

**Deirdra Armsby**  
Director of Regeneration and Planning

Newham Dockside  
1st Floor, West Wing  
Dockside Road  
London, E16 2QU

Mr Tim Halley  
London City Airport, Hartmann Road  
Silvertown  
LONDON  
E16 2PX

**Date:** 24<sup>th</sup> April 2017

**Town and Country Planning Act 1990 (as amended)**  
**Town and Country Planning (Development Management Procedure) (England)**  
**Order 2015 (as amended)**

Dear Mr Halley,

**Application No:** 17/00947/AOD

**Location:** London City Airport  
Hartmann Road  
Silvertown  
London  
E16 2PX

**Proposal:** Approval of details pursuant to Condition 40, attached to planning permission 13/01228/FUL dated 26th July 2016.

The London Borough of Newham hereby gives notice with respect to your submission of details pursuant to planning permission 13/01228/FUL.

Condition 40 is **APPROVED** subject to the conditions and reasons stated within the accompanying report.

The Council has considered the provisions of the approved Updated Environmental Statement and does not consider this application to warrant the need for further Environmental Impact Assessment.

**Signed:**

A handwritten signature in blue ink, appearing to read "Deirdra Armsby".

**Deirdra Armsby**  
Director of Regeneration & Planning  
London Borough of Newham

# TOWN AND COUNTRY PLANNING ACT 1990

## Applicant's Rights following the Grant or Refusal of permission

### 1. Appeals to the Secretary of State

Should you (an applicant/agent) feel aggrieved by the decision of the council to either refuse permission or to grant permission subject to conditions, you can appeal to the Secretary of State for the Department of Communities and Local Government – Section 78 of the Town and Country Planning Act 1990 / Sections 20 and 21 of the Planning (Listed Building and Conservation Areas) Act 1990. Any such appeal must be made within the relevant timescale for the application types noted below, beginning from the date of the decision notice (unless an extended period has been agreed in writing with the council):

- **Six months:** Full (excluding Householder and Minor Commercial applications), listed building, conservation area consent, Section 73 'variation/removal', Section 73 'minor-material amendment', extension of time, and prior approval applications.
- **12 weeks:** Householder planning, Householder prior approval and Minor Commercial applications.
- **8 weeks:** Advertisement consent applications.
- **No timescale:** Certificate of lawful development (existing/proposed) applications.

Where an enforcement notice has been issued the appeal period may be significantly reduced, subject to the following criteria:

- The development proposed by your application is the same or substantially the same as development that is currently the subject of an enforcement notice: **28 days of the date of the application decision.**
- An enforcement notice is served **after the decision on your application** relating to the same or substantially the same land and development as in your application and if you want to appeal against the council's decision you are advised to appeal against the Enforcement Notice and to do so before the Effective Date stated on the Enforcement Notice.

Appeals must be made using the prescribed form(s) of The Planning Inspectorate (PINS) obtained from [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk) or by contacting 03034445000. A copy of any appeal should be sent both to PINS and the council (attn: Planning Appeals Officer).

The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are exceptional/special circumstances.

The Secretary of State can refuse to consider an appeal if the council could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements and provisions of the Development Order and to any direction given under the Order. In practice, it is uncommon for the Secretary of State to refuse to consider appeals solely because the council based its decision on a 'direction given by the Secretary of State'.

### 2. Subsequent Application Fees

No planning fee would be payable should a revised planning application be submitted within 12 months of the decision. This 'fee waiver' is permitted only where the new application meets the following criteria:

- the applicant is the same as the applicant of the original application
- site boundary is the same as the site boundary of the original application
- the nature of development remains the same.


### 3. Purchase Notices

Should either the council or the Secretary of State refuse permission or to grant permission subject to conditions, the owner may claim that the land cannot be put to a reasonably beneficial use in its existing state nor through carrying out of any development which has been or could be permitted. In such a case, the owner may serve a purchase notice on the council.

This notice will require the council to purchase the owner's interest in the land in accordance with the provisions of Part IV of the Town and Country Planning Act 1990 and Section 32 of the Planning (Listed Buildings Conservation Areas) Act 1990.

### 4. Compensation


In certain circumstances compensation may be claimed from the council if permission is refused or granted subject to condition(s) by the Secretary of State on appeal or on reference to the Secretary of State. These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Delegated Report			
Application for approval of details reserved by condition.			
Case Officer:	Dave Whittaker	Valid Date:	20th March 2017
Application Number:	17/00947/AOD	8-Week Date:	14.05.2017
Deemed Discharge Notice:	No	PEA Date:	N/A
Address:	London City Airport Hartmann Road Silvertown London		
Proposal:	Approval of details pursuant to Condition 40, attached to planning permission 13/01228/FUL dated 26th July 2016.		

#### Assessment:

Condition 40	Crime Prevention Strategy
<p><b>40 Crime Prevention Strategy</b></p> <p>No relevant Phase of the Development shall Commence until a certificate demonstrating compliance of that relevant Phase with the Secured by Design award scheme, indicating how the principles and practices of that scheme are to be incorporated in the relevant Phase of the Development, has been submitted to and approved in writing by the local planning authority.</p> <p>Each relevant Phase shall be constructed and retained in accordance with its relevant approved scheme.</p> <p>Such a scheme shall be implemented as approved and thereafter the Airport shall be operated in accordance with the approved scheme.</p> <p><b>Reason:</b> <i>In the interest of amenity and creating safer, sustainable communities and with regard to policy 7.13 of the London Plan (consolidated with alterations Since 2011 and published March 2015), and policy SP3 of the Newham Core Strategy (adopted 26 January 2012).</i></p>	
Details Submitted and APPROVED:	<ul style="list-style-type: none"> <li>Report: 'Condition 40 – Crime Prevention Strategy – London City Airport – March 2017'</li> </ul>
Details submitted for information (Not approved):	<ul style="list-style-type: none"> <li>Site Plan</li> <li>Covering letter including Appendix 2 – Statement of Conformity with the Updated Environmental Statement for Planning Permission 13/01228/FUL dated 26/07/2017. This is a requirement of Condition 3 of the Permission:</li> </ul> <p><b>3 Environmental Statement</b></p> <p>The Development shall be carried out in accordance with the environmental standards, mitigation measures, requirements, recommendations and methods of implementing the Development contained in the Updated Environmental Statement (UES) and revisions, February 2016.</p> <p><b>Reason:</b> To ensure that the Development is carried out in accordance with the UES, dated September 2015, and the mitigation measures proposed therein.</p>
Officer Assessment:	<p>As set out in the Construction Phasing Plan submitted under Condition 4 of the Planning Permission, it is proposed to build the development over a continuous period of 5 years in two stages: the Interim Works and the Completed Works. This Condition covers both stages.</p> <p>A Secured by Design Certificate (SBD) is required by the Metropolitan Police (MP), but cannot be issued until works are completed; once this</p>

	<p>occurs the applicant has stated that they will forward a copy of the Certificate to the Council. As agreed with the Council therefore, this report details the measures proposed to be taken in order to eventually achieve the SBD Certificate.</p> <p>The applicant has stated that the MP have agreed with the proposed approach at this stage, but that the letter of confirmation cannot be published in the report due to its sensitive nature.</p> <p>External consultation, as listed in Appendix 2 – no response.</p> <p>No formal internal consultation took place as there are no LBN Service Areas with expertise in this subject.</p> <p>The submission is consistent with all relevant Development Plan policies, as listed in Appendix 1.</p> <p>In the Case Officer's opinion, the submitted details comply with the requirements of with Condition 40 of the Permission, taking into account the circumstances detailed above.</p>
<b>Officer Recommendation:</b>	<b>Approve</b>
<b>Conditions and Reasons:</b>	<p>The development shall be implemented in accordance with the <b>Details Submitted and APPROVED</b> listed above only.</p> <p><b>Reason:</b> In the interest of amenity and creating safer, sustainable communities and with regard to policy 7.13 of the London Plan (consolidated with alterations Since 2011 and published March 2016), and policy SP3 of the Newham Core Strategy (adopted 26 January 2012).</p>

<b>Officer Recommendation:</b>	Approve the details identified as Submitted and APPROVED listed above, pursuant to condition 40 attached to planning permission 13/01228/FUL dated 26 <sup>th</sup> July 2016.
<b>Authorising officer Signature:</b>	
<b>Authorising officer:</b>	Amanda Reid, Head of Planning and Development
<b>Date:</b>	24th April 2017

## Appendix 1:

<p>The Council's decision to approve the submitted details in this instance arose following careful consideration of the relevant provisions of the Council's adopted development plan and of all other relevant material considerations, including the approved Environmental Statement.</p> <p>Of particular relevance to this decision were the following Framework and Development Plan policies and ES documents:</p>	
<p><i>National Planning Policy Framework (DCLG, March 2012)</i></p>	
<p><i>The London Plan: Spatial Development Strategy for London (GLA, consolidated with alterations since 2011, published March 2016)</i></p>	<p>At the date of assessment of original application:</p> <p>Policy 6.6 – Aviation</p>
<p><i>London Borough of Newham Local Plan: Core Strategy (adopted January 2012)</i></p>	<p>Policy INF1 – Strategic Transport</p> <p>Policy SP3 - Quality Urban Design within Places</p>
<p><i>London Borough of Newham Local Plan: Detailed Sites and Policies Development Plan Document (adopted 20 October 2016)</i></p>	<p>Not applicable at the date of original application.</p>
<p><i>EIA Approved UES</i></p>	<p>The covering letter includes Appendix 2 – Statement of Conformity with the Updated Environmental Statement for Planning Permission 13/01228/FUL dated 26/07/2017. This is a requirement of Condition 3 of the Permission:</p> <p><b>3 Environmental Statement</b></p> <p>The Development shall be carried out in accordance with the environmental standards, mitigation measures, requirements, recommendations and methods of implementing the Development contained in the Updated Environmental Statement (UES) and revisions, February 2016.</p> <p><b>Reason:</b> <i>To ensure that the Development is carried out in accordance with the UES, dated September 2015, and the mitigation measures proposed therein.</i></p>

## Appendix 2:

Consultations:		
<i>Consultee:</i>	<i>Date Consulted:</i>	<i>Summary of response:</i>
L City Airport Consultative Committee	30th March 2017	No response
Greater London Authority	30th March 2017	No response
Metropolitan Police Service	30th March 2017	No response

## Informative:

In dealing with this application, Newham Council has implemented the requirements of the National Planning Policy Framework and of the Town and Country Planning (Development Management Procedure) (England) Order 2015 to work with the applicant in a positive and proactive manner. As with all applicants, we have made available detailed advice in the form of our statutory policies in the relevant constituent parts of the Local Plan and London Plan, Supplementary Planning documents, and all other Council guidance, as

well as offering a full pre-application advice service, so as to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably.