



RiverOak Strategic Partners

Statement of Common Ground between the Applicant and Southern Water Services Limited

TR020002/D4/SOCG/SW

Examination Document

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MANSTON AIRPORT DCO [201X]

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Statement of Common Ground relating to the Manston Airport Development Consent Order

Between

RIVEROAK STRATEGIC PARTNERS LIMITED

and

SOUTHERN WATER SERVICES LIMITED



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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**") relates to an application made by RiverOak Strategic Partners Limited ("**RiverOak**") to the Planning Inspectorate under sections 14 and 35(2) (ii) of the Planning Act 2008 ("**Act**").
- 1.1.2 The application is for an order granting development consent ("**DCO**"). The draft DCO is referred to as the Manston Airport DCO. The Manston Airport DCO, if granted, would authorise RiverOak to re-open and operate an airport on the site of the former Manston airport in the district of Thanet in Kent and associated development ("**Development**").
- 1.1.3 RiverOak submitted a DCO application to the Planning Inspectorate on the 17 July 2018 and it was accepted for examination by Planning Inspectorate on the 14 August 2018.
- 1.1.4 This SoCG has been prepared by RiverOak and Southern Water Services Limited ("**Southern Water**") in respect of the Development. In particular, this SoCG focuses on:-
- (a) the implications of the Development for wastewater, drainage, sewerage and ground water effects, confirming what the likely construction and operational drainage solution will be.
 - (b) the issue of whether the Development will give rise to any possible detriment to the carrying on of Southern Water's undertaking; and
 - (c) the adequacy of the existing draft protective provisions included at Schedule 9 of the draft DCO (**APP-006**).
- 1.1.5 The purpose and possible content of SoCGs is set out in paragraphs 58-65 of the Department for Communities and Local Government's guidance entitled "*Planning Act 2008: examination of applications for development consent*" (26 March 2015). Paragraph 58 of that guidance explains the basic function of SoCGs:
- "A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree. As well as identifying matters which are not in real dispute, it is also useful if a statement identifies those areas where agreement has not been reached. The statement should include references to show where those matters are dealt with in the written representations or other documentary evidence."*
- 1.1.6 SoCGs are therefore a useful and established means of ensuring that the evidence at the DCO examination focuses on the material differences between the main parties, and so aim to help facilitate a more efficient examination process.
- 1.1.7 The purpose of the SoCG is to set out agreed factual information about the proposed DCO application by RiverOak. It is intended that the SoCG should provide matters

on which RiverOak and Southern Water agree. As well as identifying matters which are not in dispute, the SoCG may also identify areas where agreement has not been reached.

- 1.1.8 RiverOak and Southern Water 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 Development.
- 1.1.9 It is envisaged that this SoCG will evolve during the examination phase of the DCO application.
- 1.1.10 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 The Development location and description

- 1.2.1 The Development site lies adjacent to the village of Manston, approximately 13 miles north-east of Canterbury and one mile north-west of Ramsgate. It is on the former site of Manston Kent International Airport which closed on 15 May 2014 and is within Thanet District Council and Kent County Council boundaries.
- 1.2.2 The Development site comprises approximately 749 acres of land. The area in which the proposed Development would be located comprises land to the south and north of Manston Road.
- 1.2.3 The proposed Development comprises the 'principal development' - which includes all works to provide an integrate aviation services hub with the main feature being a major international centre for air freight that is capable of handling a minimum of 10,000 air freight Air Traffic Movements per year and 'associated development', comprising other development that has a direct relationship with the principal development and is required to support its construction and/or operation.
- 1.2.1 The proposed Development comprises:
 - (a) upgrade of Runways 10/28 to allow CAT II/III operations;
 - (b) re-alignment of the parallel taxiway (Alpha) to provide European Aviation Safety Agency (EASA) compliant clearances for runway operations;
 - (c) construction of 19 EASA compliant Code E stands for air freight aircraft with markings capable of handling Code D and F aircraft in different configurations;
 - (d) installation of new high mast lighting for aprons and stands;
 - (e) construction of 65,500m² of cargo facilities;
 - (f) construction of a new air traffic control (ATC) tower;
 - (g) construction of a new airport fuel farm;
 - (h) construction of a new airport rescue and firefighting service station;

- (l) complete fit-out of airfield navigational aids (nav-aids);
- (j) construction of new aircraft maintenance / recycling hangars;
- (k) development of the Northern Grass area for airport related businesses;
- (l) demolition of the redundant 'old' ATC Tower;
- (m) safeguarding of existing facilities for museums on the site;
- (n) highway improvement works; and
- (o) extension of passenger service facilities including an apron extension to accommodate an additional aircraft stand and increasing the current terminal size.

1.3 Further details of the development can be found in Chapter 3 of the Environmental Statement which accompanies the DCO application (**APP-033**).

2 Consultation with Southern Water

2.1 RiverOak engaged with Southern Water prior to making the DCO application, including during the two rounds of statutory consultation and non-statutory consultation. RiverOak continues to engage with Southern Water regarding the Development.

2.2 Specifically, since the acceptance of the application RiverOak has sought to agree with Southern Water the form of protective provisions with to be included in the draft DCO (**APP-006**).

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.

3.1.1 Southern Water has been identified as a category 1 interest (in respect of apparatus) and a category 2 interest (in respect of rights) in respect of the following plots (the **Plots**) shown in the Book of Reference (**APP-014**) and on the Land Plans (**APP-016**):-

Category 1 interest in respect of apparatus

Plots 014, 015, 018, 028, 036, 037, 038, 039, 043, 043a, 045, 049, 050, 050b, 050c, 054, 054a, 056a, 057, 059, 070, 070a.

Category 2 interest in respect of rights arising under deeds dated 1 November 1924, 17 November 1933, 4 January 1934, 1 October 1962, 3 November 1978 and 22 September 1992.

Plots 015, 028, 038, 049, 049a, 049b, 050, 050b, 050c, 050d, 050e, 053a, 053b, 056, 061, 062, 063.

3.1.2 The DCO will, if made, authorise RiverOak to permanently acquire the Plots by way of compulsory purchase save for Plots 014, 061, 062 and 063 in respect of which

RiverOak will be entitled to acquire rights only for the purpose of the construction of new or improved approach lights and navigation aids.

- 3.1.3 Southern Water does not object to the acquisition of the Plots or of the creation of new rights in the Plots.
- 3.1.4 The draft DCO (**APP-006**) includes at Schedule 9 protective provisions for the benefit of water undertakers, including Southern Water.
- 3.1.5 The draft DCO (**APP-006**) includes Requirements (Requirements 13 and 15 in Schedule 2) which provide as follows:-

Surface and foul water drainage

13.—(1) *No part of the authorised development is to commence until for that part written details of the surface and foul water drainage plan, containing all relevant mitigation measures set out in the register of environmental actions and commitments including means of pollution control, have been submitted and approved in writing by the Secretary of State following consultation with the Environment Agency and Southern Water on matters related to their functions.*

(2) *The surface and foul water drainage system must be constructed in accordance with the approved details, unless otherwise agreed in writing by the Secretary of State following consultation with the Environment Agency and Southern Water on matters relating to their functions, provided that the Secretary of State is satisfied that any amendments to the approved details would not give rise to any materially new or materially worse adverse environmental effects in comparison with those reported in the environmental statement.*

Piling and other intrusive works

15.—(1) *No operations consisting of piling or other intrusive works (including drilling) are to commence until a risk assessment and a method statement have been submitted to and agreed in writing by the Secretary of State following consultation with the Environment Agency and Southern Water.*

(2) *Operations subject to sub-paragraph (1) must be carried out in accordance with the method statement referred to in sub-paragraph (1).*

- 3.1.6 Southern Water is satisfied with the Requirements and protective provisions included in the draft DCO (**APP-006**) and has no comments to make in respect of them.

4 Matters agreed in principle between the parties

- 4.1 This section of the SoCG describes the 'matters agreed' in principle between the parties.

Drainage strategy

- 4.1.1 The outline drainage strategy, which is set out in Appendix 8.2 of the Environmental Statement (**APP-048**) for the entire Manston site is to collect all potentially contaminated water falling on hard surfaces. This will be directed to attenuation and treatment lagoons in the north of the airport site. After passing through these lagoons, treated water will be pumped to the highest point of the site from where it will gravity drain to an outfall that discharges to Pegwell Bay. A key aspect of the drainage strategy is that infiltration of potentially contaminated water will be prevented.

- 4.1.2 The discharge to Pegwell Bay will be of clean surface water (roof drainage) and fully treated surface water and therefore does not require an Environmental Permit.
- 4.1.3 Site sewage will be directed to Southern Water's sewage network. Confirmation will be provided by Southern Water that capacity is available in its network and connections will be confirmed as complete prior to any occupation or operational use of the relevant phase of the airport development.
- 4.1.4 The relevant drainage system will automatically shut off whilst fuel is being transferred to and from tankers to the oil tank farm and manual pollution prevention measures will be implemented when transfers are made from mobile bowsers on the air side.
- 4.1.5 Firewater will be retained in site drainage pipes through the provision of oversized pipes with an automatic shut off to prevent discharge to Pegwell Bay.
- 4.1.6 Runway drainage from the operational part of the existing runway will be required to maintain the runway free of surface water. This drainage will be included in with the Development drainage scheme.
- 4.1.7 Drainage to the filter drain would be best located at the edge of the operational runway and to the airside of the main electrical ducts to avoid runoff entering electrical ducts, an investigation will take place in advance of works to prove thickness and determine if contamination is present. Final details will be agreed formally with the Environment Agency.
- 4.1.8 Southern Water has no comments to make on the outline drainage strategy.

Detriment to the carrying on of Southern Water's undertaking

- 4.1.9 The parties agree that the construction and operation of the proposed Development will not affect the undertaking carried on by Southern Water.

4.2 Matters not agreed

- 4.3 Not applicable.

Signed on [REDACTED] ERS LIMITED

Signature: [REDACTED]

Name: AFREYD MANN

Position: Director

Date: 7th March 2019

Signe

Signe

Name: VANE PRITCHARD

Position: PROPERTY SOLICITOR

Date: 7 March 2019