

Extract from the Minutes of the Development Control Committee of the London Borough of Newham held on Wednesday 8th October 2008 at 6.pm

1. Chair for the Meeting

Councillor Patrick Murphy, in the absence of the Chair Councillor Manley, chaired the meeting.

As Councillor Murphy declared an interest in Item 6 (London City Airport) the Committee elected Councillor Amarjit Singh as Chair for this item.

2. Management of the Business of the Meeting

1. General Updates

The Chair drew the Committee's attention to the following updates:

Item 5 - London City Airport, Hartman Road, E16

- Item 6 - Plot N02, Zone 5, Stratford City, London, E15 Site 3
- Item 7 - Plot N07, Zone 5 Stratford City London
- Item 8 - Plot N08, Zone 5 Stratford City Development Stratford London

2. Requests to address the Committee

The Chair drew the Committee's attention to the following requests to address the Committee:

Item 6 – London City Airport, Hartman Road, Silvertown, E16

- Lorraine C Davison
- Jenny Battes (Friends of the Earth)
- Anne Marie Griffin (Fight the Flights)
- Ms Bradshaw-Price
- Neil Pearce J. Abbott (local resident)
- Carol Pawson
- Clem Riches
- Heike Routner
- John Stewart – HACAN (Heathrow Airport Campaign)
- Les Reed
- Gabrielle Klozbucho
- Daniel Jaffar
- David Wright
- Stephen Bell
- Peter Runting
- Neil Pearce
- Elizabeth Barns
- Dot & Barry Palmer

- Roger Wood
- Rajesh Kirplani
- Alan Haugton
- Charles Buchanan – London City Airport (LCA)
- John Rhodes – RPS Planning
- Peter Henson – Bickerdike Allen Partners (noise consultants)

3. Declarations of Interest

Councillor Pat Murphy declared a personal and prejudicial interest in Item 6, (London City Airport) by virtue of having made public statements about the application.

Councillor Murphy left the meeting during discussion of this item.

4. Minutes PDF 15 KB

The minutes of the meeting held on 3 September 2008 were confirmed as a correct record subject to the addition of Councillor Mary Skyers to the list of those present.

5. Determining Planning Applications

Noted.

6. London City Airport, Hartman Road, Silvertown, London, E16 2PX

- View the declarations of interest for item 6.

Additional documents:

- Addendum report .doc revised - city airport, item6.  PDF 90 KB
- Pages from Item1-2.pdf original report, item6.  PDF 666 KB

Before consideration of this application, the Committee agreed a short adjournment to allow those making representations the opportunity to form groups to address the Committee.

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 by the Secretary of State on the 26 September 1991 and by the London Borough of Newham on 21 July 1998 and 11 July 2007, to allow up to 120,000 total aircraft movements per annum (number of total movements in 2006 was 79,616) with related modifications to other limits.

The Committee noted that this application was originally deferred from their meeting 30 July 2008 Committee following comments received from the Greater London Authority (GLA) on the day of Committee.

In exercise of delegated authority, the Committee considered a report of the Head of Physical Regeneration and Development outlining the application for the site.

The Borough Planning Officer gave a detailed presentation of the application before the Committee which included the following updates:

Additional responses from adjoining occupiers

A total number of 46 responses were received. Of these, there were 44 letters and emails objecting to the proposals and 2 letters of support. These are summarised below;

Objections

The following grounds of objection were made:

Increased noise pollution

- Increased air pollution
- Increased health and safety risks
- The airport is flying larger noisier planes
- Current flight paths are unacceptable
- The proposals will detrimentally affect regeneration
- Health and safety issues
- The proposals will increase global warming and CO2 emissions
- Other airports should be expanded instead
- The conclusions of the Environmental and other technical studies are called into question.
- The NATS study for the Thames Gateway Bridge (TGB) was flawed.
- The National Air Traffic Services (NATS) study is called into question which indicated a different Public Safety Zone (PSZ) compared to the one London City Airport produced and therefore raises health and safety issues.

Officer Comments:

All of these issues were covered in the addendum report and original report. However, to expand on the issue of the NATS study for the TGB and third party risks, this was referred to the Department for Transport who confirmed by email on the 8th October 2008, that they were fully satisfied with the study and would not change their opinion that the proposals does not affect Public Safety Zone (PSZ) policy.

Given this, it was considered that these additional responses do not change the original assessment or recommendation.

Support

The following grounds of support were made;

The airport offers a catalyst for the regeneration of East London.

- Additional jobs will be created
- London as host city for the Olympics should not be restrained
- The airport is conveniently located for local usage

Officer Comments:

The economic and regeneration benefits of the proposal were previously stated by other consultees on the application, and these were considered in the overall assessment as set out in the original report and addendum report.

An updated table was provided which set out all the responses received:

	Original Application	1st amendment to Environmental Statement	1st amendment to Environmental Statement	Reps. received Since 30 July 2008	Total
Number of Letters Sent	10,000+	3021	1228	0	
Number of responses Received	1109	71	59	94	1333
Number in Support	308	26	4	5	343
Number of Objections	801	45	55	89	990

2. Additional consultation response

London Borough of Hackney

Comments were received from the London Borough of Hackney. They considered that a good mode share for access to the airport had been achieved since the opening of the DLR extension to the airport. Hackney did not consider that there would be an impact on their borough in terms of traffic and transport. On noise it was noted that Hackney was well outside the 57db contour even with the increase in air traffic. However, they were unsure if this would change with any possible changes in air routes being proposed by NATS. Concerns were therefore raised whether this would affect the amenity of future residents.

Officer Comments:

On the issue of noise and changes in air routes, it was considered unlikely that there would be any significant change to the air contours affecting Hackney. Any properties

affected by the 57dB contour would qualify for mitigation measures for improved noise insulation through the proposed S106.

London Borough of Newham officers commented and referred the Committee to the appropriate pages in the report on the following:

Planning policy

- Summary of objections
- Noise impact and air quality
- Transportation
- Carbon analysis and climate change
- Public safety

In response to a question from Members, Officers confirmed that only a minority of the letters received in support of the application were from local residents.

A number of residents from Newham, Tower Hamlets, Redbridge and Thamesmead, addressed the Committee objecting to the application, along with representatives from Friends of the Earth, Fight the Flights, HACAN (Heathrow Airport Campaign), Plane Stupid, Camp for Climate Action, Bexley Council and the Tilfen Land developers.

The objections were made on the following:

Health and pollution issues for the North Woolwich and Silvertown area

- Nuisance caused by over flying of residential properties
- Traffic congestion and car parking
- Noise
- Challenging the employment growth statistics
- Public safety zone and NATS report – no independent survey undertaken
- Implications for future development in the area
- Deterioration of amenity benefits
- Early morning flights
- Conflict with Mayor's proposal to build 200 new homes in the area
- No economic benefits to Thamesmead
- Lack of compensation to the community
- S106 Head of terms
- Quality of life affected/intrusion felt by residents north borough
- Two primary schools in close proximity of the airport – high risk of asthma
- Inadequate consultation, particularly for residents living outside Newham
- Climate change consideration
- Health effects on school, hospital on the flight path
- Misinterpretation of the Air Transport White Paper and Governments strategy toward climate change
- reference to Lancet article on the effect of 'Aircraft noise on Children's development'

Officers stated that the contribution towards parking measures had been identified in the application.

In response to a question on the health implications at Drew School, officers confirmed that no representation had been made.

It was also confirmed that all the relevant consultees had been consulted.

Charles Buchanan, representing the London City Airport addressed the Committee. He stated that the airport had been a major employer in the borough for 21 years; the largest private sector employer.

He discussed the economic benefits as the application would generate approximately 100 more jobs.

In responding to the issues of early morning flights, he stated that the aircrafts seen and heard at that time were probably from Heathrow. He confirmed that no early morning flights outside the agreed time were flying in or out of the City Airport.

John Rhodes, Planning Consultant addressed the Committee on the following

NATS report - the Council had undertaken over and above what was required. He also stated that the value compensation scheme would be applied when necessary.

- Public Safety Zone – in reference to the future development at Tilfen Land and Silvertown Quay, research had shown that the market and insurance of properties would not be effected
- Thames Gateway Bridge – the NATs report stated that it was not material consideration. The Mayor of London had withdrawn his earlier objections.
- Described their carbon management strategy

Peter Henson – Bickerdike Allen Partners (noise consultants) addressed the Committee outlining the issue of noise levels. He advised that every effort had been made to comply with legalisation requirements. Noise levels had been continuously monitored.

Due to a number of disturbances in the public gallery and the Council Chamber, the applicant decided not to continue with their presentation.

The Borough Planning Officer stated that extensive public consultation, beyond the statutory requirement resulted in 13,000 representations.

Responding to a question on predicated employment statistics, Mr Buchanan stated that 65% of employees lived within 5 miles of the airport and he outlined their Green Staff Travel Plan.

Decision

The Committee agreed:

(i) the reasons for approval and GRANTED planning permission for this application subject to the completion of a legal agreement in accordance with the Heads of Terms set out in Section 11 of the report, and subject to the inclusion of conditions set out below;

(ii) to delegate authority to the Borough Planning Officer to finalise negotiation on:

- a) Heads of Terms for an agreement under Section 106 of the Town and Country Planning Act;**
- b) the precise wording for the conditions to be included with any consent; and**

(iii) to delegate authority to the Borough Planning Officer to determine this application after completion of an agreement under Section 106 of the Town and Country Planning Act.

Conditions and Reasons:

The current application proposes to vary conditions 13 and 15 of the outline planning permission dated 23rd May 1985, as previously varied by the Secretary of State on 26th September 1991 and by the London Borough of Newham on 21 July 1998 and 11 July 2007 to allow up to 120,000 total movements per annum with related modifications to the daily and other limits including noise factored movements.

Should the proposal be acceptable to the Council, the correct procedure is for the Council to issue a new decision notice that includes both the relevant outstanding planning conditions and those which are sought to be varied under the Application (conditions 13 and 15).

A composite set of conditions is provided below for ease of reference. This identifies which conditions have been inserted, varied or deleted by previous planning permissions referred to above.

In addition, the composite conditions identify the changes proposed to conditions 13 and 15 under the current proposals and the necessary consequential changes to other conditions to replace 'Air Transport Movements' with 'aircraft movements' to ensure that the wording of all conditions is consistent.

The following amendment was made to the minutes agreed at the meeting on 5 November 2008

Item 6 – London City Airport, Hartman Road, Silvertown, London E16 2PX - page 6, 5th paragraph should read “He discussed the economic benefits as the application would generate approximately 1000 more jobs”.

Page 7 3rd paragraph should read “The Borough Planning Officer stated that extensive public consultation, beyond the statutory requirement resulted in 1,300 representations.”