

MANSTON AIRPORT DEVELOPMENT CONSENT ORDER EXAMINATION
SUBMISSION TO DEADLINE 9:
Comments on Information requested by the ExA and received from the
Applicant to Deadline 8
and
Comment on Withdrawal by the Applicant of the Offer of
The Crichel Down Rules

1. Under a compulsory purchase order a UK landowner is being deprived of its land and by extension the public may also be deprived of the benefits of the use of that land.
2. As the Examining Authority will be aware, a compulsory purchase order should only be made where there is a compelling case in the public interest – in this case for the alleged reasons submitted at the time of Examination [APP-008] and amended during the Examination at [REP1-005] (the '**Scheme**').
3. The Applicant's withdrawal of its offer of the proposed addition to the draft DCO at A19 of the Crichel Down Rules some 4 weeks before the conclusion of the Examination goes directly to the heart of what really are the intentions of the Applicant.
4. If the Applicant's real intentions are to develop the proposed Scheme it alleges is a compelling case in the public interest; then the proposed addition to the draft DCO at A19 of the Crichel Down Rules should not be controversial.
5. To argue otherwise demonstrates that either the Applicant is not confident: in their abilities to deliver the proposed Scheme; and/or the proposed Scheme's viability; and/or deliverability; and/or that the Applicant's intention was never to deliver the proposed Scheme.
6. If the Applicant cannot offer any assurances of its confidence to deliver the proposed Scheme through mechanisms such as the Crichel Down Rules it is unreasonable to expect the Examining Authority to give any confidence to the Secretary of the State that the proposed Scheme can be delivered.
7. As the Examining Authority will be aware many Interested Parties have voiced real concerns that the Applicant's application is a land grab.

8. The Applicant's proposed Scheme has already negatively impacted Thanet's draft Local Plan by its delay [\[REP2-012\]](#) and [\[REP2-013\]](#) and has pushed 2500 homes onto greenfield land without infrastructure.
9. The failure of the Applicant to identify a need for public safety zones (PSZ) and the designation by the Civil Aviation Authority of a 1 in 100,000 PSZ would have significant implications for planning policy, in the district, and would need to be addressed in the proposed review of the Local Plan in the event that the DCO is granted [\[REP7a-045\]](#). This will delay our draft Local Plan even more.
10. The majority landowner has submitted plans for the regeneration of the former site. The Stone Hill Park development will deliver thousands of jobs, new homes, community and leisure facilities and acres of accessible green space to local people¹. This application remains live and under consideration.
11. As the Examining Authority will be aware Right Hon James Brokenshire recently has stated in his Local Plan Intervention letter of 28 January 2019 –
*"[I] am also, for the avoidance of doubt, now putting on public record [my] concerns about the **low level of housing supply and delivery in Thanet.** [I] expect planning decision-takers to have regard to these concerns as a material consideration when deciding local planning applications."*
12. In this respect the Crichel Down Rules exist for reasons of fairness not only for the UK landowner but also for the public and UK plc.
13. In any event, the Applicant should not be unjustly enriched for a failure to deliver the proposed Scheme.

¹ <https://planning.thanet.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=05Z2F2QE00300>