

202[ ] No.

**INFRASTRUCTURE PLANNING**

**The Manston Airport Development Consent (Amendment)  
Order 202[ ]**

*Made* - - - - 202[ ]

*Coming into force* - - - - 202[ ]

An application has been made under paragraph 2 of Schedule 6 to the Planning Act 2008(a) to the Secretary of State in accordance with the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011(b) for a non-material change to the Manston Airport Development Consent Order 2022(c).

The Secretary of State, having considered the application and the response to the publicity and consultation carried out in accordance with Regulations 6 and 7 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011, has decided to make this Order amending the Manston Airport Development Consent Order 2022.

The Secretary of State, in exercise of the powers conferred by paragraph 2 of Schedule 6 to the Planning Act 2008, makes the following Order.

**Citation and commencement**

1. — This Order may be cited as the Manston Airport Development Consent (Amendment) Order 202[ ] and comes into force on [x]th [xxxxx] 202[ ].

**Amendments to the Manston Airport Development Consent Order 2022**

2. — The Manston Airport Development Consent Order 2022 is amended as follows.

(1) In Schedule 2 (requirements), Part 2—

(a) in paragraph 2 (time limits)—  
for “five years” substitute “seven years”

(b) in paragraph 24 (high resolution direction finder)—  
omit—

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(a) 2008 c.29. Paragraph 2 of Schedule 6 was amended by paragraph 4 of Schedule 8 to the Marine and Coastal Access Act 2009 (c.23), by paragraph 72 of Schedule 13 and paragraph 1 of Schedule 25 to the Localism Act 2011 (c.20), by section 28 of the Infrastructure Act 2015 (c. 7) and by section 128 of the Levelling-up and Regeneration Act 2023 (c. 55).  
(b) S.I. 2011/2055, as amended by S.I. 2012/635, S.I. 2012/2654, S.I. 2012/2732, S.I. 2013/522, S.I. 2013/755, S.I. 2015/377, S.I. 2015/760, S.I. 2015/1682, S.I. 2017/314, S.I. 2017/524, S.I. 2018/378, S.I. 2019/734, S.I. 2020/764, S.I. 2020/1534, S.I. 2022/634 and S.I. 2023/1071.  
(c) S.I. 2022/922.

“(1) No part of the authorised development must commence unless and until a detailed mitigation scheme to provide an alternate High Resolution Direction Finder, prepared by the undertaker and agreed in writing by the Ministry of Defence, has been submitted to the relevant planning authority. The detailed mitigation scheme must include siting location(s) for the alternate High Resolution Direction Finder, full specification for the equipment and infrastructure proposed, details of a programme, to test the new equipment as installed against the Ministry of Defence requirements for acceptance into service and the technical performance data necessary to establish safeguarding criteria to protect its subsequent operation.

(2) No part of the authorised development is permitted to be constructed within the zone protected by the Ministry of Defence (Manston) Technical Site Direction 2017 while the safeguarding direction is in force without the consent of the Secretary of State for Defence.

(3) No part of the authorised development must commence unless and until a programme for the decommissioning and removal of the existing High Resolution Direction Finder, prepared by the undertaker and submitted to and agreed in writing by the Ministry of Defence, has been submitted to the relevant planning authority. The decommissioning and removal of the existing High Resolution Direction Finder equipment must be carried out strictly in accordance with the details approved.”

and insert—

“(1) No part of the authorised development is to commence until either—

(a) a detailed mitigation scheme to provide an alternate High Resolution Direction Finder, prepared by the undertaker and agreed in writing by the Ministry of Defence, has been submitted to the relevant planning authority; or

(b) the Ministry of Defence confirms in writing that an alternate High Resolution Direction Finder is not required.

(2) If required, the detailed mitigation scheme pursuant to sub-paragraph (1)(a) must include siting location(s) for the alternate High Resolution Direction Finder, full specification for the equipment and infrastructure proposed, details of a programme, to test the new equipment as installed against the Ministry of Defence requirements for acceptance into service and the technical performance data necessary to establish safeguarding criteria to protect its subsequent operation.

(3) No part of the authorised development is to commence until either—

(a) a programme for the decommissioning and removal of the existing High Resolution Direction Finder, prepared by the undertaker and submitted to and agreed in writing by the Ministry of Defence, has been submitted to the relevant planning authority; or

(b) the Ministry of Defence confirms in writing that the existing High Resolution Direction Finder does not need to be decommissioned and removed.

(4) If required, the decommissioning and removal of the existing High Resolution Direction Finder equipment pursuant to sub-paragraph 3(a) must be carried out strictly in accordance with the details approved,

(5) No part of the authorised development is permitted to be constructed within the zone protected by the Ministry of Defence (Manston) Technical Site Direction 2017 while the safeguarding direction is in force without the consent of the Secretary of State for Defence.”

Signed by the authority of the Secretary of State for Transport

Date

*Name*  
Title  
Department for Transport

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends the Manston Airport Development Consent Order 2022, a development consent order under the Planning Act 2008 (“the Act”).

This Order follows an application under paragraph 2 of Schedule 6 to the Act for non-material changes to amend two of the requirements contained in Schedule 2 to the Manston Airport Development Consent Order 2022.

This Order amends the time limit for commencing the authorised development from five years to seven years and amends the requirement to agree a detailed mitigation scheme for the provision of an alternative High Resolution Direction Finder with the Ministry of Defence, to enable the Ministry of Defence to confirm that an alternative High Resolution Direction Finder is not required.