

Submission to PINS at 2nd deadline (6th February 2019)

TR020002

Deborah Shotton



6th February 2019

Dear Sirs

**DCO application by RSP in re the former Kent International Airport, Manston**

I would like to thank the Inspectorate for the opportunity to commit to the record my concerns regarding submissions on this matter at Deadline 1.

My major concern thus far is as follows:

There is a strong feeling among those of us who live under the proposed flight path and who are opposed to DCO application as it stands, that we have no representation from those who were elected and who are paid to look after our interests.

Roger Gale MP and Craig Mackinlay MP have both tied their colours to the mast of Manston as an airport, rather than as a brown-field development site as proposed by its current owners.

Both claim to have a mandate for this. [REDACTED] stated, at the initial withdrawal of the DCO application last year:

“The DCO consideration is long and complicated. To subject the application to further delay is tiresome and, for that majority of local people who wish to see planes flying again from Manston it is, to say the least, frustrating.”

<http://whynotmanston.org/sir-roger-gale-mp-latest-statement/>

I have yet to see, in all of the documentation I have reviewed, that there is any clear majority in favour of the airport operating as a 24/7 cargo hub. It is of enormous concern to those of us throughout this region who are opposed to the RSP's proposals that [REDACTED] believes there is a majority in favour.

Furthermore, I am of the opinion that our representatives in the House Of Commons are there to represent all our interests, to the best of their ability.

I believe that an MP who, for example, believes that toxic air quality will be a problem for his grandchildren, who live some distance remote from the proposed new Heathrow flight path, should have the same concerns for his own constituents. This is quite clearly not the case in [REDACTED]

[REDACTED] case:

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"I am not remotely unsympathetic to the concerns expressed by colleagues representing seats in west and south London. My daughter has a home in Chiswick under the flightpath to Heathrow. I am a sufficiently infrequent overnight stayer not to have become acclimatised to the air traffic, so I understand what it means, and I also have considerable concern for the quality of the air that my six-year-old grandson, Soren, will breathe during the course of his young life."

<https://www.theyworkforyou.com/whall/?id=2018-06-07a.207.2>

██████████ has made it clear that he continues to be a supporter of the airport, although initially claiming to oppose all but the most necessary of night flight operations. He claims, as does ██████████ to be supporting the majority view of his constituents.

According to a survey carried out by Thanet District Council in May 2012, they both seem to be mistaken:

"Scheduled night flights had been suggested at the airport to help increase air capacity.

But councillors decided the proposed scheduled flights would be too noisy and have too great an environmental impact.

Carole Russell, of the No Night Flights protest group, said: "We're very pleased with this result. We've been fighting against these proposals for two years.

"Now we feel as if it is all going the way of the public's vote on the consultation and that things are going well.

"We have no problem with the airport expanding and increasing daytime flights, but night flights would be too disruptive for local residents and be detrimental to health."

Another member of the group, Steve Higgins, is also delighted.

He said: "This is great news for Ramsgate, not just those in the flight path but for the town as a whole."

Thanet District council leader Cllr Clive Hart said: "Our public consultation clearly demonstrated that a large number of residents were against the introduction of night-time flying.

"Having considered the views of local people, the findings of our independent assessment and the proposals themselves, it is clear what our recommendation to council had to be."

<https://www.kentonline.co.uk/kent/news/manston-airport-night-flights-op-a64500/>

It has become increasingly clear that both Roger Gale MP and Craig Mackinlay MP each have good reason to support the development of the airport at Manston.

In Sir Roger's case, he is chair of the All Party Group for General Aviation.

Craig Mackinlay owns a dormant airline company, Mama Airlines, the aim of which was to provide passenger flights from Manston to Malaga.

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Flying in the face of the requirements of all Councils to work with the Local Plan protocols to provide housing as a matter of urgency, [REDACTED] has stated, at various times on the website, Whynotmanston.org:

“Moreover, Thanet`s housing need is already over-provided for in the local plan. Unless the Island is to become a dumping ground for London`s overspill, then house building, beyond our immediate local needs, has to be matched against employment opportunities. Taking into account this context, it is clear that there is simply no need to use land at Manston Airport for housing.”

“It is vital, in the national interest, that we recognise this and that Manston Airport in Kent is re-opened, initially as a freight hub, in the shortest time possible. Those that are seeking to resist this course of action are clearly more self-interested in property development for short-term profit than they are in the future of UK limited.”

There is plenty more of this kind of rhetoric from Sir Roger on the website.

This indicates to me that, not only is he out of touch with the views of his constituents, but that he is out of touch with the views of his own party, most particularly those of the Rt Hon James Brokenshire, who wrote to Thanet District Council last week: see attached PDF.

I would therefore ask the Examining Authority to disregard any assertions made by Sir Roger Gale in regard to local support from a majority for the RSP DCO application.

His assertions are not factual and are therefore, I believe, liable to be disregarded in any fair examination of the facts in support of, or against, the application.

Thank you for the opportunity of presenting my comments regarding the initial process. I will also be submitting representation in advance of Deadline 3.

Mrs Deborah Shotton  
Ramsgate Resident and Landlord



Ministry of Housing,  
Communities &  
Local Government

**The Rt Hon James Brokenshire MP**

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Councillor Robert W. Bayford  
Leader, Thanet District Council

28 January 2019

## **LOCAL PLAN INTERVENTION**

Following Thanet District Council's failure over many years to get a Local Plan in place, the former Secretary of State wrote to your Council, on 16 November 2017, to express his concerns. He offered an opportunity to explain any exceptional circumstances justifying the failure of your Council to produce a Local Plan and any measures you had taken or intended to take to accelerate plan publication. Following your letter of January 2018 outlining your exceptional circumstances, the former Secretary of State wrote again on 23 March 2018. He set out that he had considered your representations and the Government's Local Plan intervention policy criteria and had decided to continue with the intervention process by commissioning a team of experts led by Government's Chief Planner to provide advice on next steps.

I have carefully considered that advice on next steps and all the above matters. I have also considered correspondence sent to my Department since January 2018, including correspondence from Thanet District Council, which reported some positive actions and progress, including the publication of a Local Plan under regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, the publication of a revised Local Plan production timetable<sup>1</sup> and the submission of a Local Plan under regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Section 27(1) of the Planning and Compulsory Purchase Act 2004 ("the 2004 Act") provides:

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<sup>1</sup> The Thanet Local Development Scheme (July 2018)

“This section applies if the Secretary of State thinks that a local planning authority are failing or omitting to do anything it is necessary for them to do in connection with the preparation, revision or adoption of a development plan document.”

In view of your continuing failure to get a Local Plan in place I am satisfied that the requirements in section 27(1) of the 2004 Act are met; Thanet District Council (in its capacity as local planning authority):

- does not have an up-to-date Local Plan in place - the Council’s last Local Plan was adopted in 2006 and covered a period up to 2011.
- has failed to meet the milestones in at least five Local Development Schemes since 2006.
- has failed to plan for and deliver the homes people need in Thanet.

Section 27(2) of the 2004 Act provides:

“The Secretary of State may—

- (a) prepare or revise (as the case may be) the document, or
- (b) give directions to the authority in relation to the preparation or revision of the document.”

Pursuant to the powers in section 27(2)(b) of the 2004 Act I have decided to make a direction in relation to the preparation of the Thanet Local Plan:

Within four weeks of the date of this letter, I direct Thanet District Council to designate a lead Councillor and lead official to be responsible for progressing preparation of the Local Plan and to publish details of those designations.

In making this decision I have considered the following Local Plan intervention policy criteria<sup>2</sup>:

- **The least progress in plan-making has been made:** Out of 338 local planning authorities in England, Thanet are one of only circa 50 authorities who have not yet adopted a 2004 Act Local Plan under Regulation 26 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- **Policies in plans have not been kept up to date:** Thanet’s last Local Plan was adopted in 2006 (not under the provisions of the 2004 Act), and covered a period up to 2011. Thanet have consistently failed to bring forward a Local Plan in accordance with its Local Development Scheme as legally required, having failed to meet Local Plan milestones in at least six Local Development Schemes since 2006.

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<sup>2</sup> Local Plan intervention policy criteria were consulted on in 2016 and confirmed in the 2017 housing White Paper and the 16 November 2017 Written Statement in the House of Commons

- **There is higher housing pressure:** Thanet is within the top third of Districts in England for high housing pressure, based on average affordability ratios<sup>3</sup>. Thanet lack of a five-year housing land supply further highlights the authority's failure to plan for and deliver the homes people need.
- **Intervention would have the greatest impact in accelerating Local Plan production:** Based on Thanet's revised Local Development Scheme, it is unlikely that Local Plan production would be accelerated by my Department taking over its production. In my judgement, given the authority's track record of persistent failure in plan-making, the intervention I have decided upon will provide more certainty and is the best way of ensuring that a Local Plan will be produced in accordance with the Local Development Scheme timetable.
- **The wider planning context in each area in terms of the extent to which authorities are working co-operatively to put strategic plans in place:** Several authorities in Kent have indicated interest in joint planning but no formal arrangements are in place.
- **The wider planning context in each area in terms of the potential impact that not having a plan has on neighbourhood planning activity:** at least six communities in Thanet are preparing neighbourhood plans: Birchington, Ramsgate, Margate, Broadstairs & St Peters, Westgate and Cliffsend. Communities can bring forward neighbourhood plans in the absence of an up-to-date Local Plan, but doing so can be more challenging for communities.

Having considered Thanet's performance against the Local Plan intervention criteria, I am satisfied that intervention action is justified.

Section 15(4) of the 2004 Act provides:

"The Secretary of State may direct the local planning authority to make such amendments to the [local development] scheme as he thinks appropriate for the purpose of ensuring full and effective coverage (both geographically and with regard to subject matter) of the authority's area by the development plan documents (taken as a whole) for that area."

Pursuant to my powers in Section 15(4) of the 2004 Act, I am also directing Thanet District Council to, within eight weeks of the date of this letter, amend its Local Development Scheme (dated July 2018) to provide for the completion of a review of their Local Plan within six months of its adoption.

<sup>3</sup> Ranked 98 least affordable of 324 English Districts (Housing Affordability Statistics, Office of National Statistics, 2017)

This course of action would ensure full and effective coverage of housing provision to give clarity to communities and developers about where homes should be built.

Having considered all of the above, in my judgement, there is a compelling case for the Local Plan intervention actions I have decided upon in Thanet, pursuant to powers in sections 15(4) and 27(2)(b) of the 2004 Act. Given your recent actions and progress in meeting the requirements in the Town and Country Planning (Local Planning) (England) Regulations 2012, I have decided not to prepare the Thanet Local Plan. However I will continue to closely monitor your Local Plan progress. Should a significant delay occur against the milestones set out in your July 2018 Local Development Scheme, should you fail to comply with the directions in this letter or should your draft Local Plan fail at examination, I will consider whether to take further action to ensure that a Local Plan is put in place.

I am also, for the avoidance of doubt, now putting on public record my concerns about the low level of housing supply and delivery in Thanet. I expect planning decision-takers to have regard to these concerns as a material consideration when deciding local planning applications.

I appreciate the constructive way Thanet District Council have engaged in this process so far and I trust that you and your officers will continue to engage positively. My officials will be in touch over the next few days to discuss next steps.

**RT HON JAMES BROKENSHIRE**