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RiverOak Strategic Partners

Signed Statement of Common Ground between the Applicant and Kent Wildlife Trust

TR020002/D7/SOCG/KWT

Examination Document

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MANSTON AIRPORT DCO [201X]

Planning Inspectorate Reference: TR020002

Statement of Common Ground

Between

RIVEROAK STRATEGIC PARTNERS LIMITED

and

KENT WILDLIFE TRUST

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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 to be 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 Kent Wildlife Trust (“KWT”) in respect of the Development.
- 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 KWT 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 KWT 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. 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 role of KWT

- 1.2.1 KWT is a non-statutory consultee with a general remit of protecting wildlife across the county of Kent and with a more specific responsibility for the management of Sandwich and Pegwell Bay National Nature reserve.

1.3 The Development location and description

- 1.3.1 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.

- 1.3.2 The Development site comprises approximately 749 acres (303.1 hectares) of land. The area in which the proposed Development would be located comprises land to the south and north of Manston Road.

- 1.3.3 The proposed Development comprises the 'principal development' - which includes all works to provide an integrated 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.

- 1.3.1 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;
- (i) 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.

1.4 Further details of the development can be found in Chapter 3 of the Environmental Statement which accompanies the DCO application (**Document 5.2-1**).

2 Consultation between the parties

2.1 This section sets out the consultation between the parties to date. However, it should be noted that RiverOak and Kent Wildlife Trust are in direct communication and will continue to be throughout the examination period.

2.2 Consultation to date has included:

2.2.1 Meeting on the 18 October 2016 to discuss the project outline, general overview of biodiversity issues including European sites; discussion of potential projects that could provide opportunities to secure mitigation and biodiversity gain outside of the airport bounds; discussions regarding data held by KWT.

2.2.2 KWT consultation representation dated 11 August 2017.

2.2.3 KWT relevant representation dated 8 October 2018.

2.2.4 A teleconference between the parties on 31 January 2019 to discuss matters including, but not restricted to, those raised in the relevant representation.

3 Matters which are fully agreed between the parties

EIA Approach and Method

3.1 Kent Wildlife Trust acknowledges and agrees that the results of the EIA are appropriate as far as has been practicable, and in particular for on-site receptors that:

3.1.1 the assessment represents a reasonable “worst case” approach; and

3.1.2 the mitigation measures outlined reflect and address the worst case scenario.

3.2 Other than the issues set out below, Kent Wildlife Trust has no further comments on the Environmental Statement submitted with the DCO Application.

Surveys

3.3 Kent Wildlife Trust agrees that the scope of and methodology for the on Site surveys are appropriate.

European Sites

- 3.4 Kent Wildlife Trust advised RiverOak that Sandwich and Pegwell Bay, as a site with multiple international designations for biodiversity, cannot be considered on the same basis as the development site, and should require a minimum of 2 years of surveys.
- 3.5 Since submission of the Application, RiverOak has undertaken further ornithological survey at Pegwell Bay over the winter of 2018/19 with a single visit survey in December, and bi-monthly visits from January-March inclusive. In addition, daytime and night-time Functional Habitat Surveys were conducted twice a month from January to March 2019. The surveys are reported in the Winter Bird Survey 2018-19 Report, submitted at Deadline 6 (See Appendix Ec.2.3 of **Document REP6-014**). The 2018/19 data indicated similar distribution and numbers of birds as recorded during the 2016/17 surveys undertaken in the same months. RiverOak therefore considers it is reasonable to assume that results for the early part of the 2018/19 winter season would have been similar to the early 2016/17 winter period.
- 3.6 As a result of this further survey work the parties agree that sufficient survey data have been collected over the two survey seasons and Kent Wildlife Trust agrees that the Report to Inform the Appropriate Assessment has identified all of the likely significant effects and implications on European sites including Appropriate Assessment of the right effects i.e. those resulting from potential changes to noise, air quality and drainage.

Mitigation Measures

- 3.7 Kent Wildlife Trust has reviewed the Mitigation and Habitat Creation Plan and has no concerns.

4 Matters agreed in principle between the parties

Noise assessment

- 4.1 Kent Wildlife Trust acknowledges agreement in principal with the assessment of noise on the bird species which comprise the interest/qualification species of the Pegwell Bay and other statutory nature conservation designations. Both parties acknowledge that with regard to disturbance, birds and noise is a particularly complex issue with different species responding differently and even the same species at different sites showing variations in behaviour.

Bird Surveys

- 4.2 Kent Wildlife Trust agrees that the scope of and methodology used for the bird surveys are appropriate.

Air Quality

- 4.3 Air quality is not within Kent Wildlife Trust's expertise but it acknowledges agreement in principal with the air quality assessment.

Water Quality and Drainage

- 4.4 Kent Wildlife Trust considers that water quality and drainage are outside of its areas of expertise but, provided the Environment Agency are in agreement, Kent Wildlife Trust agrees in principal with the water quality and drainage assessment.

5 Matters not yet agreed

5.1 None.

Signed on Behalf of RIVEROAK STRATEGIC PARTNERS LIMITED

Signature:

Name:

Position: *Director*

Date: *17th May 2019*

Signed on Behalf of KENT WILDLIFE TRUST

Signature:

Name:

Position:

Date:

5 Matters not yet agreed

5.1 None.

Signed on Behalf of RIVEROAK STRATEGIC PARTNERS LIMITED

Signature:

Name:

Position:

Date:

Signed on Behalf of KENT WILDLIFE TRUST

Signature: 

Name: 

Position: *POLICY + PLANNING OFFICER*

Date: *17th MAY 2019*