



JUNE 2019

## REPRESENTATIONS TO THE PROPOSED MANSTON AIRPORT DEVELOPMENT CONSENT ORDER APPLICATION PINS REF: TR020002

Deadline 9 Submission

Iceni Projects Limited on behalf of  
Cogent Land LLP

June 2019

ICENI PROJECTS LIMITED  
ON BEHALF OF COGENT  
LAND LLP

### **Iceni Projects**

London: Da Vinci House, 44 Saffron Hill, London, EC1N 8FH  
Glasgow: 177 West George Street, Glasgow, G2 2LB  
Manchester: 68 Quay Street, Manchester, M3 3EJ

**t:** 020 3640 8508 | **w:** [iceniprojects.com](http://iceniprojects.com) | **e:** [mail@iceniprojects.com](mailto:mail@iceniprojects.com)  
**linkedin:** [linkedin.com/company/iceni-projects](https://www.linkedin.com/company/iceni-projects) | **twitter:** @iceniprojects

REPRESENTATIONS TO THE  
PROPOSED MANSTON AIRPORT  
DEVELOPMENT CONSENT ORDER  
APPLICATION PINS REF: TR020002



---

## CONTENTS

1. INTRODUCTION.....	1
2. HIGH RESOLUTION DIRECTION FINDER (HRDF) .....	3
3. COMPULSORY PURCHASE ORDER (CPO) AND IMPACTS ON THE MANSTON GREEN ACCESS ROAD .....	6
4. NOISE IMPACTS AND ASSESSMENT .....	9
5. SUMMARY AND POSSIBLE ACTIONS FOR THE EXAMINING AUTHORITY.....	12

### APPENDICES

- A1. COVERING LETTER FOR THE S73 APPLICATION
- A2. HRDF GUIDANCE NOTE
- A3. HRDF ALTERNATIVE LOCATIONS PLAN
- A4. REVIEW OF THE MANSTON AIRPORT NOISE ASSESSMENT  
(UNDERTAKEN BY SHARPS REDMORE)

---

# 1. INTRODUCTION

- 1.1 This document has been prepared by Icení Projects Limited ('Icení') on behalf of Cogent Land LLP ('Cogent') in relation to the draft Development Consent Order (DCO) application made by RiverOak Strategic Partners Limited (the 'Applicant') for the upgrade and reopening of Manston Airport (the 'DCO Scheme').
- 1.2 It is understood that the DCO Scheme comprises the re-opening and development of Manston Airport as a dedicated air freight facility, with the potential to also offer passenger, executive travel, and aircraft engineering services.
- 1.3 Cogent are owners of a significant housing development ('Manston Green') located immediately to the east of the Airport, for which an outline application was submitted (LPA ref: OL/TH/14/0050) and subsequently approved in 2016.
- 1.4 Representations were made on the 28th March 2019 (Deadline 5 submission) on behalf of Cogent which set out a number of concerns in relation to the DCO Scheme. Oral representations to the Examining Authority (ExA) were also made at the Hearing Sessions on the 4th and 5th June 2019, a written summary of which was submitted on 14th June 2019 (Deadline 8 submission).
- 1.5 The purpose of this report is to set out a summary of the key points and concerns raised by Cogent over the DCO consultation process, provide some additional evidence to support our position and respond to the ExA's Fourth Written Questions.

## Background

---

- 1.6 Cogent are the owners of the development known as 'Manston Green', a significant strategic housing scheme located to the east of the existing Manston Airport. The outline planning consent (LPA ref: OL/TH/14/0050) description is as follows:

*"Application for outline planning permission including access for the erection of 785 dwellings, highways infrastructure works (including single carriageway link road), primary school, small scale retail unit, community hall, public openspace"*
- 1.7 A Reserved Matters application (LPA ref: R/TH/19/0499) for the approval of *"layout, scale, appearance and landscaping for the erection of 220 residential dwellings (phase 1)"* was submitted in April 2019 and is awaiting determination.
- 1.8 A Section 73 application for the removal of condition 35, in relation noise mitigation, of the outline planning permission was submitted to TDC in June 2019. The noise contours used to inform condition

---

35 were based on information contained within the 2009 Kent International Airport Masterplan (KIAM). There is no longer an operational airport and the current DCO Scheme does not reflect the KIAM.

- 1.9 When the outline application was being determined, it was appropriate to consider that the Airport was closed and its future operations were uncertain, nonetheless, a worst-case assessment was carried out based on the information available at the time. It could not have been envisaged at the time the outline consent was granted that an application for a cargo airport would come forward, nor is it right that Cogent should be accountable for mitigation (through this planning condition) of an unknown airport operation such as a cargo hub. Therefore, it is not reasonable for this condition to be imposed any longer, it is for the Airport Operator to mitigate the impacts of their operations and the powers exist for such a condition to be imposed upon any DCO that is issued for an operational airport. A copy of the covering letter to the S73 application is included at **Appendix A1**.
- 1.10 In principle, Cogent do not object to the redevelopment of Manston Airport as set out in the DCO Scheme and agree that it could be a valuable asset in boosting the regional economy through investment and employment creation. It is noteworthy that all these benefits would increase the need for additional houses to be provided in the local area, which Manston Green can contribute towards.
- 1.11 However, Cogent have been concerned that there could be impacts on the Manston Green development and have sought clarification from the Applicant on these impacts can be mitigated, however, the response from the Applicant has been insufficient. This document reiterates our concerns.

### **Report Structure**

---

- 1.12 This report is structured as follows and relates to our concerns with the DCO:
- Section 2: High Resolution Direction Finder (HRDF);
  - Section 3: Compulsory Purchase Order (CPO) and Impacts on the Manston Green Access Road;
  - Section 4: Noise Impacts and Assessment; and
  - Section 5: Summary and Possible Actions for the Examining Authority.

---

## 2. HIGH RESOLUTION DIRECTION FINDER (HRDF)

- 2.1 We understand that the Ministry of Defence (MoD) owns a small area of land within the boundary of the former Manston Airport site which contains a High Resolution Direction Finder (HRDF). This is a nationally important piece of equipment, the purpose of which is to locate transmissions from emergency transponder beacons on aircraft (military and civilian) or any military aircrew that have bailed out of their aircraft. In this role the HRDF mast serves as an integral part of a UK wide network (the UK Diversion and Distress Facility) which is used to locate aircraft or personnel and direct rescue services. Maintaining the operational effectiveness of this technical installation is therefore critical to maintaining the UK emergency response capabilities for the management of air safety incidents.
- 2.2 Currently the HRDF is located north of the existing runway and whilst the equipment itself is not cumbersome, it requires a 120m radius sterile/safeguarding zone which precludes any building within this zone. Outside of the safeguarding zone there are further zones of statutory protection which require consultation with the MoD before development can take place. The equipment and safeguarding zones are protected under the Town and Country Planning (safeguarded aerodromes, technical sites and military explosive storage areas) Direction 2002<sup>1</sup>. The DCO Scheme cannot take place without this equipment being moved to ensure the safeguarding zone and the equipment are protected, secure and functioning in its new location.
- 2.3 The relocation of the HRDF is of great concern to Cogent. Information presented at the Hearing Sessions by the Defence Infrastructure Organisation (DIO) and Deadline 8 submission indicated that the process of finding an alternative site for the HRDF has been ongoing since at least early 2018, with three alternative locations presented to the MoD in March 2018.
- 2.4 Cogent were not made aware of the need to relocate the HRDF, nor the alternative locations proposed, despite two of these locations to the east of the Airport in close proximity to Manston Green and likely to impact upon the development. In fact, it was fortunate that Cogent had a representative present at the Hearing Session on 4<sup>th</sup> June 2019 when the MoD raised concerns of the potential impacts of the HRDF relocation, as the Applicant had not consulted with Cogent.
- 2.5 Guidance on HRDF from the MoD (Chapter 6, Annex O, extract included at **Appendix A2**) shows that there are a number of constraints on development in proximity to the HRDF which need to be considered. No buildings, structures or objects of any description, including vegetation are permitted

---

<sup>1</sup> Department for Transport, (2005); Town and Country Planning (safeguarded aerodromes, technical sites and military explosive storage areas) Direction 2002

- 
- within a 120m radius of the HRDF Beacon. This also includes vehicles, machinery and plant and presumably roads.
- 2.6 There are also restrictions on development outside the 120m radius safeguarding zone whereby the height of buildings, structures or solid objects must not penetrate a surface created by a line of slope 1 in 25 commencing at ground level at the 120m radius and extending outwards from the circumference of the circle. Buildings or structures which meet this requirement should, where possible, be oriented such that the structure is at right angles to the radial from the HRDF.
- 2.7 The summary of oral representations from the MoD (Deadline 8 submission) includes a marked-up sketch showing the indicative locations for Sites 1 and 3 as alternative locations for the HRDF. From this figure, it is clear that the relocation of the HRDF to the east of the Airport could severely impact upon the Manston Green development. It was requested that the Applicant provide a plan of the precise relocation sites, including the safeguard zone, so the impact on Manston Green could be considered. This was not provided. Therefore, we have prepared a plan of the locations, that we understand are being considered, which clearly illustrates that Manston Green will be impacted. This plan is included at **Appendix A3**.
- 2.8 This figure shows that three of the proposed alternative locations for the HRDF are likely to impact upon the Manston Green development. The sites close to the gravel pit are likely to have implications for the access road and landscaping of Manston Green, as this will be located within the 120m radius exclusion zone. The third site is located within the Manston Green development boundary itself and has serious implications on the delivery of a significant proportion of the residential units as well as the access road.
- 2.9 We understand that, at no point during the discussions, were the MoD made aware of the existing planning permission associated with Manston Green, and as such also expressed concerns that the Applicant was unable to provide written evidence from the landowners confirming that the relocation of the HRDF on their land would be acceptable, (despite the Applicant claiming that discussions with the relevant parties had taken place (although we are aware this was not the case)). Within the Applicant's summary of Oral Submission at the Compulsory Acquisition Hearing (4<sup>th</sup> June) (Deadline 8 submission) it is stated that the Manston Green development is being considered as part of the alternative location selection process, however there is limited evidence so far to support this.
- 2.10 It is also noted that the MoD requires detailed technical assessments of the proposed locations to be undertaken in order to determine a suitable alternative which are yet to be provided by the Applicant. Nevertheless, it is most disappointing that the Applicant has not brought this to our attention during the discussions as this could have a significant impact on the delivery of Manston Green and the practicality of the options being proposed.
-

- 
- 2.11 Based on EASA guidance in relation to the HRDF, the Manston Green access road is considered to be an obstacle (GM ADR-DSN.M.625 Part (d), paragraph (2)). As discussed above, the Applicant has not engaged with Cogent in relation to the relocation of the HRDF and potential impacts on Manston Green, and consequently no information has been provided in relation to the types of activities which may be prohibited or how frequently access to the land will be required.
- 2.12 Consequently, further information on the locations and safeguarding zones for the HRDF have been requested from the Applicant for further consideration.



---

### 3. COMPULSORY PURCHASE ORDER (CPO) AND IMPACTS ON THE MANSTON GREEN ACCESS ROAD

- 3.1 As set out in previous submissions, Manston Green benefits from an outline consent for 785 dwellings, highways infrastructure works (including single carriageway link road), a primary school, small scale retail unit, community hall and public open space, with all matters reserved apart from access. The development's access road has planning permission and is critical to the delivery of the development. Cogent has raised concerns in relation to the CPO land which could potentially jeopardise the delivery of Manston Green through the impact on the access road.
- 3.2 Due to the proximity of the Manston Green site to the DCO application boundary a portion of the site to the west is subject to a CPO acquisition of the permanent rights over the land (as shown on sheet 4 of TR020002/APP/4.2 Land Plans)<sup>2</sup>.
- 3.3 Table 18.4 of the ES for the DCO Scheme states that *"The Manston Green site [Site ID 143] overlaps with a small section of the Proposed Development red line boundary. In this location, the Proposed Development will be used for landing lights only, and the lights are unlikely to extend to the far eastern extent of the boundary. The area of overlap in the outline masterplan for Manston Green is shown as open space and a new link road"*. It should also be noted that this is an area of land that is also required for drainage purposes and this is shown on the masterplan for Manston Green.
- 3.4 The Applicant is clear in their response to the ExA's First Written Questions (TR020002/D3/FWQ) that they are seeking the acquisition of the permanent rights to the land only<sup>3</sup>. As indicated above, this area of land is to be used for the landing lights only, however, no further information in relation to construction, maintenance and access requirements for the lights is provided within the DCO documentation. Furthermore, although the ES states that *"the lights are unlikely to extend to the far eastern extent of the boundary"* there are no detailed plans showing the exact extent of the lights. If physical infrastructure, such as the cables, columns to support the lighting etc., is required within the

---

<sup>2</sup> Available at: <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-002390-4.2%20-%20Land%20Plans.pdf> [accessed 20/06/2019]

<sup>3</sup> Ref. No. G.1.6, page 15 of the Applicant's response to the ExA's First Written Questions. Available at: <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-003366-RiverOak%20Strategic%20Partners%20-%20Response%20to%20the%20Examining%20Authority's%20Written%20Questions.pdf>

---

Manston Green boundary, this is likely to fall within permanent acquisition as these are permanent structures and require permanent land take.

- 3.5 Cogent requested that the Applicant provides more evidence on the workings of the landing lights, but this has not been provided. Cogent is concerned that without the precise information this could result in a significant risk to the delivery of the Manston Green development.
- 3.6 This section of CPO land falls within the proposed drainage area for Manston Green, and is located within Source Protection Zone 1. Appendix G of the Surface Water Drainage Strategy<sup>4</sup> submitted for the Reserved Matters application for Phase 1 of the Manston Green outline consent shows an indicative permanent / adoptable surface water sewer in this location which is required in order to deliver the Manston Green development.
- 3.7 Within the latest Book of Reference (TR020002/D7a/3.3) Cogent is recognised as a 'Category 2' party, i.e. someone known to (a) have interest in the land, or (b) has power to either (i) sell and convey the land or (ii) to release the land.
- 3.8 The text within the Table 18.4 also states that the Applicant will work with the developers of the Manston Green site (i.e. Cogent) to confirm the use of this overlapping land, but that the DCO Scheme will not impact upon the deliverability of the Manston Green development. However, there has been no attempt by the Applicant to engage with Cogent to discuss this matter further and provide clarity, and the Applicant remains dismissive of these concerns and the responses received to date in relation to this have been unsatisfactory.
- 3.9 A review of the Compulsory Acquisition Status Reports published to date (the latest dated 18<sup>th</sup> June 2019) support this, as there is no mention of any correspondence with Cogent. These reports do show evidence to consultation with David Steed (the landowner / reputed owner / occupier) dating back to February 2018 in relation to Plots 060 to 067 which overlap with the Manston Green site, the details of which are summarised as follows:

- **7<sup>th</sup> February 2018:** Letter sent to David Steed seeking to advance voluntary negotiations;
- **9<sup>th</sup> February 2018:** Call between David Steed and Elizabeth Paraskeva of the Applicant's solicitors to acknowledge the letter sent on the 7<sup>th</sup> February. David Steed states that he supports the project and clarified that part of the land shown on the PIL plan is leased from Stone Hill Park

---

<sup>4</sup> WSP, (2019); Manston Green Drainage Strategy for Reserved Matters, Appendix G. Available at: [https://planning.thanet.gov.uk/online-applications/files/A1D24115A2DEB18852475BBA1D903240/pdf/R\\_TH\\_19\\_0499-SURFACE\\_WATER\\_DRAINAGE\\_STRATEGY\\_AND\\_ASSESSMENT-666102.pdf](https://planning.thanet.gov.uk/online-applications/files/A1D24115A2DEB18852475BBA1D903240/pdf/R_TH_19_0499-SURFACE_WATER_DRAINAGE_STRATEGY_AND_ASSESSMENT-666102.pdf)

---

Limited, which was due to expire in 2018 and that he is the owner of the remainder, including the land required for the landing lights;

- **21<sup>st</sup> September 2018:** Follow up letter seeking to advance voluntary negotiations was sent to David Steed; and
- **1<sup>st</sup> March 2019:** Follow up letter seeking to advance voluntary negotiations was sent to David Steed.

- 3.10 This demonstrates that the Applicant has not discussed the CPO with Cogent despite pledging to do so. Although it appears that the Applicant has consulted with the freeholder of the land at Manston Green site, they have not had any correspondence with Cogent, despite Cogent being identified as a party with Category 2 interest within the Book of Reference.

#### **Manston Green Access Road**

---

- 3.11 In their response to the ExA's Second Written Questions, (TR020002/D6/SWQ) CA.2.15, the Applicant states that the project order limits do not overlap with the proposed access road for Manston Green. The Applicant directed Cogent to the plans provided as part of their response to the ExA's Second Written Questions (TR020002/D6/SWQ/Appendices, page 301) which, on review, were not adequate to address our query. The purpose of this drawing is not clear as there is no title, notes, drawing reference, key or annotations included. In addition, the scale bar is missing and the base mapping which has been used is unclear, and includes additional unnecessary drawing frames, resulting in a poor-quality drawing, the accuracy of which cannot be verified.

---

## 4. NOISE IMPACTS AND ASSESSMENT

- 4.1 The Applicant has provided a technical note entitled Manston Airport Noise Assessment: Examination Authority clarification item 26. A review of this work has been undertaken by Cogent's noise specialist and is included at **Appendix A4**. This review also considers the submission of by the Environmental Research and Consultancy Department (ERCD) of the Civil Aviation Authority (CAA) on behalf of the No Night Flights (NNF).

### The Flaws in the Noise Assessment

---

- 4.2 As previously stated, the noise assessment undertaken for the DCO Scheme is considered to be flawed because it does not adequately assess the noise impacts on Manston Green. Manston Green is not identified as a sensitive noise receptor within the Environmental Statement (ES), despite "*existing and proposed residential receptors*" being identified as the types of receptors being considered and is therefore not assessed accordingly within the EIA. This is considered to be a significant omission.
- 4.3 This claim was disputed by the Applicant in their response to the ExA's First Written Questions (TR020002/D3/FWQ) (Deadline 3 submission) which states that "*The environmental effects that the DCO would have on the Manston Green Development are reported in the individual chapters and the cumulative effects assessment*" however, this is clearly not the case.
- 4.4 The only reference to Manston Green is within Chapter 18 which refers to cumulative effects which concludes that Manston Green (Site ID143) would be subject to a significant adverse effect from the proposed commercial airport in Year 20. Consequently, Manston Green should have been assessed as part of the future baseline assessment scenario as a proposed residential development. This is further supported by comments from the Secretary of State (SoS) within paragraph 3.99 of the Scoping Response, which states that "*the future baseline should also consider potential changes in road/rail traffic and in housing development in the locality, e.g. such as Manston Green*". However, on review, it is clear that Manston Green has not been considered as part of the future baseline assessment. This is a significant omission, as it demonstrates that the ES is not compliant with the SoS Scoping Direction.
- 4.5 The noise contours produced by the Applicant are based on information within Chapter 12 of the ES which includes total GA movements of approx. 34,000 GA movements (26,280 ATM's during the day and 2,555 ATM's during the night-time period).

- 
- 4.6 The updated Noise Management Plan now proposes a cap on flights of 38,000 which is greater than that used to produce the noise contours. In addition, no certainty regarding the details of the fleet mix have been provided and the flight paths within the assessment not fixed.
- 4.7 Taking into account the limitations within the noise assessment and noise contours produced by Applicant the robustness of the noise contours and assessment is therefore questionable. The noise contours produced do not consider the worst-case scenario and in our view are likely to have underestimated the impact of the DCO Scheme on the Manston Green development.
- 4.8 There are a number of other interested parties with similar concerns and who have undertaken their own assessments of the worst-case scenario. The ERCD have prepared noise contours using the assumptions based on information contained within Chapter 12 of the ES and further evidence provided by the Applicant during the DCO hearing sessions on flight numbers.
- 4.9 The noise contours prepared by ERCD include both ATM's and GA flights thereby ensuring that a more accurate assessment of the noise impacts Various scenarios have been considered for both day and night-time periods and, unlike the work prepared by Applicant, considers various flight paths.
- 4.10 The noise contours produced by ERCD are useful in providing additional information to determine the impact of the DCO Scheme on Manston Green, as the Applicant had failed to do this level of detail.
- 4.11 Based on the noise contours produced by the ERCD on behalf of the NNF, considering a worst case scenario of daytime flights based on modal split 100% easterlies and night time flights based on a modal split of 100% westerlies, a significant proportion of developable space currently available at Manston Green would be lost.

### **Noise Mitigation**

---

- 4.12 The extant permission for Manston Green is subject to a planning condition preventing development in areas with unacceptable noise levels. A noise assessment was undertaken as part of the Manston Green EIA, the results of which informed the design and indicative layout of the Manston Green masterplan. This assessment was based on previous operations at Manston Airport and the information provided within the Kent International Airport Masterplan (KIAM), which used a different business model, fleet mix and flight paths to that proposed within the DCO Scheme.
- 4.13 The extant permission is subject to a number of planning conditions before it is able to be implemented. Condition 35 relates to noise impacts and states the following:

---

*"The construction of phases 1 a, 1 b, 2a, 3a and 3b as detailed on the approved phasing plan shall not commence until a scheme for protecting the development which falls within these phases from aircraft noise has been submitted to, and approved in writing by, the Local Planning Authority.*

*The scheme shall cover all of the development which has been identified to be impacted based upon the submitted aircraft noise contours 2033 -92 day summer LAeq(16 hour) submitted by the applicant on 2nd July 2015. Unless otherwise agreed in writing by the Local Planning Authority such a scheme must demonstrate that the guideline noise levels from Tables 5 and 6 of BS8233:1999 can be achieved. Any dwelling requiring noise protection shall not be occupied until all works which form part of the approved scheme have been completed in respect of that dwelling. The approved works shall thereafter be retained.*

*REASON: In the interests of the amenities of residential dwellings in close proximity to Manston Airport and the A256 Haine Road, in accordance with National Planning Policy Framework paragraph 17."*

- 4.14 As stated above, the noise assessment for the outline consent was based on the previous operations at Manston Airport set out in the 2009 KIAM, not the DCO Scheme. The significant material change in circumstances since the condition was imposed have resulted in this condition no longer being reasonable and in accordance with paragraph 56 of the NPPF. On this basis, a Section 73 application has been submitted to TDC to request this condition is removed, a copy of the covering letter is included at **Appendix A1**.
- 4.15 Once condition 35 of the Manston Green consent is removed, then there will be no requirement on the developer of Manston Green to carry out the noise mitigation measures to protect future residents. In this case Manston Green should be considered similarly to existing noise sensitive receptors and the noise mitigation plan (Rep-005) (June 2019) should apply to all future properties.

---

## 5. SUMMARY AND POSSIBLE ACTIONS FOR THE EXAMINING AUTHORITY

- 5.1 Cogent have been clear that they do not object to the principle of the DCO Scheme, however, there are a number of serious concerns in relation to the relocation of the HRDF, the CPO process and the noise assessment and mitigation which need to be addressed.

### 1. HRDF

- 5.2 Cogent were not made aware of the need to relocate the HRDF, nor the alternative locations proposed, despite the potential for these to impact upon the deliverability of Manston Green, including the access road. The 120m safeguarding zone for the HRDF intersects the Manston Green redline boundary for three of the proposed locations. As no buildings or structures (including vegetation) are permitted within this area, and there are further restrictions to buildings and structures beyond it, all three of these locations have the potential to significantly impact upon the delivery of Manston Green through impacts on the development area (i.e. reduction in residential units) as well as the access road which is a fundamental to the deliverability of the development.
- 5.3 Further information on the locations and safeguarding zones in relation to the HRDF have been requested from the Applicant for further consideration. However, Cogent are extremely disappointed that the Applicant has not engaged with them on this process to date given the potentially significant impacts on the delivery of Manston Green.
- 5.4 **The ExA will need to request that the Applicant resolves this matter before the 9<sup>th</sup> July. At present Cogent do not agree to have the HRDF on their land and will strongly resist it being in close proximity to the Manston Green development where it could potentially limit the development.**

### 2. The Access Road and CPO

- 5.5 Cogent has repeatedly raised concerns regarding the potential for the acquisition of land to impact upon the deliverability of Manston Green. There has been no attempt by the Applicant to engage with Cogent to discuss this matter and provide further clarity.
- 5.6 The land in question is located within Source Protection Zone 1 and is allocated for a permanent / adoptable surface water sewer within the Surface Water Drainage Strategy for Phase 1 of the development (as detailed within the reserved matters application submitted in April 2019). Details as to the exact requirements of the land rights, including any access and maintenance needs, are extremely vague. Furthermore, if physical infrastructure is required within the redline boundary for Manston Green, this would fall within permanent acquisition and land take rather than permanent

---

rights and could, again, have significant impacts on the delivery of Manston Green, including the access road.

- 5.7 The plans provided by the Applicant to date in relation to this were insufficient to relieve these concerns due to their poor quality and that the accuracy of the drawings could not be verified.
- 5.8 **We ask that the ExA request the Applicant to provide further details into the nature of the CPO acquisition, including a detailed plan of the of the exact boundary of the land required and information on the potential access and maintenance arrangements and that the Applicant engages with Cogent on compensation matters relating to the CPO of this land.**

### 3. Noise

- 5.9 Manston Green is not identified as a sensitive noise receptor within the ES for the DCO Scheme, however, we feel it should have been considered as part of the future baseline as it benefits from extant planning permission and located less than 1km from the Airport.
- 5.10 The likely significant effects of the fully operational DCO Scheme have not been assessed in respect to noise. This omission suggests that the noise assessment undertaken within the EIA is flawed, and consequently calls into question the validity and robustness of the conclusions and recommendations presented within the EIA. Furthermore, there have been several updates to the fleet mix and operations identified since the ES was completed in 2018, however no further assessment on the impacts of these amendments has been undertaken.
- 5.11 We believe that further assessment is required in order to fully understand the impacts on Manston Green and identify any requirements for mitigation.
- 5.12 **We believe that the information and assessments undertaken in support of the DCO to date are not sufficient to enable the ExA to make an informed decision in relation to this DCO application. In addition to the points raised above, there is a significant degree of uncertainty in relation to key pieces of information, including the fleet mix and flight paths which require further assessment in order for this application to be sufficiently robust to inform a decision. The ExA should request that the Applicant undertakes further assessment of the worst-case scenarios and that the impacts are appropriately mitigated. A condition on the grant of the DCO should ensure that all dwellings within the Manston Green development that require mitigation is provided by the Applicant.**



---

## **A1. COVERING LETTER FOR THE S73 APPLICATION**



Da Vinci House  
44 Saffron Hill  
London EC1N 8FH  
tel: +44 (0)20 3640 8508  
fax: +44 (0)20 3435 4228  
email: [info@iceniprojects.com](mailto:info@iceniprojects.com)  
web: [www.iceniprojects.com](http://www.iceniprojects.com)

Thanet District Council  
Cecil Street  
Margate  
CT91XZ

26<sup>th</sup> June 2019

Dear Sir/Madam,

**SECTION 73 APPLICATION FOR REVISION TO PLANNING PERMISSION AT LAND EAST AND WEST OF HAINE ROAD (REF: OL/TH/14/0050)**

---

On behalf of the applicant, Cogent Land LLP, we hereby submit an application under Section 73 of the Town and Country Planning Act 1990 (as amended) to remove condition 35 of planning permission reference OL/TH/14/0050, granted on 13<sup>th</sup> July 2016.

The extant outline consent is for the erection of 785 dwellings, highways infrastructure works (including single carriageway link road), primary school, small scale retail unit, community hall and public open space.

This covering letter has been submitted alongside the relevant application forms and ownership certificates. The requisite application fee of £254 has also been submitted via bank transfer to the Planning Portal.

The amendments that are being proposed by virtue of this application relate to the removal of Condition 35 of this permission.

**a. Context**

---

As stated in paragraph 56 of the National Planning Policy Framework (2018) (NPPF), planning conditions should only be imposed where they are:

- Necessary;
- Relevant to Planning;
- Relevant to the development to be permitted;
- Enforceable; and
- Precise and reasonable in all other respects.

It is therefore important that, when considering whether the proposed amendments are acceptable, the conditions to which the amendments related must first be assessed against these six tests.

It is important to note that this section 73 application allows the LPA to consider the question of the conditions subject to the planning permission, in this instance conditions 35 of permission OL/TH/14/0050 but it cannot revisit the principle of the development which has been granted.

### **Condition 35**

Condition 35 states:

*“The construction of phases 1 a, 1 b, 2a, 3a and 3b as detailed on the approved phasing plan shall not commence until a scheme for protecting the development which falls within these phases from aircraft noise has been submitted to, and approved in writing by, the Local Planning Authority.*

*“The scheme shall cover all of the development which has been identified to be impacted based upon the submitted aircraft noise contours 2033 -92 day summer LAeq(16 hour) submitted by the applicant on 2nd July 2015. Unless otherwise agreed in writing by the Local Planning Authority such a scheme must demonstrate that the guideline noise levels from Tables 5 and 6 of BS8233:1999 can be achieved. Any dwelling requiring noise protection shall not be occupied until all works which form part of the approved scheme have been completed in respect of that dwelling. The approved works shall thereafter be retained.*

*“REASON: In the interests of the amenities of residential dwellings in close proximity to Manston Airport and the A256 Haine Road, in accordance with National Planning Policy Framework paragraph 17.”*

### **b. Justification**

---

#### **Background**

Manston Green, comprises 47.7ha and is located approximately 1km to the east of the Manston Airport runway. The Airport related noise assessment which was undertaken to support the Manston Green planning application (LPA Ref: OL/TH/14/0050 ) EIA was based on previous operations at Manston Airport and specifically, the noise levels were based on information contained within the 2009 Kent International Airport Masterplan (KIAM). There is no longer an operational airport at Manston Airport, and although RiverOak Strategic Partners Ltd (RSP) have applied for a Development Consent Order (DCO) for the upgrade and reopening of Manston Airport for the provision of air cargo services, these operations are not in line with the previous 2009 KIAM and therefore, the basis for which this condition was imposed no longer exists.

#### **Removal of Condition 35**

In relation to condition 35, the Officer's report to the planning committee for the outline application stated:

*“the airport is currently closed and its future is still uncertain. Nonetheless, it is necessary to assume that the airport could be operational again in the future, and to therefore have regard to the potential impacts upon the living conditions of future residents from the noise of aircraft”*

When the outline application was being determined, it was appropriate to consider that the airport was closed and its future operations were uncertain, nonetheless, a worst case assessment was carried out based on the information available at the time. It could not have been envisaged at the time the outline consent was granted that an application for a cargo airport would come forward, nor is it right that Cogent should be accountable for mitigation (through this planning condition) of an unknown airport operation such as a cargo hub. Therefore, it is not reasonable for this condition to be imposed any longer, it is for the Airport Operator to mitigate the impacts of their operations and the powers exist for such a condition to be imposed upon any Development Consent Order (DCO) that is issued for an operational airport.

Furthermore, this condition is no longer relevant to the development permitted, and it is not enforceable, as the assessed airport operations do not exist and do not form part of the current

proposals. The Manston Green EIA noise contours were based on previous operations at Manston Airport, which used a different business model, fleet mix and flight paths to that proposed as part of the DCO application for the upgrade and reopening of Manston Airport.

The committee report for the Manston Green outline application states that the Environment Health Officer raised no objections on airport noise. The report stated:

*“Airport noise raises no objection. - the information provided by the applicant, based on the airport operations of the last airport operator demonstrates that they have the ability to provide adequate mitigation measures. The applicant has adopted a worst-case position based on the future aspirational operational targets of the last airport operators using the measured level of noise from the airport in 2013, 2010 worst-case noise contours and the future masterplan published by the last airport operator. Due to the current situation at Manston Airport there is an unknown potential for change in the future operation. It would be difficult for the applicant to devise a strategy to demonstrate future impacts and subsequent mitigation measures against any unknown alterations to the last operators masterplan. In short the applicants have demonstrated that they can mitigate within the known and previous aspirational aviation.”*

This reinforces the point that the purpose and intention of this condition was to provide mitigation to the 2009 KIAM operations and it was not intended to mitigate an unknown operation of the Airport.

At the time the outline consent was granted, the Council recognised that Cogent had reasonable assessed the Airport noise based on the information available. However, there has been a significant material change in circumstances that has resulted in the condition no longer being reasonable.

The current condition is consequently not compliant with paragraph 56 of the NPPF (2019), as detailed above. On this basis, it is right that condition 35 is removed from the planning permission.

I trust that the information provided is sufficient for you to assess the requests to remove the condition as set out above. However, should you require any more information, or if you would like to discuss any aspect of the application, please do not hesitate to contact me.

Yours faithfully,

Eilish Smeaton  
Director, EIA and Planning

cc. Cogent Land LLP

---

## **A2. HRDF GUIDANCE NOTE**

## Chapter 6, Annex O - UHF/VHF Direction Finding (DF)

### FIXED DF STATIONS WITH COUNTERPOISE - INCLUDING HRDF 2030

#### Within a 120 metre (400 feet) radius circle

1. Except as provided for in paragraphs 3 and 4, no buildings, structures, or objects of any description, other than those forming part of the authorised GRI or required for maintenance of the GRI, are permitted on land within a circle of radius 120 m (400 ft), centred on the UHF or VHF/UHF DF building, if their height would penetrate a surface commencing at the edge of the DF counterpoise and sloping downwards to the nearest point at ground level on the circumference of the circle.
2. No overhead metal cable or metal pipe is to be suspended in the airspace above the surface described in para 1 above.
3. The height of vegetation within the 120 m (400 ft) radius circle is not to exceed that of the surface described in paragraph 1 above, or 250 mm, whichever is the greater.
4. Vehicles, machinery or plant are not to be used on land within the 120 m (400 ft) radius circle unless the consent of the responsible officer has been previously obtained. Other than in the case of vehicles used in maintenance of the GRI, such consent is not to be given if the vehicle, machinery or plant concerned would, at any time whilst the GRI is in operation, remain stationary within the area.

**NOTE** - *For Statutory Safeguarding Map purposes the area within a 120m circle will be shown as 'Any Development or Change of Use of Land'.*

#### Outside the 120 metre (400 feet) radius circle

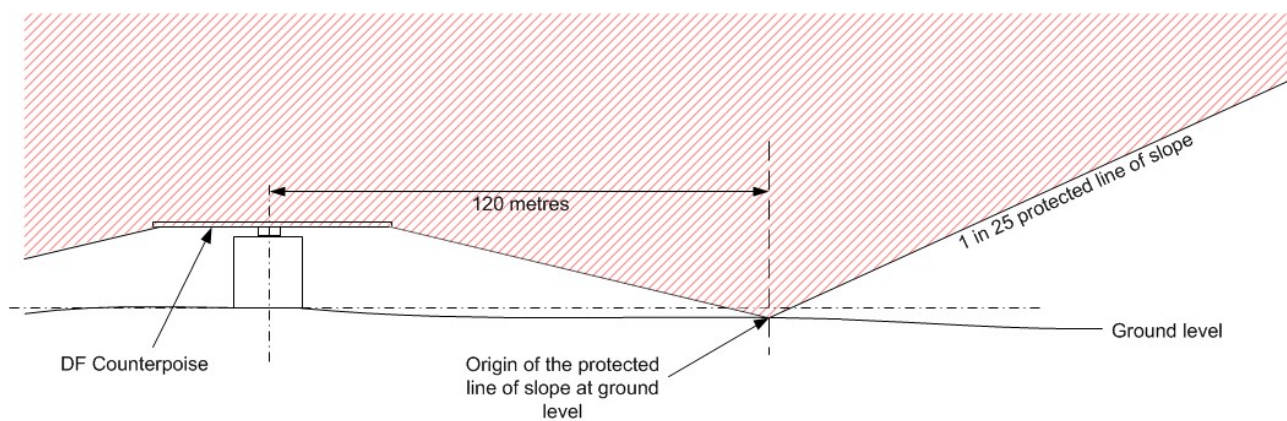
5. Outside the 120 m (400 ft) radius circle, the height of buildings, structures, or solid objects is not to penetrate a surface created by a line of slope 1 in 25 commencing at ground level at the 120 m radius, and extending outwards from the circumference of the circle. A building or metal structure which meets this requirement is, where possible, to be orientated so that the side of the building or structure facing the UHF or VHF/UHF DF building is at right angles to the radial from the UHF or VHF/UHF DF building.

**NOTE** - *For Statutory Safeguarding Map purposes the outer annular zone is bounded by circles of 120m and 1.5km radius. This mapping zone does not reduce or override the stated site restriction.*

**NOTE** - *For Statutory Safeguarding Map purposes the requirement to manage the orientation of compliant buildings will not be represented on safeguarding maps.*

**NOTE** - *For Statutory Safeguarding Map purposes trees, vegetation, vehicles, machinery and plant are not considered. Where objects (or static objects) are mentioned the term 'Works' will be cited in the relevant safeguarding plan consultation criteria.*

**NOTE** - *For Statutory Safeguarding Map purposes for all circle zones the radius originates from the centre of the array or individual antenna points.*



**Chapter 6, Annex O, Figure 1 - Site Restrictions for fixed DF sites**

### Concessions To Restrictions

6. Any application for a concession on the foregoing restrictions is to be made in accordance with the instructions contained in Chapter 3 of this publication.

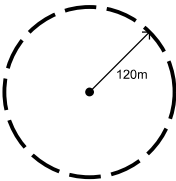
---

### **A3. HRDF ALTERNATIVE LOCATIONS PLAN**

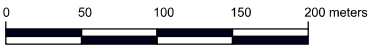




- Application area 49.7HA
- Residential area  
(including 0.4HA Local Areas of Play)
- Primary School
- Strategic open space
- Community Centre / Archaeological Interpretation Centre
- Area to accommodate existing (retained) airport landing lights and proposed drainage area
- Manston Airport Order Limits



HRDF Potential Locations - Illustrative  
Showing 120m radius safeguard area



Client		DA VINCI HOUSE, 44 SAFFRON HILL LONDON EC1N 8FH		
Cogent Land LLP		T.	+44(0)20 7017 1785	
		W.	Info@pauldrewdesign.co.uk	
Project		Manston Green, Haine Road Thanet		ICENI PROJECTS LTD
		Job Ref.	Job Ref	Drawn NM
Drawing Title		Scale	1:5000@A3 1:2,500@A1	Date 26.06.2019
HRDF Potential Locations - ILLUSTRATIVE		Drawing no.		Rev

---

#### **A4. REVIEW OF THE MANSTON AIRPORT NOISE ASSESSMENT (UNDERTAKEN BY SHARPS REDMORE)**



**Reference:** Manston Green

**Project No:** 1918735

**Date:** 27 June 2019

## Technical note

Re: Manston DCO Application – Updated Noise Comments

### 1.0 Introduction and Background Information

- 1.1 Sharps Redmore (SR) have been instructed to carry out a review of the noise evidence submitted for the Development Consent Order (DCO) application to reopen and develop Manston Airport into a dedicated air freight facility, which also offers passenger, executive travel and aircraft engineering services.
- 1.2 SR has previously considered the noise evidence provided by the applicant, River Oak Strategic Partners Ltd (RSP), which was provided in the Chapter 12 of the Environmental Statement (ES), submitted in July 2018. This note concluded that further information was required on the number of ATM's used in the assessment and the impact of noise from the proposed development on the consented application for a residential scheme at Manston Green to the east of the airport.
- 1.3 The noise assessment original carried out by RSP (Chapter 12 of the ES submitted as part of the DCO application) did not include reference to the Manston Green Development. Additional noise contours have been provided by RSP covering Manston Green within the Appendices to the ExA's second written questions, dated 3 May 2019. SR also understands that the Noise Mitigation Plan (Rep-005) (June 2019) submitted is currently being updated so that that the insulation scheme is triggered at a daytime level ( $L_{Aeq16hr}$ ) of 60 dB  $L_{Aeq16hr}$  as opposed to 63 dB as previously recommended. The implications of the additional information provided and the changes to the Noise Mitigation Plan on Manston Green are discussed in more detailed below.
- 1.4 SR has been advised that further noise evidence has been provided in relation to the DCO application by No Night Flights (NNF), a group primarily comprising residents who live under the proposed flight paths of Manston Airport and oppose the DCO application. This noise assessment (Reference NNF18) has been prepared by the Environmental Research and Consultancy Department (ERCD) of the Civil Aviation Authority (CAA) on behalf of the NNF.
- 1.5 The ERCD have prepared noise contours using the assumptions based on information contained within Chapter 12 of the ES and further evidence provided by the Applicant during the DCO hearing sessions in relation to the fleet mix and ATMs (i.e. 38,000 general aviation ATMs). Based on this the NNF have concluded that the worked carried out by RSP

#### Head Office

**Sharps Redmore** The White House, London Road, Copdock, Ipswich, IP8 3JH  
T 01473 730073 E [contact@sharpsredmore.co.uk](mailto:contact@sharpsredmore.co.uk) W [sharpsredmore.co.uk](http://sharpsredmore.co.uk)

**Regional Locations** South England (Head Office), North England, Wales, Scotland

**Sharps Redmore Partnership Limited** Registered in England No. 2593855  
**Directors** RD Sullivan BA(Hons), PhD, CEng, MIOA, MAAS, MASA; DE Barke MSc, MIOA; KJ Metcalfe BSc(Hons), MIOA  
**Company Consultant** TL Redmore BEng, MSc, PhD, MIOA



is “suspect” and has “significantly under estimated” the impact of noise resulting from the DCO Scheme.

- 1.6 Of relevance to this review are Appendices 1-13 carried out by the ERCD as they provide further information on the potential impact of noise from the proposed DCO Scheme on Manston Green.
- 1.7 The purpose of this note is to determine whether, based on the work carried out by the ERCD, additional constraints would be placed on the Manston Green Development as a result of the DCO Scheme. This assessment by ERCD was intended to test a worst-case scenario, and these scenarios show that there would be additional constraints and increased noise impact placed on Manston Green as result of the DCO Scheme. These impacts include an increase in the number of properties requiring mitigation to achieve a suitable living environment resulting a loss of developable area at Manston Green.

## **2.0 Responses to ExA’s Second Written Questions – 3 May 2019**

- 2.1 Chapter 12 (Noise) within the ES did not consider the impact of the DCO Scheme on Manston Green.
- 2.2 RSP have responded to this omission in their ExA’s Second Written Questions (Ref Ns.2.12) by referring to the reference to Manston Green within Table 18.4 of Chapter 18 (Cumulative Effects) of the ES.
- 2.3 Whilst RSP have acknowledged the existence of Manston Green in Chapter 18 of the ES, no recognition of Manston Green as a noise sensitive receptor was included within Chapter 12 (or the associated noise appendices) of the ES. The lack of recognition of 785 dwellings and a new primary school is a significant omission.
- 2.4 Noise contours (day and night) showing the Manston Green development were produced as part of RSP’s response to the ExA’s Second Written Questions (Appendix 12.2 in TR20002/D6/SWQ/Appendices).
- 2.5 The outline application for the Manston Green Development included an indicative layout which was designed having regard to noise levels based on information contained within the 2009 Kent International Airport Masterplan (KIAM). Potential noise disturbance from the airport was a significant factor and constraint in designing the indicative layout for the site.
- 2.6 Outline planning consent (Ref: OL/TH/14/0050) was granted for Manston Green subject to the following conditions.

**Condition 35:** *The construction phases 1a, 1b, 2a, 3a and 3b as detailed on the approved phasing plan shall not commence until a scheme for protecting the development which falls*

*within these phases from aircraft noise has been submitted to, and approved in writing by, the Local Planning Authority.*

*The scheme shall cover all the development which has been identified to be impacted based upon the submitted aircraft noise contours 2033 – 92 summer LAeq16hr submitted by the applicant on 2nd July 2015. Unless otherwise agreed in writing by the Local Planning Authority such a scheme must demonstrate that the guideline noise levels from Tables 5 and 6 of BS 8233:1999 can be achieved. Any dwelling requiring noise protection shall not be occupied until all works which form part of the approved scheme have been completed in respect of that dwelling. The approved works shall thereafter be retained.*

**Condition 36:** *No dwellings shall be constructed within part of the site that falls within Noise Category C as set out within the Thanet Local Plan 2006.*

- 2.7 The above conditions constrained the layout and design of the site.
- 2.8 In their response to ExA's second written questions (Ref Ns2.12), the Applicant has referred to the requirement under Condition 35 to submit a scheme for protecting future residents. SR have been advised that a section 73 application has been submitted to remove Condition 35 as it is no longer enforceable as the assessed airport operations do not exist and do not form part of the current proposals.
- 2.9 SR has considered the noise contours produced by RSP (Appendix 12.2 in TR20002/D6/SWQ/Appendices).
- 2.10 As advised above the proposed indicative layout at Manston Green was constrained by potential noise from the proposed KIAM. The layout was designed based on the following thresholds:
- No development within the  $L_{Aeq16hr}$  63 dB contour;
  - No development within the  $L_{Aeq8hr}$  57 dB contour;
  - Properties between the 57 dB  $L_{Aeq16hr}$  and 63 dB  $L_{Aeq16hr}$  would require mitigation measures to achieve internal noise guidelines in BS 8233:1999.
- 2.11 To enable a comparison of the predicted noise levels from the DCO application against those which informed and constrained the Manston Green Development, the above planning condition recommended that any new noise models included the 57 dB  $L_{Aeq16hr}$  contour. This is the noise contour which, if exceeded, would require noise mitigation measures to be installed to protect residents against unacceptable noise levels. It is normal practice to show noise contours in 3 dB steps, however Figure NS 2.12(a) only shows the 63 dB (SOAEL) and 50 dB (LOAEL) noise contours, despite the previous request by SR to include the 57 dB contour.

- 2.12 Whilst the noise contours show that no further constraints will be placed on the developable area of Manston Green i.e. the area exceeding the 63 dB contour, due to the limited detail provided it is not possible to determine how many of the properties will be between the 57 and 63 dB  $L_{Aeq16hr}$  contour and require mitigation measures to achieve the internal noise guidelines in BS 8233:1999.
- 2.13 If condition 35 of the Manston Green extant consent is removed, as proposed by the s.73 application, there will be no requirement for the developer of Manston Green to implement noise mitigation measures to protect future residents. In this case Manston Green should be considered similarly to existing noise sensitive receptors, and the noise mitigation plan (Rep-005) (June 2019) should be updated to apply to all future properties as well.
- 2.14 The noise contours produced, including Figure NS2.12(a) are based on information within Chapter 12 of the ES which includes total GA movements of approx. 34,000 GA movements (26,280 ATM's during the day and 2,555 ATM's during the night-time period).
- 2.15 SR understands that the cap on flights proposed by RSP is 38,000 (para.1.11 of Noise Management Plan) which is greater than that used to produce the noise contours. In addition, no details of the fleet mix have been provided and the flight paths within the assessment are subject to change.
- 2.16 Taking into account the limitations within the noise assessment and noise contours produced by RSP the robustness of the noise contours and assessment is therefore questionable. The noise contours produced do not consider the worst case scenario and have underestimated the impact of the DCO Scheme on the Manston Green Development. The limitations within the RSP assessment of aircraft noise have also been highlighted in the work commissioned by NNF and carried out by ERCD which is discussed further below.

### **3.0 Updated Noise Management Plan**

- 3.1 SR is advised that the Noise Management Plan (Application Reference TRP020002/D8/2.4) submitted as part of the DCO application is being updated so that the insulation scheme is triggered at 60 dB compared to a daytime threshold of 63 dB
- 3.2 The original 63 dB threshold was based on the Significant Observed Adverse Effect Level (SOAEL) and the aim contained within the Noise Policy Statement for England (NPSE) which is to *"avoid significant adverse impacts on health and quality of life"*.
- 3.3 Whilst the reduction of the daytime threshold to 60 dB  $L_{Aeq16hr}$  will result in more properties being eligible for assistance with noise mitigation measures, it is not as robust as the criteria upon which Manston Green was developed.
- 3.4 If, as proposed Condition 35 is removed, then as advised above, it is considered that the noise management plan would apply to all future properties created as part of the

Manston Green development. The proposed daytime threshold of 60 dB would result in less properties being eligible for assistance with noise mitigation measures those which would have required protection under the extant outline planning consent.

- 3.5 It is SR's view that the daytime threshold in the noise management plan should be further reduced to 57 dB  $L_{Aeq16hr}$ . This would be in line with criteria upon which the Manston Green was designed and in accordance with the second policy aim of the NPSE which is to *"mitigate and minimise adverse impacts on health and quality of life."*

**4.0 NNF 18 – Noise contours commissioned from the Civil Aviation Authority by No Night Flights (NNF).**

- 4.1 As advised above NNF have commissioned the ERCD of the CAA to prepare noise contours to show the impact of noise from the proposed airport on the surrounding area.
- 4.2 SR understands that ERCD have prepared noise contours using ANCON noise model v2.4 which has been used to prepare noise contours for London Heathrow, Gatwick and Stansted airports.
- 4.3 Unlike the work prepared by RSP, the noise contours prepared by ERCD **include both ATM's and GA flights** thereby ensuring that a more accurate assessment of the noise impacts. Various scenarios have been considered for both day and night-time periods and, unlike the work prepared by RSP, various flight paths. This point is particularly important as it understood that the flight paths used by RSP in their assessment are not fixed.
- 4.4 The noise contours produced by ERCD are useful if providing additional information to determine the impact of the DCO Scheme on Manston Green. The results of the noise contours are shown in Appendix 3 of the NNF report.

Maps 1 – 5

- 4.5 Maps 1 – 5 show the maximum noise level,  $L_{Amax}$  for aircraft taking off and landing at the site. These are based on a commercial Boeing 747. Unsurprisingly, taking into account the close proximity of the Manston Green to the airport, in most cases maximum noise levels will potential disturb future residents.

Maps 6 - 9

- 4.6 These maps show the daytime (0700 – 2300 hrs) noise exposure ( $L_{Aeq16hr}$ ). Unlike the work carried out by RSP, four scenarios have been modelled representing the likely flight paths.
- 4.7 Although due to the scale of the maps it is difficult to comment in detail on the noise impact, it is clear that the greatest impact will occur during the proposed modal split 100% easterlies (Map 6). As shown in Map 6, the 63 dB contour would cover the southern half of Manston Green and encroach on the current developable area of the site. The rest of the

site would be within the 57 and 63 dB daytime contours, requiring all properties within the Manston Green to have noise insulation installed.

- 4.8 A modal split of 100% easterlies would result in additional constraints on Manston Green beyond which the KIAM would have required.

#### Maps 10 – 13

- 4.9 Maps 10 – 13 show the night-time (2300 – 0700 hrs) noise exposure ( $L_{Aeq8hr}$ ). As with the daytime maps, due to scale it is difficult to comment in detail on the noise maps. However, the greatest impact at night will occur during the proposed modal split 100% westerlies (Map 11). As shown the 57 dB night time contour will cover a large area of the Manston Green site. This would result in increased constraints on Manston Green development from a reduction in developable area.

### **5.0 Summary and Conclusions**

- 5.1 SR has reviewed the additional information provided by RSP and the proposed changes to the Noise Mitigation Plan in relation to the noise impact on Manston Green residential development.
- 5.2 Whilst noise contours have now been produced showing the impact of noise from the operations of the DCO Scheme on Manston Green, the lack of reference to the consented development for 785 dwellings, new primary school and public open space, in Chapter 12 of the ES is a serious omission.
- 5.3 The noise contours produced underestimate the impact of noise from airport activity on Manston Green as they have not the full 38,000 GA movements proposed.
- 5.4 The noise assessment is also based on flight paths that are not agreed and no details of the fleet mix used in the assessment have been provided. This is also referenced in the work produced by the ERDC on behalf of the NNF. These noise contours do not represent a worst case scenario and the impact on Manston Green could be greater than demonstrated.
- 5.5 Based on the noise contours produced by the ERCD on behalf of the NNF, considering a worst case scenario of daytime flights based on modal split 100% easterlies and night-time flights based on a modal split of 100% westerlies, a significant proportion of developable space currently available at Manston Green would be lost.
- 5.6 Even taking into account the proposed changes to the noise mitigation plan, the threshold for eligibility is less stringent than that on which Manston Green was designed. This would result in more properties at Manston Green experiencing higher noise levels than would have occurred under the extant outline consent.



Gary King MIOA

[gary.king@sharpsredmore.co.uk](mailto:gary.king@sharpsredmore.co.uk)