



Pinsent Masons

BY E-MAIL AND POST

FOR THE ATTENTION OF GARETH LEIGH
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26 October 2017

Dear Sirs

**THE FORMER MANSTON AIRPORT SITE
LETTER TO UPDATE THE PLANNING INSPECTORATE REGARDING THE PROPOSED
APPLICATION FOR A DEVELOPMENT CONSENT ORDER TO UPGRADE AND RE-OPEN
MANSTON AIRPORT**

Further to our letter to the Planning Inspectorate on 11 October 2017, this letter provides an update to the Inspectorate on various points connected to RiverOak Strategic Partners Limited's ("**RSP**") proposed application for a development consent order ("**DCO**") for its proposal for an alteration of Manston Airport by upgrading and re-opening the Airport primarily for cargo, with some passenger services.

1. Thanet District Council's emerging Local Plan

- 1.1 In our letter of 11 October 2017, we advised that Thanet District Council ("**TDC**") has been progressing its draft Local Plan for Thanet.
- 1.2 The draft Local Plan was presented to TDC's Cabinet for approval at a meeting held on 25 October 2017. At the meeting, the Cabinet considered a Report produced by TDC Officers which recommended that the Cabinet agree to the publication of the draft Local Plan and its subsequent submission to the Planning Inspectorate for Examination.
- 1.3 The Report discusses the updated evidence base to the Local Plan, including three independent reports prepared by AviaSolutions, an experienced international aviation consultancy which specialises in UK regional airports and cargo airlines and is part of GE Capital Aviation Services within the General Electric group. AviaSolutions has been appointed by TDC to inform the Local Plan evidence base in relation to the use of the former Manston Airport site (the "**Site**"). To date, AviaSolutions has prepared the following Reports that have been published on behalf of TDC:

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- 1.3.1 the first report by AviaSolutions was published in September 2016 for TDC (and is referred to in our letter of 11 October 2017), which dealt with the lack of any credible prospect of viable airport operations coming forward on the Site.
 - 1.3.2 the second report by AviaSolutions is dated August 2017 and addresses various representations made in the Local Plan process and which referred specifically to AviaSolutions' September 2016 report; and
 - 1.3.3 the third report by AviaSolutions, also dated August 2017, and which specifically analyses the reports prepared by Ms Sally Dixon of Azimuth Associates for RSP's consultation on its proposed DCO application and a representation to the draft Local Plan prepared by Northpoint Aviation Services on behalf of RSP which reviewed AviaSolutions' September 2016 report.
- 1.4 The Officers' Report records that "*AviaSolutions have reviewed the submissions made by RSP as part of the Local Plan process, and their conclusion is that, the RSP submission does not put forward "a sufficiently credible case, nor provides the evidence, for AviaSolutions to change its views on the financial viability of Manston Airport".*", and concluded that "*The recommendation to Members is therefore to continue the proposal for mixed uses on the site as part of the draft Local Plan.*"
- 1.5 TDC's Cabinet last night voted to approve the publication of the draft Local Plan (with Policy SP05 supporting a new settlement for at least 2,500 homes on the Site), and its submission for Examination following the publication period. We have **enclosed** with this letter:
- 1.5.1 Relevant extracts from TDC Officers' report to Cabinet (see in particular paragraphs 2.106 to 2.129 for discussion of the allocation of the Former Manston Airport Site);
 - 1.5.2 the two AviaSolutions Reports forming part of the updated evidence base in support of the draft Local Plan, both dated August 2017; and
 - 1.5.3 a copy of the September 2016 AviaSolutions Report for the Local Plan process if you have not previously received that.
- 1.6 It is understood that the draft Local Plan will be considered by TDC's Overview and Scrutiny Committee in November 2017, before being considered by Full Council in January 2018. Officers anticipate the 6 week publication period would then run from mid-January, with the draft Local Plan being submitted to the Planning Inspectorate by the end of March 2018.
2. **Response by RSP to our letter of 11 October 2017**
- 2.1 Thank you for providing us with a copy of your letter to RSP of 18 October 2017. We note that you have asked RSP to respond to you by 27 October 2017, addressing the points raised in our letter of 11 October 2017. We look forward to reviewing RSP's response and responding accordingly.
3. **Further material to be submitted to PINS**
- 3.1 We will shortly be writing to you further to our letter of 11 October 2017. In this letter we will provide you with:



- 3.1.1 material prepared by SHP's expert aviation consultants, York Aviation and Altitude Aviation Advisory, which reinforce the points we made in our letter of 11 October 2017; and
- 3.1.2 further detail of the significant costs being incurred by our client in connection with the DCO process, and which we will be seeking to recover, as set out in our letter of 11 October 2017.

We are intending to submit the above to the Planning Inspectorate in the next few weeks.

4. **Section 51 Advice**

- 4.1 Finally, and as noted in our letter to you of 11 October 2017, during the meeting with you on 27 September 2017, it was identified that the Planning Inspectorate's website required updating to reflect the change in applicant for the DCO. As explained in our letter (see Section 11), it is important that BDB's written correspondence from 14 March 2017 is published as either a document or as section 51 advice. Such correspondence is required in its entirety to examine further the extent to which the change in identity of the applicant was done on a transparent basis or not. Please could you provide an update as to when this outstanding section 51 advice will be published on the website?

We would like to set up a further meeting with the Planning Inspectorate to take advice in accordance with section 51 about matters relating to applying for an order granting development consent and making representations about RSP's proposed application. As previously, we consider that it would be very beneficial and most effective for understanding and advice to be obtained particularly at a time when the Planning Inspectorate is reviewing and advising RSP on a proposed application and related draft documentation.

We (including our clients) would be available to meet in Bristol at the following times:

- (a) Tuesday 14 November between 12pm – 1.30pm;
- (b) Tuesday 14 November between 3.30pm – 5pm; or
- (c) Thursday 16 November between 11am - 1pm.

We would be grateful if you could please advise whether any of these times are convenient.

Yours faithfully

Pinet Masons LLP

Enclosures:

Enclosure 1: Extracts from TDC report to Cabinet on draft Local Plan

Enclosure 2: AviaSolutions Reports (x3) prepared in connection with draft Local Plan