

APPENDIX A – LBN REGULATION 19 LETTER



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Mr John Rhodes
Planning Director
RPS
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2006 NOV 22

Date: 20 Nov 2007

Dear Mr Rhodes

REQUIREMENT UNDER REGULATION 19 (1) AND 19 (10) OF THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (ENGLAND AND WALES) REGULATIONS 1999 TO PROVIDE FURTHER INFORMATION IN RESPECT OF THE ENVIRONMENTAL STATEMENT:

APPLICATION UNDER SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT 1990 TO VARY CONDITIONS 13 AND 15 OF THE OUTLINE PLANNING PERMISSION NO.N/82/104 DATED 23 MAY 1985 (AS PREVIOUSLY VARIED), TO ALLOW UP TO 120,000 TOTAL AIRCRAFT MOVEMENTS PER ANNUM (NUMBER OF TOTAL MOVEMENTS IN 2006 WAS 79,616) WITH RELATED MODIFICATIONS TO THE DAILY AND OTHER LIMITS INCLUDING NOISE FACTORED MOVEMENTS (REF. NO. 07/01510/VAR)

On 3 August 2007, you submitted the above planning application on behalf of London City Airport (LCY). This application was accompanied by an Environmental Statement (ES).

Newham Council has considered the Environmental Statement submitted with the application and, pursuant to Regulation 19 (1) and 19 (10) of the Town and Country Planning (Environmental Assessment) (England and Wales) Regulations 1999, and is of the opinion that the statement should contain additional information in order for it to be an Environmental Statement.

Once the further information has been provided, Newham Council will advertise the availability of the information. The advertisement will explain where the information can be viewed for a period of 21 days from the date of the advertisement. Newham Council will also write to statutory consultees notifying them that this information has been received and allowing them 21 days to comment.

The further information required under Regulation 19 (1) and 19 (10) is detailed in **Part A** below. In addition, Newham Council seeks clarification on a number of other matters which relate to the application but which do not form part of the ES, as detailed in **Part B** below.

PART A FURTHER INFORMATION REQUIRED UNDER REGULATION 19 (1) AND 19 (10)

A1. Noise

- A1.1 The Applicant is required to supply information to verify the modal split assumed for the average mode air noise contours for the scenarios assessed in the ES. This should be accompanied by schedules showing the numbers of aircraft by type and route used in the model for the three scenarios assessed.
- A1.2 Air noise contours for single mode operation (i.e. reflecting all day westerly and all day easterly operations) for the three scenarios assessed are to be provided. Information indicating the area, number of dwellings and population (equivalent to the data shown in Tables 6.8 – 6.10, Chapter 6 of the ES) is required for the contours for the single mode operations, and contours for the sensitivity tests. Consideration of dwelling numbers and population within noise contours should also take account of the permitted and 'allocated' development schemes assessed in the ES (Table 11.2, Chapter 11).
- A1.3 Clarification is required from the Applicant to demonstrate how the number of aircraft departures and arrivals affecting a representative range of noise sensitive receptors (from those listed in Tables 6.7, 6.11 and 6.13 in the ES) will change throughout the day for single mode operations. The hourly number of departures and arrivals are to be tabulated. In addition, clarification is required regarding exactly what is the expected number of movements that will occur between 0630 and 0700 and what limit, if any, would apply (at the moment there is some ambiguity in the documentation). The average and single mode $L_{Aeq,1h}$ information for the locations listed in Table 6.7 given for the three assessment scenarios are required. Details should also be provided relating to maximum noise levels (or single event noise levels (SEL's)) for these noise sensitive receptors to complement the information already supplied which calculated average noise levels over a 16-hour period.
- A1.4 Clarification is also required regarding how Noise Factored Movements were taken into account in the future situation for any aircraft types not currently in use at the airport.
- A1.5 With regard to ground noise effects, the Applicant is requested to provide further details of the likely ground noise effects at noise-sensitive receiver locations (including for single mode operation and for the worst hour for the three assessment scenarios). Clarification is also sought on the ground noise modelling methodology, in terms of the sources assumed and their location, on-time etc. In particular, please confirm what use of Stands 11, 12 and 13 has been assumed. Information is also required in terms of baseline L_{A90} measurements taken and the monitoring carried out to determine reference noise levels. A commentary is required regarding the robustness of the monitoring results presented in the ES.
- A1.6 With regard to road traffic noise effects, the Applicant is required to provide results for the facades of representative receptors and clarification on the data shown in Table 6.20. Hourly traffic data is to be provided for the three assessment scenarios including the hours 0500h to 0600h.
- A1.7 Additional receptors for which the various additional information are required have been identified and are set out below.

Air Noise Only

Eastern Quay Apartments (Britannia Village); and

Coral Apartments, Western gateway

Ground Noise Only
2 Camel Road

Air and Ground Noise
Land Adjacent to the south-west side of Connaught Bridge;
The Ramada Hotel

- A1.8 The applicant is required to consider how the recently published results of the ANASE study might be used to better inform the nature and extent of the impact from the proposals. Whilst recognising the concerns expressed by some of the reviewers, the Department for Transport has stated that the degree of annoyance is greater than had previously been identified. Some recognition of this (and other relevant outcomes from the study) should be reflected in either the ES or the Health Impact Assessment.

A2. Air Quality

- A2.1 Further detail is required to validate the Applicant's position to exclude aircraft sources of emissions from being considered in detail within the ES. Detailed dispersion modelling of aircraft sources of emissions at sensitive receptors would assist in supporting the Applicant's position or else aircraft source emissions should be submitted.
- A2.2 The impact assessment should be further supplemented by considering Nitrogen Oxide (NOx) within the impact assessment tables. This should include the varying contributions from road traffic, background and airport (aircraft) sources.
- A2.3 The Applicant is required to validate the air emissions model by providing a schedule of data inputs, including relevant source contributions.

A3. Transport

- A3.1 The Applicant is required to provide further information on the effect the proposal will have on the level of service provided by the Dockland Light Railway (DLR). This should include clarification of whether the submitted Transport Assessment was based on a model which assumed a 3 car service would be operating on the DLR as well as the impact of other future developments within the DLR corridor.
- A3.2 The Applicant is required to advise whether the charges for car parking are proposed to change as a result of the application and whether it is proposed to charge staff for parking or implement any other changes effecting the operation of the car parks. Clarification of the effect of any such changes in terms of modal shift or parking on local streets required.
- A3.3 The Applicant is also required to revise the Travel Plan submitted with the Environmental Statement to include targets relating to single occupancy car travel.
- A3.4 Additional information is required as to the effect of the application on servicing movements and whether the level of service vehicle activity is likely to increase.

A4. Monitoring and Mitigation

- A4.1 The noise monitoring system is not robust, is affected by offsite development and the sites could be lost altogether. What steps are the airport intending to take to secure a robust monitoring regime for the airport into the future?

- A4.2 What steps are the airport intending to take to improve the noise management system?
- A4.3 The current system of noise mitigation (glazing strategy) has been over taken by building regulations and other legislation, how do you intend to revisit this?
- A4.4 How do you intend to upgrade the Air Quality monitoring and reporting and get the information into the public domain?
- A4.5 How do you intend to implement an environmental management system that encourages and drives environmental improvement and reports this into the public domain?

PART B OTHER MATTERS

B1. Water, Waste and Energy

- B1.1 The Applicant is requested to provide more detail with regard to water, waste and energy efficiency. The Environment Agency query the assertion within the planning statement that the increase in the number of aircraft movements would not affect water supply/use/disposal. The applicant is therefore requested to provide details of water efficiency measures that will ensure that increased passenger numbers do not increase water demand.

B2. Odours

- B2.1 The Applicant is requested to clarify whether any consideration has been given to monitoring odours at the Airport and provide information on how such a system would be implemented.

B3. Flight Paths

- B3.1 The Applicant is requested to provide details of the existing flight paths and clarify whether the proposal requires any changes to these flight-paths.

B4. Noise Contour Maps

- B4.1 Some noise contour maps have been submitted with the application however they lack clarity either by virtue of their large scale such as those included in section C of Volume 2 of the technical appendices or by presentation as in section F of Volume 2 of the technical appendices. Clear maps of a legible scale demonstrating the existing noise contours and those predicted in 2010 should the proposal be granted planning consent, would be a very useful tool for assessing the application.

B5. Design and Access Statement

- B5.1 Whilst it is acknowledged that the proposal does not include any operational development, a Design and Access Statement is a statutory requirement and should be submitted to the Council.

B6. Airspace

- B6.1 The appeal decision issued by the Secretary of State on the 14 June in respect of the application at Coventry City Airport stated that "airspace management is a material consideration which should be taken into account in deciding this appeal". Have you made any assessment in respect of airspace management? If so then please then please forward details, or reasons as to why you don't believe that this is a material planning consideration for the assessment of this application.

B7. Impact on Other Airports in the South East

B7.1 Objections have been received on the grounds that by granting planning consent for an increase in the number of aircraft movements at London City Airport this would stifle the growth of other airports within the south east such as Biggin Hill and South End with the consequence of impacting negatively on the regeneration potential around those areas. Have any assessments been made in respect of this, and the wider objectives of The Future of Air Transport White Paper (Dec 2003)?

Should you have any queries regarding the above please contact the case officer Luke Downend on 020 8430 2691.

Yours sincerely,



John Fannon
Borough Planning Officer

For PHYSICAL REGENERATION & DEVELOPMENT