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Ref NMC3/TR020002

**INSERT CONSULTEE ADDRESS**

## By post

Direct tel 0333 006 1871

Date 28 May 2026

Email [Consultation.Manston@TLT.com](mailto:Consultation.Manston@TLT.com)

Dear Sir / Madam,

### **The Manston Airport Development Consent Order 2022 Consultation on an application for a Non-Material Change under section 153 of, and Schedule 6 to, the Planning Act 2008 and the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011**

#### **1 Non-Material Change Application**

- 1.1 RiverOak Strategic Partners Ltd ("**RiverOak**") has applied to the Secretary of State for Transport to make a non-material change under section 153 of, and Schedule 6 to, the Planning Act 2008 and the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (as amended) ("**the 2011 Regulations**").
- 1.2 The application relates to the Manston Airport Development Consent Order (S.I. 2022/922) ("**the DCO**"), which was made by the Secretary of State for Transport on 18 August 2022 and came into force on 8 September 2022.
- 1.3 The DCO authorises RiverOak to undertake works to redevelop Manston Airport in Thanet, Kent and to carry out all associated works including to acquire, compulsorily or by agreement, land and rights in land and to use land for this purpose. The DCO also includes provisions in connection with the maintenance and operation of the authorised development.

#### **2 Overview of the Non-Material Change Application**

The Application seeks two non-material changes to the DCO as follows:

97612908.2

#### **For what comes next**

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- 2.1 To amend Schedule 2, Part 1, Paragraph 2 (Time Limits) of the DCO to amend the time limit to commence the authorised development from the expiration of 'five' years beginning with the date that the DCO came into force to 'seven' years beginning with the date that the DCO came into force.
- 2.2 To amend Schedule 2, Part 1, Paragraph 24 (High Resolution Direction Finder) to amend the requirement so that as an alternative to the Applicant having to agree a detailed mitigation scheme for the provision of an alternate High Resolution Direction Finder (HRDF) with the Ministry of Defence, the Ministry of Defence is able to confirm that an alternate HRDF is not required.
- 2.3 The reason for these proposed changes is as follows:
- 2.3.1 Schedule 2, Part 1, Paragraph 2
- (a) After the making of the Manston Airport DCO in September 2022, the decision to grant the application was challenged in autumn 2022. Having gone through the judicial process, the challenge was finally dismissed by the Court of Appeal in May 2024. During this twenty month challenge period, due to the ongoing uncertainty, the Applicant was unable to progress the development of Manston Airport in any meaningful way.
  - (b) The Applicant therefore lost almost two of its five year time period set out in Schedule 2, Part 1, Paragraph 24 during which to commence the authorised development.
  - (c) The Applicant is now requesting that the time limit be extended from five to seven years to take account of this delay.
  - (d) This is in line with section 56(2) of the Planning and Infrastructure Act 2025, which came into force on 18 February 2026 and automatically extends town and country planning permissions by two years if a challenge is made to them that reaches the Court of Appeal.
- 2.3.2 Schedule 2, Part 1, Paragraph 24
- (a) During examination of the Manston Airport DCO application, the Defence Infrastructure Organisation made various submissions about the importance of the HRDF, including that it forms part of a national and civilian capability which is vital to the ability to respond to air emergencies.
  - (b) Since the making of the Manston Airport DCO, a fault with the power supply to the HRDF was reported to RiverOak in April 2024. Since that time, neither the Defence Infrastructure Organisation nor the Ministry of Defence has been in touch with RiverOak to arrange for access to the site to rectify the issue and so the HRDF does not appear to have been working for at least two years.
  - (c) RiverOak therefore considers that the requirement to agree a mitigation scheme with the Ministry of Defence for the provision of an alternate HRDF may be unnecessary.
  - (d) The Applicant has instead included an 'either/or' provision allowing the Ministry of Defence to confirm that an alternate HRDF is not required.



### 3 Copies of the Application

- 3.1 The non-material change application documents are available to view electronically and download, free of charge, on the project page of the Planning Inspectorate's website, being a website maintained by or on behalf of the Secretary of State, and can be found under the tab "Documents" at:

<https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/TR020002/documents>

- 3.2 The documents will remain available until at least 5 July 2026.
- 3.3 Further information regarding the Application and its accompanying documents may be obtained from the Applicant by using the following contact details:

Email: [Consultation.Manston@TLT.com](mailto:Consultation.Manston@TLT.com)

Telephone: 0333 006 1871

Post: FAO RiverOak

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20 Gresham Street  
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- 3.4 A free digital copy of the Application documents can be obtained by writing or sending an email to the Applicant using the contact details above. Alternatively, a paper copy can be obtained on request, but a charge of £50 will be made.

### 4 Consultation

- 4.1 You are being consulted about this non-material change application in accordance with Regulation 7 of the 2011 Regulations and a copy of the Regulation 6 application notice that has been published is enclosed with this letter.
- 4.2 You may make representations on the proposed non-material change to the Secretary of State by email to: [manstonairport@planninginspectorate.gov.uk](mailto:manstonairport@planninginspectorate.gov.uk) or by post to National Infrastructure Planning, The Planning Inspectorate, c/o QUADIENT, 69 Buckingham Avenue, Slough, SL1 4PN, quoting reference TR020002.
- 4.3 Should you have any difficulty in submitting a representation, please contact the Planning Inspectorate at either [manstonairport@planninginspectorate.gov.uk](mailto:manstonairport@planninginspectorate.gov.uk) or by telephone on 0303 444 5000.

**The deadline for receipt of representations is 11.59pm on 5 July 2026.**

- 4.4 Please note that any submitted representations to the Planning Inspectorate may be published on the National Infrastructure Planning website for the Application and will be subject to their privacy policy which can be viewed at:  
<https://www.gov.uk/government/publications/planning-inspectorate-privacy-notices/customer-privacy-notice>

Yours sincerely

#### TLT LLP

20 Gresham Street, London, EC2V 7JE  
Solicitors acting on behalf of RiverOak Strategic Partners Ltd