

Proposal: Operational improvements, including construction of runway 28 hold, with associated protective boom; eastern apron extension, with associated link to runway; extension of pier/noise mitigation barrier including the erection of buildings to expand the terminal facilities.

Type of Application: Detailed application.

Applicants: London City Airport Ltd

Agent: Gibbs Ltd

Address: c/o City Aviation House, London City Airport, London E16 ZX

1. Summary.

In 1998 planning permission was granted to increase the number of air transport movements (ATMs) from 36500 to 73000. An ATM is either a take off or landing of a commercial (i. e. operating for hire and reward) aircraft.

When the application was submitted in 1997, it was assumed that the increase in ATMs would be achieved by a variety of means, including making use of the available flight schedule slots in the non- peak periods (the airport peak periods are basically morning and evening). Instead the demand has concentrated on the peak periods.

There was also an assumption that regardless of any increase in ATMs there would be an increase in passenger throughput by means of an increase in the use of the larger passenger capacity aircraft permitted to use London City Airport. Since 1997 however, passenger numbers have increased by around 36%, but ATMs have increased by around 45%. This is due to the greater use of smaller aircraft by airline operators and the start up of new routes and services.

The above factors combined with the growing congestion of European airspace have highlighted the inflexibility of the ground- handling infrastructure for aircraft at London City Airport. The air space congestion means the airport is unable to make optimum use of available slots offered by air traffic control. This is because of a range of factors such as high runway occupancy times, which in turn causes incoming aircraft to have to 'go around', that is keep airborne until the runway is clear. The current difficulties experienced in positioning aircraft for take off are made worse if an aircraft has a technical problem that prevents take off. The need to bring the aircraft back along the runway before the single runway can be used for either take off or landing is highly disruptive and causes delays for a considerable length of time. The incidence of 'go- arounds' also increases noise pollution and would be likely to increase unless the arrangements for the ground handling of aircraft can be improved.

This application is for physical changes to the infrastructure of the airport intended to overcome the above problems and enable the airport to achieve the level of ATMs permitted in 1998 and to efficiently handle the consequent increase in passenger numbers by expanding the terminal.

The number ATMs at London City Airport is a product of the demand for flights and the technical ability to achieve those flights. Theoretically, as indicated above, if flights were evenly spread over the permitted period of

operation this application would not be necessary. The approval of this application would possibly enable the airport to apply for an increase in ATMs if it were minded to so do.

2. **Implications**

(a) **Legal and financial**

Members should take account of the provisions of the Human Rights Act 1998 as they relate to the application and the conflicting interests of the applicant and any party opposing the application in reaching their decision.

The provisions of the Act have been taken into consideration consideration in the processing of the preparation of this report

(b) **Services Delivery**

None

(c) **Equality**

None

3. **Recommendation(s)**

To grant delegated powers to the Development and Building Control Manager to determine the application following satisfactory completion of a Section 106 obligation, subject to the following conditions and other conditions that are considered as relevant that are still the subject of ongoing discussions with the applicants.

Conditions and Reasons:

1. The development hereby permitted shall be commenced not later than the expiration of FIVE years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act.

2. This planning permission applies to Drawings N°

J99422/AP/500C, 501C, 5020, 558A, 503C, 504C, 505C, 506C, and no other.

Reason: To ensure that the development is constructed in accordance with the approved plans.

3. Details of the materials to be used on all external surfaces shall be submitted to and approved by the Local Planning Authority prior to the commencement of development.

Reason: To ensure a satisfactory standard of external appearance.

4. Details of external lighting shall be submitted to the Local Planning Authority for their consideration and approval prior to the development commencing, and such lighting as is approved by the Local Planning Authority shall be retained permanently thereafter.

Reason: To ensure a safe environment and satisfactory standard of design.

5. The issue of contamination was addressed in the Environmental Impact Statement submitted with this application. Nevertheless there are likely to be other issues that will only become apparent as further details became available, particularly when the contract for the construction has been awarded.

Therefore prior to the commencement of development the developer is required submit to the Council all details of the scheme as required by the Council, related to both the construction phase and operational phase following completion of construction, in order for the Council to assess possible contamination implications.

Furthermore construction shall not commence until the details have been approved and the Council has confirmed that no further details are required.

Reason: To prevent contamination that would affect the local water and land environment

5. The developer is required to agree with the local planning authority an Environmental Code of Conduct for the period of demolition and construction, in respect of such matters as are likely to cause nuisance to adjoining occupiers. The agreement shall cover such matters as the method of construction, access to the site, noise, dust, smoke, road cleaning and any other matters which are considered as relevant to this particular site. Construction shall not commence until the local planning authority have issued a written approval of the code and furthermore all requirements of the code shall be fully adhered to until the completion of construction.
6. Before any part of the development hereby permitted, is used for the movement and/or parking of aircraft, a scheme for noise attenuation to protect local residents from noise created by aircraft or other operational activities shall be submitted to and approved by the Local Planning Authority and thereafter permanently retained.

In the event that the buildings proposed as part of this application are to be considered as forming the required noise barrier, but they have not been erected prior to the airport requiring to use the new apron construction, then a temporary barrier, details of which should also be submitted to and approved by the Local Planning Authority, will be required.

Reason: To protect local residents from aircraft noise.

4. Description of Proposal

The proposed development comprises three extensions to the airport, to be achieved by building out over the waters of the King George V dock.

At the eastern end of the runway a holding point for three aircraft would project southwards.

The existing apron in the vicinity of the terminal building would be extended eastwards providing extra aircraft stands and a new connection to the runway.

The eastern pier extension will incorporate a three- storey building parallel to the runway, adjoining a two- storey building running north to south, nearest to the existing terminal.

The buildings will lie between the extended apron and the residential area south of the airport. They are intended to have a dual use function; to provide a noise barrier to protect residents from aircraft noise, particularly in the case of the three- storey building and to enlarge the terminal to handle an increase in passengers. The full details of these would be submitted as a reserved matter after this application, but they are expected to be similar in style and colour to the existing terminal buildings.

In the event that the newly created aircraft stands are required to be used before completion of the buildings described above, an alternative temporary noise barrier will need to be provided.

5. Airport History.

1981: The idea of a STOLpart(short take off and landing airport was put to the newly formed London Dacklands Development Corporation (LDDC)

1982: A practical demonstration using a Dash 7 aircraft demonstrated the feasibility of the project, a study was published, public consultations carried out and an application for planning permission submitted to the then development control planning authority, the LDDC.

1983: The land for the proposed airport was leased from the Port of London Authority and the Public Inquiry began.

1985: Outline planning permission for the airport was granted by the Secretary of state.

1986: Detailed planning permission was granted. 1987 and construction of the airport commenced.

1987: The airport was opened in November and 15000 passengers had used the airport by the end of the year.

1988: The airport handled more than 133,000 passengers.

1989: More than 21,6000 used the airport.

A planning application was submitted to extend the runway to facilitate the use of a broader range of aircraft that would enable the airport to serve more distant destinations.

1990: The passenger total reached 230,000 and the Public Inquiry to consider the planning application made in the previous year began.

1991: The planning application to expand the airport was approved but the number of passengers using the airport reduced to 172,000.

1992: The extended runway becomes operational and passenger totals rise to 186,000.

1993: The new Limehouse link improving road communication with the City and Central London opened and passengers using the airport increased to 245,000 .

1994: Passenger numbers increased to 480,000.

1995: The airport was used by nine airlines serving 12 European cities and the number of passengers increased to 555,946.

1996: Passenger totals reached 727,601 and their ownership of the airport changed.

1997: Passenger totals reach 1,165,318. Planning permission was granted to increase flights at weekends and an application to increase the number of air transport movements from 37,000 to 73,000 submitted to the LDDC

1998: The planning application to increase the number of permitted flights was approved by the Council as the LDDC had ceased to be the development control authority in the area. An agreement under section 106 of the Town and Country Planning act was attached to the permission. It provided a range of compensatory benefits and environmental control mechanisms including a contribution of £2.25 million towards a fixed link to the airport (DLR)

The number of passengers reached 1,358,774 and the number of flights reached 37,912.

1999: The number of flights increased to 44,195 and passengers to 1,388,48.

2000: The number of flights reached 52,202 and passenger 1,580,202. This application was submitted.

6. **Consultation & Replies**

Statutory and Non-Statutory Consultees

Environmental Health:

The relevant parts of this report have been prepared in conjunction with Environmental Health.

Highways and Transportation.

Transportation observations are as follows:

By constructing more apron space and a holding area adjacent to the runway, the proposal would increase and speed up the airport's aircraft handling capacity. This would be particularly valuable to the airport at times of peak demand. The effect of being able to turn around more aircraft during peak hours is that more passengers will be arriving at and departing from the airport during those peaks, which will in turn increase the demand for surface access to and from the airport at the busiest times of the day. The present passenger modal split at the airport is heavily weighted to private cars and taxis (78%), with a further 20% using the shuttle buses to Canning Town and Canary Wharf/Liverpool Street, and only 2% using conventional public transport and other modes (buses, rail, walking, cycling).

The Council is keen to adjust this split in favour of public transport in compliance with current policy on sustainable transport, and supports, inter alio, the extension of the DLR to the airport to help in achieving this. To this end, the present S 106 Agreement with the airport contains a commitment by the airport to contribute £2.25 million to the construction and promotion costs of the DLR extension. However at the time of writing the DLR extension cannot be regarded as a committed scheme as the decision of the Secretary of State on the Transport & Works Act application is still awaited, albeit it is expected shortly. This situation is further complicated by the fact that DLR Ltd have informed the Council that, after allowing for Government grant, anticipated fare revenues and existing developer contributions, the project has a £4 million funding gap to City Airport (and a further £10 million gap to King George V/North Woolwich).

The airport have prepared Traffic Assessment Studies assessing the impact of their proposals assuming "with DLR" and "without DLR" scenarios. As might be expected, the "with DLR" scenario forecasts a significant shift in passenger modal split away from cars/taxis towards use of the DLR, leaving only a marginal impact on the highway networks. On the other hand, the "without DLR" scenario forecasts increased flows of traffic on local roads and local junctions. The study considers a range of measures to mitigate these increased traffic flows and minimise the potential traffic congestion, and proposes a number of flares to provide additional lane widths on junction approaches. This

work has been provisionally costed by the applicant's consultant at £350,000 but this sum is based on a number of assumptions and exclusions such that your officers consider the actual cost would be significantly higher.

Taking due account of the objectives of PPG13 (Transport) and the Mayor's Transport Strategy to promote more sustainable transport choices and reduce the need to travel by car, your officers would recommend against such road works being implemented on a network which is close to capacity at peak times. Instead it is proposed that a negotiated sum (using the above roadworks sum as a guideline, but allowing for more realistic assumptions, and the recycling of certain highways elements of the existing S 106 Agreement where works are no longer a priority) be agreed with the Airport as a further contribution under S 106 towards the construction of the DLR extension to the airport. The Airport have indicated their support in principle for such an approach, subject to negotiation on the size of the contribution.

It should be noted, however, that the Airport have made it clear that there is no possibility of their contribution closing the £4 million funding gap for the DLR extension as far as the airport. Because of this, your transport officers would recommend that the imposition of a condition be investigated preventing planning permission for the airport's proposals being implemented until such time as a contract has been let for the construction of the DLR extension as far as the airport. Such a condition would appear to be supported by PPG13 (Transport)(para 82) and Circular 11/95 Use of Conditions in Planning Permissions (para 39). This would ensure that the Airport's proposals could proceed within a reasonable timescale, while minimising the impacts on the congested local highway network at peak times by transferring the impacts to public transport through a significant passenger diversion to the DLR.

Other transportation comments are as follows:

- The Council should seek an obligation under S 106 for the Airport to provide a public pedestrian route from Newland Street to the forecourt bus stop area in front of the Airport terminal building. DLR Ltd will provide the southern part of this route as part of their agreement with the Council in relation to the DLR extension, but it needs to continue across airport land to enable Silvertown residents to access those services conveniently.
- As part of the construction of the DLR extension, DLR Ltd will be reconfiguring the North Woolwich Road/Connaught junction (currently a roundabout) as a signal-controlled junction (no roundabout). Although a temporary construction solution, the Council would like to enhance this into a permanent junction arrangement. The £90,000 contribution from the Airport set out in para 11.4.3 of the existing S 106 Agreement for the Connaught/Hartmann junction should therefore be redirected to this new junction, and the passenger threshold trigger removed.

Comments on behalf of the Assistant Chief Executive (Regeneration)

The proposals detailed in the planning application will provide significant regeneration benefits for Newham in terms of improving transport links and encouraging economic development in the Borough. The increased capacity of the airport will undoubtedly provide new opportunities in employment and training and will be an incentive for attracting new businesses to locate in Newham promoting new development and increasing visitor numbers.

It would be a preference for the DLR extension to be operational prior to occupation of the proposed developments associated with this application. There must be a concern that should the DLR extension not be operational then the existing transport infrastructure will be unable to sustain the increased demand generated by the expansion of the airport.

It is expected that a full range of S106 contributions will be incorporated, this to include a significant contribution towards developing the DLR extension and a new DLR station, environmental improvements, contributions/opportunities for training and education and a commitment to employing local labour.

Civil Aviation Authority. Formal comments awaited.

Docklands Light Railway. Whilst they support the application they are concerned about the proposed level of contributions to them under the 106 agreement. Discussions are ongoing and will be reported to committee.

Residents and other interested parties. Residents. 62-104 Newland Street,. 30 Kennard Street, 48 Sheldrake Close, 25 Camel Road, New Beckton Tenants and Residents Association, London Tourist Board and Convention Bureau, London First.

The representative of the New Beckton Tenants and Residence Association (in excess of 300 residents) have been in constant discussions with officers and the airport management and will be presenting their objection to members.

The Royal Docks Water Ski club have concerns regarding the construction phase which are considered to have been dealt with in the section 106 agreement.

Regional Airports Ltd(Biggin Hill and Southend airports) have concerns regarding the impact on airspace. This is not a planning consideration and will be dealt with by the CAA.

The Medical Missionaries of Mary 66-68 Newland Street written two letters expressing concerns. They have spoken to the airport but still have some concerns about noise and the general affect on the area.

The Water Sports interests have no objection to the principle of airport expansion but have concerns regarding the works and other concerns regarding their land facilities which are not relevant to this application. It is considered that the section 106 will address their concerns.

North Woolwich & Silvertown Community Forum have no objections in principle.

12 letters of support were received.

7. **Assessment:**

The main issues that are raised by this application are environmental both during construction and subsequent operation, the likely increase in car borne traffic on the road network at peak periods and impact on water sports.

Environmental Impact:

The environmental impacts from these works can be considered in 2 classes.

Construction Impacts

Operational impacts

CONSTRUCTION IMPACTS

There is a wide range of environmental impacts from these works. The environmental Impact Assessment carried out on behalf of London City Airport considered.

Socio economics

Surface traffic

Noise and vibration

Air quality and odour

Ground water and Surface water Quality

Ecology and Nature conservation

Community, land use and public safety

Townscape and visual assessment

Cultural Heritage and Archaeology

Waste management

Contaminated land

It is considered that the main impacts from the operational improvement programme will be noise associated with construction works. The works proposed include considerable night time and weekend working. In addition there will be impact on the use of King George V dock (especially water sports) from construction and the movement of plant and materials.

Night works are required because works interfere with the safe operation of the airport; therefore works have to be undertaken when the airport is closed. These works include auger piling, both for works to the apron and for the runway 28 hold. Some of this piling work can be carried out during normal operational hours however approximately 80% of the piling will be carried out during the non operational hours

of the air port i.e. 22.00 to 06.00 Sunday to Saturday and 12.00 to 12.00 Saturday to Sunday.

Piling works are expected to take between 6 and 8 months.

In addition concrete breakout works are required. Most of this will be carried out during normal working hours, however break out adjacent to the existing runway will need to be undertaken during the weekend closure.

No breakout works are considered necessary during the night time period.

Works are only to be undertaken outside 0800-1800 Monday to Friday and 0800-1300 where required by the operational constraints of the airport.

Eastern Apron Extension

Noise predictions indicate that daytime impacts are between 57 and 71 dBAeq 1 hr with the highest noise levels relating to the demolition works. These works will be restricted to normal construction hours or where operation constraints require during the weekend closure. Piling and construction works are expected to be around 64dBAeq hr.

Comparing these levels to existing ambient levels indicates that noise from the piling and construction work is similar to the existing levels and therefore whilst noticeable should not give rise to a significant problem. The noise from demolition is some what higher and will therefore have a greater impact however the work is for a limited duration and still falls well within "normal construction " noise standards that have been commonly used on other projects.

Runway 28 Hold

Noise predictions indicate that daytime impacts are between 57 and 70 dBAeq with the typical noise level of 66 dBAeq. This is similar to existing noise levels and should not give rise to a significant problem.

Night time levels

Noise predictions have been produced for the night time works. This indicates the level of noise exposure of local properties. These levels include a high degree of screening to be provided by the contractor as part of this consent. This will include screening of piling rigs to the north and south with barge mounted acoustic barriers, and local acoustic barriers to the breakout work.

The levels are high enough to be disturbing and as such additional glazing is to be provided to the worst effected properties. These levels are likely to be maintained for a period of between 6 and 8 months, after which levels should fall by 10 dB.

The main impacts are to the south of the airport (this is because they are closer). The levels shown indicate that some properties may require glazing as part of mitigation against construction noise.

To control the daytime noise the following limits will be met

0800-1800 Monday to Friday	75dBLaeq 10 hour
0800-1300 Saturday	75dBLaeq 5 hour

To mitigate against construction noise LCA has agreed to insulate properties where the impact from the works outside the hours listed above exceed the following limits.

2300-0800 (night time)	55dBLaeq 15min
All other times	55dBLaeq 1 hour

Bank holidays shall be treated as a Sunday

Where properties are in receipt of glazing and ventilation the evening and night time limits are increased by 10 dB.

The above limits will be enforced through, planning conditions, Section 106 agreement and the Control of Pollution Act 1974

Appendix (X1) gives comparative sound insulation schemes for other projects that have been undertaken recently, including the A13 and Channel Tunnel Raillink.

It should be noted that this scheme offers glazing at a lower noise level than the other schemes and that the period for qualification is also shorter.

These limits should ensure that residents within their homes should not be exposed to unreasonable noise levels during the works and that internal noise levels should remain within the World Health Organisation Noise criteria 12 and BS8233. It should be noted however that these works would still be noticeable.

To ensure that works undertaken will be carried out with the objective of minimising disturbance LCA will be required to enter into an agreement under the Control of Pollution Act 1974 section 61 Prior consent for Construction sites. This will enable the authority to monitor the works and take action against the contractor and airport if reasonable care is not taken.

Operational Noise

The proposed development will primarily allow for the better handling of peak flows at the Airport. This will facilitate an overall increase in the number of planes that can be handled however this application does not seek to increase the number of flights over that granted in the 1998.

The difference in airborne noise in the future between conditions with and without the OIP is small, less than 0.5 dB; this is likely to be not perceptible.

The improvement in handling of peak flows should reduce the number of "go-arounds" when aircraft are unable to land. This should lead to a reduction in overall noise level, however the change would be very small.

Changes in ground running noise are also small with small increases or decreases in noise level depending on location.

Air Quality

Air quality was considered in the previous 1998 application that sought an increase in flight numbers. The only change that the OIP works make that was not previously considered is the increase in peak flows.

Of the pollutants of concern nitrogen dioxide is the only pollutant which is effected by this change. The increase in peak levels (hourly averages) is small and remains within air quality standards.

The airport already operates a rolling programme of sound insulation as a result of existing agreements. This is based on noise contours related to airport growth and a significant number of properties in the area have been provided with sound insulation. As a result of consultations on this application officers have been asked by representatives of residents to consider whether the airport should be made to extend sound insulation to the properties on the north side of the dock in Beckton. It is considered that, so far as the increase in flights is concerned, the existing programme and trigger levels already provide for the possibility of residents on the north side of the dock being offered sound insulation, subject of course to the noise trigger levels being tripped. With regard to the effect of construction noise, the airport's noise consultants have initially indicated the possibility of properties needing to be offered sound insulation in order to make the anticipated noise levels acceptable. Properties to the north side of the dock are not indicated.

It is proposed that a section 106 agreement should include an agreement to offer sound insulation to properties that are identified as being exposed to unacceptable construction noise. The airport's noise consultants will carry out identification of affected properties and a schedule submitted to the Council for approval. The agreement will

state that residents accepting the offer should have appropriate sound insulation fitted prior to the commencement of construction and that the airport will be responsible for performance of that agreement. It should be noted that residents who already have adequate sound insulation installed in their properties will not be entitled to any retrospective payments.

Water Sports: Water skiing is the only activity that is significantly effected by this proposal. At completion of the project it is not considered that the activities of the water skiing will be significantly effected. There may however be some impacts at the construction stage, although this cannot be appraised until the contractors have been appointed and their method of working advised. Also it is understood that changes may occur in the way that the water skiing facility operates.

It is therefore proposed that part of the 106 agreement should obligate the airport to consult with the water sports operators before and during construction to discuss the implications and take reasonable precautions to minimise the effect on their operations during construction and after completion.

Traffic and transport issues.

Background: The DLR extension to the airport was the subject of a public inquiry held in October last year. The inspector has not yet published his findings. It follows therefore that the DLR have not ordered the contract for the extension to be constructed. Although the general view of all interested parties is that the inspector's report will give the green light for the construction of the extension, there is still a funding shortfall, which would need to be addressed before the extension could be considered as an absolute certainty. Officers are of the view that the DLR extension should ideally be serving the airport when the currently proposed expansion becomes operational.

Planning Implications:

Balancing the likely traffic implications against the wider benefits of controlled airport growth; and taking into account the existence of the 1998 permission, it would not seem appropriate to completely prevent the development proposed by this application from proceeding in the unlikely event that the DLR extension did not proceed. Nevertheless it is considered that the relationship between the two projects needs to be recognised in the outcome of this application and in particular for the airport to increase its contribution to the provision of a fixed link serving the airport.

The proposed DLR extension to the airport is an important consideration in determining this application. Whilst the 1998 permission allows the increase in ATMs, it did not take into account the increase in the concentration of the increased ATMs in the peak

periods. For the reasons explained in the summary of this report, this factor was not anticipated by the Council or the airport at the time of that application. The physical changes proposed in this application would have a significant impact on the local traffic conditions in the peak periods. It could be argued therefore that the increased capacity facilitated by the proposed aircraft holding point, extended apron and terminal, should not be allowed to operate until the DLR extension to the airport is operational. On the other hand the growth of the airport within acceptable limits has significant urban regeneration benefits for the Borough as a whole. The likely increase in jobs would be at least 1300 and the attractiveness of the airport to firms looking to locate in the area would be increased by the improved service enabled by the measures proposed in this application. Consequently the loss of the expected growth that would come from the implementation of the 1998 permission would have wide implications.

Turning to the matter of the DLR funding shortfall for the extension to its network, and the case for the airport needing to increase its contribution to the provision of a fixed link serving the airport. Because of the increased need for such a link in the light of the peak concentration already referred to, which is not recognised in the agreed contribution attached to the 1998 permission, it was considered as appropriate to base the sum required on an proper assessment of the likely impact, rather than simply basing the case on purely financial considerations. To provide a basis for this calculation, a traffic assessment taking into account a scenario without the DLR extension in place was prepared. This approach is considered as proper and equitable bearing in mind that the DLR extension benefits other developments on its route that should also contribute. It is also considered as appropriate to re-cycle some of the money in the agreement attached to the 1998 permission earmarked for roads, into the new agreement as a move to shift the balance towards public transport. This accords with current Council policy and wider strategic guidance.

It is therefore recommended that if this application is approved, the section 106 agreement should include an agreement that the construction should not be commenced until the DLR has been confirmed by the inspector but subject to the following contingency:-

That if for any reason the DLR extension to the airport were not to proceed, or be delayed to such an extent that the airport considers the delay would frustrate their aspirations and business plans (an agreed time limit would be specified in the agreement) £2 million earmarked for the DLR in the section 106 agreement attached to the 1998 permission, together with £700,000 earmarked for the DLR resulting from an agreement attached this permission, together with a further £500,000 earmarked for the construction of a flyover in the previous agreement and a further £150,000 from other road based items in the 1998 agreement, should be made available to the Council to provide

mitigation measures agreed with the airport, to overcome the adverse impact of increased road traffic created by the peak concentration of ATMs resulting from the airport expansion, or be kept available for a future DLR, or other fixed link extension to the airport. The £500,000 related to the flyover would only become available if it were agreed that there were no foreseeable prospect, or need for a flyover at the A406/A13 junction.

This would result in a contribution of to the DLR of £1.35 million of which £700,000 would be new money, the balance coming from monies recycled from the previous section 106 agreement.

8. Heads of Terms for the proposed section 106 agreement.

1. A contribution to the DLR of £1.35 million of which £650,00 would come from items in the 1998 section 106 agreement that are now considered as inappropriate as they relate to road development.

The trigger dates for payment and contingency arrangements related to the DLR that are described under Traffic and Transportation are subject to ongoing discussions with the applicants.

2. A contribution of £150,000 for the landscaping of the proposed dual use urban park attached to the proposed new Drew Road School,. £100,000 of which would come from unused landscape contributions in the 1998 section 106.
3. A contribution of £100,000 to promote access to jobs, employment and training to following the expiry of the current scheme contained in the 1998 section 106.
4. The facilitation of a footpath to the airport bus terminus area.
5. That the developers to sign an agreement with Environmental Health under section 61 of the Control of Pollution act 1974.
6. That the developers submit a schedule to the Council of properties that are identified as requiring sound insulation prior to construction works. Following agreement within the Council as to the affected properties the developers to be responsible for offering sound insulation to the residents and installing it.
7. That the development will not proceed until the DLR extension has been confirmed by the inspector following the publishing of the results of the inquiry under the Transport and Works Act application.

8. That the airport should consult with the water sports operators before and during construction to discuss the implications and take reasonable precautions to minimise the effect on their operations during construction and after completion.

9. **Relevant Planning Policies**

T28: THE COUNCIL WILL NOT PERMIT FURTHER 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 1998, UNLESS IT CAN BE DEMONSTRATED THAT SUCH DEVELOPMENT WOULD NOT RESULT IN UNACCEPTABLE EFFECTS ON THE LOCAL ENVIRONMENT.

OS12A: THE COUNCIL SUPPORTS THE LONDON COUNCIL FOR SPORT AND RECREATION(LCSR) OBJECTIVES FOR FURTHERING THE USE OF THE DOCKS FOR RECREATION WHICH STATE THAT:

- A) THERE SHOULD BE CONCURRENT PLANNING FOR LAND AND WATER DEVELOPMENT TO ENSURE APPROPRIATE LANDBASED FACILITIES ARE PROVIDED TO MAXIMISE RECREATIONAL; POTENTIAL OF THE WATER;
- B) COMMUNITY OR `NEIGHBOURHOOD -BASED WATER SPORTS CENTRES IN THE DOCKS FROM WHICH MORE SPECIALIST TRAINING AND ACTIVITY CAN DEVELOP; AND
- C) AN INTERNATIONAL ROWING AND CANOEING COURSE SHOULD BE PROVIDED IN THE ROYAL ALBERT DOCK.

10. **Conclusion**

This application has been considered in the context of the Environmental Impact Statement submitted with the application and additional information presented by a more recently submitted supplementary Traffic assessment dealing with the scenario without the DLR extension to the airport.

The conclusion is that the significant effects created by this development, over and above those dealt with in the 1997 application increasing the number ATMs from 36500 to 73000, are the construction noise and traffic impacts.

The construction noise has been particularly carefully considered in the light of the need for night time working necessitated by safety considerations whilst the airport is operating. They have also been considered against standards applied in respect of other major

infrastructure developments in the Borough, such as the Channel Tunnel Rail Link, the DLR, and the A13 upgrading.

It is considered that whilst the works will be noticeable, the noise levels can be kept to acceptable levels by means of a combination of planning conditions, agreements made under environmental health legislation, and a section 106 requiring noise insulation where appropriate; all of which have been negotiated and agreed with the airport and their noise consultants except for the detailed wording of the section 106 agreement.

The traffic impact created by the peak concentration brought about by the changing airport demand profile, aircraft passenger loads, air traffic control and airspace congestion, that necessitate the proposed development, could be considered to make the development unacceptable without the DLR extension to the airport being operational.

On the other hand, the wider regeneration implications of preventing the already permitted airport growth from happening, mean that ways of allowing the development need to be explored.

On balance, it is considered that the proposed section 106 agreement that is described under the DLR extension section of this report, makes the proposed development acceptable. The money earmarked for the DLR could be used for highway works in the event of the DLR not proceeding, but this would not address the need to shift the emphasis of the split between private and public transport towards public transport. Therefore other ways, would need to be explored and the monies earmarked for the DLR diverted to other mitigation measures such as increased bus services or other fixed link proposals.

The applicants have agreed to this in principle and this will be incorporated into the section 106 obligation. Officers consider that the level of mitigation measures proposed, by use of conditions and with the proposed section 106 are sufficient to enable the application to be recommended for approval subject to the completion of the 106 and final agreement on the appropriate conditions.