

**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 R19b
Comment on New R19C
Propose New R19d
Propose New R19e
Propose New R19f**

Comment on R19b

1. We respectfully support the Examining Authority's proposed Modification of R19b to read:

"No aircraft can take-off or be scheduled to land at night between the hours of 2300 and 0600."

A noise quota between 2300 and 0600 is therefore not an appropriate or a necessary inducement since no flights other than emergency flights and flights operated by relief organisations for humanitarian will be operating.

Comment on New R19C

2. We respectfully support the Examining Authority's addition of New R19C as follows:

"No passenger air transport departures can take place between the hours of 09.00 and 12.00 and no passenger air transport arrivals can take place between the hours of 07:00 and 08:00"

We note the Applicant has already changed these hours in its most recent submission at Deadline 8. The Examining Authority's proposed addition must be correct and stand as proposed.

The Applicant's poor management and/or attempt to avoid the true impact of vehicular movements associated with passenger flight departures or arrivals in the am peak period cannot be overlooked nor should assessments be fudged. The original Transport Assessment [APP-

61] and the revised Transport Assessment [REP5-021] do not model any vehicle movements associated with passenger flight departures or arrivals in the am peak period. The Applicant's draft DCO must be based on what has been assessed.

Propose New R19d

3. The Ricardo report for Thanet District Council submitted of 14 June 2019 recommends that Thanet District Council request that the DCO secures the limits of ATMs during the school day periods based on the analysis in Table 1 NS2.16 to ensure that the potential impacts are not worse than modeled.
4. To make a robust recommendation to the Secretary of State in the event the DCO is granted we respectfully request that the Examining Authority insert a New R.19d, which **requires the Applicant to secure the half hourly limit for ATMs during school hours within the draft DCO.**

Propose New R19e and Propose New R19f

5. We respectfully draw the Examining Authority to evidence submitted at Deadline 9¹ in which we respectfully draw the ExA attention to the Environmental Statement submitted by the Applicant at the time of acceptance [[APP-034](#)] and in particular paragraph 12.7.40. Paragraph 12.7.40 states that:
*"During the daytime period (between 07:00 to 23:00) the Proposed Development is forecast...and during **the night-time period (between 23:00 and 07:00)** it is forecast to handle **an average of seven aircraft movements** on a typical busy night" (bold added for emphasis).*
6. This forecast of **<1 flight per hour during the nighttime** (7 aircraft movements/ 8 hours) was used by the Applicant to produce noise contours submitted at [[APP-042](#)] and assessed in the ES. This ES with the

¹ Submission to Deadline 9: Comments on Information requested by the ExA and received from the Applicant to Deadline 8 and Comment on Ns.4.10 and Comment on REP8-004 and Comment on PD-018 submitted on 26 June but not up on the Planning Inspectorate site and attached herewith

forecast of <1 flight per hour during the nighttime was what was assessed and submitted by the Applicant at the time of acceptance [\[APP-034\]](#).

7. We respectfully request a New R.19e and a New R.19f to more closely align with the balance of air transport movements assessed in the ES as follows:

New R.19e

“Passenger air transport aircraft movements only during the hours of 06:00-0700”; and

New R.19f

“During the hours of 06:00-0700 there will be a passenger air transport movement limit of 1”.

Appendix

**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 Ns.4.10
and
Comment on REP8-004
and
Comment on PD-018**

PART A

Definitions in the Noise Mitigation Plan [REP8-004] and Second draft DCO PD-018

1. We respectfully request the Noise Mitigation Plan [\[REP8-004\]](#) mirror the definition of the word “*scheduled*” at R1 of the Second draft DCO [\[PD-018\]](#) and the definition of the word Scheduled be inserted as follows:
“Scheduled” means planned according to a schedule and includes both scheduled and chartered flights”

2. We respectfully reiterate our request submitted with supporting evidence at [REPX-XXX]¹ that the Noise Mitigation Plan [\[REP8-004\]](#) should reflect the fleet mix that was assessed in the ES and the definition of “*General Aviation*” be amended as follows:
*“General Aviation means light aircraft operations to be **limited to Single Propellor and Small Twin Piston light aircraft, for example Piper PA28 and PA34**, other than scheduled air services and nonscheduled air transport operations for remuneration or hire”* (bold added for emphasis).

4. We respectfully reiterate our request submitted with supporting evidence at [REPX-XXX]² that the Second draft DCO [\[PD-018\]](#) at R1 – Interpretation

¹ Five10Twelve Limited Additional Submission Comment on Examining Authority’s Second Draft Development Consent Order published 14 June 2019 sent to the Examining Authority of 21 June 2019 and attached herewith as not up on the Planning Inspectorate’s website as of today’s date.

² *Ibid*

should reflect the fleet mix that was assessed in the ES and the Second draft DCO definition of “*General Aviation*” be amended as follows:

*“General Aviation movement means landings or take-off of **light aircraft operations to be limited to Single Propellor and Small Twin Piston light aircraft, for example Piper PA28 and PA34, other than scheduled air services and nonscheduled air transport operations for remuneration or hire**”* (bold added for emphasis).

PART B

QC limits

1. We respectfully support the Examining Authority’s provision for a QC2 limit for night-time movements in the draft DCO.
2. We respectfully request that the Noise Mitigation Plan at paragraph 1.7 [\[REP8-004\]](#) be amended as follows:

*“Any aircraft which has a quota count of **4 or 8 or 16 cannot take-off or land at the airport between the hours of 2300 and 0700**”* (bold added for emphasis).

3. We respectfully request that the Second draft DCO [\[PD-018\]](#) New R9c(b) be amended as follows:

*“Any aircraft which has a quota count of **4 or 8 or 16 cannot take-off or land at the airport between the hours of 2300 and 0700**”* (bold added for emphasis).

PART C

Period 06:00-07:00 Night-Time

1. The Applicant in its Deadline 8 submission on page 6 states:
*“It is unlikely that there would be more than **five passenger flights departing during that hour [06:00-07:00 Night-Time]**...”* (bold added for emphasis).

2. There was no evidence submitted as part of the application as to what night-time noise residents will experience during the night-time period 06:00-07:00 with *5 or more passenger flights* during the hour.
3. The Applicant has not submitted evidence of a noise contour for this new period of 06:00-0700 nighttime let alone with *5 or more passenger flights* during the hour.
4. We respectfully draw the ExA attention to the Environmental Statement submitted by the Applicant at the time of acceptance [\[APP-034\]](#) and in particular paragraph 12.7.40.

Paragraph 12.7.40 states that:

*“During the daytime period (between 07:00 to 23:00) the Proposed Development is forecast...and during **the night-time period (between 23:00 and 07:00)** it is forecast to handle an average of seven aircraft movements on a typical busy night”* (bold added for emphasis).

5. This forecast of **<1 flight per hour during the nighttime** (7 aircraft movements/ 8 hours) was used by the Applicant to produce noise contours submitted at [\[APP-042\]](#) and assessed in the ES.
6. We respectfully request a further two new sub-paragraphs in the Noise Mitigation Plan [\[REP8-004\]](#) be inserted to more closely align with the balance of air transport movements assessed in the ES as follows:
 - “(1) The Operation of the airport is subject to –*
 - ...d) Limited to passenger air transport movement during the hours of 06:00-0700; and*
 - e) During the hours of 06:00-0700 there will be a movement limit of 1”.*
7. We respectfully request a further two new sub-paragraphs in the Second draft DCO [\[PD-018\]](#) R19a- airport operations be inserted to more closely align with the balance of air transport movements assessed in the ES as follows:

“(1) The Operation of the airport is subject to –

a)...

...d Limited to passenger air transport movement during the hours of 06:00-0700; and

e) During the hours of 06:00-0700 there will be a movement limit of 1”.

PART D

Annual Quota – 06:00-07:00 Night-Time

1. The noise quota is designed to encourage the use of quieter aircraft³.
2. The Applicant in its Deadline 8 submission on page 6 states:
3. “...and **unlikely** that any aircraft with a **quota count of greater than 1 would be used**” (bold added for emphasis)
4. Using the air transport movements assessed in the ES (<1 aircraft movement an hour) and on the information provided by the Applicant at Deadline 8 the Quota Count would be 1 (aircraft) X 365 (days) X 1 (aircraft with a quota count of one) = 365 Annual Quota
5. We respectfully request paragraph 1.8 of the Noise Mitigation Plan [\[REP8-004\]](#) be amended accordingly as follows:
*“1.8 The airport will be subject to an annual quota between the hours of **0600 and 0700 of 365**. Each landing and take-off at the airport during that time period is to count towards this annual quota. An aircraft is deemed to have taken off or landed during the time period if the time recorded by the appropriate ATC control unit as ‘airborne’ or ‘landed’ respectively falls within it”* (bold added for emphasis)
6. We respectfully request the Second draft DCO [\[PD-018\]](#) be amended at R.9c(a) accordingly as follows:
*“R.9c(a) The airport will be subject to an annual noise quota of **365** between the hours of 0600 and 0700”* (bold added for emphasis)

³ ERCD Report 0205 Quota Count Validation Study: Noise Measurements and Analysis White et al Paragraph 1.1 Page 1

<https://publicapps.caa.co.uk/docs/33/ERCD0205.PDF>

PART E

Annual Quota – 23:00-06:00 Night-Time

1. Pursuant to the paragraph of 1.4 of the Noise Mitigation Plan [\[REP8-004\]](#) *“an aircraft cannot take-off or be scheduled to land at night between 2300 and 0600”* and pursuant to the paragraph of 1.9 of the Noise Mitigation Plan [\[REP8-004\]](#) *“1.9 Emergency flights and flights operated by relief organisations for humanitarian reasons will not count towards the quota set in paragraph 1.7, or the cap set in paragraph 1.9 [sic], and will not be subject to the restrictions in paragraph 1.4”*.
2. The noise quota is designed to encourage the use of quieter aircraft⁴.
3. Under the noise mitigation plan and draft DCO arrivals and departures during the hours 23:00 and 06:00 are not allowed.
4. As such a noise quota between 23:00 and 06:00 is not an appropriate or a necessary inducement since no flights other than emergency flights and flights operated by relief organisations for humanitarian will be operating.

⁴ERCD, CAA Report 0205 Quota Count Validation Study: Noise Measurements and Analysis White et al, Paragraph 1.1 Page 1

<https://publicapps.caa.co.uk/docs/33/ERCD0205.PDF>