

# RSP

RiverOak Strategic Partners

## Applicant's Cover Letter for Deadline 4 Submissions

TR020002/D4/Cover

Examination Document

<b>Project Name:</b>	Manston Airport Development Consent Order
<b>Application Ref:</b>	TR020002
<b>Submission Deadline:</b>	4
<b>Date:</b>	8 March 2019

Mr Richard Price  
Case Manager  
The Planning Inspectorate  
Room 3/8 Eagle Wing  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Your Ref  
  
Our Ref  
ADW/166055.0003  
  
Date  
8 March 2019

Dear Richard

**Proposed Manston Airport Development Consent Order**  
**Application ref: TR020002**  
**Applicant's Deadline 4 submission - 8 March 2019 - document ref TR020002/D4/Cover**

Please find the submission of the Applicant for Deadline 4 enclosed.

This submission consists of a number of enclosures and separate documents which are submitted in response to the timetable enclosed in the Examining Authority's ('ExA') letter issued on 18 January 2019 ('Rule 8 letter') together with additional submissions heralded in the Applicant's answers to the First Written Questions and in response to other events.

The Deadline 4 submission comprises the following in addition to this letter:

**1. Comments on Written Representations and responses to comments on Relevant Representations**

1.1 The Applicant submits its comments on the written representations as a document with reference TR020002/D4/WRC together with an Appendix at TR020002/D4/WRC/Appendix. The Applicant does not consider that there are any significant additional points raised by the relevant representations, or comments on them, that are not either answered by its answers to the First Written Questions (TR020002/D3/FWQ) or in its response to written representations.

**2. Comments on Local Impact Reports**

2.1 The Applicant submits its comments on the four Local Impact Reports as a document with reference TR020002/D4/LIRC.

**Registered Office**

50 Broadway  
London, SW1H 0BL  
DX 2317 Victoria

51 Hills Road  
Cambridge, CB2 1NT  
DX 5814 Cambridge

107 Cheapside  
London, EC2V 6DN  
DX 133108 Cheapside 2

The Anchorage  
34 Bridge Street  
Reading, RG1 2LU  
DX 146420 Reading 21

47 Castle Street  
Reading, RG1 7SR  
DX 146420 Reading 21

46 The Avenue  
Southampton  
DX 38516 Southampton 3

T +44 (0)345 222 9222

W [www.bdbpitmans.com](http://www.bdbpitmans.com)



BDB Pitmans is the trading name of BDB Pitmans LLP which is a limited liability partnership registered in England and Wales with registered number OC320798. Its registered office and principal place of business is 50 Broadway, London SW1H 0BL where a list of members' names is available for inspection. BDB Pitmans LLP is authorised and regulated by the Solicitors Regulation Authority. We use the word partner to refer exclusively to a member of BDB Pitmans LLP.

**3. Comments on responses to the ExA's Written Questions**

3.1 The Applicant submits its comments on others' responses to the ExA's Written Questions as a document with reference TR020002/D4/FWQC.

**4. Comments on further information requested by the ExA received at Deadline 3**

4.1 The ExA did not request any further information for Deadline 3.

**5. Updated version of the Application Document Tracker**

5.1 A third version of the Application Document Tracker is submitted as a document with reference TR020002/D4/1.5 (clean version) and TR020002/D4/1.5T (tracked version).

**6. Updated version of the Compulsory Acquisition Status Report**

6.1 A second version of the Compulsory Acquisition Status Report is submitted as a document with reference TR020002/D4/CASR. It is in Excel format at the ExA's request.

**7. Progressed Statements of Common Ground**

7.1 **Enclosure 1** appended to this letter sets out the status of Statements of Common Ground.

**8. Any further information requested by the ExA under Rule 17 of the Exam Rules.**

8.1 The ExA has not requested any further information under Rule 17 to date.

**9. Other revised application documents**

9.1 To reflect further details of the noise mitigation that is proposed, a revised Noise Mitigation Plan is provided as document reference TR020002/D4/2.4 (clean version) and TR020002/D4/2.4/T (tracked version).

9.2 As heralded in the submission at Deadline 3, the Applicant is submitting a revised Register of Environmental Actions and Commitments, which has document reference TR020002/D4/2.5 (clean version) and TR020002/D4/2.5 (tracked version)

9.3 As the ExA is aware, the Applicant has been requested to carry out additional transport modelling using the Kent County Council (KCC) transport model. It was expected that a revised Transport Assessment (TA) would be submitted at Deadline 4. However, a number of complexities associated with the KCC model and beyond the control of the Applicant have resulted in the modelling taking longer than expected. As such it is now expected that the revised TA will be submitted at Deadline 5.

9.4 The primary issues referred to are as follows:

- the KCC model assumes delivery of a series of partially defined measures known as ‘the inner circuit’ which KCC and TDC expect to be delivered by KCC during the life of the local plan and KCC transport strategy;
- as part of the inner circuit proposals, the KCC model has assumed a route that passes through the airport site which is not possible to accommodate within the development;
- KCC has requested that the applicant tests alternative options for that route on their behalf despite the fact that the inner circuit is not necessary for the airport development.

9.5 The Applicant is cooperating with KCC on these matters despite their proposals being at a very early stage and not required as mitigation for the airport development. The TA will therefore now include a separate section showing that the section of KCC inner circuit proposal that passes the airport is deliverable using a more appropriate route that seeks to maximise the use of existing highways rather than taking development land. As noted above, the inner circuit proposals included within the KCC model do not form part of the DCO application and as such the original TA remains robust. Nonetheless, the revised TA will now demonstrate that in the event that KCC are able to deliver this scheme, the Airport proposals do not hamper their proposals in any way.

9.6 We therefore apologise for the delay in submission of the revised TA and believe that continued cooperation with KCC on highway matters will enable common ground to be reached on a number of the matters contained within their Local Impact Report in the near future.

## **10. Other documents**

10.1 As further heralded in the submission at Deadline 3, the Applicant is submitting the following additional documents:

10.1.1 a Design Guide, which has document reference TR020002/D4/DG, as heralded in the answers to First Written Questions LV.1.1, LV.1.8, LV.1.9, LV.1.11 and LV.1.14;

10.1.2 a Climate Change Adaptation Strategy Framework, which has document reference TR020002/D4/CCASF, as heralded in the answers to First Written Questions CC.1.2 and CC.1.3;

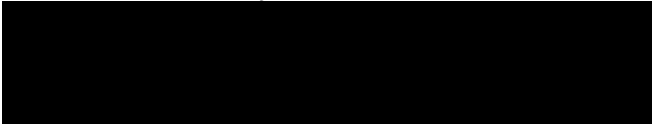
10.1.3 correspondence with the Centre for the Protection of National Infrastructure (CPNI), as heralded in the answer to First Written Question LV.1.34, is appended at Enclosure 2 to this letter. The correspondence confirms that the scheme does not constitute development covered by the CPNI.

10.1.4 updated noise contour maps, which have document reference TR020002/D4/NCM, as heralded in the answers to First Written Questions Ns.1.36.

10.1.5 data about noise exposure in DALYs, which has document reference TR020002/D4/DALY, as heralded in the answer to First Written Question Ns.1.6;

- 10.1.6 ecology noise contour maps, which has document reference TR020002/D4/ENCM, as heralded in the answers to First Written Questions Ec.1.6;
- 10.1.7 a draft (archaeological) Written Scheme of Investigation, which has document reference TR020002/D4/DWSI, in response to a request from Historic England; and
- 10.1.8 a review of Potential Noise Mitigation Measures, which has document reference TR020002/D4/RPNMM. This report is the study made by the Applicant referred to in its response to the First Written Question OP.1.1; and
- 10.1.9 Appendices 18.1 and 18.2 of the Environmental Statement, which have document reference TR020002/D4/5.2-13A which the Applicant has discovered were not included in the original Environmental Statement.

Yours sincerely



**Angus Walker**  
**Partner**  
**For and on behalf of BDB Pitmans LLP**  
T +44 (0)20 7783 3441  
M +44 (0)7973 254187  
E anguswalker@bdbpitmans.com

enc



**Enclosure 1**

**Statement of Common Ground status table**

<b>Party</b>	<b>Status</b>	<b>Document reference</b>
Avman Engineering Limited	Signed version supplied at Deadline 3.	TR020002/D3/SOCG/AE
British Gas Ltd	No SoCG being sought.	
BT Group PLC	Discussions with BT are continuing, the draft SoCG is not yet agreed. A copy of the latest draft is supplied.	TR020002/D4/SOCG/BT
Canterbury City Council	Discussions with CCC are continuing, the draft SoCG is not yet agreed. A copy of the latest draft is supplied.	TR020002/D4/SOCG/CCC
Civil Aviation Authority	Agreed version supplied at Deadline 3; signed version supplied at Deadline 4.	TR020002/D4/SOCG/CAA
Cogent Land LLP	Discussions with Cogent Land LLP are continuing, the draft SoCG is not yet agreed. A copy of the latest draft is supplied.	TR020002/D4/SOCG/CL
Defence Infrastructure Organisation	Following discussions with the Ministry of Defence, Defence Infrastructure Organisation and NATS for a SoCG relating to the High Resolution Direction Finder, the Applicant has decided that it is not necessary to conclude a separate SoCG with the DIO (or to have it as a party to an MoD SoCG) as it is part of the MoD.	
Dover District Council	Agreed version supplied at Deadline 3; signed version supplied at Deadline 4.	TR020002/D4/SOCG/DDC
Environment Agency	Agreed version supplied at Deadline 3; signed version supplied at Deadline 4.	TR020002/D4/SOCG/EA
Highways England	The matters raised by Highways England in its Written Representation are expected to be addressed as part of the updated Transport Assessment (referred to in paragraphs 9.3 to 9.6 above). There is no point in agreeing an SoCG with Highways England until this is done, but it will be progressed as soon as possible afterwards.	
Historic England	Discussions with Historic England regarding the production of a SoCG have continued. Additional information was submitted to the ExA at Deadline 3 relating to a number of concerns previously raised by Historic England and a draft Written Scheme is submitted at Deadline 4 which will need to be considered by Historic England. Historic England are aware of this and the SoCG will be agreed once they have had the chance to consider these matters.	

Kent County Council	The matters raised by KCC in its representations and Local Impact Report are expected to be addressed as part of the updated Transport Assessment (referred to in paragraphs 9.3 to 9.6 above). There is no point in agreeing an SoCG with KCC until this is done, but it will be progressed as soon as possible afterwards.	
Kent Wildlife Trust	Discussions with Kent Wildlife Trust are continuing, the draft SoCG is not yet agreed. A copy of the latest draft is supplied.	TR020002/D4/SOCG/KWT
Meteorological Office	A SoCG has been agreed between the Applicant and the Meteorological Office, although it is as yet unsigned. The agreed draft version has been supplied at Deadline 4. A signed version will be provided at Deadline 5.	TR020002/D4/SOCG/MO
Ministry of Defence (HRDF)	Discussions with the Ministry of Defence about a SoCG relating to the High Resolution Direction Finder are continuing. The Applicant's latest draft SoCG is supplied.	TR020002/D4/SOCG/HRDF
Ministry of Defence (Land)	Discussions with the Ministry of Defence for a SoCG relating to the MoD's other land interests are continuing. The latest draft SoCG is supplied.	TR020002/D4/SOCG/MOD
Natural England	Agreed version supplied at Deadline 3; a signed (and updated) version is provided.	TR020002/D4/SOCG/NE
NATS	The Applicant had created a joint SoCG with the MoD, DIO and NATS but the MoD advised on 8 March that it does not want NATS to be a party to it; the Applicant is therefore in the process of creating a separate SoCG for NATS.	
Nemo Link Ltd	Agreed version supplied at Deadline 3; signed version awaited.	
Network Rail	Agreed version supplied at Deadline 3; signed version awaited.	
Polar Helicopters Limited	Signed version supplied at Deadline 3.	TR020002/D3/SOCG/PHL





## BDB PITMANS

Public Health England	Discussions with Public Health England are continuing, the draft SoCG is not yet agreed. A copy of the latest draft is supplied. Public Health England have informed the Applicant that it is Public Health England's policy not to sign SoCGs but instead provide a signed letter from enclosing the agreed terms. It is the parties' intention that such a letter will be provided at Deadline 5.	TR020002/D4/SOCG/PHE
RAF Manston Museum	Signed version supplied at Deadline 3.	TR020002/D3/SOCG/RAF
Spitfire and Hurricane Museum	Signed version supplied at Deadline 3.	TR020002/D3/SOCG/SHM
South Eastern Power Networks	Agreed version supplied at Deadline 3; signed version supplied at Deadline 4.	TR020002/D4/SOCG/SEPN
Southern Gas Networks PLC	Agreed version supplied at Deadline 3; signed version awaited.	
Southern Water Services Limited	A signed SoCG has been agreed between the Applicant and Southern Water.	TR020002/D4/SOCG/SW
Stone Hill Park Ltd	Agreed version supplied at Deadline 4; signed version will be supplied at Deadline 5.	TR020002/D4/SOCG/SHP
Thanet District Council	TDC provided its LIR at Deadline 3 which necessitated substantial amendments to the draft SoCG. The Applicant is also submitting a significantly revised Noise Mitigation Plan at Deadline 4 which impacts on many of the issues raised in the LIR and SoCG. The Applicant has therefore not given TDC enough time to respond to a draft SoCG. Negotiations continue with the intention of agreeing the final draft SoCG for Deadline 5.	
Department for Transport	The DfT are expected to decide it is not appropriate to agree an SoCG given that the Secretary of State is the decision-maker on the application.	
UK Power Networks Services (South East) Ltd	No SoCG being sought.	
Vattenfall Wind Power Limited	Signed version supplied at Deadline 3.	TR020002/D3/SOCG/VWP



Enclosure 2

Correspondence with the CPNI

---

**From:** Chris Johnson  
**Sent:** 19 February 2019 09:13  
**To:** Barry W  
**Subject:** RE: [EXT] FW: Contact Form Submission

Morning Barry,

Thank-you for your time. Much appreciated.

Cheers

Chris

Chris Johnson  
Senior Engineer  
T +44 1636 605 700  
E chris.johnson@rpsgroup.com

-----Original Message-----

From: Barry W [mailto:barryw@cpni.gov.uk]  
Sent: 18 February 2019 10:04  
To: Chris Johnson  
Subject: [EXT] FW: Contact Form Submission

Hello Chris

The criticality of airports is set by DfT, however the new airport you describe would not be considered CNI.

Regards

Barry W  
CPNI Physical Security Advisor - Maritime & Aviation

-----Original Message-----

From: no-reply@cpni.gov.uk [mailto:no-reply@cpni.gov.uk]  
Sent: 15 February 2019 16:37  
To: Enquiries  
Subject: Contact Form Submission

Dear Admin,

Someone has filled out the website Contact form, please find the details of the submission below.

First Name: Chris

Last Name: Johnson

Email Address: chris.johnson@rpsgroup.com

Organisation: RPS

Message:

Further to my previous email I'd like to discuss the classification of a potential new airport opening within Kent to determine whether the CPNI would classify this development as 'Critical'.

RPS are working as consultant engineers on the application and would greatly appreciate some engagement with the CPNI on the classification of this asset.