Introduction
Planning permission was granted on 9 July 2009 (reference 07/01510/VAR) by the London Borough of Newham (LB) for variation of conditions attached to previous planning permissions for the Airport to allow up to 120,000 total aircraft movements per year (with related modifications to other limits on aircraft movements).

London City Airport have now submitted two inter-related planning applications to Newham on 26 July 2013, to deliver the ‘City Airport Development Programme’ (CADP), these applications are referred to as CADP1 (planning application 13/01228/FUL) and CADP2 (planning application 13/01373/OUT).

The full application can be seen at
13/01228/FUL | Planning Application Link CADP1
13/01373/OUT | Planning Application Link CADP2

Closing date for responses is Monday 28th of October (Though pre-action letters have been sent to Newham over failures in the consultation)

You can respond through the links above or email an objection to Sunil Sahadevan
sunil.Sahadevan@newham.gov.uk

I have also created a clickable response for those who are time limited.

Please just add your name and address at the bottom
Pre Written Objection Email Link - London City Airport Application 13/01228/FUL and 13/01228/FUL

The briefing below is in bullet point format for ease of use.

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Please note this is a huge application and I have taken what, in my opinion is relevant information. Please do your own research where you can and if you have any information you would like to add please let me know. My formal objection will be submitted on Monday. Thanks Alan
Background

London City Airport is situated in the Royal Docks, a key London regeneration zone.

The Airport and Runway are surrounded by water from the Royal Albert Dock (approx 30 hectares) and King George V dock (approx 34 hectares)

The existing Airport site extends to 48.5 hectares. With this CADP increasing to 60.6 hectares with the increase coming from the covering of 31% of King George V dock.

In 2012 there were 1,900 full time equivalent jobs. Of those employees 27% resided in LBN and 61% lived in 11 East London boroughs (which includes Newham)

Currently the airport has car parking capacity for 854 vehicles which includes short and long stay and staff parking.

In 2012 there was 70,502 total aircraft movements with 3.03 million terminal passengers.

In July 2009 Newham approved a massive expansion in the number of flights to a total of 120,000 noise factored movements.

It predicted that 3.9 million passengers could be accommodated in existing infrastructure. (2009) At that time it was not considered necessary to provided additional infrastructure.

The Environmental Statement that accompanied the 2009 application 07/01510/VAR adopted a central assumption of 95,000 scheduled movements and 25,000 jet centre movements (private jets).

Aircraft are categorized A - E by noise levels. Category A (jets) is the highest permissible level with a noise factor movement of 1.26 (example - four jets taking off would be the equivalent of 5 movements)

The new CADP will allow 111,039 annual movements.

The Airport Masterplan identifies three development phases Phase 1 - 3.5m Passengers by 2015 , 6 million by 2025 and 8 million by 2030.

By 2030 it forecasts 143,000 flights and 27,600 corporate movements.


The Airports Commission is currently reviewing aviation capacity in the South East.
Suggested Key Points

125 hectares of development land around the airport were awarded Green Enterprise Zone status, which the airport just sits outside.

Proposal to deck over at least 7.54 Hectares (31%) of King George V Dock and the loss of 1,800m2 of Dock Wall habitat conflicting with London Plan/Blue Ribbon Network policy.

Application does not propose to increase the number of flights but crucially changes the split between scheduled jets and jet centre movements leading to a change in the 2010 baseline PSZ.

Change in the baseline from 95,000 scheduled air traffic movements to 107,319. (+13%) The 2010 PSZ was based on a forecast that assumed that there would be 94,224 scheduled movements and 2,608 jet centre movements (97,092 movements overall).

Number of Aircraft stands will increase from 18 to 25. Number of flights at ‘peak’ times will increase from 36 to 45 per hour.

107,319 scheduled air traffic movements in 2021 are all ‘category A’ on the noise categorisation table (ES Table 8.1) Cat A has a noise factor of 1.26. 107,319 x 1.26 = 135,222 meaning the airport would breach the 120,000 ATM planning permission.

Car parking will increase from 974 spaces to 1,252 (+29%) Taxi Feeder rank will increase from 200 spaces to 320.

Up to 21 potential developments earmarked for 1000’s of homes to be impacted by a reconfigured Public Safety Zone (Crash Zone) which restricts development.

The Public Safety Zone will also affect land safeguarded for the Silvertown Tunnel which is a Nationally Significant Infrastructure Project which is ignored in the application.

Critically the PSZ Value Compensation Scheme S106 2009 is still not agreed. VCS is to compensate for value lost in sites yet to be developed covered by the extension of the Public Safety Zone.

Economic and social impact cannot be properly assessed until a financial value is put on the impact of the PSZ through the VCS invalidating the environmental statement.

Number of dwellings in noise contours will increase. 57db increases 8,300 to 13,700 to 15,100 (2012 /2017 /2023) 63db increases 400 to 1,100 to 1,300 (2012 /2017 /2023). This does not include future development.

Noise Contours will increase around the airport 57 db 6.3km squared to 57 db 9.1km squared (2012/2021) 63db 1.6km squared to 63db 2.4km squared (2012/2021)
Population in the 57db contour will increase from 8,300 to 15,100 (2012/2021) Population in 63db will increase from 1000 to 2,800 (2012/2021) This does not include future development.

Approx. population in contours including permitted but not yet built residential will increase from 17,900 to 75,900 in 57db, 1,000 to 17,500 in 63db (2012/2021)
Air noise levels at schools and colleges over 57db (averaged over 16hrs) increases from 9 to 11 with all suffering an increase.

Noise levels of 57db up to 70db at 28 areas of land proposed for development across 3 boroughs by 2021.

World Health Organisation sets a 55db target value for controlling noise in open spaces. All 8 recreation areas around the airport will breach this by 2019.

No information has been provided on the potential impact of bigger jets on flight paths.

Forecast cost of policing London City Airport (12/13) is £4.0m. Contribution from airport expected to be £1.9m. No assessment of policing for new expansion and the impact on taxpayer for MET policing.

Royal Docks will have the longest response time for fire services in London at 8.39 minutes. No analysis has been carried out on the closure of Silvertown Fire Station and the PSZ. The Airport did not submit any information to the fire consultation.

The Davies Airports Commission is currently looking at airport capacity in the South East which has a material effect on London City Airport airspace.

Critically GIP Gatwick, the owners of London City Airport, have submitted strong evidence to the Davies Airports Commission suggesting that Heathrows use of the FAA INM model can produce a very different size and shape of noise contours from the CAA required model. London City Airport uses the Heathrow INM Model to assess noise.

London City Airport has not used the model required by the CAA if an airport is to make an airspace change in the UK and as is also required in the current DfT Air Navigation Guidance document, which is the ANCON 2.3 model.

The models can produce very different results on an absolute basis, and potentially on a relative basis as well. This is because, whilst they use the same base algorithm, the assumptions built into the CAA model are based on actual data of flight profiles and noise impacts for an airport, whilst the FAA use theoretical assumptions.

New access road will mean Woodman Street residents exposed to a major increase in road traffic noise.

Air Quality readings at the Waterfront on Newham Dockside 2012 show breaches on annual nitrogen dioxide reading of more than 40ug though have been dismissed due to the area being used as a coach park for the Olympics but had also breached in previous years.

Walls of King George V Dock support a significant biomass of invertebrates, a food source for fish and will be lost when the wall is covered.

Greenhouse Gas Emissions will increase with the proposed development.

Both the Royal Albert Dock and King George V Docks are identified as Protected Sites of Nature Conservation Importance (SNCIs)
Objections - London Briefing Points

The London Plan (07/2011) sets out the strategic approach to development in the Capital.

The Royal Docks, Beckton Waterfront, Isle of Dogs, Woolwich and Thamesmead all fall within opportunity areas.

Policy 2.13 states that in relation to planning decisions in opportunity areas proposals should seek to optimise residential and nonresidential output and densities, provide necessary social and other infrastructure to sustain growth, and, where appropriate, contain a mix of uses.

Royal Docks and Beckton Waterfront opportunity areas are capable of providing 600 new jobs and 11,000 new homes.

Policy 6.6 deals with aviation. Development proposals affecting airport operations or patterns of air traffic (particularly those involving increases in the number of aircraft movements) should have a high priority to sustainability and take full account of environmental impacts (particularly noise and air quality) by promoting access to airports by traveller and staff by sustainable means, particularly public transport. Policy 7.30 London’s Canals and other Rivers and Waterspaces is directly relevant to the proposals.

Airport proposals will involve decking over the dock and the loss of the dock wall.

The Royal Docks sits within the Blue Ribbon Network (BRN). The London Plan states development proposals should enhance the BRN. Para 7.28 relates to the restoration of the BRN and development proposals should restore and enhance it by preventing development and structures into the water space unless it serves a water related purpose. (residential barges, restaurants etc)

Crucially the BRN states “the BRN should not be used as an extension to the developable land in London”

Policy 5.3 of the LP says major development proposals should meet sustainable design principles like minimising carbon dioxide emissions across the site.

Policy 7.15 requires development proposals to reduce noise and minimise the existing and potential adverse impacts of noise, on, from, within, or in the vicinity of development proposals. Separate new noise sensitive development from major noise sources wherever practical.

125 hectares of development land around the airport awarded Enterprise Zone status which the airports sits outside of.

The zone is in 3 key areas - Silvertown Quays, Royal Albert Dock and Royal Albert Basin.

All rates from newly established businesses will be retained by
London’s Local Enterprise Partnership.

The Royal Docks Management Authority (RODMA) have adopted a development strategy for the next 15 years which it states its purpose is to shape the regeneration of the Royal Docks by putting the water assets first and, in doing so, increase the value of the land assets in the process.

The Mayor of London is one of the largest public sector landowners in London and, by default, Londoners. 34 parcels of this land is in the Royal Docks and surrounding area and any increase in land value due to the RODMA development strategy will benefit London as a whole.

The CADP proposal will support 910 direct onsite FTE jobs in 2023 overall. For every Hectare of the Royal Dock it covers, 70 jobs will be created be created. By comparison the Chinese Business Hub opposite is of similar at 14 Hectares and it is estimated will created 20,000 jobs (1,428 jobs per hectare) Overall with development the airport will support approximately 48 jobs per ha vs 43 without.

Crossrail will also have an impact on the area. It will improve accessibility to Heathrow, Stratford International and Eurostar.

No cumulative noise readings for London City Airport and Heathrow even though the fly over the same areas.

The Public Safety Zone will also impact land safeguarded for the Silvertown Tunnel which is a Nationally Significant Infrastructure Project which is ignored in the application.

Critically the PSZ Value Compensation Scheme S106 2009 is still not agreed. VCS is to compensate for value lost in sites yet to be developed covered by the extension of the Public Safety Zone.

The Value Compensation Scheme time limit for a claim is 10 years from the date of the 2009 Planning permission.
Objections Local (Briefing Points)

Surface access - development of the airport will see an increase of passenger numbers to 6 million by 2023 (4 million without) compared to 3 million in 2012.

The DLR accounts for 54.5% Vs 60% of passengers (1.6m Vs 3.6m pax - 125% increase). By 2023 more than the number of passengers using the airport in 2012 will be using the DLR. Without development the number would be 2.4 million - 50% increase.

These figures do not take into account any future or potential development around the Royal Docks, nor local people who use the LCY DLR station or continue on to King George V or Woolwich. Use of road vehicles journeys account for 47.3% Vs 36.1% (1.42m Vs 2.17m a 53% increase) with development. Without development, even with an additional 1 million passengers it would stay static.

MOL Transport Strategy states that “Continued close engagement with airport operators and local boroughs will be essential to serve the increasing numbers of air passengers and encourage a shift from private car to reduce congestion and improve surrounding air quality” (para 443)
CADP proposals are to create a deck over KGV dock in direct conflict with Policy 7.24 of the London Plan. The airport has already extended over the dock in part previously and pre the London Plan. While the claim is that the decking does not partially or completely infill the dock, the build of the structure means concrete piles must be placed into the dock bed, which is by its nature an infilling.

The proposal means the loss of open water and is indirect conflict with policy recommendation that “the BRN should not be used as an extension to the developable land in London” (para 7.84)

Noise.
CADP 2023 forecasts 107,119 vs 87,713 movements (with vs without development) CADP development claims that it will be able to accommodate the next generation of modern aircraft “that will be quieter in operation” (Bombardier CS100) This claim is purely hypothetical and the airport can accommodate them already without development.

Forecast is 13% will be operating with CADP, 9% without. (13,925 flights Vs 7,894) with Development there is a net gain of 6,031 more modern flights that may be quieter, though yet unproven. Of the 19,406 flights gained by CADP only 31% may be quieter modern jets. 13,375 could be presumed to be as loud/or louder.

The scrapping of the 2009 submitted central assumption figures will result in an huge increase of dwellings in the new noise contours (not including permitted developments or future developments)

At least another 13,300 homes will enter a LEEq 16 hour contour. Governments Aviation Policy Framework on overall aviation noise is to “limit and, where possible reduce the number of people in the UK significantly affected by aircraft noise” (para 3.12)

APF states Government will treat 57db LEEq 16 hour contour as the average level of daytime aircraft noise. (significant community annoyance).

Altered infrastructure will see noise redistributed with 15% of the airports noise receptors exposed to significant ground noise impact.

Properties in Woodman Street will be exposed to a major increase in road traffic noise due to the new access road.

Three different noise scenarios - aircraft noise, ground noise and road traffic noise are all measured using different method predictions yet all three may effect the same dwelling. An overall cumulative noise study should be required.

There will be a 31% reduction in the amount of open water in KGV Dock in direct conflict of Blue Ribbon Policy.“the BRN should not be used as an extension to the developable land in London”
Objections Newham Council (Briefing Points)

National Planning Policy Framework (03/2102) (NPPF) is a material consideration in planning decisions and replaces most of previous national guidance.

It states that local planning authorities should approach decision making in a positive way to foster the delivery of sustainable development and decision makers should approve applications for sustainable development where possible and local planning authorities should work proactively to secure developments that improve the economic, social and environmental conditions of an area (para 187).

Para 109 also states that “The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils.

Policy INF1 of Newham Core Strategy (01/2012) relates directly to London City Airport. It states that any proposals for future growth at the airport above the approved 120,000 flight movements per annum will have to be carefully considered. The airport is acknowledged as a (current) key economic driver within the Royal Docks.

Policy S3 allocates the docks as a unique and high quality waterfront urban quarter.

Policy INF7 relates to the Blue Ribbon Network and states that the Royal Docks will be protected and enhanced via the following measures; developments located adjacent to the BRN should enhance the waterside environment and provide access and improved amenity to the waterfront; natural habitats will be protected and enhanced; landscape character, heritage, views and linear nature of the network will be protected and enhanced; access to the BRN will be improved.

The Royal Docks Management Authority (RODMA) have adopted a development strategy for the next 15 years which it states its purpose is to shape the regeneration of the Royal Docks by putting the water assets first and, in doing so, increase the value of the land assets in the process.

The Mayor of London is one of the largest public sector landowners in London and, by default, Londoners. 34 parcels of this land is in the Royal Docks and surrounding area and any increase in land value due to the RODMA development strategy will benefit London as a whole.

CADP proposal will support 910 direct onsite FTE jobs in 2023 overall. For every Hectare of the Royal Dock it covers, 70 jobs will be created be created. By comparison the Chinese Business Hub opposite is of similar at 14 Hectares and it is estimated will created 20,000 jobs (1,428 jobs per hectare) Overall with development the airport will support approximately 48 jobs per ha vs 43 without.

The non statutory Royal Docks Parameters for Development Document that KGV dockside is a major opportunity site for development.
Objections National (Briefing Points)

The Airports Commission is currently reviewing aviation capacity in the South East. While the main trust of its report does not focus on smaller airports as London City Airport is in the South East it raises a number of issues. A Thames Estuary Airport would mean the closure of London City Airport (Source, NATS) and an enlarged Heathrow would mean increased aircraft movements of East London.

Governments Aviation Policy Framework on overall aviation noise is to “limit and, where possible reduce the number of people in the UK significantly affected by aircraft noise” (para 3.12)

APF states Government will treat 57db LEeq 16 hour contour as the average level of daytime aircraft noise. (significant community annoyance) It also recommends use of average noise contours.

AVP 3.20 to 3.23 refer to land us planning and management and expects local planning policies and decisions to ensure new development is appropriate for its location and the effects of pollution, including noise, on health and natural environment be taken into account.

National Planning Policy Framework (03/2102) (NPPF) is a material consideration in planning decisions and replaces most of previous national guidance.

NPPF Para. 6 and 7 state the purpose of the planning system is to contribute to the achievement of a sustainable development - economic, social, environmental. The presumption is in favour of sustainable development.
Objections Public Safety Zone (Briefing Points)

Public Safety Zone DfT circular 01/2010

Development at the airport is currently controlled by the Public Safety Zone (Crash Zone) contours published by the DfT in 2010 based on the figures submitted by London City Airport.

PSZs are based upon airport operators' projections of air traffic approximately 15 years ahead and they are updated on an approximately 7-year cycle. The CADP contours are larger than the published 2010 baseline. The change is due to the overall number of aircraft movements and type - particularly the split between scheduled and jet centre movements.

The airport based their 2009 expansion plans and received planning permission on the central assumption of 95,000 flights / 25,000 corporate jets. The CADP will change this to 107,119 scheduled flights by 2023 with 3920 corporate flights.

No noise categorisation for the 2023 fleet have been included. As required under the terms of the current Section 106 Agreement, a review of the current noise categorisation system is currently being undertaken with LBN to reassess the methodology, categories, noise reference levels, noise factors and procedures for categorisation with the objective of providing further incentives for aircraft using the Airport to emit less noise. This planning application should not have been consulted on until the environmental statement could include the findings.

Figure 7.2: Existing and revised PSZs with and without development
While the revised PSZ references a with or without development scenario, this is disingenuous. The ‘without development’ PSZ changes only because the airport are not honoring the central assumption of 95,000 flights used to get the 2009 planning permission, nor they figures submitted to the DfT for the 2010 PSZ.

Sites that will fall inside the PSZ include Thames Wharf, The Floating Village, Silvertown Quays, Connaught Bridge, Tripcock point, Albert Basin and a future ferry / bridge at Thames Gateway.

Thames Wharf (West 09) show that the with and without development PSZ’s encroach this site any redevelopment would need to take into account the PSZ contour. The CADP application says there is no relevant planning history but this is incorrect.

The scheme proposal for a new Thames tunnel at Silvertown was designated as a Nationally Significant Infrastructure Project and Thames Wharf is safeguarded for its development. Also at the Thames Wharf site is a DLR station that cannot be constructed due to the Silvertown Tunnel safeguarding.

Any diversion from the original central assumption of 95,000 scheduled flights in the 2009 planning permission will see the Thames Wharf safeguarded site encompassed in the PSZ.

Current PSZ

No CBT analysis has been carried out of the potential costs, land devaluation and loss of jobs on these sites due to an enlarged PSZ.

Critically the PSZ Value Compensation Scheme S106 2009 is still not agreed.VCS is to compensate for value lost in sites yet to be developed covered by the extension of the Public Safety Zone.

The Value Compensation Scheme time limit for a claim is 10 years from the date of the 2009 Planning permission.

Economic and social impact cannot be properly assessed until a financial value is put on the impact of the PSZ through the VCS invalidating the environmental statement.
Part 2 - Value Compensation Scheme

1. The Airport Companies shall develop in consultation with the Council and Affected Landowners and shall subsequently submit to the Council for its written approval the draft Value Compensation Scheme within 11 months of the date of this Deed PROVIDED THAT the Airport Companies shall prepare a first draft of the Value Compensation Scheme for consultation purposes within six months of the date of this Deed.

2. The Council shall either approve or refuse to approve the draft Value Compensation Scheme within 30 days of its submission by the Airport Companies pursuant to paragraph 1 of this Part and if the Council refuse to approve the draft Value Compensation Scheme the Airport Companies shall use reasonable endeavours to obtain the approval of the Council to the Value Compensation Scheme.
Part 17 - Value Compensation Scheme

1. A Value Compensation Scheme (VCS) to compensate for value that may have been lost in sites yet to be developed (including the STQ Site) covered by the extension of the Public Safety Zones ("PSZs") as a result of the Development.

2. Sites eligible for this scheme are those sites which are undeveloped at the date of this Deed and over which the increased PSZ extends for the first time as a result of permission being granted for this Application. Such sites may include any of the following:

   (a) undeveloped sites without planning permission;

   (b) undeveloped sites with the benefit of planning permission which remains unimplemented;

   (c) sites with derelict buildings and structures but without any lawful planning use;

   (d) sites with only temporary uses and temporary buildings which are required as a matter of law to cease or to be removed at the end of a temporary period.
A Claimant can apply for compensation under the VCS if at the time of grant of the Planning Permission they are:

(a) the owner of a freehold interest;

(b) the owner of a leasehold interest with a term of years comprising at least five years unexpired;

(c) the owner of another interest in the relevant site and the Council acting reasonably considers they should be included which for the avoidance of doubt shall include anyone who would be a claimant (as such expression is referred to in accordance with the provisions of the Compulsory Purchase Act 1965).

The entitlement to claim will be assignable but only in its entirety and by prior written notice to the Airport Companies. Provision will be made for publicity of the VCS to Affected Landowners.

The time limit for a claim under the VCS is 10 years from the date of the Planning Permission.

Appropriate measures will be included in the VCS to ensure that actions taken in order to enhance compensation potentially payable under the VCS (such as the creation of additional interests in land) are disregarded.

The VCS will be based on the difference in value of the relevant interest in the relevant site shown in two valuations. Both valuations will assess the open market value of the interest as at the date of claim but the first valuation will assume that the PSZ was not extended beyond its extent prior to the grant of the Planning Permission - all other valuation assumptions shall be the same and in addition, in the first valuation the valuer shall be entitled to assume that if the PSZ had not been extended other adjacent and nearby sites to the valuation site may have been developed at the time of valuation to the extent that this may affect the valuation of the site being valued.

In undertaking the VCS valuations, regard shall be had to the effect of the PSZ extension on the relevant site as a whole. In other words, any loss of development floor space caused by the PSZ extension across part of the site could have beneficial or adverse knock on effects within the remainder of the site and these should be taken into account in the valuations.

The open market value shall take account of all factors that may impact on a willing seller and a willing buyer in the open market at the date of claim. This includes the future development potential of the site and the desirability in valuation terms of implementing planning permissions extant at the time of the grant of the Planning Permission.

Compensation offered will be the difference between the values assessed with and without the extended PSZ, will be offered on reasonable terms and conditions including provisions to ensure that there is no double recovery of compensation through the exercise of statutory rights to compensation or otherwise. Full payment should be made within three months of either agreement of values between parties or three months following the determination of an independent expert.

In the alternative to the procedure described in paragraphs 5 to 8 inclusive, the owners of all relevant interests may within two years of the date of this Deed jointly agree and request a capital sum from the Airport Companies representing payment that would otherwise be due under the Value Compensation Scheme in respect of such interests PROVIDED THAT LCA shall only be obliged to pay such sum if it agrees to do so in its absolute discretion and PROVIDED FURTHER THAT the amount of the sum shall first be approved by the Council.

In the event that a claim results in compensation being paid, LCA will cover the claimant's reasonable and proper costs (both legal and agents' costs) in making the claim and entering any agreement to record the compensation.
Provision will be made in the VCS for independent expert determination of values in the event of dispute. This expert will be required to request and receive submissions from the parties to the dispute and to give a reasoned determination.
Dear Sir/Madam,

cc London City Airport
cc Jenny Bates, Friends of the Earth
cc Local Government Ombudsman
cc Information Commissioner
cc Steve Quatermain, Chief Planner, Communities and Local Government

There are grave concerns in the community on how this consultation (13/01228/FUL & 13/01373/OUT London City Airport) has been carried out and the information given to members of the public.

You are no doubt aware, that it is a well established legal principle, that if a public authority has committed to consult, it must do so properly (see R v North East Devon Health Authority ex parte Coughlan (1999) (citing R v Brent LBC ex parte Gunning (1986)).

Confusion on dates

We note the following communications contain conflicting information as to the closing date for the consultation and are of the view that individuals cannot respond effectively to the consultation (because they do not know when their responses are required to be submitted – and in one case have been informed that the consultation has already closed).

Emails sent to consultees on Thursday, 26 September 2013 given 21 days to respond to the application making the closing date for comments 16/10/13.

Letters sent to consultees on 7th of October give a closing date of 28/10/13.

Public notification on lampposts dated the 7th of October give a closing date of 28/10/13.

All notifications direct consultees to the website to respond. It shows that the consultation closing date was the 14/10/13 and site notice expiry date was 16/10/13 not the 28/10/13 as stated on site notices. (Screenshot below dated Friday 18th October 2013).

Please could you clarify under which regulations these different dates have been arrived at, and why the dates are inconsistent.

The Mayor of London has a statutory 6 week period to respond. The GLA state that the receipt date of notification was the 25th of September making the response closing date 05/11/13.

However the important dates on the application website states that the determination deadline is 25th of October 2013, a date before the Mayors statutory required date of response. Please clarify the legal basis under which the local authority has arrived at this determination date given it comes before the Mayor's response is due.

Extension to the consultation period

Given the conflicting information about the close of the consultation, and the impact this has on interested parties’ capacity to respond effectively to the consultation, I am formally requesting an extension to the consultation period [in order to clarify the confusion in the dates advertised] and allow people a fair opportunity to respond.

Given the confusion surrounding the date for the Mayor’s response, I request that the six week response time begins at this point too.
Of course, any responses already made to the consultation must be taken into account by the local authority before it responds to the consultation.

The reasons for this are as follows:

• Any consultee who received the original notification by email has been instructed that the consultation is over and any chance of response expired. This is supported by dates advertised on the website. This is not the case.

• Anyone responding to letters and public notifications with a closing date of 28/10/13 will believe that the consultation ended on the website advertised date of the site notice expiry date on 16/10/13.

• The date of the Mayor of London’s statutory consultation period should have begun on 7th of October and closed 6 weeks thereafter.

• Nowhere on the planning application website or documentation does it actually say that the closing date for responses is the 28th of October 2013.

Documentation
Up until Monday the 14th of October 2012 “Transport Assessment Volume 1” was not available, instead giving a pop up error message. While it has now been rectified and moved from the first page of documentation to the second, anyone who responded online before the 14th had no access to this key document and hence could not comment on its findings.

In addition, I understand a third party contacted you 25/09/13 regarding missing documentation online and specifically asking for a CD Rom copy. A response was not returned until the 21/1013, a month later and after the third party believed the consultation had closed as advised by Newham.(16/10/13) A CD ROM has been offered by post from the 21/10/13 giving them a consultation period of less than seven days.

I believe that the omission of a key document is a further reason why the extension to the consultation period must be granted.

Public Notification

Public notification on lamp posts dated the 7th of October give a closing date of 28/10/13.

Members of the public not responding online are invited to inspect copies of the Environmental Statement and other documents are invited to Newham Dockside and asked to book an appointment to do so.

While it is acceptable for Newham residents to attend Dockside, it is not for residents of consultee boroughs like Tower Hamlets and Waltham Forest. The belief that they have to trek to Newham, in some cases at great financial cost, deters people from viewing the documentation and responding. It also discriminates against those from other boroughs.

I attended Newham Dockside at 2pm on 10th October to view the hard copies. I did not have an appointment but did email the case officer from the site. I was refused viewing of the documents and was told the case officer was not available. I was told that the only hard copy was in Newham Building 1000.

I requested an appointment again on 11th October. I had a response from the case officer directing me to a hardcopy available in Chrissp Street Tower Hamlets and another in Woolwich. I have not yet being given an appointment to view the hard copy in Newham as required on the Notice of Application and as requested by myself.

Documents referenced like the London Plan and Newham Core strategy are not with the application online nor available in hard copy form at the Idea Store Chrissp Street. Having attended on Saturday 19th of October I was informed it was unavailable.

I have requested a full list of places where the hard copy is available for the public to view but have failed to get a response. I am not aware of any publicly available accurate information about the locations at which the Environmental Statement may be inspected.
As a resident of Tower Hamlets, and residents of all consultee boroughs, should not be expected to view an application in another borough. Information about the locations at which the statement may be inspected should be publicly available and accurate.

Emails sent to Tower Hamlets consultees and myself on Thursday, 26 September 2013 did not have access to a local hard-copy.

Again, this underlines the need for an extension to the consultation period, so that that hard copies can be made available in an efficient manner.

I am also requesting that all new Notice of Applications have details of a corresponding hard copy to view in the borough where advertised. All should include times and locations for anyone wishing to view the documents, including Newham residents who should not be required to make an appointment.

Prohibitive costs.

The request for fees of £300 for a hard copy are prohibitive and financially discriminatory especially in Tower Hamlets the poorest borough in London.

EIA regulations require that the developer must make available copies of the ES at a reasonable cost. Environmental Information Regulations 2004 means that the public can obtain copies of the document at no more than the cost of photocopying which, even at retail prices, amounts to no more than £60 for the 653 page document.

This is another reason for the requested extension to be made - together with revised fees reflecting the true cost of the hard copy and reflecting the poverty of those being asked to respond.

Disability Discrimination Act.

Responding online is prohibitive to those with a disability. It is impossible to register your objection if you were blind or partially sighted, had limited motion or learning difficulties.

Libraries and public bodies have the proper resources and utilities to help in these cases which is why hard copies must be available and advertised locally.

I believe that while the Newham Council has committed to consult, it has not done so properly as required in the case cited above.

Yours faithfully,

Alan Haughton