

20 March 2023

London City Airport

Local Planning Authority: Newham

Local Planning Authority reference: 22/03045/VAR

Strategic planning application stage 1 referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The proposal

Section 73 application to vary Conditions 2 (Approved documents) 8 (Aircraft Maintenance) 12 (Aircraft Stand Location) 17 (Aircraft Take-off and Land Times) 23, 25, 26 (Daily limits) 35 (Temporary Facilities) 42 (Terminal Opening Hours) 43 (Passengers) and 50 (Ground Running) to allow up to 9 million passengers per annum (currently limited to 6.5 million) arrivals and departures on Saturdays until 18.30 with up to 12 arrivals for a further hour during British Summer Time (currently allowed until 12.30), modifications to daily, weekend and other limits on flights and minor design changes, including to the forecourt and airfield layout attached to planning permission 13/01228/FUL allowed on appeal APP/G5750/W/15/3035673 dated 26th July 2016 which granted planning permission for;

"Works to demolish existing buildings and structures and provide additional infrastructure and passenger facilities at London City Airport"

The applicant

The applicant is **London City Airport**

Strategic issues summary

Land Use Principle: The Section 73 application is to modify an existing consent on the site, as such the land use has been established and is considered appropriate for the site. Notwithstanding this, the application marks the most substantial proposed change to the airport's operations since it first opened 35 years ago.

Transport: GLA officers acknowledge the applicant's ambition regarding public transport mode share targets for the future and for the promotion of active travel. As required by Policy T8 of the London Plan, the applicant must demonstrate that all endeavours to achieve net zero carbon and tackling levels of air pollution have been investigated.

Environment and Sustainability: Concern is also raised with regards to the noise impacts of this change, including flights in a period which currently experiences no movements. The Council must ensure the impacts of additional flights in these particular periods are fully assessed and that the proposed modifications do not exacerbate impacts on public health and quality of life. The Mayor has declared a climate emergency and has set a target for London to achieve net zero carbon emissions by 2030. In order for London to achieve this, the aviation sector needs to play its part and not undermine collective efforts to rapidly decarbonise. It would be difficult to support the proposal without the Council being able to demonstrate how the proposed modifications are compatible with the Mayor's net zero carbon and wider environmental ambitions. It is particularly important assumptions about fleet mix are not used in the assessment to paint a misleading picture of the impacts, particularly with regard to noise, carbon and air quality.

Recommendation

That Newham Council be advised that the application does not comply with the London Plan for the reasons set out in paragraph 77.

Context

1. On 06 February 2023 the Mayor of London received documents from Newham Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008, the Mayor must provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.
2. The application is referable under the following categories of the Schedule to the Order 2008:
 - *2C 1a Transport infrastructure including an aircraft runway; 2C 1c Transport infrastructure including an air passenger terminal at an airport*
 - *2C(2) of the Mayor of London Order 2008 – Development to alter an air passenger terminal to increase its capacity by more than 500,000.*
3. Once Newham Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or, allow the Council to determine it itself.
4. The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 has been taken into account in the consideration of this case.
5. The Mayor of London's statement on this case will be made available on the GLA's public register: <https://planning.london.gov.uk/pr/s/>

Site description

6. The application site is located in the Royal Docks, between King George V Dock to the south and Royal Albert Dock to the north. The airport is approximately 3.2 kilometres east of Canary Wharf, and some 800 metres south-east of the Excel Exhibition and Conference Centre. The site is located within the Royal Docks and Beckton Riverside Opportunity Area. The airport is also allocated as an employment hub for visitor economy, business and logistics within the Local Plan.
7. The application site currently comprises a single runway, an 'apron' area, a main passenger terminal and various operational buildings. The runway is largely surrounded by the water of the Royal Albert Dock and the King George V Dock.
8. The airport has been served by the Docklands Light Railway (DLR) since 2005 which provides direct access to the airport's (only) passenger terminal. In addition, there is a bus facility and currently one route comes into the airport from the west and back out the same way to serve airport passengers and staff.

9. There is pedestrian access from the south via a ramp and vehicle access from the east (Woolwich Manor Way) and west (Connaught Bridge) although currently the former is open only to authorised operational vehicles, staff and taxis.

Details of this proposal

10. The proposal is a Section 73 application to vary Conditions 2 (Approved documents) 8 (Aircraft Maintenance) 12 (Aircraft Stand Location) 17 (Aircraft Take-off and Land Times) 23, 25, 26 (Daily limits) 35 (Temporary Facilities) 42 (Terminal Opening Hours) 43 (Passengers) and 50 (Ground Running) to allow up to 9 million passengers per annum (currently limited to 6.5 million) arrivals and departures on Saturdays until 18.30 with up to 12 arrivals for a further hour during British Summer Time (currently allowed until 12.30), modifications to daily, weekend and other limits on flights and minor design changes, including to the forecourt and airfield layout attached to planning permission 13/01228/FUL allowed on appeal APP/G5750/W/15/3035673 dated 26th July 2016 which granted planning permission for "Works to demolish existing buildings and structures and provide additional infrastructure and passenger facilities at London City Airport". It is noted that this approval is referred to as the City Airport Development Programme (CADP) throughout this report.

Case history

11. The application is to vary the previous consent on the site, as outlined above.
12. It is understood that the applicant has also lodged a separate application to Council for the retention of existing temporary Permitted Development facilities and an additional temporary eastern gate room facility for a timescale that aligns with the projected programme for delivery of the remaining CADP development. The applicant has stated that although these works complement the S73 application, they are independent from the proposed amendments and would still be required if the S73 is not progressed to enable the retention/provision of temporary facilities over longer timescales to align with the remaining build out of the current permission.

Strategic planning issues and relevant policies and guidance

13. For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area comprises the Newham Local Plan and the London Plan 2021.
14. The following are also relevant material considerations:
 - The National Planning Policy Framework and National Planning Practice Guidance;
15. The relevant issues, corresponding strategic policies and guidance (supplementary planning guidance (SPG) and London Plan guidance (LPG)), are as follows:

- Good Growth - London Plan;
- Economic development - London Plan; the Mayor's Economic Development Strategy; Employment Action Plan;
- Opportunity Area - London Plan;
- Regeneration Area - London Plan; the Mayor's Economic Development Strategy;
- Utilities infrastructure - London Plan;
- Sustainable development - London Plan; Circular Economy Statements LPG; Whole-life Carbon Assessments LPG; 'Be Seen' Energy Monitoring Guidance LPG; Energy Planning Guidance; Mayor's Environment Strategy;
- Air quality - London Plan; the Mayor's Environment Strategy; Control of dust and emissions during construction and demolition SPG; Air quality positive draft LPG; Air quality neutral draft LPG;
- Transport and parking - London Plan; the Mayor's Transport Strategy;
- Equality - London Plan; the Mayor's Strategy for Equality, Diversity and Inclusion; Planning for Equality and Diversity in London SPG;
- Tourism - London Plan;

Land use principles

16. As the proposal relates to a Section 73 application to modify an existing consent on the site, the land use have been established and is considered appropriate.
17. Although the use of the site as an aviation facility is accepted, Policy T8 of the London Plan outlines the requirements for aviation activities within Greater London. Part F of Policy T8 states that development proposals for aviation facilities should make better use of existing airport capacity, underpinned by upgraded passenger and freight facilities and improved surface access links, in particular rail.
18. Notwithstanding this, Part B of Policy T8 states that the environmental and health impacts must be fully acknowledged, and such development should include mitigation measures that fully meet their external and environmental costs, particularly in respect of noise, air quality and climate change. As such, any airport expansion scheme must be appropriately assessed and if required demonstrate that there is an overriding public interest or no suitable alternative solution with fewer environmental impacts.
19. In this regard, the proposed modification will make better use of an existing airport capacity in line with Part F of Policy T8. However, at this stage, GLA officers are of the view that there is insufficient information to determine if the proposal can meet with the requirements of Part B of Policy T8. Prior to referring

the proposal back at Stage 2, the Council must ensure that the proposed modifications to the operation of the airport accord with the requirements of Policy T8.

Transport

Site location and context

20. The Docklands Light Railway (DLR) station provides direct access to the airport's (only) passenger terminal. In addition, there is a bus facility and currently two routes come into the airport from the west and back out the same way. This facility includes a three-vehicle bus stop and a bus stand, and forms part of a wider forecourt that includes private hire and taxi drop off and pick-up. The taxi facility is linked to a taxi feeder park (interim 200, end state 336) to the east, which includes electric vehicle charging and driver facilities.
21. There is pedestrian access from Drew Road to the south via a ramp and pedestrian, cyclist and vehicle access from the east (Woolwich Manor Way) and west (Connaught Bridge) although currently the former is open only to authorised operational vehicles, staff and taxis. The nearest riverbus pier is Royal Wharf which is wheelchair accessible and has a weekday mornings and evenings service. However, this pier is well outside walking distance and there is no direct bus connection between the pier and the airport.
22. The Airport's Public Transport Accessibility Level (PTAL) is 3, on a scale of 0 to 6b, where 0 is the least accessible and 6b the most. This applies to area around the passenger terminal and adjacent (London City Airport) DLR station. Outside these areas the PTAL is 2 although would be increased to 3 around King George V DLR station if an access was opened up to the station from the airport land.
23. Whilst outside PTAL distance, some passengers and staff use the bus connection to and from Custom House to pick up Elizabeth Line services. At just over 2 kilometres away it's also within cycling distance, but less walkable especially for those with luggage despite the segregated dock side route.

Silvertown Tunnel

24. Work is underway to construct the Silvertown Tunnel, which will enable new cross-river bus services. This could include a link to the Airport, if this can be accommodated at the airport forecourt and subject to demand.

DLR Rolling stock replacement and upgrade

25. Transport for London (TfL) is introducing 54 new trains to replace the oldest trains in the DLR fleet and increase the number and thereby capacity. London City Airport has funded two of these rail cars as agreed under the CADP permission.

Strategic Transport Policy

26. The London Plan has adopted specific and ambitious mode share targets (policy T1) since the CADP application was originally approved. It is welcome that these have been adopted by London City Airport to shape the Airport's Masterplan and Transport Assessment. However, there is a need to develop specific measures to achieve these targets for staff and passenger surface travel to the Airport. More details are required on these and the underlying data analysis.
27. Policy T2 of the London Plan promotes the Healthy Streets approach, which is embedded in TfL Transport Assessment Guidance. The original permission includes measures to promote walking and cycling to the Airport for staff and passengers. The submitted Active Travel Zone assessment and the wider cycle network (in accordance with Policy T5 of the London Plan), the applicant should identify barriers that currently deter active travel to the airport and identify measures that can be secured to improve cycling and walking links. The CADP permission included Travel Plan measures, funding for offsite walking and cycling improvements, cycling parking, forecourt enhancements, and works to link Hartmann Road to Woolwich Manor Way. It would be beneficial to undertake further discussions with TfL on whether these measures are still in accordance with policy aspirations on Healthy Streets. It is welcome that further mitigation is proposed, however additional information is needed with regards to what is meant by a flexible approach to this aspect.
28. Policy T4 of the London Plan sets the approach to assessing and mitigating transport impacts. TfL set out where further information on the accumulative impact of the approved development and the increase in surface travel demand associated with the Section 73 proposals is required. It was indicated at pre-application stage that mitigation secured with the original permission should be updated to reflect current guidance, ambitious mode share targets as well as changes in the development impact arising from the proposals. It is accepted that the Transport Assessment indicates an approach aligned with this advice, however, further detailed discussion is required. The objective of the proposals is to make better use of off-peak capacity at the Airport. It needs to be demonstrated that there would be a similar impact on the rail and bus network especially if the demand is before the morning peak, after the evening peak or at weekends when service levels are less. The applicant is advised that TfL officers would need to understand these changes in demand, when they would occur, including any peak changes and their technical basis. The information provided from the strategic models suggests limited impact on TfL link capacity, more detail station and junction flows need to be provided, as well as analysis, to fully understand the impact of the proposals.
29. Policy T6 of the London Plan guides the approach to car parking, which should be to support the mode shift target as set out in Policy T1 of the London Plan. Whilst the application does not alter the car parking on site above the approved CADP levels, the CADP permission, under the previous London Plan, enabled an increase in parking of almost 30%. Officers note that this additional parking has yet to be built and deem that it would be appropriate to dispense with this element of the development to support sustainable mode shift and other policy objectives. Car-free is the starting point of London Plan Policy T6.

30. Policy T8 (F) of the London Plan states that development proposals for aviation facilities should make better use of existing airport capacity, underpinned by upgraded passenger and freight facilities and improved surface access links, in particular rail. Improvements for active travel and to necessary rail and bus infrastructure and services are therefore justified.

Transport Assessment

31. Policy T3 of the London Plan requires that development proposals should identify new sites or routes that are or will be required for local public transport and active travel connections, where appropriate. This should be set out in a transport assessment (TA) or transport statement. The way in which developments connect to local public transport and active travel networks plays a critical role in widening transport choice across London and therefore it may be necessary for proposals to facilitate the delivery of local connections through, for example, provision of land for walking and cycling routes or bus stops and supporting infrastructure.
32. As required by Policy T3, the applicant has submitted a TA. The TA is based on data using TfL strategic models and Needs Case. The Needs Case is based on expert aviation advice, should the aviation assessment change due to consultee responses, officers would expect the TA to be updated to reflect the analysis. The TA methodology and approach are in line with pre-app advice, however, more detail on DLR station impact, local highway impact and how the Airport will work with TfL and Newham to promote public transport and active travel use is required.
33. The TA is based on an increase in passenger numbers from a cap of 6.5 million to 9 million per annum, and associated increase in staff numbers from 2,420 staff to 3,650 staff. This equates to about 8,000 extra passenger movements each day (34,000 passenger movements each day, compared to 26,000 passenger movements with the permitted scheme). The key data is the increase in demand for TfL services and change in vehicle numbers on the local road network both during the peaks and more generally. DLR demand increases by about 400 peak hour trips during AM and PM peaks, compared to CADP original growth assumptions. Based on aviation needs case, this indicates most demand is forecast to be outside the AM and PM peak. The CADP proposals increase car parking compared to the existing situation, though this application doesn't increase car parking further. The TA does indicate an increase in vehicle movements of 262 during AM peak hour, and 230 during PM peak hour. An approach that reduces vehicle movements compared to CADP would be welcome.
34. The highway impact assessment is based on net change between the approved development and uplift in passenger numbers associated with Section 73 application. This assumes the increase in car parking and associated vehicle trips agreed under 2016 permission is acceptable and accepted. For the London Plan mode shift, officers would not want an increase in car parking and instead would expect the airport to take a more restrained approach to car parking than consented seven years ago and to have more ambitious mode shift targets. Car parking which remains e.g. for Blue Badge holders should be managed and at

the least have EVCP to meet the minimum standards in the London Plan. The applicant is requested to have further discussion with TfL on the need for specific improvement that support bus travel to and from the airport (including financial contributions, and how the replacement forecourt can help with this aspect). In this case branding may also be worthwhile considering.

35. The applicant is requested to provide further information on how the taxi rank can accommodate additional demand and how the Airport expects the rank to operate in the future. With the increasing number of electric taxis and private hire vehicles appropriate provision must be made for charging, including wireless facilities.
36. Further detail assessment on station impact at the Airport DLR station is requested along with more detail information on DLR impact at Canning Town, as officers would consider it necessary for the Airport to specifically fund interchange improvements at Canning Town to enable better interchange for existing Airport users, and to facilitate forecast growth. The level of contribution would be based on change in demand due to this development. The TA identifies this station as a critical interchange for the airport, which officers agree. Yet without improvements officers are of the view that Canning Town will act as a constraint on passenger and staff travel which needs to be addressed. Better wayfinding and other interchange enhancement will be crucial, especially as the airport expects increased leisure demand from the airport. Officers would also need station flows for Custom House station as well to analyse the impact.
37. The delivery of the Replacement Forecourt, and interim arrangements and details of the longer-term arrangements from a bus and taxi perspective need to be discussed. Where TfL operates buses on private land or land that is not highway, a legal agreement(s) are required (lease is TfL's preference) in place to document the parties' responsibilities. This needs to be secured to ensure the development is in accord with Policy T3 of the London Plan. Officers need to be reassured that the CADP replacement forecourt can also work for the higher and changing demand associated with the airport latest plans, also as the interim arrangements will be in for a longer time frame enhancements to these interim arrangements should be considered.
38. On active travel including cycling, more positive measures are required, especially for staff, and we need to see more detail analysis to underpin this approach, which is alluded to in the TA, though not spelt out in any detail. Officers would like to discuss this further.

Aviation demand context

39. Since the original CADP was granted, a great deal of change has occurred in the sector – notably relating to the pandemic but also the introduction of net zero carbon targets into UK legislation. As a result, this Section 73 is being considered in a very different aviation landscape and this has a range of implications for the assessment of Section 73, for example revised demand trajectories for the sector as a whole and for London City Airport, including in the wider context of the London Airport system.

40. A particular issue is the split between business and leisure traffic. The applicant had been targeting a shift towards a great proportion of leisure traffic already and the pandemic would appear to be accelerating this trend. The applicant is relying on this to demonstrate the changed profile of movements during the traffic day with a greater proportion of flights outside the morning and evening peaks and on weekends.
41. But it is not clear what, if any, allowance has been made for the changing passenger mix on the use of surface access modes. Moreover, the Transport Assessment only appears to include a Business/Leisure split for 2019, with no future forecasts offered. Leisure passengers are more likely to be travelling with luggage and/or children, and so are likely to have a higher propensity to take less sustainable modes (car, taxi, Private Hire Vehicle). The applicant's assessment needs to take full account of this and it must set out how it will counter this to ensure sustainable mode share targets can be met.
42. For those leisure passengers who do use public transport, a sufficient luggage factor needs to be incorporated into the modelling, to ensure it is better reflective of the available capacity on the DLR and other public transport services being used to access to airport.
43. Particular concerns are raised by the treatment of the fleet mix. It has been assumed that the transition to newer generation aircraft – which are higher capacity, more economic to run, quieter and with fewer emissions – will happen more quickly with the development. Making this assumption in the future 'Do something' scenario – but not the future 'Do minimum' scenario (without development), has a substantial impact on the assessments of impacts.
44. Given the centrality of this assumption, it needs careful consideration. In particular, for an aircraft category which carries more passengers and does so more economically, it is reasonable to assume that airlines would make the switch in relatively short timeframes regardless of the development.
45. Indeed, the airport and airlines do not exist in a vacuum. The financial pressure on airlines of operating in a competitive market and the carbon measures likely to be introduced by Governments – as well as consumer pressure on this front – could all serve to push airlines to introduce the next generation aircraft on a more timely basis.
46. As such, to assume a substantial difference between the Do Something and Do Minimum scenarios presents a significant concern that a number of the assessments paint a misleading picture of the impacts – primarily noise, carbon and air quality.

Sustainability and environment

Energy strategy

47. The London Plan requires all major developments to meet a net-zero carbon target. Reductions in carbon emissions beyond Part L of the 2013 Building

Regulations should be met on-site. Only where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site a contribution to a carbon offset fund or reductions provided off site can be considered.

Energy strategy compliance

48. An energy statement has been submitted with the application. The energy statement does not yet comply with Policies SI2, SI3 and SI4 of the London Plan. The applicant is required to further refine the energy strategy and submit further information to fully comply with London Plan requirements. Full details have been provided to the Council and applicant in a technical memo that should be responded to in full; however outstanding policy requirements include:

- Be Lean – justification of modelling assumptions;
- Be Clean – further exploration of DHN potential with network operator and energy strategy to be futureproofed for connection to future DHN;
- Be Green – demonstration that renewable energy has been maximised, including roof layouts showing the extent of PV provision and details of the proposed air source heat pumps;
- Be Seen – confirmation of compliance with this element of policy, with compliance to be secured within the S106 agreement;
- Energy infrastructure – further details on the design of future district heating network connection is required, the future connection to the DHN must be secured by condition or obligation.

Carbon savings

49. For the non-domestic, the development is estimated to achieve a 46% reduction in carbon dioxide emissions compared to 2013 Building Regulations.

50. The development falls short of the net zero-carbon target in Policy SI2 of the London Plan, although it meets the minimum 35% reduction on site required by policy. As such, a carbon offset payment is required to be secured. This should be calculated based on a net-zero carbon target using the GLA's recommended carbon offset price (£95/tonne) or, where a local price has been set, the borough's carbon offset price. The draft Section 106 agreement should be submitted when available to evidence the agreement with the borough.

Whole Life-cycle Carbon

51. In accordance with London Plan Policy SI2 the applicant is required to calculate and reduce whole life-cycle carbon (WLC) emissions to fully capture the development's carbon footprint. As the proposal does not include the increase in permitted aircraft movements, officers comments relate to changes resulting from surface access movements.

52. The applicant has not submitted a full whole life-cycle carbon assessment and the reasoning that the applicant has provided as to why a WLC assessment has not been completed is not robust enough. At construction stage the applicant should have adequate information to be able to produce a WLC assessment as the main data source for a WLC assessment is a cost plan which the project should have. It should be noted that most of the planning stage WLC assessments the GLA receive are based on Stage 2 cost plans so it is expected that the applicant has enough information to be able to complete a WLC assessment.
53. On this basis the Council should ensure that the applicant produce a WLC assessment of the entire Proposed Development (not just the s73 scope) in line with GLA recommendations made at pre-application stage. If the applicant believes they cannot produce a WLC assessment they should provide robust reasoning as to why they cannot.

Noise

54. Notwithstanding that this application is being taken forward as a Section 73, this marks the most substantial change to the airport's operations since it first opened 35 years ago. When it was determined that an airport would be placed amongst the urban areas of east London, certain safeguards were put in place to lessen the impacts on local communities, notably restrictions on early morning and late evening flights – and a complete 24-hour closure of the airport every weekend.
55. The Section 73 fundamentally alters both – and the nature and extent of these impacts must be understood. The very particular nature of the change means that a very targeted assessment of noise in those periods is required, to avoid the risk that the negative impacts associated with the Section 73 are not averaged out over periods where no change is being made.
56. Moreover, as set out above, the assessment needs to use comparable fleet mix assumptions in the 'Do Minimum' and 'Do Something' scenarios if it is to be credible.
57. It is essential that Council ensures that a full noise assessment is undertaken, including those communities overflowed beyond the immediate vicinity of the airport and factoring in the cumulative impacts, primarily from other London airports. Prior to referring the scheme back at Stage 2, the Council must ensure that the proposed modifications do not exacerbate impacts on health and quality of life and that any noise reduction resulting from new technologies benefits residents, rather than being banked to enable more flights. This is to ensure compliance with Policy T8 of the London Plan.

Air quality

58. As required by Policy SI1 of the London Plan, the applicant submitted an air quality assessment as part of the planning documents. The GLA's air quality officers have reviewed the assessment and have stated that overall, the report is well written and provides substantial evidence to verify the assessment.

Notwithstanding that, the following observations have been made and should be addressed prior to Council referring the application back to the Mayor at Stage 2.

Dust Management

59. A dust risk assessment has not been undertaken. As an Air Quality Dust Management Plan has already been agreed and put in place for the previous works, a dust risk assessment is not considered necessary. However, the Council should ensure that all mitigation measures and monitoring set out in that document must be adhered to for this additional work.

Emissions

60. With regard to air quality impacts resulting from aircraft emissions, as set out above, the assessment needs to use comparable fleet mix assumptions in the Do Minimum and Do Something scenarios if it is to be credible.
61. The development is considered to be air quality neutral for building emissions as the extension will be supplied by air source heat pumps and solar panels.
62. In terms of transport emissions, it is noted that there is no benchmark of airports. The assessment undertaken shows that the transport emissions are well below the benchmark established by the Consultant.
63. The modelling incorporates surface transport (road emissions) and airport emissions. The verification process is considered acceptable.
64. The overall impact significance is determined to be negligible (not significant).
65. An air quality positive statement has been provided, but this lacks substance and should be amended to provide sufficient details.

London Plan Compliance

Improving Air Quality

66. The report demonstrates a general compliance with Policy SI1 of the London Plan. However, there are a number of areas of concern and these are outlined below:
- The scheme increases emissions of NO₂, PM₁₀ and PM_{2.5} to the atmosphere in comparison to the without-scheme cases, as shown in Tables 9-12 to 9-16. This results in reducing the air quality benefits from schemes across the city, and particularly within the London Borough of Newham. In future years total emissions from the modelled road network are shown to decrease, but the emissions from the air-side activities increase, removing any benefit from improvement in road emissions. In addition, while the impact significance at the individual receptors is negligible, there is an increase in NO₂ concentration in almost every case. As such GLA officers are of the view that the scheme does not demonstrate compliance with Policy SI1 of the London Plan.

- The applicant has supplied an Air Quality Positive Statement, but for the scale and profile of the development the statement is disappointing, and lacking ambition. Therefore, the GLA holds that the applicant has not demonstrated full compliance with London Plan Policy SI1.

Policy T8 – Aviation

67. With regards to air quality, at this stage, it is not clear from the Air Quality Chapter and associated appendices which year for emissions has been used for each scenario. It is assumed from the text that the emissions for each year of the assessment have been used. For most assessments this would be acceptable, but Policy T8 of the London Plan is clear that airport expansion proposals should not utilise air quality improvements resulting from unrelated policies. GLA officers are of the view that an airport assessment should therefore not improve emissions from road transport in future years as this allows the increase in emissions from air-side activities to be traded against reductions in emissions from road vehicles resulting from national policies improving the fleet. The applicant should conduct a sensitivity test to consider the impacts from the airport if road traffic emissions do not improve as forecast. For example, to run the emissions factor toolkit for the base year of 2019, and assume background concentrations for that year.

Climate emergency

68. London and the world is facing a climate emergency. Because of this, the Council is advised that any expansion of airport operations must be robustly scrutinised not only against the London Plan's aviation and environmental policies (Policy T8) but also national policies and current scientific evidence regarding climate change.

69. Both the London Plan (Objective GG6 – Increasing efficiency and resilience) and National legislation has set a target of net zero emissions by 2050 and the scientific evidence is clear emissions must be halved by 2030 to keep on track and limit the global temperature rise to 1.5°C. Given this, the Mayor has declared that London must achieve net zero emissions by 2030.

70. In order for London to achieve this, the aviation sector needs to play its part and not undermine collective efforts to rapidly decarbonise.

71. The Committee on Climate Change (CCC) has been clear in its Sixth Carbon Budget report that “there should be no net expansion of UK airport capacity unless the sector is on track to sufficiently outperform its net emissions trajectory to be able to accommodate the additional demand.” There has been no evidence of this to date. The Government's ‘Jet Zero’ strategy does not adequately address how UK aviation would support achievement of net zero carbon, nor does it set out whether and how capacity growth could be accommodated.

72. GLA officers agree with the CCC's 2021 progress report to Parliament which clearly stated that “some moderation of demand growth is likely to be required to meet the legislated emissions targets, as pre pandemic trends in demand growth exceed what we expect can be accommodated in a Net Zero world”. In this

context, GLA officers are of the view that the modifications proposed to the existing consent risk increasing emissions and therefore be considered incompatible with the UK's net zero target.

73. GLA officers are very aware of the particular challenge that the aviation sector and its workers have faced during the pandemic. However, as the sector starts to rebuild, the aviation sector must embrace decarbonisation to ensure a green recovery. Any expansion must not undermine the Mayor's objectives to decarbonise and as such it would likely to be difficult to support London City Airport's proposal without the applicant being able to demonstrate how they are compatible with the Mayor's net zero carbon and wider environmental ambitions.

Local planning authority's position

74. Newham Council planning officers and their consultants are currently assessing the application. The application is expected to be considered at a planning committee meeting in May 2023.

Legal considerations

75. Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged; or, direct the Council under Article 6 of the Order to refuse the application; or, issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application (and any connected application). There is no obligation at this stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

Financial considerations

76. There are no financial considerations at this stage.

Conclusion

77. London Plan policies on transport, air quality and sustainable development are relevant to this application. Whilst the existing land use is accepted, the Section 73 application does not currently comply with these policies, as summarised below:

- Land Use Principle: The Section 73 application is to modify an existing consent on the site, as such the land use has been established and is considered appropriate for the site. Notwithstanding this, the application

marks the most substantial proposed change to the airport's operations since it first opened 35 years ago.

- **Transport:** GLA officers acknowledge the applicant's ambition regarding public transport mode share targets for the future and for the promotion of active travel. As required by Policy T8 of the London Plan, the applicant must demonstrate that all endeavours to achieve net zero carbon and tackling levels of air pollution have been investigated.
- **Environment and Sustainability:** Concern is also raised with regards to the noise impacts of this change, including flights in a period which currently experiences no movements. The Council must ensure the impacts of additional flights in these particular periods are fully assessed and that the proposed modifications do not exacerbate impacts on public health and quality of life. The Mayor has declared a climate emergency and has set a target for London to achieve net zero carbon emissions by 2030. In order for London to achieve this, the aviation sector needs to play its part and not undermine collective efforts to rapidly decarbonise. It would be difficult to support the proposal without the Council being able to demonstrate how the proposed modifications are compatible with the Mayor's net zero carbon and wider environmental ambitions. It is particularly important assumptions about fleet mix are not used in the assessment to paint a misleading picture of the impacts, particularly with regard to noise, carbon and air quality.

For further information, contact GLA Planning Unit (Development Management Team):

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We are committed to being anti-racist, planning for a diverse and inclusive London and engaging all communities in shaping their city.