



RiverOak Strategic Partners

Draft Statement of Common Ground between the Applicant and Canterbury City Council

TR020002/D4/SOCG/CCC

Examination Document

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MANSTON AIRPORT DCO [201X]

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Statement of Common Ground

Between

RIVEROAK STRATEGIC PARTNERS LIMITED

and

CANTERBURY CITY COUNCIL

RSP

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1 Introduction and Purpose

1.1 Purpose of Statement of Common Ground

- 1.1.1 This Statement of Common Ground ("SoCG") is between the Applicant and Canterbury City Council (CCC) in relation to the application for a development consent order to re-open and operate Manston airport in the district of Thanet in Kent (the 'DCO').
- 1.1.2 The Applicant submitted the DCO application to the Planning Inspectorate on 17 July 2018 and it was accepted for examination on 14 August 2018.
- 1.1.3 The Applicant and CCC are collectively referred to in this SoCG as 'the parties'. The parties have been, and continue to be, in direct communication in respect of the interface between the application and CCC's interests.
- 1.1.4 This SoCG has been prepared in response to the request for a SoCG between the parties made by the Planning Inspectorate at Annex F of its Rule 6 letter, dated 11 December 2018, and supplemented by the Rule 8 letter where an additional matter is set out at Annex B. The matters to be addressed are:
- Noise, vibration and air quality impacts on local residents.
 - Transport impact on the district's road network.
 - Air quality impact and related transport movements on the health and well-being of local residents.
 - Economic impact on the district.
 - Land quality impact.
 - Landscape and visual impact.
 - The need for, and possible content of, a Development Consent Obligation under s174 of PA2008.
- 1.1.5 It is envisaged that this SoCG will evolve during the examination phase of the DCO application.
- 1.1.6 Subsequent drafts will be agreed and issued, with the version numbers clearly recorded in the 'Document Control' table at the beginning of the document.

1.2 Canterbury City Council

- 1.2.1 CCC is a neighbouring local authority to the area within which the development is located.
- 1.2.2 CCC submitted a relevant representation to the Examining Authority.

1.3 Status of the SoCG

- 1.3.1 [This signed version of the SoCG represents the position between the Applicant and CCC at Deadline 4.]

2 Summary of Consultation

- 2.1 Consultation carried out by RiverOak and the way in which it has informed the application for development consent is set out in full in the Consultation Report (APP-075) submitted with the application for development consent.
- 2.2 CCC was included in the pre-application consultation carried out by RiverOak. CCC and RiverOak have continued direct communication in respect of the application for development consent and issues pertinent to CCC's interests throughout the examination stage.

3 Matters which are fully agreed between the parties

3.1 This section of the SoCG describes the ‘matters agreed’ in detail between the parties.

Table 3.1: Matters which are fully agreed between CCC and RiverOak

SoCG ID	Matter	Date agreed
3.1 The need for, and possible content of, a Development Consent Obligation under s174 of PA2008.		
3.1.1	<p>An agreement pursuant to section 106 of the Town and Country Planning 1990 (as amended by S.174 of the Planning Act 2008) is proposed by the Applicant to secure the economic benefits of the proposed development for East Kent. The detail of the content of the agreement will be determined through discussions with relevant stakeholders.</p> <p>The Applicant is intending to form a Local Employment Partnership Board (as with London City Airport). This Partnership Board would consist of representatives from Canterbury City Council, as well as Thanet District Council, Swale Borough Council, Dover District Council and, potentially, Kent County Council. The Partnership Board may also include other stakeholders such as Job Centre Plus, and providers of careers services for adults. The aims of this Partnership Board would be to:</p> <ul style="list-style-type: none">• Act as a conduit between the Airport Company and local, regional and national government, taking responsibility for local strategic education, training and employment issues associated with the presence of an operational Manston Airport.• Suggest initiatives that meet local need	

	<ul style="list-style-type: none"> • Bring together parties working on initiatives around the area where collaboration would have greater impact for the local community. • Allocate available funding. • Ensure suitable performance targets are set and monitor progress against these targets. <p>The Applicant is in discussion with various stakeholders to agree a wide range of initiatives that would be secured via a Section 106 Agreement. These may include:</p> <ul style="list-style-type: none"> • Preparing an Employment and Skills Plan. • Liaising with schools and HE and FE providers of apprenticeships, graduate placements, workplace training and world of work to secure placements with the Airport Operator, airlines and others in the supply chain. • Working with local HE, FE and schools to provide opportunities to learn about aviation-related careers and to raise aspirations. • Recruiting ex-employees of Manston Airport creating a database of those interested in returning to work at Manston, wishing to retrain or with a desire to pass on their skills to others. <p>The first meeting of a wide group of stakeholders took place on the 9 January 2019 with a second meeting scheduled for 20 February. A full list of potential inclusions to the Section 106 Agreement has been circulated to the group and will be discussed and augmented at the next meeting. It is hoped that following this a draft Section 106 Agreement can be circulated reflective of the various parties' preferences. The applicant's ES provides a sufficient description of the development area.</p>	
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3.2 Noise and vibration impact on local residents, in particular in Herne Bay.		
3.2.1	It is understood the noise monitoring regime will be developed further during the air space consultation.	
3.3 Transport impact on the district's road network.		
3.3.1	CCC are relying on the expertise of Kent County Council (KCC) in assessing the likely impacts of the proposed development on the local highway network within its district and identifying necessary mitigation measures and KCC have confirmed that they will be submitting a Local Impact Report, which will cover this. Notwithstanding this, any significant traffic impacts resulting from the proposed development are expected to be localised in the main. As such, it is considered unlikely that the proposed development would have any significant traffic impacts that would instigate the need for mitigation in the Canterbury district.	
3.3 Air quality impact and related transport movements on the health and well-being of local residents.		
3.3.1	CCC's Environmental Health team have commented that the air quality assessment submitted with the application does not identify any human receptors within CCC's district and raise no objections to the application on air quality grounds.	
3.4 Economic impact on the district		
3.4.1	CCC recognises that the proposal to re-open the airport would make a positive contribution to the regeneration of the East Kent economy, as well as the UK's aviation economy,	

	anticipating that in Thanet, the airport and surrounding sites will be the main generator of employment.	
3.4.2	CCC's Policy and Property and Regeneration Teams generally concur with the socio-economic assessment submitted with the application, with reference to its overall conclusions regarding impact/significance.	
3.4.3	Overall, CCC recognise the generally positive economic impacts for its district associated with the proposed development and so there is some potential for the local economy to benefit and exploit economic opportunities arising out of the proposed development.	
3.5 Land Quality and Biodiversity		
3.5	CCC are relying on the expertise of KCC and Natural England in assessing the likely ecological impacts of the proposed development on environmentally designated sites within its district and identifying necessary mitigation measures.	
3.6 Landscape and Visual Impact		
3.6.1	The Landscape and Visual Impact Assessment submitted with the application encompasses viewpoints within 5km of the application site boundary, none of which fall within CCC's district. CCC's district also falls outside of the Zone of Theoretical Visibility established within the application. The proposed development would result in a visual impact and change in landscape but given the separation distance, it is considered that this would not be significant in respect of CCC's district.	

4 Matters not agreed between the parties

4.1 This section of the SoCG describes the matters not agreed between the parties.

Table 4.1: Matters currently outstanding between CCC and RiverOak

SoCG ID	Matter	CCC position	RiverOak position
4.1 Noise and vibration impact on local residents, in particular in Herne Bay.			
4.1.1	Night time impacts at Herne Bay	<p>Review of the Environmental Statement identifies that Herne Bay is modelled as being located outside of the night time LOAEL contour of 40 dB, although part of the area of Herne Bay is located within the 80 dBLAS,Max contour.</p> <p>Although a 60 dB LASmax contour is not provided in the Environmental Statement, it is assumed all of Herne Bay is located within this contour.</p> <p>Clarification of the number of arrival night flights over Herne Bay and the number of potential awakenings is requested to enable a full assessment of the potential effects of the proposed development on CCC's district is required.</p>	<p>Agreed</p> <p>Agreed</p> <p>As stated in paragraph 12.7.40 of the ES [APP-034] in the year of maximum capacity the proposed airport is forecast to handle an average of seven aircraft movements on a typical busy night. The likelihood that an</p>

		<p>The calculation of awakenings should also include the population of the areas overflowed.</p>	<p>aircraft will fly over Herne Bay will depend on the operating conditions at the airport. The N-above contours presented in Figures 12.12 and 12.13 [APP-042] take into account take into account the number and type of aircraft and the probability that an aircraft will use a given take-off or landing route, hence they provide a good indication of the number of arrivals over Herne Bay.</p> <p>The number of potential awakenings at all communities within the study area is fully addressed in paragraphs 12.7.55 to 12.7.57 of the ES. Due to the low number of flights at night, additional awakenings are unlikely in any community surrounding the airport.</p> <p>Paragraph 12.7.57 of the ES includes dwelling counts within the N-above 60 contours.</p>
4.1.2	60 dB LASmax contour	<p>Figure 12.12 and Figure 12.13 contained in the Environmental Statement present the N-above contours for 60 dB LASmax per night for the opening year and maximum capacity respectively. For the maximum capacity the 0-1 average number of events on a typical night contour (area where there is 0 - 1 event above 80 dB LASmax on a typical night) extends to Herne Bay and the 2-4 N-above contour extends into the the Council's administrative area. The 60 dB LASmax contour is not provided in the application and would have a large footprint area. Furthermore,</p>	<p>A 60dB LASmax contour is not required to determine the significance of noise effects. A 60 dB LASmax contour would show the area that could be exposed to noise from a single aircraft at some point during the operation of Manston Airport. It would assume the loudest aircraft is operating and would take account of all potential flight paths. For the majority of the</p>

		<p>the 60 dB LASmax contour used to inform the N-above 60 dB LASMax Figure and assessments appears to be missing. It is therefore not possible to fully assess the potential effects of the proposed development on CCC's district.</p>	<p>dwellings within the contour, exposure to noise above 60 dB LASmax would be infrequent.</p> <p>Significance of noise exposure cannot be determined without also considering the frequency and regularity of the noise exposure. The N-above 60 dB LASmax contours take into account the number and type of aircraft and the probability that an aircraft will use a given take-off or landing route and are therefore the appropriate metric for understanding noise impact.</p>
4.1.3	Awakenings assessment	<p>It is noted that the human ears response to maximum sound levels is better approximated by fast time-weighting rather than slow, though aircraft noise traditionally uses slow time weighting for assessment and certification purposes and was also used in a number of the sleep disturbance noise studies that have been used to develop the awakenings assessment. This approach may lead to a slight underestimation of potential effects.</p>	<p>The dose response relationships in the Basner methodology used to predict awakenings for Manston Airport are defined in terms of the slow time weighting. Hence potential effects have not been underestimated.</p>
4.1.4	Noise insulation offered on the basis of LAeq,8hr	<p>It is noted noise insulation is offered on the basis of LAeq,8hr at night and not on potential individual aircraft noise events or awakenings and so no properties in Herne Bay would qualify for noise insulation.</p> <p>Although there are no properties within the Council's district that would qualify for noise insulation either during the day or night, it is noted the Noise Mitigation Plan (NMP) does not include provision for ventilation for residential buildings within the grant</p>	<p>Agreed</p> <p>The noise mitigation plan [APP-009] is being updated to provide more detail surrounding the noise insulation offer.</p>

		and also does not cover the full cost of the insulation and as such cannot be assumed to avoid potential significant effects on health and quality of life, closer to the proposed development.	
4.1.5	Ban on scheduled night flights of six and half hours between 23:00 and 07:00	It is noted that the Airport National Policy Statement states the government expects a ban on scheduled night flights of six and half hours between 23:00 and 07:00. It is considered that this ban on scheduled night flights of six and half hours between 23:00 and 07:00 should be included in the NMP and use of the quota count for non-scheduled (i.e. delayed departures and arrivals in the night period) flights.	<p>The Airports National Policy Statement (ANPS) provides the “<i>primary basis for decision making on development consent applications for a Northwest Runway at Heathrow Airport, and will be an important and relevant consideration in respect of applications for new runway capacity and other airport infrastructure in London and the South East of England</i>”.</p> <p>It should be noted that the ANPS requirement to provide a ban on scheduled night flights is in the context of Heathrow Expansion:</p> <p>“3.54 <i>The Heathrow Northwest Runway scheme will be accompanied by a package of measures to mitigate the impact of airport expansion on the environment and affected communities.</i>¹⁰² <i>The Government agrees with the Airports Commission’s conclusion that “to make expansion possible...a comprehensive package of accompanying measures [should be recommended to] make the airport’s expansion more acceptable to its local community, and to Londoners generally”. This is expected to include a highly valued scheduled night flight ban of six and a half</i></p>

			<p><i>hours between 11pm and 7am (with the exact start and finish times to be determined following consultation), and the offer of a predictable, though reduced, period of respite for local communities.”</i></p> <p>The noise mitigation plan [APP-009] includes a night time quota count for non-scheduled night flights. The plan will continue to be consulted upon during the DCO process.</p>
4.2 Transport impact on the district's road network.			
4.2.1	Impact on CCC's district	<p>The transport modelling appears to be silent on the impact on CCC's district. The localised modelling is limited to junctions surrounding the airport only, while the work undertaken for Highways England does not address passenger, staff and HGV movements within the district. The latter shows a 10% increase in HGV movements on the M2 (J5-6), which they regard as not significant. However, this same traffic will be (a) navigating Brenley Corner (J7,) which we understand is at capacity, and (b) using the A299 through CCC's District. Consideration also needs to be given to the potential impacts of the Lower Thames Crossing. Given the absence of passenger and staff modelling for the CCC's District, it is unclear what the scale of the impact on the A28 to Canterbury will be either.</p>	<p>The study area for the Transport Assessment submitted in support of the DCO was initially scoped with KCC Highway and Transportation. In the Pre-Examination period, the applicant has undertaken consultation with KCC and further assessment of the Development has been carried out using KCC's Thanet Strategic Transport Model. KCC has not identified the need to extend the study area beyond the modelled area.</p> <p>The traffic distribution set out in Section 6.5 of the Transport Assessment submitted in support of the DCO includes distribution assumptions to Mid Kent and the traffic flows</p>

			<p>are present in Figures 6.6 – 6.29 [APP-061]. A revised Transport Assessment is being prepared which will the KCC Thanet Strategic Transport Model flow outputs. This is expected to be provided for Deadline 4.</p> <p>The applicant is liaising with Highways England regarding the traffic impacts at M2 J7 (Brenley Corner).</p>
4.2.2	<p>Approach to modelling future traffic conditions in line with expected growth patterns and infrastructure delivery</p>	<p>KCC, in their Section 56 response as the Local Highway Authority, commented that “the approach to transport modelling within the Transport Statement is not considered to adequately assess future traffic conditions in line with expected growth patterns and infrastructure delivery”. They also commented that “the trip generation and distribution methodology presented in the Transport Assessment are heavily based on assumptions which are not adequately justified or referenced to appropriate ‘real world’ examples...this limits the ability of the Local Highway Authority to comment on their validity with a sufficient degree of confidence to assess the appropriateness of the proposed highway mitigation strategy”. The application does not appear to have addressed these matters raised by KCC.</p>	<p>In the Pre-Examination period, the applicant has undertaken consultation with KCC and agreement has been reached on the trip generation and distribution methodology.</p> <p>KCC now accept that the methodology is appropriate subject to the two minor amendments as set out below:</p> <ul style="list-style-type: none"> a) Shared taxi was removed as part of the mode share mix; and b) Arrival times for passengers have been revised so they are closer to the time of the flight departure. <p>Those amendments will be reflected in revised assessments based on the KCC Thanet Strategic Transport Model flow outputs in the revised Transport Assessment expected to be provided for Deadline 4.</p>

Signed on Behalf of RIVEROAK STRATEGIC PARTNERS LIMITED

Signature:

Name:

Position:

Date:

Signed on Behalf of the CANTERBURY CITY COUNCIL

Signature:

Name:

Position:

Date: