



RiverOak Strategic Partners

Applicant's Answers to Fifth Written Questions

TR020002/11/FWQ
Examination Document

Project Name:	Manston Airport Development Consent Order
Application Ref:	TR020002
Submission Deadline:	11
Date:	5 July 2019

Ref No.	Respondent	Question
CA.5 Compulsory Acquisition, Temporary Possession and other land or rights considerations		
CA.5.1	<p>The Applicant</p> <p>Stone Park (SHP)</p> <p>Hill Ltd</p>	<p>Acquisition by Agreement</p> <p>A letter from BDB Pitmans LLP dated 2 July 2019 [AS-index number to be allocated informs the ExA that a subsidiary company of the Applicant, RiverOak MSE Ltd, has exchanged contracts with SHP on 2 July 2019 for the purchase of all of the land it owns at Manston Airport.</p> <p>To SHP</p> <p>i. Confirm or otherwise this statement.</p> <p>ii. If this statement is true, provide a submission by Deadline 11 on 5 July indicating the status of your submissions made to date related to Compulsory Acquisition and funding.</p> <p>iii. Indicate whether SHP wishes to withdraw, modify or qualify its objection to the request by the Applicant to compulsorily acquire land and rights over land.</p> <p>The letter from BDB Pitmans LLP dated 2 July 2019 states that:</p> <p><i>“Completion of the transaction is expected by 11 July 2019 at the latest.”</i></p> <p>and that:</p> <p><i>“The Applicant will provide a fuller summary of its overall case in the light of this significant development, which may not be until completion has taken place. Any submissions made after 9 July 2019 will be made to the Secretary of State for Transport [SoST].”</i></p>

Manston Airport DCO - Responses to ExA's Fifth Written Questions

Ref No.	Respondent	Question
		<p>The ExA cannot take account of any submissions made after the close of the Examination at 23:59 on Tuesday 9 July 2019 in drafting its Recommendation Report and nor will Interested Parties have access to any submissions made after that time until the SoST has issued a decision on this application.</p> <p>To the Applicant</p> <p>iv. Given this, provide a statement setting out your view of the implications of this development by Deadline 11 on 5 July 2019; and</p> <p>v. given this, provide a final version of the Book of Reference with a statement of any amendments by 23:59 on 9 July 2019.</p> <hr/> <p>Applicant's Response:</p> <p>i. n/a</p> <p>ii. n/a</p> <p>iii. n/a</p> <p>iv. The Applicant has prepared an overall summary of case that is submitted at Deadline 11 as TR020002/D11/OSOC. The particular features relating to the acquisition of the site can be summarised as follows:</p> <ul style="list-style-type: none"> - The scope of outright compulsory acquisition has reduced by 99% since the application was made, considerably reducing the adverse impacts of the project; - Adverse impacts will now rise and fall in proportion to the benefits of the project; the more it succeeds the greater the adverse impacts will be but it is the Applicant's case that given the mitigation now proposed these will always be substantially outweighed by the benefits; - The purported alternative use for the site proposed by Stone Hill Park falls away and should be disregarded to the extent that its frustration was seen as an adverse impact;

Manston Airport DCO - Responses to ExA's Fifth Written Questions

Ref No.	Respondent	Question
		<ul style="list-style-type: none"> - The submissions by Stone Hill Park generally should be disregarded now that their representations are to be withdrawn and SHP ‘wish RSP good luck in their own aspirations for the future of the airport’ and the risk of legal challenge has abated; - The project has understandably undergone intense scrutiny because of the need to demonstrate a compelling case in the public interest to acquire the entire site; it is now the case that it has been scrutinised intensely but with a lower threshold for consent to be recommended; - The development proposed on the Northern Grass Area is merely the Applicant developing its own land and need only be shown to be ‘associated development’ capable of being included in the DCO rather than any public interest test, which it clearly fulfils given the link to the main site that must be shown; - Site surveys can re-start and there will be no threat of interruption; <p>v. Noted.</p>
CA.5.2	<p>The Applicant</p> <p>The RAF Manston Spitfire and Hurricane Memorial Museum</p> <p>The Royal Air Force</p>	<p>Museums</p> <p>The Applicant’s response to question CA.4.11 (i) to (iii) [REP9- index number to be allocated] states that:</p> <p><i>“The Applicant accepts that owing to commitments it has now made, the museums should no longer be within the scope of compulsory acquisition powers. They will therefore be removed from the final version of the Book of Reference.”</i></p> <p>and that:</p> <p><i>“The future plans for the museums are up to the museums themselves and are not either part of this application nor for the Applicant to determine. The Applicant has simply indicated that it will seek to accommodate the wishes of the museums in so far as it is possible to do so.”</i></p> <p>The ExA notes that, for example, the Statement of Common Ground (SoCG) between the Applicant and the Royal Air Force Manston History Museum [REP3-191] states under “<i>Matters agreed in principle between the parties</i>” that:</p>

Manston Airport DCO - Responses to ExA's Fifth Written Questions

Ref No.	Respondent	Question
	<p>Manston History Museum Association</p> <p>Mr Marcus Russell, Trustee of the RAF Manston Spitfire and Hurricane Memorial Museum</p>	<p><i>"RiverOak are committed to the museum being relocated to a new facility, in consultation between the parties. Upon relocation, RiverOak will ensure that title to the freehold of the land to which the museum will move will be conveyed to the museum".</i></p> <p>and that the SoCG between the Applicant and the RAF Manston Spitfire and Hurricane Memorial Museum [REP3-173] states under <i>"Matters agreed in principle between the parties"</i> that:</p> <p><i>"RiverOak will make a significant financial contribution to the capital costs of a relocated museum on the Northern Grass as well as to the fit-out and removal costs and the parties will work together to secure additional funding from third party sources."</i></p> <p>To the Applicant, the RAF Manston Spitfire and Hurricane Memorial Museum, and the Royal Air Force Manston History Museum Association</p> <p>i. In light of all the above statements, do the SoCGs between the Applicant and the RAF Manston Spitfire and Hurricane Memorial Museum [REP3-173] and the Royal Air Force Manston History Museum Association [REP3-191] still apply?</p> <p>To the Applicant</p> <p>ii. In the light of your response to question CA.4.11 (i) to (iii), what is the purpose of setting the Order Limits to include the RAF Manston Spitfire and Hurricane Memorial Museum and the Royal Air Force Manston History Museum?</p> <p>iii. Provide an amended Land Plan and, if required, Works Plan by Deadline 11 on 5 July 2019 – noting that CA.5.1, above, requires a final version of the Book of Reference with a statement of any amendments by 23:59 on 9 July 2019.</p> <p>To Mr Marcus Russell, Trustee of the RAF Manston Spitfire and Hurricane Memorial Museum</p> <p>iv. In the light of the above statements, do you still hold the same views as contained in your statements made on behalf of the RAF Manston Spitfire and Hurricane Memorial Museum at the Open Floor Hearing held on 11 January 2019 [REP1-037]?</p>

Manston Airport DCO - Responses to ExA's Fifth Written Questions

Ref No.	Respondent	Question
		<p>Applicant's Response:</p> <ul style="list-style-type: none"> i. The Applicant can confirm that the statements of common ground with the Museums still apply as they continue to reflect the understanding between the parties. Removing the Museums' land from the scope of compulsory acquisition does not impact the Applicant's commitments in either SoCG, particularly its commitments to relocating the Museums. As previously stated in CA.4.11(submitted at Deadline 9), the future plans for the museums are up to the museums themselves and are not either part of this application nor for the Applicant to determine. ii. The Museums were included within the scope of compulsory acquisition as following their relocation, the Applicant would have retained the ability to carry out works on their land. The Examining Authority's attention is drawn to the Appendix 1 of the Statement of Reasons [APP-012] which lists details of the purpose for which compulsory acquisition powers are sought. Plots 047, 048 and 048b (all owned by the Museums) were required for works no. 23 and for associated development. Those specified works would now only be carried out on Museum land with consent (or in the case of plot 047 where the Applicant has acquired the freehold, provided it acts in accordance with the terms of the lease). iii. A set of revised land plans are submitted at Deadline 11 as document TR020002/D11/4.2 The Applicant has amended the Museum plots at Sheet 2 and 3. The Works Plans do not need to be amended. iv. n/a

Ref No.	Respondent	Question
Tr.5 Transportation and Traffic		
TR.5.1	The Applicant Kent County Council (KCC)	<p>Passenger Flight Movements</p> <p>The Applicant's response to fourth written question TR.4.4 (iv) [REP9 – index number to be allocated] states:</p> <p><i>"No. The original TA and the revised TA assessed the traffic impact of 188 vehicles and 193 vehicles respectively. As demonstrated above, 2 departure flights between 11:00 and 12:00 and 1 arrival flight between 07:00 and 08:00 would result in less traffic than that already assessed".</i></p> <p>The ExA is considering amending Requirement 19c to read:</p> <p><i>No passenger air transport departures will take place between the hours of 09.00 and 11.30. There shall only be one passenger air transport departure between the hours of 11.30 and 11.44 and one passenger air transport departure between the hours of 11.45 and 12.00. There shall also only be one scheduled passenger air transport arrival between the hours of 07.00 and 08.00.</i></p> <p>i. What is the Applicant's response?</p> <p>ii. What is the view of KCC?</p>
		<p>Applicant's Response:</p> <p>i) The Applicant accepts the wording of Requirement 19c as proposed by the ExA.</p> <p>ii) n/a</p>

Manston Airport DCO - Responses to ExA's Fifth Written Questions

Ref No.	Respondent	Question
TR.5.2	The Applicant	<p>Manston-Haine Link Road</p> <p>KCC's response to fourth written question TR.4.12 [REP9 – index number to be allocated] states:</p> <p><i>"KCC has reviewed the proposed land safeguarding plans and would request that the offset to the South/East of the proposed road is increased to 10 metres for areas contained within Sheets 5&6 and a 5-metre offset for remaining areas of link southbound towards Manston Road/Spitfire Way junction.</i></p> <p><i>KCC requires safeguarding of land required to deliver an appropriate form of junction at Spitfire Way. This has not been included within the submitted plans and as such remains unresolved. In the absence of an agreed position in relation to the Spitfire Junction design, it is important for as much land to be encompassed within the safeguarding area as possible, to provide scope to alter the junction accordingly. This is essential to ensure that the mitigation offered by the Applicant is deliverable in practice.</i></p> <p><i>All plans should be annotated in the corresponding colour to denote exactly the extent of land being safeguarded as the areas shown in Pink are not currently annotated within the corresponding key".</i></p> <p>What is the Applicant's response?</p>
		<p>Applicant's Response:</p> <p>The Applicant remains of the view that extending the safeguarding area to 10m is excessive. The 4m safeguarded area to the east side of the proposed road is more than sufficient for the purposes of construction and also allows some flexibility in the route alignment. As the ExA is aware, the Applicant has offered to gift the land to KCC and has provided more land than is necessary both on the western side of the suggested alignment and also the entire north west corner of the site has also been safeguarded.</p> <p>In circumstances where KCC needed to obtain the land outside of the DCO Examination it would have to promote its own Compulsory Purchase Order. In these circumstances, KCC would need to define the precise area of land required, the need for it, the deliverability of the proposed development and numerous other factors including an understanding of the</p>

Manston Airport DCO - Responses to ExA's Fifth Written Questions

Ref No.	Respondent	Question
		<p>impact of their proposals. As a 10m corridor is not required for the land and KCC have not undertaken any studies on their alignment or that offered by the Applicant it would be highly irregular for the examiner to place limits on the NSIP based on such an early stage of the link road project.</p> <p>The Applicant therefore requests that the ExA rejects KCC's request.</p>
TR.5.3	The Applicant KCC	<p>Junction 12</p> <p>The Applicant's response to Fourth Written Question TR.4.29 (ii) [REP9 – index number to be allocated] states:</p> <p><i>"The Applicant has had discussions with KCC about their concerns regarding the uncontrolled right turn lanes, and offered to look at this further. An extended intergreen will aid right turners to discharge with no opposing traffic at the end of the intergreen and will improve the visibility for drivers in the right turn bays by providing an overhang if possible. TR.4.29ii. presents junction modelling to demonstrate this. The junction model has an extra 2 seconds added to the intergreen. Adjustments can be made to right turn bays to improve visibility".</i></p> <p>i. Does this overcome the concern of KCC with regard to this particular matter?</p> <p>The Applicant's response to Fourth Written Question TR.4.29 (iii) [REP9 – index number to be allocated] states:</p> <p><i>"The RSA did not pick this up as an issue as it is recognised that this a commonplace feature at signal controlled junctions".</i></p> <p>ii. Is this accepted by KCC?</p> <p>The Applicant's response to Fourth Written Question TR.4.29 (v) [REP9 – index number to be allocated] states:</p> <p><i>"Figure 7.5 does indicate that the visibility line is outside of the highway boundary. The extent of the visibility line in relation to the highway boundary and DCO boundary is illustrated in Appendix TR.4.29 which shows that it is a very small section, which is currently grass verge in front of the MOD building and does not present an obstruction. Junction intervisibility in accordance with Design Manual for Roads and Bridges (DMRB) standards (which relate to motorway and trunk roads) is regularly difficult to achieve in urban environments. TD50/04 identifies the 2.5m setback from the stop line</i></p>

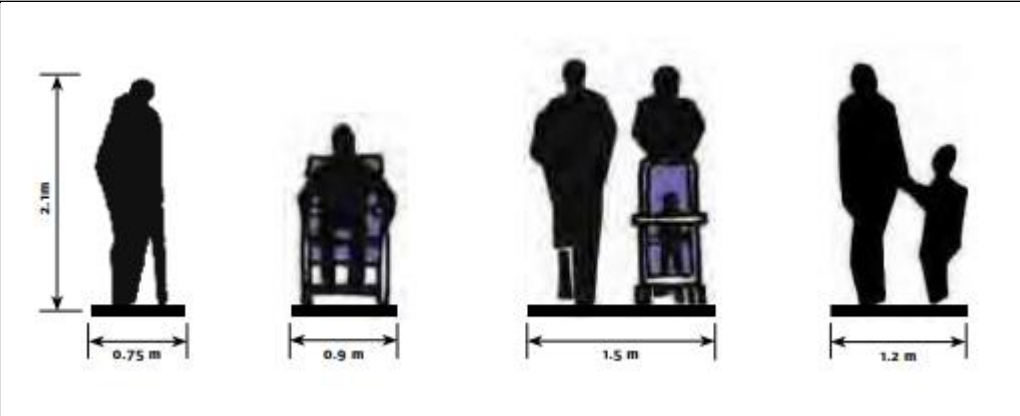
Manston Airport DCO - Responses to ExA's Fifth Written Questions

Ref No.	Respondent	Question
		<p><i>and the junction intervisibility requirements thereafter, and makes reference to compromised visibility and mitigation measures that can occur. The junction design and operation including stage extensions and inter-green times etc. will be developed during detailed design".</i></p> <p>iii. Is this acceptable to KCC?</p> <p>The Applicant states that this area of land is grass verge. However, aerial maps (google) show this containing numerous trees. Further, the Applicant's response to Fourth Written Question TR.4.29 (vii) states:</p> <p><i>"A very small area immediately adjacent to the highway, that is currently grass verge, will have to be maintained in its current condition so as not to create an obstruction to visibility. It is extremely unlikely that any infrastructure will be introduced onto this plot of land so as to impede visibility. The ExA can be satisfied that inter-visibility will be maintained".</i></p> <p>iv. Given that this area of land includes trees, justify this response and how this will be achieved.</p> <p>v. Why was this small plot of land not included within the DCO boundary?</p> <p>KCC's response to Fourth Written Question TR.4.29 (xii) [REP9—index number to be allocated] states:</p> <p><i>"The proposed narrowing of the footway on the Manston Road (north) arm to 1.26m is not considered acceptable in the vicinity of this busy junction".</i></p> <p>vi. What is the Applicant's response?</p> <p>vii. Why does KCC consider that this would impact on highway and pedestrian safety?</p>
		<p>Applicant's Response:</p> <p>i) n/a</p> <p>ii) n/a</p>

Manston Airport DCO - Responses to ExA's Fifth Written Questions

Ref No.	Respondent	Question
		<p>iii) n/a</p> <p>iv) The small area of land outside of the highway boundary that is required for maintaining visibility as shown in Appendix TR.4.29 is a flat grassy verge in front of the MoD building and does not include trees. The trees near to this location merely overhang the land. As referred to in the Applicant's response to TR.4.29, junction intervisibility in accordance with Design Manual for Roads and Bridges (DMRB) standards (which relate to motorway and trunk roads) is regularly difficult to achieve in urban environments. Paragraph 2.18 of TD50/04 identifies that minor obstructions to visibility caused by slim obstructions within the junction intervisibility zone may be unavoidable. The Applicant acknowledges that the trees will require maintenance as part of regular upkeep by Kent County Council under their duty as the Highway Authority. This is in common with numerous hedgerows, verges and other roadsides around the country which are maintained by the respective Highways Authority.</p> <p>v) The DCO contains land required for capacity improvements, not for safety improvements.</p> <p>vi) The footway is less than 1.3m for only a very short distance of 0.73m and as such is a very minor pinch point. Either side of this pinch point, the footway width exceeds 1.3m. The path is never reduced in width of less than 1.25m. It is noted that the width of 1.26m is sufficient to accommodate a wheelchair (0.9m) and two people (1.2m), as illustrated in Figure 6.8 of the Design Manual for Streets, published by the Department for Transport, as reproduced below.</p> <p>Although the Design Manual for Roads and Bridges (DMRB) Volume 6, Section 3, Part 5 'The Geometric Design of Pedestrian, Cycle and Equestrian Routes' sets out that widths of 1.3m may be provided over short distances (paragraph 7.4), it should be noted that the minimum width for any footway is 1.0m (Department of Transport LTN2/04). The design of the footway at Manston Road and Spitfire Way is in excess of this.</p>

Manston Airport DCO - Responses to ExA's Fifth Written Questions

Ref No.	Respondent	Question
		<div data-bbox="745 320 1762 737">  </div> <p data-bbox="745 746 1442 775">Source: <i>Manual for Streets</i>, 2007, Department for Transport</p> <p data-bbox="745 823 2033 962">The proposed design will increase the safety of pedestrians at the junction. There is no provision in the current arrangement for controlled pedestrian crossings, while the proposed design provides safe controlled crossing points. It is considered that the scheme as a whole is a betterment to the pedestrian infrastructure in the location.</p> <p data-bbox="745 1010 2033 1115">In these circumstances, where there is an overall improvement in pedestrian and cycle facilities as a result of the Proposed Development, it would be expected that such a minor departure from standards would be acceptable.</p> <p data-bbox="647 1163 781 1192">vii) n/a</p>
TR.5.4	KCC	Junction 15

Manston Airport DCO - Responses to ExA's Fifth Written Questions

Ref No.	Respondent	Question
		<p>KCC's response to Second Written Question TR.2.42 raised concern that the proposed scheme of mitigation (in the revised TA) results in significantly increased queue lengths on the College Road approach to the junction. The Applicant's response to Third Written Question TR.3.29 sets out that:</p> <p><i>"The issue of queue lengths on College Road can be addressed by minor modifications to the signal timings if reductions in queuing on this arm is a priority".</i></p> <p>In response to Fourth Written Question TR.4.31 (i) [REP9–index number to be allocated] the Applicant has provided a Technical Note at (Appendix TR4.31) that seeks to demonstrate this view.</p> <p>i. Does this overcome KCC's concern in this regard?</p> <p>ii. Is KCC content with the mitigation scheme proposed in the original TA?</p>
		<p>Applicant's Response:</p> <p>i) n/a</p> <p>ii) n/a</p>
TR.5.5	KCC	<p>Alland Grange Junction – Highway Safety</p> <p>The Applicant's response to Fourth Written Question TR.4.40 (iii) [REP9 – index number to be allocated] states:</p> <p><i>"...No contribution will be made towards the Alland Grange junction as the substandard visibility is a pre-existing issue and therefore requires KCC, under their duties as the highway authority, to maintain road safety and is therefore not secured in the Section 106 agreement. In any event, it is highly unlikely that land owner would secure planning permission to carry out any development that would encroach upon the visibility splays".</i></p> <p>Do KCC agree with this statement and that no mitigation is required at the junction?</p>

Manston Airport DCO - Responses to ExA's Fifth Written Questions

Ref No.	Respondent	Question
		<p>Applicant's Response:</p> <p>n/a</p>
TR.5.6	The Applicant KCC	<p>Permitted Development Rights</p> <p>KCC's response to Fourth Written Question TR.4.41 [REP9 – index number to be allocated] states:</p> <p><i>"KCC accepts that only those Highways mitigation measures that require planning permission should be included as associated development and granted planning permission via the DCO. The Highway Authority considers that the following mitigation measures do not benefit from permitted development rights and would need be included in Schedule 1 to the DCO:-</i></p> <ul style="list-style-type: none"> • <i>Junction Improvements at Alland Grange Lane/Spitfire Way</i> • <i>Proposed signal-controlled junction improvements at Manston Road/ Manston Court Road."</i> <p>i. Why does KCC consider that permitted development rights do not apply at these junctions?</p> <p>ii. What is the Applicant's response?</p>
		<p>Applicant's Response:</p> <p>i) n/a</p> <p>ii) The Applicant has previously addressed the issue of Permitted Development Rights in response to TR4.41. Permitted development rights under Class A of Part 9 apply to land comprising of the highway and land outside but adjoining the boundary of the highway, provided the works are carried out by the highway authority. All of the junction improvement works are proposed on land comprising or adjacent to the highway. The GPDO</p>

Manston Airport DCO - Responses to ExA's Fifth Written Questions

Ref No.	Respondent	Question
		therefore authorises a Highway Authority to carry out the works which will be funded through contributions from the Applicant, as secured in the Section 106 agreement, irrespective of who owns the land. The Applicant therefore disagrees with the statement from Kent County Council in response to TR.4.41.
TR.5.7	The Applicant	<p>Off Site Junction Mitigation Costs</p> <p>KCC's response to Fourth Written Question TR.4.46 [REP9—index number to be allocated] raises numerous concerns with regard to the Applicant's calculated costs for each junction mitigation scheme.</p> <p>What is the Applicant's response?</p> <p>Applicant's Response:</p> <p>As previously stated, the scheme design is not yet fully detailed, and will need to be further developed, revised and refined during the detailed design phase. Scheme proposals have been developed to a concept preliminary design standard.</p> <p>Whilst the Applicant accepts that to some extent, cost estimation is a subjective exercise, the cost estimates prepared have been based upon a combination of engineering experience, recognised industry publications and recently returned tenders for schemes of a comparable scale and complexity.</p> <p>The Applicant would highlight that a 44% optimism bias has been applied to all of the construction cost estimates to reflect the level of design development undertaken to date. This 'Green Book' approach is recognised as best practice and applicable to the level of design at this time. Downward adjustments to this % would be made as the detailed design of the schemes progress.</p> <p>In terms of the comments received, the Applicant further comments as follows:</p>

Manston Airport DCO - Responses to ExA's Fifth Written Questions

Ref No.	Respondent	Question
		<ul style="list-style-type: none"> • Design development has been undertaken to a 2-dimensional, ordnance survey level. Further topographic survey information is needed to confirm how evolving scheme proposals affect existing infrastructure such as drainage and earthworks. As previously, we consider that a diligent and competent designer will proactively look to mitigate scheme impacts wherever possible, improving scheme and cost deliverability; • Inclusions for statutory utility diversion and/or protection works at this stage would be vague and at best ambiguous. Discussions with affected utility companies will inevitably shape and influence the scheme proposals, giving opportunity to mitigate impacts and avoiding costly diversion and/or protection works. As previously, we consider that a diligent and competent designer will proactively look to mitigate scheme impacts wherever possible, improving scheme and cost deliverability; • The position and nature of safety fencing and road restraint systems should be assessed during the design development. Where required, a bespoke road restraint risk assessment process (RRRAP) should be undertaken to understand the need for restraint system provision; • HFS provision should be assessed in accordance with DMRB standards and an associated site risk assessment exercise. Where existing HFS is present, it is anticipated that localised patching would be undertaken. It is not considered reasonable that the scheme cost makes provision for full HFS resurfacing on all approaches to all junctions. Conditions of existing HFS surfaces should be assessed prior to patching, further supplemented by KCC maintenance/refreshment activities thereafter; • Adjustments to lighting column positions should be done following the detailed consideration of existing and modified lighting levels. This would be addressed during detailed design and following confirmation of existing lighting levels from KCC, aligning with the LED street light update programme; • As stipulated within the Kent County Council Lane Rental Scheme, it is considered that lane rental charges will be managed and mitigated through a combination of the following: <ul style="list-style-type: none"> ○ working outside of traffic-sensitive times; ○ working outside of term or seasonal times ; ○ working at weekends and Bank Holidays during term-times; ○ avoiding the reduction of lanes available to traffic; and ○ collaborating with other promoters to share a collective charge.

Manston Airport DCO - Responses to ExA's Fifth Written Questions

Ref No.	Respondent	Question
		The Applicant's position is therefore that the cost estimates produced at this time, based upon the level of scheme development undertaken to date and including a 44% optimism bias, are reasonable and proportionate to the location, scale and complexity of works proposed. The scale of optimism bias would be reduced as the detailed design of the schemes progress.
TR.5.8	The Applicant	<p>Off Site Junction Mitigation Timing</p> <p>KCC's response to Fourth Written Question TR.4.47 [REP9—index number to be allocated] states:</p> <p><i>"The methodology proposed by the Applicant is not fully justified. An arbitrary figure of 100 traffic movements appears to have been used as a benchmark for trigger points at each junction. As has already been highlighted for other junctions on the local highway network, traffic flows below 100 vehicles have been demonstrated to trigger the need for mitigation at several locations. Therefore, KCC requires that these trigger points are varied using appropriate junction modelling tools."</i></p> <p>What is the Applicant's response?</p> <p>Applicant's Response:</p> <p>A trigger point depends on the baseline performance of the junction and the point at which the addition of the development traffic would result in the junction operating severely over capacity. The identification of a trigger point was discussed with KCC and it was agreed that it is difficult to define, given that the Thanet Strategic Transport Model (TSTM) has assessed only one forecast year which is the end of Local Plan, and no interim years.</p> <p>There is no specific methodology for identifying trigger points in the absence of traffic data. Consideration was given to operational capacity of the junctions based on 2031 data and the quantum of development traffic at the junctions and proportional impact. The figure of 100 vehicles was therefore assessed based on previous experience of similar assessments to be a suitable approach.</p>

Ref No.	Respondent	Question
TR.5.9	The Applicant KCC	<p>Revised Section 106 Agreement</p> <p>The Applicant has provided a revised draft Section 106 Agreement [REP9—index number to be allocated].</p> <ul style="list-style-type: none"> i. Why is a financial contribution for Junction 21 included in Schedule 9, when the Applicant's response to fourth written question TR.4.35 (v) sets out that one is not required? ii. Schedule 7 includes a financial contribution of £500,000 towards the Manston Haine Link Road, is this figure accepted by KCC? iii. Does the map in Annex 5 show the entire land safeguarded for the Manston-Haine Link Road? iv. Why do the maps included in the revised Section 106 Agreement not match those provided in Appendix TR.4.48 to the Applicant's response to Fourth Written Questions? <p>The Applicant's response to Fourth Written Question TR.4.53 (vi) [REP9—index number to be allocated] states:</p> <p><i>"An allowance of £2500 has been included for this signage and has been included in the draft S106 Agreement. This is based on a requirement for ten signs at £250 per sign".</i></p> <p>v. Where in the revised draft S106 Agreement [REP9—index number to be allocated] is this secured?</p> <p>Applicant's Response:</p> <ul style="list-style-type: none"> i) A financial contribution for Junction 21 is not required, as noted in TR4.35(v). The Section 106 has been updated to reflect this and a revised version is submitted at Deadline 11. ii) n/a iii) Yes, the map in Annex 5 shows the entire area safeguarded for the Manston-Haine Link Road.

Manston Airport DCO - Responses to ExA's Fifth Written Questions

Ref No.	Respondent	Question
		<p>iv) A revised plan has been provided to append to the Section 106 agreement. This matches those plans provided in Appendix TR4.48.</p> <p>v) This is now secured in Schedule 10 of the Section 106 agreement (although the total has been increased to £7650 in line with the answer to Tr.5.13).</p>
TR.5.10	The Applicant	<p>Register of Environmental Actions and Commitments (REAC)</p> <p>The amended REAC provided at Deadline 8 [REP8-018] includes mitigation for Junctions 2, 4, 6, 7, 12, 13, 15, 16, 20 and 21. However, the Revised draft Section 106 Agreement [REP9- index number to be allocated] includes Junctions 1, 2, 4, 6, 7, 10, 13, 15, 16, 17 and 21.</p> <p>Why are these not consistent (differences underlined above)?</p> <p>Applicant's Response:</p> <p>The Register of Environmental Actions and Commitments (REAC) has been amended and a revised version submitted at Deadline 11. It should be noted that Junction 12 forms part of the DCO application and therefore necessitates its inclusion in the REAC. This is not included in the Section 106 agreement since no funding for mitigation needs to be secured.</p>
TR.5.11	The Applicant	<p>Controlled Parking Zone</p> <p>The Applicant's response to Fourth Written Question TR.4.51 (iv) [REP9–index number to be allocated] states:</p> <p><i>"The Applicant has asked TDC to provide a figure to cover the Car Park Management Strategy but has yet to receive a response. TDC has apologised for this delay and is endeavouring to provide this as soon as possible".</i></p> <p>Thanet District Council (TDC) in their response to Fourth Written Question TR.4.51</p>

Manston Airport DCO - Responses to ExA's Fifth Written Questions

Ref No.	Respondent	Question
		<p>state:</p> <p><i>“TDC questions the extent to which a CPZ contribution is necessary given the proposed overprovision of parking on site, although it is noted that the Applicant may charge both passengers and staff to park on site [Appendix ISH-52, section 3.3 [REP8-017]].</i></p> <p><i>TDC’s view is that for a Controlled Parking Zone where all on-street parking is controlled, with parking only permitted in designated bays and the remaining street covered by double yellow line restrictions, the approximate cost would be £260 per metre. This includes line painting, bay marking, legal consultation, order implementation, public notices and signage. TDC has not seen any information from the Applicant as to either the general area or specific streets in which a CPZ would be proposed”.</i></p> <p>i. What is the Applicant’s response?</p> <p>ii. What areas would be covered by the CPZ?</p> <p>Applicant’s Response:</p> <p>i) The Applicant agrees with Thanet District Council that a Controlled Parking Zone (CPZ) may not be required, particularly given the availability of overflow parking and the desire of all parties to maximise access to the airport by non-car modes.</p> <p>A CPZ is an area where all on street parking is controlled and is used in urban areas to address particular parking problems in a community - usually in order to help residents park near to their homes. This means that parking is only permitted in designated parking bays - the remainder of the kerbside space has to be restricted and is subject to yellow line restrictions. When you enter a zone there are entry signs to tell you restrictions apply there. The CPZ area is applicable only to where there are designated parking bays as well as restrictions. It is not necessary for double yellow line restrictions only and would cause confusion if zone entry signage is a long distance from designated parking bays and where it is needed to address parking problems in urban community locations.</p>

Manston Airport DCO - Responses to ExA's Fifth Written Questions

Ref No.	Respondent	Question
		<p>Double yellow lines mean no waiting at any time and are imposed by a highway authority where waiting or parking on a highway would present a road safety issue and/or would impede the throughput of traffic.</p> <p>It is noted that sections of Manston Road (B2050) (up to Manston Court Road), Manston Road and Spitfire Way already have double yellow line parking restrictions. It is proposed that the entirety of Spitfire Way would have double yellow line restrictions as part of the DCO scheme.</p> <p>It is also proposed that double yellow line restrictions are imposed on Manston Road to the west of the Spitfire Way junction, Manston Road (B2050) to Manston village and Manston Court Road as these are routes that are inappropriate for on-street parking.</p> <p>In identifying the need for a CPZ, consideration should be given to likely distance from the airport access points and parts of the network where parking does occur and is appropriate. Assessment of this has been carried based on walking distances of up to 1km. This is set out in the response to TR.5.11 ii. below</p> <p>ii) The need for a CPZ has been considered based on walking distances of 1km (10-minute walk) from all the Passenger, Cargo and Northern Grass Area Accesses, and roads where parking is appropriate (based on road safety and vehicular throughput). The plan in Appendix TR5.11 illustrates the existing and proposed extensions to the double yellow line restrictions and appropriate CPZ locations where parking bays would be marked out.</p> <p>This includes double yellow extensions along the following sections which would not be part of a CPZ:</p> <ul style="list-style-type: none"> • B2050 Manston Road between end of end of current provision and East of Manston Village (973m); • Manston Court Road 848m north of the junction with the B2050 Manston Road; • B2050 Manston Road 407m West of the Spitfire Way/Manston Road Junction;

Manston Airport DCO - Responses to ExA's Fifth Written Questions

Ref No.	Respondent	Question
		<ul style="list-style-type: none"> • Alland Grange Road 614m north of the junction with Spitfire Way; and • Manston Road 875m north of the existing provision. <p>This equates to a total distance of 3,717m. The cost in SPONS for single yellow lining is £18 per m. Assuming £36 per metre would equate to a contribution of £13,381.20.</p> <p>CPZs could be required in the following locations:</p> <ul style="list-style-type: none"> • St Catherine's Grove 130m; • Elm Grove 55m; • Highlands Glade 95m; and • High street 610m. <p>It should be noted that Daigor Lane is not a highway maintainable at the public expense and as such cannot have any parking restriction placed on it.</p> <p>This equates to 890m of controlled parking. At the Kent County Council (KCC) estimated cost of £260 per metre to implement a CPZ, a contribution amount of £231,400 would be required in the unlikely event that the monitoring to be undertaken as part of the Travel Plan identifies a need. It should be noted that the implementation of the CPZ would be subject to consultation with the local communities as well as KCC.</p>
TR.5.12	The Applicant	<p>Bus Services</p> <p>The Applicant's response to Fourth Written Question TR.4.55 (iii) [REP9—index number to be allocated] states:</p> <p><i>"This has been based on the provision of one bus service. The Applicant will fund the shuttle bus and will not make a contribution to a third party for this service. In addition, the Applicant proposes an annual contribution for the enhancement of local buses of £150,000. That figure calculated is based on the cost of one additional bus per annum".</i></p>

Manston Airport DCO - Responses to ExA's Fifth Written Questions

Ref No.	Respondent	Question
		<p>i. What evidence has the Applicant used to estimate that the cost of one additional bus per annum would be £150,000?</p> <p>ii. Is the addition of one bus sufficient?</p>
		<p>Applicant's Response:</p> <p>i. £150,000 per annum is a generous estimate based on a variety of sources:</p> <ul style="list-style-type: none"> Section 106 agreement examples, for example the S106 Agreement (July 2017) for the Land Off Haine Road development (planning ref: OL/TH/14/0050) includes at Schedule 4 part 4 a bus route subsidy contribution of £400,000 to be paid in 3 parts - £133,334 to be paid on occupation of the 100th house, and the subsequent second and third payments to be made on the first and second anniversaries of the first payment. Information from bus operators, for example Stagecoach South East has provided an indicative cost of £120,000 per annum for a 12-hour bus service. <p>The £150,000 per annum identified takes into account cost increases in the future.</p> <p>The amount identified would be a maximum contribution which would be offset by revenue collected by the service.</p> <p>ii. The Applicant is also proposing to tender and operate its own shuttle services and these will be funded separately by the Applicant. The £150,000 contribution is based on enhancement of the existing bus service, to provide improved frequency. Discussion would be required with KCC and bus operators nearer the time of commencement of services regarding the optimum means of service provision. It should be noted that it is not usual to undertake detailed negotiations with bus operators etc until more detail is known in terms of timetabling</p>

Manston Airport DCO - Responses to ExA's Fifth Written Questions

Ref No.	Respondent	Question
		requirements etc. This would need to be addressed post consent and is secured through the Travel Plan which will need to be signed off by the relevant authorities.
TR.5.13	The Applicant	<p>Preliminary Freight Management Strategy</p> <p>KCC's responses to Fourth Written Question TR.4.53 (vi) and (ix) [REP9–index number to be allocated] state:</p> <p><i>"All costs associated with HGV signage strategy should be met by the Applicant. It is recommended that a requirement is included within the DCO for the submission and subsequent implementation of a signage strategy by the Applicant. This strategy document should be submitted to and approved in writing by the Local Planning Authority (in consultation with the Local Highway Authority), prior to commencement of the development. The approved signage strategy should be implemented in full prior to first occupation of the Airport or Northern Grass Area".</i></p> <p><i>"As development within the Northern Grass is intended to be aviation related, KCC see no reason why restrictions should not also apply to development located in the part of the site".</i></p> <p>What is the Applicant's response?</p> <p>Applicant's Response:</p> <p>The Applicant has requested the addition of a requirement to the DCO for the submission and subsequent implementation of a signage strategy as part of the Operational Environmental Management Plan.</p> <p>A signage strategy will be agreed with Kent County Council. Consideration for the signage requirements has been made on the basis of updating existing signs on the strategic network.</p> <p>There are 19 existing signs on the A299 and approaches to A299 that currently provide directional signage to Manston Airport that would need to be updated, excluding signs at junctions where schemes are proposed as part of the DCO application which would be replaced as part of junction works.</p>

Manston Airport DCO - Responses to ExA's Fifth Written Questions

Ref No.	Respondent	Question
		<p>There are two signs that already indicate "Manston" with an airport symbol which don't need replacement.</p> <p>Of the 17 other signs, whilst not all require complete replacement, a cost for this has been included. The S106 agreement includes a contribution of £7,650 based on a unit cost of £450 and 17 signs.</p> <p>The Applicant has already limited used on the Northern Grass Area as aviation related development, and defined aviation development in the Statement of Need.</p>
TR.5.14	The Applicant	<p>Manston Village Pedestrian Links</p> <p>KCC's responses to fourth written question TR.4.54 [REP9 – index number to be allocated] states:</p> <p><i>"An obligation to fund an upgrade of TR10 is welcomed; however, in isolation, this does not provide appropriate connectivity between the terminal building, Manston Village and future residential settlements to the east.</i></p> <p><i>Journeys to and from the site would also rely on travel within parts of PRoW TR8 and TR9... As such these routes also require improvements to enable them to be used all year round".</i></p> <p>Further, KCC has suggested alternative costings.</p> <p>What is the Applicant's response to these matters?</p>
		<p>Applicant's Response:</p> <p>The Applicant is committed to improving Public Right of Way (PRoW) TR10 and TR8. Details of the costing methodology for TR10 were provided to the ExA at Deadline 10, within Appendix TR4.54. The Applicant invites Kent County Council (KCC) to review this document which was submitted on Friday 28 June.</p>

Manston Airport DCO - Responses to ExA's Fifth Written Questions

Ref No.	Respondent	Question
		<p>The Applicant engaged with the KCC PRoW Officer in developing costings and as a result a detailed methodology for understanding the costs of upgrading PRoW was provided by KCC. This was used by the Applicant in all calculations, hence the methodologies employed by KCC and the Applicant are the same.</p> <p>The difference in cost for upgrading PRoW arises due to KCC considering the total length of existing PRoWs. As Appendix TR4.54 states, the section of TR10 which passes through the Manston Green development will be diverted and delivered by that committed development, and not by the Applicant. The Applicant has therefore provided a cost for upgrading 666m of TR10, while KCCs costs consider a total length of 964m. TR8 requires upgrading and diverting as a result of the development proposals, resulting in a shorter route. The total length of the diverted TR8 would be 789.4m, compared to its existing length of 889m. The Applicant has provided costs based upon the diverted route which are appropriate.</p> <p>TR9 does not require upgrading since the section of the route between TR10 and High Street is already paved. The remaining section of TR9, south of TR10, enters a field prior to reaching the airport boundary and becoming a dead end. As that section does not provide the connectivity between Manston Village or Manston Green Development and the Manston-Haine Road, there is no merit in upgrading this path.</p>
TR.5.15	The Applicant KCC	<p>Technical Note: Appendix TR.4.1 - A256 - Junctions Assessments</p> <p>The Applicant at Deadline 10 provided a Technical Note [REP10—index number to be allocated] that sets out the results of junction modelling to assess the potential impact along the A256 corridor (based on the original TA).</p> <p>i. Provide a map showing the exact locations of the junctions assessed.</p> <p>The Technical Note states: “<i>The following three junctions have been modelled based on junction models and baseline traffic data available in the Discovery Park Transport Assessment (Planning ref: 14/00058)</i>”.</p> <p>ii. Is it appropriate to use this data source that is over 5 years old?</p> <p>iii. If not, how will this matter be addressed by the end of the examination?</p>

Manston Airport DCO - Responses to ExA's Fifth Written Questions

Ref No.	Respondent	Question
		<p>iv. Is this accepted by KCC?</p> <p><u>A256/Ramsgate Road/Copart Access Junction</u></p> <p>The Technical Note at Paragraphs 2.2.4 and 2.2.5 states:</p> <p><i>"In the AM Peak there is an increase in queuing of 3 vehicles on the A256 North arm, with a marginal change in RFC on other arms. It is considered that this is not a significant impact".</i></p> <p><i>"In the PM Peak there is an increase in queuing of 28 on the Ramsgate Road arm and 1 on the A256 North arm, with a marginal change in RFC on some of the arms".</i></p> <p>The Technical Note at Paragraph 2.2.6 also suggests that this is a similar level of impact as that presented in the Discovery Park Transport Assessment, which was accepted by KCC as not severe and not requiring mitigation.</p> <p>v. Does KCC accept that such impacts are not severe?</p> <p>Paragraph 2.2.7 of the Technical Note goes on to state:</p> <p><i>"Consideration has been given to junction improvement within the highway boundary, and a minor increase to the flare on the Ramsgate Road arm from 6.7 to just 15m would result in betterment on nil detriment".</i></p> <p>vi. Will the Applicant therefore be providing a junction mitigation scheme supported by a Stage 1 Road Safety Audit and Designer's Response before the close of the examination, with sufficient time for other parties to consider?</p> <p><u>A256/Monk's Way</u></p> <p>Paragraph 2.3.4 of the Technical Note states:</p> <p><i>"In the AM Peak there is an increase in queuing of 1 vehicle on the A256 North arm and 9 vehicles on A256 South arm, with a marginal change in RFC on A256 South arms. In the PM Peak there is an increase in queuing of 1 on the A256 North arm, with a marginal change in RFC on some of the arms. It is considered that this is not a significant impact".</i></p> <p>vii. Is this accepted by KCC?</p>

Manston Airport DCO - Responses to ExA's Fifth Written Questions

Ref No.	Respondent	Question
		<p><u>A256/Ash Road/A257</u> The Technical Note at Paragraph 2.4.5 identifies that:</p> <p><i>"The development impact is predominantly on the A256 South arm in the AM peak (queue increase of 156 vehicles and RFC change of 0.08) and the A256 North in the PM peak (queue increase of 93 vehicles and RFC change of 0.09)".</i></p> <p>viii. Does the Applicant accept that this is a severe impact?</p> <p>Paragraph 2.4.9 of the Technical Note states:</p> <p><i>"The impact of the Manston Airport traffic is similar or less than that of Discovery Park which did not result in the need for a mitigation scheme".</i></p> <p>ix. Is it reasonable to compare the impacts of the proposed development against one determined 5 years ago?</p> <p>x. What is the view of KCC on this matter?</p> <p>Paragraph 2.4.3 of the Technical Note states:</p> <p><i>"KCC has acknowledged during discussion that the junction has capacity issues and that the highway authority needs to identify an improvement scheme to address this, with the expectation that developers would contribute to this".</i></p> <p>xi. On this basis, will the Applicant be making a financial contribution to mitigation at this junction?</p> <p>xii. If so, how will this be calculated and provided for?</p> <p>xiii. What is the view of KCC on this matter?</p> <p>The Technical Note concludes at Paragraph 3.1.1:</p> <p><i>"The results of the modelling exercise show that the development traffic through the junctions has less of an impact than Discovery Park Development that was granted permission that did not offer any mitigation improvements at the junctions despite putting a larger amount of traffic onto the junctions in the peak hours".</i></p>

Manston Airport DCO - Responses to ExA's Fifth Written Questions

Ref No.	Respondent	Question
		<p>xiv. Is this accepted by KCC?</p> <p><u>Air Quality and Noise</u></p> <p>xv. Have these additional impacts been modelled in the air quality and noise assessments?</p> <p>xvi. If not, how will this be addressed by the end of the examination, with sufficient time for other parties to consider?</p>
		<p>Applicant's Response:</p> <ul style="list-style-type: none"> i) A map is provided as Appendix TR5.15. ii) Whilst now superseded guidance suggested counts surveyed within the last three years, it is standard practice to use data that is older, subject to discussion and agreement with the local highway authority. The Applicant engaged with Kent County Council (KCC) to agree an appropriate assessment approach for these junctions and it was agreed with KCC that using the traffic data and junction models provided in the Discovery Park Transport Assessment was appropriate. It is also noted that reference has been made to traffic count information for the A256 available on the Department for Transport (DfT) traffic count site – https://roadtraffic.dft.gov.uk/#15/51.2682/1.3222/basemap-countpoints. Survey site 46856 is between the A256/Ash Road roundabout and the A256/Deal Road junction. A manual count was conducted in September 2018. The raw traffic count data available from the DfT count site shows a two-way total of 1803 vehicles in the AM peak of 8:00am – 9:00am and 1844 vehicles in the PM peak hour of 5:00pm and 6:00pm. The 2018 baseline traffic flows data for the A256 included in the Discovery Park Transport Assessment is an average of 2,430 two-way traffic in the AM peak hour and 2,134 two-way traffic in the PM peak hour. The assessment has therefore been robust and overestimates the quantum of traffic along the A256 by 627 vehicles in the AM peak and 290 vehicles in the PM peak.

Manston Airport DCO - Responses to ExA's Fifth Written Questions

Ref No.	Respondent	Question
		<p>iii) As discussed in part (ii), the use of the data is appropriate as it was suggested by KCC and as demonstrated in ii. above, is an overestimation rather than an underestimation of traffic flows.</p> <p>iv) n/a</p> <p>v) n/a</p> <p>vi) No, the Applicant will not be providing a junction mitigation scheme which is supported by a Stage 1 Road Safety Audit and Designers Response. The inclusion within Appendix TR4.1 was to indicate that a mitigation would be minor in nature. As the impact of the development traffic on this arm is considered to be not severe, a mitigation scheme is not proposed.</p> <p>vii) n/a</p> <p>viii) The Applicant does not accept that this is a severe impact as the similar/higher levels of queuing were identified in the Discovery Park TA which was not identified as 'severe' by Kent County Council (KCC). KCC has acknowledged that there are issues at the junction that will be exacerbated in the future and has identified that they need to address this by identifying a scheme at the junction which will accommodate the future growth anticipated through the Thanet and Dover Local Plans. The junction is in the district of Dover. Dover District Council is in the early stages of the process of producing a new Local Plan which will cover the period from 2018 to 2038. KCC will be producing a transport strategy as part of the evidence base which will include consideration for the A256 and the Ash Road roundabout and will include improvement measures required to accommodate future growth.</p> <p>ix) It is considered a reasonable and this is a standard approach. Whilst the outline application was approved nearly 4 years ago, reserved matters approvals are still being sought and the development is not constructed. As identified in the response to i. above, the traffic flow assumptions for 2018 have been robust as traffic growth has been overestimated.</p>

Manston Airport DCO - Responses to ExA's Fifth Written Questions

Ref No.	Respondent	Question
		<p>x) n/a</p> <p>xi) No. A mitigation scheme is not necessary, as detailed in part (vi) and therefore no contribution will be provided.</p> <p>xii) A contribution is not required and therefore no further calculations are necessary.</p> <p>xiii) n/a</p> <p>xiv) n/a</p> <p>xv) The Applicant has reviewed junction modelling to determine if there is any risk of air quality or noise impacts. There are no human receptors sufficiently near to any of the junctions for there to be any risk of significant noise or air quality impacts.</p> <p>With respect to air quality, the A256/Ramsgate Road/Copart Access is close to the Thanet Coast & Sandwich Bay Special Protection Area (SPA) and Ramsar site and the Sandwich Bay Special Area of Conservation (SAC), particularly where vehicles may be queuing along Ramsgate Road. Accordingly, the air quality impact of the increased traffic queues has been modelled in ADMS-Roads, using the methodology recommended by Cambridge Environmental Research Consultants for modelling road traffic queues [CERC (2004) Modelling queueing traffic]. This shows that, at the closest point of the SAC/SPA/Ramsar site boundary, the increase in annual mean NO_x is at most 0.014 µg m⁻³ or less than 0.05% of the assessment level. Concentrations decrease rapidly more than a few metres into the site. This is considered to be inconsequential and does not affect the results of the air quality assessment.</p> <p>With respect to noise, the scope for assessment of road traffic noise in the ES Addendum [APP-033] was determined by considering roads which would receive either a 25% increase or 20% decrease or more in vehicle flows (section 3.1.2 of [App-033]).</p>

Manston Airport DCO - Responses to ExA's Fifth Written Questions

Ref No.	Respondent	Question
		<p>The junctions described are on road links that did not see either a 25% increase or 20% decrease or more, and therefore were screened out of the road traffic noise assessment. Therefore, the slight change in traffic queuing would make no difference to this screening conclusion.</p> <p>xvi) No further modelling work is required given the conclusions drawn in part (xv).</p>