

## Planning Act 2008 – section 91

### Application by RiverOak Strategic Partners Ltd for an Order Granting Development Consent to reopen and develop Manston Airport

#### Agenda for Issue Specific Hearing 7 dealing with matters relating to traffic and transport

The Examining Authority (ExA) notified Interested Parties (IPs) in its letter dated 3 May 2019 of the decision to hold an Issue Specific Hearing (ISH) into traffic and transport on the following date:

Hearing	Date and time	Location
<b>Issue Specific Hearing 7</b> Traffic and transport	<b>6 June 2019</b> <b>10.00am</b> (seating available from 9.30am)	Laurence Suite, Building 500, Discovery Park, Sandwich, CT13 9FF

#### Participation, conduct and management of hearing

This is the seventh ISH to be held in this Examination. It is being held because the ExA wishes to question the Applicant about the approach that it has taken to assessing and mitigating the traffic and transport impacts of the Proposed Development.

Oral submissions on other subject matters or from persons who are not IPs may only be heard at the discretion of the ExA.

The following IPs are invited, in particular, to attend and participate in this hearing:

- The Applicant;
- Kent County Council;
- Highways England; and
- Thanet District Council.

The named persons have been invited for the following reasons:

- As national and local authorities for the affected area.

Participation in the hearing is subject to the ExA's power to control the hearing. IPs may be invited to make oral representations at the hearing<sup>1</sup> (subject to the ExA's power to control the hearing). Oral representations should be based on the

---

<sup>1</sup> s91 Planning Act 2008

Relevant Representations or Written Representations made by the person by whom (or on whose behalf) the oral representations are made<sup>2</sup>.

However, representations made at the hearing should not simply repeat matters previously covered in a written submission. Rather, they should draw attention to those submissions in summary form and provide further detail, explanation and evidential corroboration to help inform the ExA.

The ExA may ask questions about representations or ask the Applicant or other party to comment or respond. The ExA will probe, test and assess the evidence through direct questioning of persons making oral representations. Questioning at the hearing will therefore be led by a member of the Panel, supported by other Panel members.

This agenda is for guidance only. It is not designed to be exclusive or exhaustive. The ExA may add other issues for consideration, may alter the order in which issues are considered and will seek to allocate sufficient time to each issue to allow proper consideration of them.

Any lack of discussion of a particular issue at a hearing does not preclude further examination of that issue, including through the inclusion of questions in the ExA's Fourth Written Questions (if issued).

Should the consideration of the issues take less time than anticipated, the ExA may conclude the hearing as soon as all relevant contributions have been made and all questions asked and responded to. Some of the issues identified in the agenda are by their nature overlapping. It may be the case therefore that certain questions later on in the agenda are answered by earlier questions. If this is the case the ExA will acknowledge this at the time.

If there are additional matters to be dealt with or there are submissions that take a considerable amount of time at any hearing there may be a need to continue the session for longer on the day or continue the hearing at a subsequent sitting.

Those attending the hearing are asked to note that an early item on the agenda is to deal with any requests to question a person making oral representations directly under section 94(4)(a) of the Planning Act 2008 (PA2008).

The ExA may decide to allow oral cross-questioning of one party by another, where there is clear disagreement between the parties in question, to ensure adequate testing of the representations or to ensure that each party has a fair chance to put their case.

Breaks will be taken during the hearing as directed by the ExA.

All parties should note that the agenda given below is to provide a framework for this hearing and offer discussion points; it does not constrain the ExA to specific

---

<sup>2</sup> s91 Planning Act 2008



# The Planning Inspectorate

topics. The ExA may wish to raise other matters arising from submissions and pursue lines of inquiry in the course of the discussions which are not included in this agenda.

The hearing will likely have regard to submissions already set out in (amongst others):

- Relevant Representations;
- Written Representations;
- Environmental Statement - Volume 2 - Chapters 11-16 [APP-034];
- Environmental Statement - Volume 15 - Transport Assessment (Part 1) and (Part 2) [APP-060 & APP-061] and subsequent appendices [APP-063 to APP-073];
- Revised Transport Assessment [REP5-021];
- Transport Assessment Addendum and Appendices [REP5-022];
- Revised Draft Development Consent Order [REP6-018];
- Masterplan [APP-079];
- Works Plans [APP-018];
- Updated Register of Environmental Actions and Commitments [REP4-108]
- Responses to ExA's First Written Questions and subsequent comments on them;
- Local Impact Reports (LIR) from Thanet District Council [REP3-010]; Kent County Council [REP3-143]; Dover District Council [REP3-227] and Canterbury City Council [REP3-246];
- Agreed and Draft Statements of Common Ground;
- Responses to ExA's Second Written Questions and subsequent comments on them;
- Responses to ExA's Third Written Questions;
- Addendum to the Environmental Statement [APP-033] Chapter 6 Air Quality [REP6-016]; and
- Revised Funding Statement [REP6-015].

References in square brackets [] are the unique reference number in the Examination Library. This document can be found on the National Infrastructure Planning website, here: <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-002558-Manston%20Examination%20Library%20Template.pdf>



## AGENDA

### 1. INTRODUCTIONS

### 2. OPENING REMARKS BY THE EXAMINING AUTHORITY (EXA)

Including consideration of other possible items for the agenda of the hearing.

### 3. REQUESTS TO QUESTION A PERSON MAKING ORAL REPRESENTATIONS DIRECTLY UNDER S94 OF PA2008

The ExA will consider any requests for questioning of those making oral representations at the hearing by another person under this item at the hearing.

### 4. TRANSPORT ASSESSMENT

The ExA wishes to examine the assumptions and robustness of the Transport Assessment and its subsequent revisions, including in relation to the following:

- a) Peak flows.
- b) The study area and additional junction assessments.
- c) Passenger departures.
- d) HGV movements, distribution and potential cap.

This item will draw on, *inter alia*, responses to the ExA's Second Written Questions Tr.2.10, Tr.2.11, Tr.2.14, ND.2.13, Tr.2.15 and Tr.2.20 and response to Third Written Questions Tr.3.12, Tr.3.15, Tr.3.18, Tr.3.19 and Tr.3.20.

### 5. MANSTON-HAINE LINK ROAD

The ExA wishes to explore the Applicant's case in terms of the delivery of the alternative link road, including in relation to the following:

- a) Reliance on the implementation of the alternative link road in the modelling.
- b) Whether it is necessary to secure the alternative link road in the draft Development Consent Order (dDCO) and for any impacts to be fully assessed in the Environmental Statement (ES).
- c) If it is not, whether it is necessary to provide a Transport Assessment that does not rely on the implementation of the alternative link road, with revisions to other relevant chapters in the ES, such as noise and air quality.



- d) The justification for the Applicant's conclusion [REP6-017] that the inclusion of the alternative link road would not constitute a material change to the Proposed Development.
- e) Potential impacts on the Radar Safeguarding Area, Northern Grass Area and Masterplan.
- f) Potential impacts on visual impact and on landscaping.
- g) To explore where the impacts of implementing the alternative link road have been considered in the ES.
- h) Whether any consultation has been undertaken on the alternative link road.
- i) The timing, deliverability and feasibility of the alternative link road, including landownership.
- j) Funding of the alternative link road.
- k) Related matters associated with Compulsory Acquisition and the alternative link road insofar as they have not been fully covered in the Compulsory Acquisition Hearing to be held on 4 June 2019.

This item will draw on, *inter alia*, responses to the ExA's Second Written Questions Tr.2.1, Tr.2.2, Tr.2.4, Tr.2.5, Tr.2.6, Tr.2.7 and Tr.2.8 and Third Written Questions Tr.3.1, Tr.3.2, Tr.3.3, Tr.3.4 and Tr.3.5.

## 6. OFF-SITE JUNCTION ASSESSMENT AND MITIGATION

The ExA wishes to explore the Applicant's case in terms of the delivery of off-site junction improvements, including in relation to the following:

- a) Whether the junction improvements should be regarded as associated development, whether they should be secured in the dDCO and whether any impacts should be fully assessed in the ES.
- b) The justification for the Applicant's conclusion [REP6-017] that the inclusion of the junction improvements would not constitute a material change to the Proposed Development.
- c) Whether s278 Agreements are an appropriate way of delivering the off-site junction improvements and if not, how such improvements could be secured.
- d) To explore where the impacts of implementing the junction improvements as revised have been assessed in the ES.
- e) To explore whether any consultation has taken place on the revised junction improvements and whether this is necessary.
- f) Whether the junction capacity assessments and subsequent mitigations schemes where necessary are robust, including



matters associated with site access arrangements, emergency access points and Stage 1 Road Safety Audits.

- g) The timing of delivery of junction improvements.
- h) The deliverability and feasibility of the junction improvements, including land ownership.
- i) Funding of the junction improvements.
- j) Whether financial contributions are required for the delivery of schemes being brought forward under the Draft Thanet Transport Strategy.
- k) The Register of Environmental Actions and Commitments.

This item will draw on, *inter alia*, responses to the ExA's Second Written Questions Tr.2.1, Tr.2.2, Tr.2.4, Tr.2.15, Tr.2.36, Tr.2.37, Tr.2.41, Tr.2.42, Tr.2.43, Tr.2.44, Tr.2.46, Tr.2.47, Tr.2.56 and Tr.2.57 and Third Written Questions Tr.3.6, Tr.3.7, Tr.3.8, Tr.3.9, Tr.3.10, Tr.3.11, Tr.3.22, Tr.3.23, Tr.3.24, Tr.3.25, Tr.3.26, Tr.3.27, Tr.3.28, Tr.3.29, Tr.3.30, Tr.3.31, Tr.3.32 and Tr.3.34 and Appendices Tr.2.47 and Tr.2.57 of the Applicant's response to Second Written Questions.

## **7. STRATEGIC HIGHWAY NETWORK**

The ExA wishes to examine the assumptions and robustness of the Transport Assessment and its subsequent revision in terms of the consideration of impacts on the strategic highway network, including in relation to the following:

- a) HGV trip generation.
- b) Vehicle distribution, particularly from West Kent.
- c) Vehicle routeing.
- d) The consideration of committed development.
- e) The impact on M2 Junction 7 Brenley Corner.
- f) The impact on the Whitfield roundabout.

This item will draw on, *inter alia*, responses to the ExA's Second Written Questions Tr.2.49, Tr.2.51, Tr.2.52 and Tr.2.53 and Third Written Questions Tr.3.35, Tr.3.36, Tr.3.37, Tr.3.38, Tr.3.39 and Tr.3.40 and IP representation [REP3-152].

## **8. OFF-SITE INFRASTRUCTURE IMPROVEMENTS AND AIRPORT SURFACE ACCESS STRATEGY**

The ExA wishes to explore the provision of infrastructure improvements, in relation to:

- a) Thanet Parkway railway station.



# The Planning Inspectorate

- b) Provision of a shuttle bus service to Thanet Parkway railway station and other bus services.
- c) Footways and Public Rights of Way around the site.

This item will draw on, *inter alia*, responses to the ExA's Second Written Questions Tr.2.27 and Tr.2.66 and Third Written Questions Tr.3.21, Tr.3.33 and Tr.3.41 and Kent County Council's LIR [REP3-143].

**9. PRELIMINARY CONSTRUCTION TRAFFIC MANAGEMENT PLAN, FRAMEWORK TRAVEL PLAN AND CAR PARKING MANAGEMENT STRATEGY**

Discussion and examination of the content of these documents.

This item will draw on, *inter alia*, responses to the ExA's Second Written Questions Tr.2.60, Tr.2.65 and Tr.2.68 and Third Written Questions Tr.3.42, Tr.3.43 and Tr.3.44.

**10. ANY OTHER MATTERS ARISING FROM DEADLINE 7 AND DEADLINE 7A SUBMISSIONS NOT COVERED ABOVE**

**11. ORAL REPRESENTATIONS FROM INTERESTED PARTIES WHO HAD PREVIOUSLY REQUESTED TO SPEAK**

**12. ANY OTHER RELEVANT BUSINESS**

**13. EXA'S CLOSING REMARKS AND CLOSE OF HEARING**