



RiverOak Strategic Partners

# Applicant's Cover Letter for Deadline 8 Submissions

TR020002/D8/Cover  
Examination Document

<b>Project Name:</b>	Manston Airport Development Consent Order
<b>Application Ref:</b>	TR020002
<b>Submission Deadline:</b>	<b>8</b>
<b>Date:</b>	14 June 2019

Mr Richard Price  
Case Manager  
The Planning Inspectorate  
Room3/8 Eagle Wing  
Temple Quay House  
2 The Square  
Bristol  
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Your Ref  
  
Our Ref  
JNG/ADW/166055.0003  
  
Date  
10 June 2019

Dear Richard

Proposed Manston Airport Development Consent Order  
Applicant ref: TR020002  
Applicant's Deadline 8 submission - 14 June 2019 - document ref TR020002/D8/Cover

Please find the submission of the Applicant for Deadline 8 enclosed.

This submission consists of a number of enclosures and separate documents which are submitted in response to the timetable enclosed in the Examining Authority's ('ExA') letter issued on 18 January 2019 ('Rule 8 letter').

The Deadline 8 submission comprises the following in addition to this letter:

- 1 Written summary of oral submissions put at the Landscape, design, archaeology and heritage Issue Specific Hearing on 3 June 2019
- 1.1 The written summary of the oral submissions put at the Landscape, design, archaeology and heritage Issue Specific Hearing (ISH4) held on 3 June 2019 can be found in the document with reference TR020002/D8/ISH4. Appended to it are various notes requested at the hearing and referred to in the summary.

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- 2 Written summary of oral submissions put at the Compulsory Acquisition Hearing on 4 June 2019
  - 2.1 The written summary of the oral submissions put at the Compulsory Acquisition Hearing (CAH2) held on 4 June 2019 can be found in the document with reference TR020002/D8/CA2. Again, appended to it are various notes requested at the hearing and referred to in the summary.
- 3 Written summary of oral submissions put at the Socio-economic Issues Specific Hearing on 5 June 2019 (am)
  - 3.1 The written summary of the oral submissions put at the Socio-economic Issue Specific Hearing (ISH5) held on 5 June 2019 can be found in the document with reference TR020002/D8/ISH5. Again, appended to it are various notes requested at the hearing and referred to in the summary.
- 4 Written summary of oral submissions put at the Biodiversity and Habitats Regulation Assessment Issue Specific Hearing on 5 June 2019 (pm)
  - 4.1 The written summary of the oral submissions put at the Biodiversity and Habitats Regulation Assessment Issue Specific Hearing (ISH6) held on 5 June 2019 can be found in the document with reference TR020002/D8/ISH6. Again, appended to it are various notes requested at the hearing and referred to in the summary.
- 5 Written summary of oral submissions put at the Traffic and Transport Issue Specific Hearing on 6 June 2019
  - 5.1 The written summary of the oral submissions put at the Traffic and transport Issue Specific Hearing (ISH7) held on 6 June 2019 can be found in the document with reference TR020002/D8/ISH7. Again, appended to it are various notes requested at the hearing and referred to in the summary.
- 6 Written summary of oral submissions put at the draft Development Consent Order Issue Specific Hearing on 7 June 2019
  - 6.1 The written summary of the oral submissions put at the draft Development Consent Order Issue Specific Hearing (ISH8) held on 7 June 2019 can be found in the document with reference TR020002/D8/ISH8. Again, appended to it are various notes requested at the hearing and referred to in the summary.
- 7 Updated version of the Application Document Tracker
  - 7.1 A fourth version of the Application Document Tracker is submitted as a document with reference TR020002/D8/1.5 (clean version) and TR020002/D8/1.5T (tracked version).

- 8 Updated version of the Compulsory Acquisition Status Report
  - 8.1 A third version of the Compulsory Acquisition Status Report is submitted as a document with reference TR020002/D8/CASR. It is in Excel format at the ExA's request.
- 9 Actions arising from June 2019 Hearings
  - 9.1 Enclosure 1 appended to this letter sets out the locations of the information required by the ExA's published actions arising from the June 2019 hearings.
- 10 Comments on any further information requested by the ExA and received to Deadline 8
  - 10.1 The ExA did not request any further information for Deadline 8.
- 11 Any further information requested by the ExA under Rule 17 of the Exam Rules
  - 11.1 The ExA has not requested any further information under Rule 17 to date.
- 12 Comments on responses to ExA's third written questions
  - 12.1 The Applicant has no comments on others' responses to the third written questions that are not covered in the summary of hearings documents.
- 13 Other revised application documents
  - 13.1 A revised Travel Plan is submitted as a document with reference TR020002/D8/TP.
  - 13.2 To account for additional comments from the ExA and TDC, the Applicant is submitting a revised Register of Environmental Actions and Commitments, which has document reference TR020002/D8/2.5 (clean version) and TR020002/D8/2.5/T (tracked version).
  - 13.3 To reflect changes in the noise mitigation that are proposed, a revised Noise Mitigation Plan is provided as document reference TR020002/D8/2.4 (clean version) and TR020002/D8/2.5/T (tracked version).
- 14 Other documents
  - 14.1 A revised draft section 106 agreement is submitted as a document with reference TR020002/D8/S106
  - 14.2 A revised Design Guide is submitted as a document with reference TR020002/D8/DG.





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enc



Enclosure 1

Actions arising from June 2019 hearings table

No.	Action	Location
Landscape & Heritage		
1	Provide clarification in relation to the location and extent of bunding including where this has been assessed in the Environmental Statement (ES) and where it is secured in the draft Development Consent Order (dDCO).	Appendix ISH4–1 of Applicant's Summary of ISH4 at TR020002/D8/ISH4
2	Provide a technical note assessing the robustness of the landscape assessment and the mitigations proposed against Policy SP3 in the emerging Thanet Local Plan.	Appendix ISH4–2 of Applicant's Summary of ISH4 at TR020002/D8/ISH4
3	Provide suggested jointly agreed wording (with TDC) to ensure that the lighting strategy is secured in the dDCO.	Agreed with TDC on 13/06/19. Wording can be found at paragraph 2.17 of Applicant's summary of case at TR020002/D8/ISH4
5	Provide a technical note concerning the effect of the Proposed Development on the May 2019 listing, upgrading and relisting of specific heritage assets in Ramsgate.	Appendix ISH4–5 of Applicant's Summary of ISH4 at TR020002/D8/ISH4
6	Provide a note explaining why paragraph 3.1.2 of Appendices to Answers to First Written Questions: 15th February 2019 Appendix LV.1.36 cites the hours of winter darkness in which aircraft may be flying at 07.00 – 08.00 rather than 06.00 – 08.00.	Appendix ISH4–6 of Applicant's Summary of ISH4 at TR020002/D8/ISH4
7	Provide an evaluation of the effect of the 54dB contour on Albion Place Gardens and Church of St George, and the proximity of the 57dB contour and likely flightpath on Albion Place Gardens.	Appendix ISH4–7 of Applicant's Summary of ISH4 at TR020002/D8/ISH4
Compulsory Acquisition (incl. Funding)		

9	Publish interim accounts to end of April or, preferably, May 2019 (part year to supplement previous year) for RiverOak Strategic Partners Limited, RiverOak Fuels Limited, RiverOak (Manston) Limited, RiverOak AL Limited, RiverOak Operations Limited, RiverOak MSE Limited and RiverOak Investments (UK) Limited.	Appendix CAH2-9 to Applicant's Summary of CAH2 at TR020002/D8/CAH2
10	Provide a note of evidence to support the statement in the Applicant's response to F.3.3 that HLX Nominees Limited falls under the review of the regulator in Switzerland.	Appendix CAH2-10 to Applicant's Summary of CA2 at TR020002/D8/CAH2
11	Provide an annotated global figure for the financial value of all commitments and obligations whether through a proposed s106 agreement or agreements or any other means.	Appendix CAH2-11 to Applicant's Summary of CAH2 at TR020002/D8/CAH2
13	Applicant to disclose 'all signed agreements' with Aquila.	Appendix CAH2-13 to Applicant's Summary of CAH2 at TR020002/D8/CAH2
14	Provide a joint note (with DIO) on progress with negotiations on the relocation of the High Resolution Direction Finder (HRDF) including copies of plans showing preferred site(s).	Appendix CAH2-14 to Applicant's Summary of CAH2 at TR020002/D8/CAH2
15	Provide an updated and more detailed business plan and business model.	Appendix CAH2-15 to Applicant's Summary of CAH2 at TR020002/D8/CAH2
Socio economic		
17	Provide details of French aircraft MRO and recycling operation referred to by Mr Cain as a comparator.	Appendix ISH5-17 to Applicant's Summary of ISH5 at TR020002/D8/ISH5
18	Applicant and TDC to discuss offline education, training and skills provisions in draft s106 and dDCO.	Text can be found at paragraph 5.1 of Applicant's summary of case at TR020002/D8/ISH5

Biodiversity & HRA		
19	Provide date secured input parameters for updated air quality and noise assessments assessment and confirm the basis for the fleet mix used in both assessments.	Appendix ISH6-19 to Applicant's Summary of ISH6 at TR020002/D8/ISH6 explains, the spreadsheets themselves are in 8_Ref19_V1.zip
20	Provide input files for ES addendum KCC Strategic Transport Model (date secured).	Appendix ISH6-19 to Applicant's Summary of ISH6 at TR020002/D8/ISH6 explains, the spreadsheets themselves are in 8_Ref19_V1.zip
21	Provide a list of UK airports applying the 60dB (SOAEL).	Appendix ISH6-21 to Applicant's Summary of ISH6 at TR020002/D8/ISH6
22	Provide further information on financial effects of adopting a 60dB (SOAEL) as the basis for the insulation, ventilation and relocation schemes in the draft Noise Mitigation Plan.	Text can be found at paragraph 2.30 of Applicant's Summary of ISH6 at TR020002/D8/ISH6
23	<p>Provide further clarification of the intended application of the community compensation fund including in relation to insulation and ventilation schemes for schools and other community facilities.</p> <p>Show where the allocation of funding for the community fund is allowed for in estimates of costs.</p>	Text can be found at paragraph 2.39 of Applicant's summary of case at TR020002/D8/ISH6
24	Provide a note showing the implications of Requirement 21(2) on the stated noise quota between 23.00 and 07.00 including estimates of the translation of this noise quota into a number or range of numbers of ATMs.	Text can be found at paragraph 2.43 of Applicant's summary of case at TR020002/D8/ISH6
25	Provide a note on the apparent uncertainty over the effectiveness of noise insulation and ventilation schemes for the residential caravan park at Smugglers Leap in terms of	Appendix ISH6-25 to Applicant's Summary of ISH6 at TR020002/D8/ISH6

	mitigation being brought forward to year 6 (earliest LSAE) and consideration of further proposals.	
26	<p>Provide Cogent Land LLP with the detailed noise assessment outputs for the proposed Manston Green development.</p> <p>Provide Cogent Land LLP with a location map of the proposed alternative HRDF site(s) at a suitable scale showing the relevant safeguarding zones.</p>	<p>Appendix ISH6-26 to Applicant's Summary of ISH6 at TR020002/D8/ISH6</p> <p>The Applicant considers that it would be appropriate to provide a location map of the proposed alternative HRDF site(s) at a suitable scale showing the relevant safeguarding zones following the completion of the Aquila Feasibility Report (due for completion at the end of this month) and undertakes to do this.</p>
27	<p>Provide an evidenced response to:</p> <p>a) Five10Twelve noise contour modelling undertaken by the Civil Aviation Authority (CAA); and</p> <p>b) No Night Flight noise contour modelling undertaken by CAA.</p>	<p>a) Appendix ISH6-27 to Applicant's Summary of ISH6 at TR020002/D8/ISH6</p> <p>b) this has not yet been published, to the Applicant's knowledge</p>
28	Provide an update on discussions to be provided for bird mitigation (with NE and TDC).	Appendix ISH6-28 to Applicant's summary of case at TR020002/D8/ISH6
Traffic and Transport		
29	All information provided by the Applicant to the Planning Inspectorate to be copied into KCC and Highways England.	The Applicant notes that all submissions so far to the ExA have been provided to KCC and Highways England (and other statutory bodies) shortly after submission and the Applicant will continue to do this.

30	Note on where the figure of 58 vehicle movements (30% of 193) in response to Third Written Question TR.3.20 ii) for trip generation in the am peak has been derived.	Appendix ISH7-30 to Applicant's Summary of ISH7 at TR020002/D8/ISH7
31	Provide a note on sensitivity testing of junctions with additional passenger traffic in am peak (based on a reasonable worst case).	Appendix ISH7-31 to Applicant's Summary of ISH7 at TR020002/D8/ISH7
32	<p>Provide a note considering proportional impacts of extended study area to take into account vehicle movements leaving/entering the study area at A299 Thanet Way at St Nicholas at Wade and the A256.</p> <p>Also, consideration of any impact this might have on study area of original Transport Assessment (TA).</p> <p>The Examining Authority (ExA) notes that the Applicant agreed to convert percentages to vehicle numbers at Highways England's request.</p>	Appendix ISH7-32 to Applicant's Summary of ISH7 at TR020002/D8/ISH7
33	Provide a note on the propensity for, and potential impacts of, clustering on HGV movements.	Appendix ISH7-33 to Applicant's Summary of ISH7 at TR020002/D8/ISH7
34	Provide a HGV strategy, including routing plans, restrictions on timings (such as peak hour caps), methods of ensuring compliance and enforcement.	The strategy is contained in the revised Travel Plan at TR020002/D8/TP – see Appendix B
35	Respond to Highways England's suggestion for Travel Plan.	The suggestion is actioned in the revised Travel Plan at TR020002/D8/TP – see Section 3
36	Provide a note setting out reasons why the proposed Manston-Haine link road cannot transect the Northern Grass Area.	Text can be found at paragraphs 3.14-3.16 of Applicant's summary of case at TR020002/D8/ISH7

37	<p>a) Justify why mitigation and other commitments contained in the draft s106 at should be not be included in the dDCO; or</p> <p>b) draft an Article and/ or Requirement to secure s106 matters.</p>	Text answering part (a) can be found at paragraphs 3.19-3.20 Applicant's summary of case at TR020002/D8/ISH7
38	Provide a note on any implications for safeguarding a wider corridor for the proposed Manston-Haine link road (to allow for KCC mitigation) – particularly but not solely with reference to the radar safeguarding zone.	Appendix ISH7-38 to Applicant's Summary of ISH7 at TR020002/D8/ISH7
39	<p>Provide an update on negotiations (with KCC) in relation to the draft s106 and on the matters to be included in it.</p> <p>Consider the insertion of a clause to make sure mitigation is delivered when needed and for purposes related directly to the scheme.</p>	Text can be found at paragraph 3.21 of Applicant's summary of case at TR020002/D8/ISH7
41	Provide full details of other NSIP schemes where off-site highway improvements have been secured by (a) s106 and (b) s278 agreements, or both.	Text can be found at paragraph 4.11 of Applicant's summary of case at TR020002/D8/ISH7
42	<p>Provide a note showing how the contributions for each junction set out in the draft s106 agreement have been calculated and their timings established.</p> <p>Indicate whether the costing estimates have been agreed with KCC.</p>	Appendix ISH7-42 to Applicant's Summary of ISH7 at TR020002/D8/ISH7
43	Provide a technical note on the effects that changes made in the revised TA methodology (in terms of modal split (shared taxi) and the timing of passenger arrivals before flights) would have on the modelling and results in the original TA.	Appendix ISH7-43 to Applicant's Summary of ISH7 at TR020002/D8/ISH7
44	Submit Stage 1 Road Safety Audits and design responses for junction improvement schemes that were needed in the original TA, but not the revised TA.	Appendix ISH7-44 to Applicant's Summary of ISH7 at TR020002/D8/ISH7



45	Provide a note on the intended locations of emergency accesses and how these might be appropriately secured at this stage of the examination.	Appendix ISH7-45 to Applicant's Summary of ISH7 at TR020002/D8/ISH7
46	Provide a note on the possible need for improvements to pedestrian pavements and footpaths in Manston Village to increase pedestrian accessibility to the airport and to address any safety issues arising from increased traffic flows including with reference to PRow TR10.	Appendix ISH7-46 to Applicant's Summary of ISH7 at TR020002/D8/ISH7
47	Provide a note on current considerations of whether to provide bus service for staff or to contribute to an existing service. Provide financial contribution figures in draft s106 agreement.	Text can be found at paragraphs 6.5-6.8 of Applicant's summary of case at TR020002/D8/ISH7; the revised s106 agreement is submitted as TR020002/D8/S106
48	Clarify if the REAC is the appropriate place to secure a shuttle bus service and other public transport measures.	Text can be found at paragraph 6.9 of Applicant's summary of case at TR020002/D8/ISH7
49	Review the commitments in Framework Travel Plan (provide more details of commitments and targets).	A revised Travel Plan is submitted as TR020002/D8/TP – see Section 4
50	Provide a note about the Car Park Management Strategy, in relation to apparent overprovisions in parking spaces considering number of passenger flights proposed – include a parking compliance strategy, and consideration of any implications for Compulsory Acquisition, including the possible use of this area as a construction compound.  Set out details of passenger mode share assumptions applied and their alignment with those applied in the TA.	Appendix ISH7-50 to Applicant's Summary of ISH7 at TR020002/D8/ISH7
51	Include a parking controls review mechanism in any updated s106 agreement and show how it will be secured in the dDCO.	Text can be found at paragraph 7.11 of Applicant's summary of case at TR020002/D8/ISH7; the revised s106 agreement is

		submitted as TR020002/D8/S106
52	Include a 'Blue Badge' parking strategy in car parking strategy and arrangements for monitoring of such parking.	Appendix ISH7-52 to Applicant's Summary of ISH7 at TR020002/D8/ISH7
	DCO	
53	Provide a change of text for the Explanatory Memorandum to justify the inclusion of the Secretary of State as the discharging authority in Article 37.	Appendix ISH8-53 to Applicant's summary of case at TR020002/D8/ISH8
54	Negotiate with Historic England and TDC with the aim of agreeing revised wording for Article 6 and or Requirement 3 in respect of safeguarding as yet unidentified archaeological and/or heritage assets.  If no wording had been agreed by Deadline 8, provide a note on progress.	The applicant notes that this should refer to KCC.  Text can be found at paragraph 8(a) of Applicant's summary of case at TR020002/D8/ISH8
55	Provide any agreed amendments to the wording of the Article 2 definition of 'maintain'.	Text can be found at section 8(e) of Applicant's summary of case at TR020002/D8/ISH8
56	Provide a commentary on any differences in procedures for acquiring title and for valuing and payment of compensation using notice to treat and vesting declarations.	Appendix ISH8-56 to Applicant's Summary of ISH8 at TR020002/D8/ISH8
57	Assess the provisions in the current dDCO in relation to the establishment of a robust monitoring regime for the Proposed Development.	Text can be found at the last row of Applicant's summary of case at TR020002/D8/ISH8