>3 Environmental Statement</b></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><b>Reason:</b> 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>
Transport For London	31st August 2017	<p><i>Thank you for consulting Transport for London (TfL) on the above application.</i></p> <p><i>We welcome changes that safeguard options for step-free access onto Dockland Light Railway (DLR) at King George V Dock.</i></p> <p><i>We also welcome the provision of dedicated shuttle bus</i></p>

		<p><i>pick-up and drop off areas. We welcome measures to improve pedestrian links and traffic flow, as well as details of electric vehicle charging.</i></p> <p><i>We have discussed with the Airport the changes in the feeder park as listed in this table:</i></p> <p><b>Table 1: Black Taxi Feeder Park</b></p> <table border="1"> <thead> <tr> <th>Area</th><th>Approved Provision (2015)</th><th>Amended Provision (Condition 73)</th></tr> </thead> <tbody> <tr> <td>Feeder Park</td><td>326</td><td>309</td></tr> <tr> <td>Feeder Lanes</td><td>307</td><td>284</td></tr> <tr> <td>Rest Bays</td><td>19</td><td>13</td></tr> <tr> <td>Charging Points</td><td>0</td><td>12</td></tr> </tbody> </table> <p><i>The increased provision for rapid electric charging points accords with the Mayor's aim that for all taxis and Private Hire Vehicles (PHVs) to be zero emission capable by 2033 (Mayor's Draft Transport Strategy, June 2017). All new taxis purchased from January 2018 will be zero emission capable.</i></p> <p><i>The amended provision is accepted by TfL. The taxi feeder park and taxi rank is subject to Taxi Management Plan. TfL will work with the Airport on developing this plan and its implementation.</i></p>	Area	Approved Provision (2015)	Amended Provision (Condition 73)	Feeder Park	326	309	Feeder Lanes	307	284	Rest Bays	19	13	Charging Points	0	12
Area	Approved Provision (2015)	Amended Provision (Condition 73)															
Feeder Park	326	309															
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Rest Bays	19	13															
Charging Points	0	12															
Highways England	31st August 2017	<p><i>Thank you for your email dated 31 August 2017 regarding the above application.</i></p> <p><i>Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.</i></p> <p><i>Highways England will be concerned with proposals that have the potential to impact on the safe and efficient operation of the Strategic Road Network (SRN), in this case the M25 and A2.</i></p> <p><i>Having examined the above application, we do not offer any objections to the proposal.</i></p>															
LBN Transportation & Highways	24th August 2017	<p>I can confirm that the details submitted are generally as discussed at pre-application stage, however it is noted that some of the observations I made have been taken on board in these versions.</p> <p>I can therefore confirm that LBN Transportation has no objection to the approval of these details on Access Roads and Parking areas.</p>															
Port Of London Authority	24th August 2017	<p>Thank you for consulting the Port of London Authority (PLA) on the above mentioned planning application regarding the discharge of condition 73 (access roads and parking areas) in association with planning consent 13/01228/FUL at London City Airport.</p>															

		The PLA has no objections to the submitted details regarding this condition.
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**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.