

3 PLANNING POLICY & REGULATORY CONTEXT

3.1 Planning Policy Context

- 3.1.1 An assessment of the proposal against relevant national, regional and local planning policy is set out within the Planning Statement which is submitted in support of the Planning Application. Relevant policy has also been considered under each of the Chapters of the ES in order to consider the environmental effects of the proposal.
- 3.1.2 The purpose of this Chapter is to set out the overall planning policy context for the ES in terms of the most relevant national, regional and local planning policies. This Chapter also provides details of other regulatory systems that govern the operation of LCY and aviation in general.
- 3.1.3 Section 38 of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 3.1.4 In London the development plan comprises the Spatial Development Strategy for London (i.e. The London Plan) and the development plan documents (taken as a whole), which have been adopted or approved in relation to that area.
- 3.1.5 In the case of LCY, the statutory development plan comprises:
- The London Plan (published February 2004)
 - The London Borough of Newham UDP (adopted June 2001)

3.2 National Planning Policy

- 3.2.1 In general, national planning policies are set out in Planning Policy Statements (PPSs), which are either general (providing guidance on the operation of the planning system), topic based (e.g. housing or town centres) or concerned with ameliorating the consequences of development (e.g. avoiding flooding). Planning Policy Statements supersede the older Planning Policy Guidance Notes (PPGs), although

some of the latter are yet to be replaced and therefore continue to be effective. The relevant PPGs and PPSs are referred to below.

3.2.2 More specifically, national planning policy on air transport is contained in the Air Transport White Paper (ATWP) 'The Future of Air Transport', published in December 2003. This was updated by the Air Transport White Paper Progress Report in December 2006.

3.2.3 In May 2007, the Government published a new Planning White Paper: "Planning for a Sustainable Future", which sets out a wide ranging agenda for reform of the planning system. The Planning White Paper explains the Government's intention to produce national policy statements in respect of national infrastructure and, in this context renews its commitment to the ATWP.

3.2.4 Paragraph 3.1 of the Planning White Paper states:

"The Government has since responded by publishing the Air Transport White Paper to provide a framework for airport development. This identifies airport development which the Government considers to be in the national interest, for reference at future planning inquiries..." (RPS emphasis added)

3.2.5 The Planning White Paper emphasises that nationally important infrastructure is "vital" to the national economy (paragraph 1.49), that the Air Transport White Paper is to be treated as a national policy statement (paragraphs 1.10, 3.1, 3.29 and 3.36). Particularly significant is the fact that the Planning White Paper reconfirms the status of the ATWP in the following terms:

"National Policy Statements would need to be regularly reviewed or updated to ensure that they take account of significant developments. The Air Transport White Paper for example, had a commitment to monitor and evaluate the effectiveness and impact of the policies with a progress report after 3 years, and the Government is now committed to a full review in a further 3-5 years (paragraph 3.31)."

Air Transport White Paper

3.2.6 Paragraph 11.6 of the ATWP states that "Our first priority is to make the best possible use of the existing runways at the major South East airports".

3.2.7 LCY is specifically considered as a ‘small airport’ in the South East; paragraph 11.95 states that:

“...local planning frameworks should take account of the benefits that development at the smaller airports could provide, and consider policies which facilitate the delivery of growth at these airports. It states that the specific details of development at any airport should remain a matter of local determination through the planning system.”

3.2.8 LCY’s growth potential of up to 5 million passengers per annum is recognised at paragraph 11.96 of the ATWP. It states the following:

“London City provides services within the UK as well as to a wide range of key European destinations such as Paris, Amsterdam and Zurich. Our forecasts show that the airport is likely to grow steadily and that this growth would not be significantly affected by the addition of runway capacity at the major London airports. It is particularly well placed to serve a niche business market. Several of the surrounding local authorities supported growth to 5mppa. The airport operator believes that with some further development a higher throughput could be achieved.”

3.2.9 Paragraph 3.5 of the ATWP states that at a local level, decisions about the amount and location of future airport capacity must properly reflect environmental concerns, with adverse impacts required to be controlled, mitigated and, where relevant, made the subject of suitable compensation.

3.2.10 A number of other elements of the White Paper are also of direct relevance to the LCY proposals, including:

- **Surface Access** - The importance of long-term surface access strategies being defined in airport master plans and being the subject of project development, option appraisal and consultation, with a view to identifying preferred schemes in Local Planning and Transport Plans (paragraph 12.20).
- **Noise** – paragraph 3.15 explains that the Government’s approach is, first to control the scale of impacts; second, to mitigate the remaining impacts; and third, to compensate for those impacts which cannot be mitigated. Page 34 confirms that 57dBA L_{eq} marks the daytime onset of significant community annoyance, whilst paragraph 3.21 states that noise levels of 69dBA L_{eq} or more should trigger

assistance with the costs of relocation, and 63dBA L_{eq} or an increase of 3dBA L_{eq} or more should trigger contributions to acoustic insulation. It should be noted that the LCY Sound Insulation Grant Scheme is triggered at a lower threshold of 57dB L_{eq} .

- **Air Quality** – paragraph 3.28 acknowledges that aircraft engines, along with airport traffic on local roads and surface vehicles generate emissions, the most important being nitrogen dioxide (NO₂) and particulates (PM₁₀). Paragraph 3.31 states that compliance with air quality standards will require reducing airport ‘airside’ emissions substantially, through technological and operational improvements by both airports and airlines. It also encourages limiting road traffic emissions through increased use of public transport.
- **Other** – paragraph 3.34 states that the loss of habitats, species, landscape and built heritage should be minimised where any new development takes place.

3.2.11 The ATWP also acknowledges the growing contribution of air transport to climate change (paragraph 3.35). It states that the Government is committed to taking a lead in tackling the problem of climate change and to putting the UK on a path to a reduction in carbon dioxide emissions by some 60 percent from current levels by 2050 (paragraph 3.36).

3.2.12 The ATWP states how the issue of climate change should be addressed by the aviation sector:

“Reduction in greenhouse gas emissions across the economy does not, however, mean that every sector is expected to follow the same path. The Government is committed to a comprehensive approach, using economic instruments to ensure that growing industries are catered for within a reducing total. The use of emissions trading allows coverage of environmental costs through a mixture of emissions reduction within the sector and purchase of reductions that can be produced more cheaply by other sectors (paragraph 3.37).... The Government therefore believes that the best way of ensuring that aviation contributes towards the goal of climate stabilisation would be through a well-designed emissions trading regime (paragraph 3.39).”

3.2.13 In addition, the ATWP states that the Government will press for the adoption by airports, airlines and air traffic controllers of: working practices that minimise the impact of their activities on climate change; research and development by aerospace manufacturers of new technologies to reduce the climate change impact of future fleets; and, voluntary action to control greenhouse gas emissions and develop sustainability strategies (paragraph 3.41).

3.2.14 Paragraph 3.42 states that the Government will also continue to explore and discuss options for the use of other economic instruments for tackling aviation's greenhouse gas emissions.

Air Transport White Paper Progress Report

3.2.15 In December 2006 the Government published its progress report on the ATWP. The document reaffirms the commitment to make the best use of existing capacity (see paragraph 5.5). LCY is dealt with specifically in paragraph 10 of Appendix 1 (Progress at UK Airports) which states the following:

“The White Paper states that London City Airport was likely to demonstrate steady growth, serving a niche business market to domestic and European destinations. London City published its draft consultative master plan in March 2006 which included plans to handle 8mppa by 2030. The airport continues to be an important factor in local regeneration, business development, transport and tourism infrastructure.”

3.2.16 The Progress Report also reaffirms the Government's policy for tackling the climate change impacts of aviation. Paragraph 2.10 states:

“The Government continues to believe that this can be done by emissions trading. This mechanism – which already operates across the EU in other sectors – should be extended to the aviation sector at the earliest opportunity. Inclusion of aviation in the emissions trading scheme is the most efficient and cost-effective way to ensure that the sector plays its part in tackling climate change. This approach was endorsed by Sir Nicholas Stern's recent report on the economics of climate change, which strongly supports carbon pricing to ensure that economic decisions fully reflect social and environmental costs.”

3.2.17 Page 22 of the Progress Report:

a) recommends all airports to follow the example of Manchester and Luton airports and plan to become carbon neutral; and

b) invites airport operators to publish an 'environmental statement' alongside their Master Plans setting targets for recycling, reducing carbon emissions, improving their energy efficiency of their business operations with the aim of achieving carbon neutrality as quickly as possible.

3.2.18 In the case of LCY, such commitments will be detailed in an 'environmental statement' to be submitted in support of the future planning application(s) to further develop the Airport in accordance with its own Master Plan.

PPS1 Delivering Sustainable Development

3.2.19 PPS1 was published in 2005 and sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system. Sustainable development is considered to be the core principle underpinning planning. Paragraph 20 states that Development Plan policies should take account of environmental issues such as mitigating the effects of climate change and adapting to climate change.

3.2.20 In December 2006 the Government published a consultation draft supplement to PPS1 titled "Planning and Climate Change". Paragraph 5 of the draft supplement states that spatial planning has a pivotal and significant role in helping, amongst other things, secure enduring progress against the UK's emissions targets, and deliver the Government's ambition of zero carbon development.

3.2.21 Paragraph 6 states that all planning authorities should prepare and deliver spatial strategies that, amongst other things, make a full contribution to delivering the Government's Climate Change Programme and energy policies, and secure the highest viable standards of resource and energy efficiency and reduction in carbon emissions. New development should be located and designed to optimise its carbon performance and limit its likely contribution to carbon emissions (paragraph 7).

PPG13 Transport

- 3.2.22 Aviation is dealt with in Annex B of PPG13 (March 2001). Paragraph 7 states that airports have become major transport interchanges and traffic generators. It states that in preparing plans and determining planning applications, local authorities should consider the extent to which development is related to the operation of the Airport, and is sustainable given prevailing and planned levels of public transport.
- 3.2.23 It states that facilities which may not be directly related to airports, including hotels, conference facilities, offices and retail, should be explicitly justified having regard to an appropriate scale relative to core airport related business and relevant planning policies.
- 3.2.24 Paragraph 8 states that surface access needs should be planned as part of the wider transport strategy for the local area.

PPG 24 Planning and Noise

- 3.2.25 PPG24 was published in 1994. Paragraph 10 states that much of the development which is necessary for the creation of jobs and the construction and improvement of essential infrastructure will generate noise. The planning system should not place unjustifiable obstacles in the way of such development.
- 3.2.26 The guidance introduced the concept of Noise Exposure Categories (NECs) ranging from A-D, to help local planning authorities in their consideration of applications for residential development near transport-related noise sources. Category A represents the circumstances in which noise is unlikely to be a determining factor, while Category D relates to the situation in which development should normally be refused (paragraph 8). Paragraph 12 states:

“When determining planning applications for development which will be exposed to an existing noise source, local planning authorities should consider both the likely level of noise exposure at the time of the application and any increase that may reasonably be expected in the foreseeable future, for example at an airport.”

3.3 Regional Planning Policy

The London Plan

- 3.3.1 The London Plan, also known as the Spatial Development Strategy for Greater London, was published by the Mayor of London in February 2004. It is the strategic plan setting out an integrated social, economic and environmental framework for the future development of London, looking forward 15-20 years.
- 3.3.2 The London Plan is currently being formally altered. 'Early Alterations' on housing provision targets, waste and minerals were adopted on 20 December 2006 following public consultation and an Examination in Public; these are not directly relevant to City Airport. More wide ranging draft 'Further Alterations' were published for consultation in September 2006 and seek to update and supplement a number of policies, including those relating to airports. These will be subjected to scrutiny at an Examination in Public in mid 2007 and can, currently, be given limited weight in planning terms. However, for completeness, reference is made both to the adopted and emerging replacement policies and any supplemental policies.

Airport Development

- 3.3.3 Policy 3C.6 of the adopted London Plan (Airport Development) states:

"The Mayor supports the development of a sustainable and balanced London area airport system, and recognises that further runway capacity in the South East will be required to meet London's needs. This should include substantial new capacity that will support the regeneration of the Thames Gateway as well as servicing the needs of London and its economy as a whole. This policy will be reviewed in the light of the outcome of the current national review of airport capacity."

- 3.3.4 The supporting text to Policy 3C.6 of the adopted Plan states:

"3.174 Growing demand for air travel to and from the London area could result in the throughput of passengers doubling by 2020. A sustained programme of development is needed if London and the UK are to compete effectively in the global and European economies."

“3.175 The government published its White Paper, the Future of Air Transport in December 2003, which sets out a strategic framework for the development of air travel in the United Kingdom over the next 30 years. The main implications for London will be addressed in the context of the review of the London Plan. The needs of the London economy should be promoted alongside a substantial increase in the capacity of airports that can serve and stimulate development in the Thames Gateway. International airports are major generators of economic activity. Sub-Regional Development Frameworks should set out ways to optimise their economic contribution and minimise their environmental impacts.”

“3.176 Improved public transport access to and from London’s airports is essential to ensure that increasing demand is met in an acceptable way. The scale of growth anticipated means further proposals for improving public transport access will need to be developed and implemented alongside any plans for new runways or terminals.”

3.3.5 Paragraph 1.3 of the adopted London Plan states:

“Other ‘gateways’ such as Heathrow, the London-Stansted-Cambridge corridor, London City Airport, the Stratford International Railway Station and their surrounds, will also be attractive to international investment.”

3.3.6 Paragraph 5.27 of the adopted London Plan states:

“The DLR City Airport extension will support further growth of City Airport, providing a direct link between the airport and central London, with the extension to North Woolwich improving access from the south.”

3.3.7 Draft Replacement Policy 3C.6 (Airport development and operation) states:

“...Adequate airport capacity serving a wide range of destinations is critical to the competitive position of London in the global economy. The Mayor recognises that airport capacity must be sufficient to sustain London’s competitive position, although providing a level of capacity sufficient to meet unconstrained demand is untenable. The Mayor believes that the aviation industry should meet its full environmental and external costs but accepts there will still be a need for extra capacity to meet London’s economic needs... Airport operations should also give high priority to sustainability, including setting targets for and actively working towards increasing the share of access journeys by passengers and employees made by sustainable means, and taking full account of environmental impacts when making decisions on patterns of aircraft operation.”

Royal Docks Opportunity Area

3.3.8 Within the adopted London Plan the Royal Docks (within which LCY is located) is identified as one of thirteen Opportunity Areas in East London. Table SC.1 sets out targets for 11,000 new jobs and 5,500 new homes by 2016. Paragraph 5.72 describes how the area has already been transformed from a derelict expanse to a high quality development area with modern infrastructure and facilities.

3.3.9 The remainder of paragraph 3.72 states the following:

“the planning framework should draw on existing initiatives to guide the provision of new housing and enhance the quality of the environment. It should also promote development of a new urban quarter at West Silvertown and promote a major new visitor attraction to provide the focus for facilities and community activity that the area currently lacks. The DLR City Airport extension will support further growth of the City Airport, providing a direct link between the airport and central London, with the extension to North Woolwich improving access from the south. In the longer term, Cross Rail 1 or other improvements to public transport could help sustain further housing and economic development. The Thames Gateway Bridge will be important in opening up links to south-east London and so supporting development and intensification.”

3.3.10 LCY is also located within an Area for Regeneration, where the Mayor will work with strategic partners to achieve their sustained renewal by prioritising them for action and investment (Policy 2A.4 of the adopted plan). Areas for Regeneration are the 20% most deprived areas in London as defined by the London Index of Deprivation.

3.3.11 Within the draft Further Alterations to the London Plan the Mayor proposes that the boundaries of the sub-regions are redrawn and the Royal Docks now falls within the North East Sub-region. A Sub-Regional Framework for the new North East Sub-region is expected to be prepared following adoption of the further changes to the London Plan. Draft Policy 5C.1 sets out the strategic priorities for North East London, including the following:

“Deliver the London element of the government’s priority for the Thames Gateway for development, regeneration and transport improvement, recognising the links with other parts of the Thames Gateway and the London-Stansted-Cambridge-Peterborough growth area.

Take advantage of the sub-region’s exceptional access to the Central Activities Zone (CAZ) and to other growth and development areas to sustain relatively high levels of economic and population growth...

...Plan for and secure the necessary financial resources to deliver planned transport infrastructure for the sub-region including local schemes that improve public transport, walking and cycling connections to town centres and employment locations. Particular priorities for the sub region are CTRL, Crossrail 1, East London Line extension, DLR extensions and enhancements, improved bus services, the East London Transit, new river crossings and in the longer term, Crossrail 2.”

3.3.12 Revised Table 5C indicates that the Royal Docks could deliver 5,550 jobs and a minimum of 14,000 new homes by 2026 compared to totals of 259,700 and 87,000 respectively for the new North East Sub-Region.

3.3.13 LCY still falls within an Area for Regeneration according to the draft further alterations.

Environmental Effects

3.3.14 Policy 4A.6 states that the Mayor's Air Quality Strategy should be implemented and reductions in pollutant emissions achieved by:

"...Identifying environmental constraints on polluting activities to ensure protection of local air quality, setting out criteria in respect of different pollutants against which plans and policies can be appraised and proposals assessed

Ensuring at the planning application stage, that air quality is taken into account along with other material considerations and that formal air quality assessments are undertaken, particularly in designated Air Quality Management Areas

Seeking to reduce the environmental impacts of transport activities by supporting the increased provision of cleaner transport fuels, particularly with respect to the refuelling industry

Working in partnership with relevant organisations, taking appropriate steps to achieve an integrated approach to air quality management and to achieve emissions reductions through improved energy efficiency and energy use"

3.3.15 The draft Further Alterations propose the deletion of the first bullet point above and replacing it with a new bullet point that reads *"promoting sustainable construction to reduce emissions from the demolition and construction of buildings."*

3.3.16 Policy 4A.14 in the London Plan seeks to reduce noise by, amongst other things, minimising the existing and potential adverse impacts of noise on, from, within, or in the vicinity of development proposals. Para 4.28 of the Plan states that reducing aircraft noise should be a priority for government, which is responsible for regulation at airports. Minor amendments are proposed in the draft Further Alterations.

3.3.17 Policy 4A.15 of the London Plan relates to climate change, stating that the Mayor will and Boroughs should assess and develop policies for the likely impacts of climate change on London. The draft Further Alterations proposes that this policy is rewritten to require developments to make the fullest contribution to the mitigation of, and adaptation to, climate change.

Transport

3.3.18 In relation to transport, paragraph 3.65 makes specific reference to the DLR in the context of the Airport and states

“North East London has seen significant recent additions to public transport capacity, including the extension of the DLR network to City Airport and North Woolwich. In addition, Phase 1 of the East London Line extension is due for completion in 2009.”

3.3.19 The London Plan also confirms the Mayor’s support for Cross Rail and expanded capacity on the DLR, with Phase 1 (three-car trains from Bank to Lewisham) and the planned Woolwich Extension to be introduced in 2009. Two further extensions are planned to Stratford International and Dagenham Dock, of which the Stratford branch is expected to be complete by 2011.

3.3.20 Paragraph 3.64 sets out the transport context of the sub-regional framework and specifically recognises the need to build on existing transport infrastructure including that at City Airport.

“3.64 North East London should become one of London’s major gateways to mainland Europe, building particularly on the Stratford International Railway Station, but also on access to the City and Stansted airports, the Channel Tunnel and the Port of London. Economic development should be geared for the long-term opportunities these present. The quality of housing and the environment in North East London in areas accessible to CAZ and the north of the Isle of Dogs Opportunity Area should be improved to encourage greater access to employment from the east. This would help to make more efficient use of existing transport infrastructure improvement.”

The East London Sub-Regional Development Framework (May 2006)

3.3.21 The East London Sub-Regional Development Framework was published by the Mayor of London in May 2006. It is intended to provide non-statutory guidance on the implementation of the policies in the London Plan for the East London Sub-region (see paragraph 1). The Royal Docks Opportunity Area is dealt with specifically in Annex 2 (pages A17 and A18), where it confirms a requirement for a minimum of 14,000 new homes and 5,500 new jobs by 2026. Specific references to the Airport are provided in the Strategic Objectives which state:

“...the DLR City Airport extension will support further growth of the City Airport, providing a direct link between the airport and the centre of London, with the extension to North Woolwich and improving access from the south. In the longer term, Cross Rail 1 and other improvements to public transport should help sustain further housing and economic growth...”

3.3.22 The Airport also features in the Key Issues for the Opportunity Area, as follows:

- Co-ordinate any changes in airport development strategy and operating requirements with general, public transport related intensification objectives;
- Review positive and negative externalities of proposals to expand City Airport;
- Assess the impacts of the Airport on the regeneration of the wider Opportunity Area.

3.3.23 Section 4C relates to air quality and noise, with paragraph 278 recognising that many parts of the sub-region are substantially effected by noise and stresses the importance of referring to the Mayor’s Noise Strategy seeking to improve this management of road and other sources.

3.3.24 Further commentary on airport development is provided in paragraph 232 which states the following: -

“...The expansion of airport capacity, assuming the environmental impacts are shown to be acceptable, would also have to clearly identify additional measures to ensure that a higher public transport mode share would be achieved and guarantee that adequate funding is provided to implement these measures. Airport expansion and its significant implications are identified in Annex 5 as an issue for the review of the London Plan.”

3.4 Local Planning Policy

LB Newham Unitary Development Plan (UDP)

3.4.1 The LBN UDP was adopted in June 2001.

3.4.2 Paragraph 7.108 of the UDP recognises the strategic and economic importance of LCY:

“The Airport is a major strategic asset to the Borough and to London as a World City, linking business centres in the West End, City, Docklands, East London and elsewhere in Thames Gateway with a wide range of European business destinations. It is an incentive to further development in the Royal Docks and is an important direct and indirect generator of employment. The Council’s policy towards London City Airport is one of support and encouragement in recognition of its strategic and economic importance to the Borough and sub-region.”

3.4.3 Both the Royal Albert Dock and King George V Docks are identified as Protected Sites of Nature Conservation Importance. The London City Airport Public Safety Zone (PSZ) is also identified on the Proposals Map; this has been subsequently updated as shown in LB Newham’s 2005 Airport Safeguarding SPG. The Proposals Map specifically identifies the Airport boundary where Polices E29-T31 are of direct relevance and are reproduced below:

“Policy T29: The Council will not permit further operational expansion of London City Airport beyond the limits set out by the Secretary of State for the environment in the planning permissions dated 23rd may 1985, as amended on 26th September 1991 and 21st July 1998, unless it can be demonstrated that such development would not result in unacceptable effects on the local environment.

Policy T30: the Civil Aviation Authority will be consulted on all applications for permission to develop sites within the outer safeguarding boundary shown on the safeguarding boundary map for the London City Airport, provided that the proposals are of the extent and nature specified on the key to the map. These applications will be determined having regard to the advice received from the Civil Aviation Authority.

Policy T31: Noise levels from operations at the London City Airport will be taken into account in determining applications for noise-sensitive developments in the vicinity of the Airport.”

- 3.4.4 The Proposals Map acknowledges proposals for the DLR extension to the south (designation T30) and north (T29) of the airport. The Proposals Map also identifies the Docks as a major leisure attraction.
- 3.4.5 The Proposals Map confirms Major Opportunity Zones for future regeneration proposals identified directly to the north (MOZ9), east (MOZ11, 12, 13) and an Employment Area designated to the south (EMP7).
- 3.4.6 Part 1 the UDP sets out the overarching strategy, with pages 38 and 39 acknowledging the potential for the expansion of the Airport between 1997 and 2002 relative to other major proposals in the Royal Docks, Beckton and South Canning Town.
- 3.4.7 A number of environmental policies are of direct relevance to the Airport including the following:
- Policy EQ7 – states that the Royal Docks will be protected as an area of open water and built development will only be permitted where the open nature of the Docks is not significantly affected.
 - Policy EQ8 – seeks to safeguard viewpoints in the Royal Docks.
 - Policy EQ9 – precludes development which would have an adverse impact on the nature conservation value for designated sites including King George V Dock and the Royal Albert Dock.
 - Policy EQ46 – requires consideration of the cumulative air pollution impacts and mitigation of impacts as appropriate.
 - Policy EQ48 – states that the Council will apply noise exposure categories (in accordance with PPG24) and notes that the Council may require a demonstration of whether the site is suitable for the development proposed, or, can incorporate mitigation measures which achieve a satisfactory environment.
 - Policy EQ64 – states that the Council will oppose proposals which affect the stability and continuity of tidal defences including the Royal Docks.

3.4.8 With regard to transport, Policy T5 of the UDP states:

“The Council supports the use of public transport, cycling and walking as preferred methods of transport to the motor car. The Council’s policies will normally be designed to minimize car trips and encourage the use of alternatives. Applicants will be encouraged to produce a ‘Green Travel Plan’ in order to achieve these objectives.”

3.4.9 No specific car parking standards are identified for the Airport, although there are specific standards in relation of offices, retail hotels and industrial uses.

LB Newham Draft Preferred Options for the Core Strategy (February 2006)

3.4.10 In accordance with the requirements of the Planning and Compulsory Purchase Act 2004, LBN has commenced work on its Local Development Framework (LDF). The LDF is a portfolio of planning documents which collectively will deliver the planning strategy for Newham. Once adopted, the LDF will replace the UDP.

3.4.11 In February 2006 LBN published initial drafts of the LDF. There are no specific policies relating to the Airport, although the Airport’s presence is acknowledged on the Core Strategy key diagram. It states that the preferred option is to build 50,000 new homes by 2020 within the Borough.

3.4.12 As part of the draft LDF, LBN also published a draft Area Action Plan for the Royal Docks and Thameside West (February 2006), which identifies development opportunities within the Royals. It states that the preferred option for the City Airport Development Zone is as follows: -

“Support for measures to enhance existing Airport facilities, without compromising the local or Borough-wide environment quality or amenities nor affecting the development of other sites. The Draft Area Action plan will distinguish between the development site, the runway and the existing terminal building. The Airport has now been in operation for several years and has contributed to the physical regeneration of the area.”

3.5 Regulatory Context

Airport Safety & Design

- 3.5.1 LCY is required to operate in accordance with the International Civil Aviation Organisation's (ICAO) agreed criteria. The Civil Aviation Authority (CAA) is responsible for enforcing these criteria in the UK. LCY requires a licence, issued by the CAA, to operate. To obtain and retain this licence, LCY needs to satisfy and continually adhere to the CAA's rigorous safety related standards.
- 3.5.2 Safety related standards affecting the design and layout of an airport are set out in a CAA publication, CAP168. They cover such matters as:
- Layout, separation and widths of runways and taxiways;
 - Aircraft stands and apron layout;
 - Height and design of buildings and structures;
 - Airport fire service facilities.
- 3.5.3 The CAA undertakes an annual audit to ensure that LCY's facilities meet its requirements. Any future development of the Airport will always be subject to CAA approval at the time.

Aerodrome Safeguarding

- 3.5.4 To operate an airport safely it is necessary to 'protect' the airspace around the runway and approach and departure routes. This is done through a series of what are known as 'obstacle limitation surfaces', effectively lines in the sky which define, relative to the runway, maximum acceptable heights for buildings and other structures.
- 3.5.5 Safeguarding of aerodromes occurs through the planning system by a process of consultation between the airport operator, the applicant of any proposed development and the local planning authority. The process is intended, inter alia to:
- Ensure that an airport's operation is not negatively affected by developments, buildings or structures which might infringe the aerodrome's obstacle limitation surfaces;

- Protect visual flight paths, for example by ensuring that runway approach lighting is not obscured by development, and that lights elsewhere cannot cause confusion;
- Protect the accuracy of radar and other electronic aids to air navigation;
- Reduce the hazard from bird strikes to aircraft, associated with land uses such as waste disposal and sewage treatment sites.

3.5.6 LBN and other local planning authorities have been issued with a safeguarding map for LCY which identifies those planning applications on which there must be further consultation with the Airport. As a consequence of consultation, LCY may either object to the proposal, not object, or not object subject to appropriate conditions being met.

3.5.7 The ATWP specified that the Aerodrome Safeguarding process should be used to protect land outside existing airports, needed for future expansion, against incompatible development in the intervening period. LCY's safeguarding map is available to any local planning authorities who wish to consult it (contact Rob Grafton, Environment and Planning Manager, rob@londoncityairport.com).

3.5.8 The Proposal Scheme is not expected to change the safeguarding criteria which are currently applied to developments surrounding LCY.

Public Safety Zones

3.5.9 Public Safety Zones (PSZs) are areas at either end of an airport's runway where the risk of an aircraft accident, whilst extremely low, warrants restrictions on the development and use of the land. The Government has undertaken studies of the risk of death or injury to people on the ground in the event of an aircraft accident on take-off or landing, and has defined parcels of land (triangular in shape) where there should be no material increase in the number of people living, working or congregating.

Airspace

3.5.10 The Civil Aviation Authority (CAA) has overall responsibility for the control of airspace within the UK and the provision of air traffic services under the Transport Act 2000. Section 2 of the Act requires the CAA to exercise its functions, inter alia, "...to

further the interests of...managers of aerodromes..." This is to be through the "range, availability, continuity cost and quality of air traffic services." The safe use of airspace is regulated by the Directorate of Airspace Policy (DAP), a division of the CAA. National Air Traffic Services (NATS) are charged with designing and developing UK airspace to meet demand. It is anticipated therefore that there will be sufficient airspace capacity to meet the increase in aircraft movements which are the subject of the proposed scheme.