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Dear Sirs,

**PROPOSED REVISIONS TO THE DRAFT THANET LOCAL PLAN (PREFERRED OPTIONS) –
JANUARY 2017
REPRESENTATIONS ON BEHALF OF RIVEROAK STRATEGIC PARTNERS LTD (RIVEROAK)**

I write in connection with Thanet District Council's (TDC's) consultation on Proposed Revisions to their draft Local Plan (Preferred Options) which began in January 2017 (the Local Plan consultation) to provide you with representations on behalf of our client RiverOak Strategic Partners Limited (RiverOak). I would be grateful if you could consider the points raised within this letter. If you think it would be helpful to meet with RiverOak to discuss matters further, please do not hesitate to contact me.

Background and context for these representations

1. RPS has been appointed by RiverOak to advise as part of the Development Consent Order (DCO) process established by the Planning Act 2008 in respect of their proposals to reinstate and develop Manston Airport. It is RiverOak's intention to apply for a DCO which, in the absence of agreement with the landowner, would grant compulsory purchase powers and the permissions required for the reinstatement of Manston Airport as a major aviation agglomeration centre offering a number of facilities and services including
 - an area for cargo freight operations able to handle at least 10,000 movements per year,
 - a passenger terminal and associated facilities,
 - an aircraft teardown and recycling facility,
 - a flight training school,
 - a base for at least one passenger carrier,
 - a fixed based operation for executive travel, and
 - business facilities for aviation related organisations.
2. RiverOak has notified the Planning Inspectorate of its intention to submit an application for a DCO and has had a number of meetings with the Planning Inspectorate (PINS) about the project since January 2016. TDC were party to an inception meeting with PINS on 1 June 2016. Minutes of the meetings are available via the Planning Inspectorate's National Infrastructure Planning website.



Since January 2016, there has been significant progress associated with the preparation of RiverOak's DCO application as follows:

- 30 June 2016 . RiverOak submit their Environmental Scoping Report to PINS;
- July to September 2016 . RiverOak holds a non-statutory public consultation to provide information on its proposed masterplan for Manston Airport;
- 10 August 2016 . The Secretary of State adopts its Environmental Scoping Opinion on Manston Airport;
- 16 December 2016 . A section 53 Authorisation Notice under the Planning Act 2008 (permission to access the Manston Airport site to carry out environmental surveys) issued by PINS;
- 7 . 17 February 2017 . RiverOak's environmental team conduct site visits to undertake environmental surveys; and
- 10 February . 10 March 2017 . RiverOak consults on a draft Statement of Community Consultation (SOCC) with TDC, Kent County Council (KCC), Dover District Council (DDC), Canterbury City Council (CCC) and 11 nearby Parish and Town Councils. This document sets out how RiverOak proposes to carry out statutory consultation on its proposals, under section 47 of the Planning Act 2008.

3. RiverOak intends to submit its DCO application to PINS later in 2017. It is in this context that the following representations have been submitted.

The nature of RiverOak's representations

4. This letter sets out RiverOak's response to TDC's Local Plan consultation. To clarify, RiverOak did not submit representations to TDC's consultation on its Preferred Options Draft Local Plan Document, published in January 2015 and no comments are made in relation to that document in this letter.
5. RiverOak's comments can be summarised as follows:
 - **General** - The proposed revisions to the Local Plan have not been prepared in accordance with the Duty to Cooperate and legal and procedural requirements as set out in paragraph 182 of the National Planning Policy Framework (NPPF). The fundamental test set out in the NPPF which requires policies in Local Plans to be sound, that is, being positively prepared; justified; effective and consistent with national policy . has not been met. Consequently, and with particular reference to Revised Policy SP05 (Former Airport Site) and Revised Policy SP11 (Housing Provision) for the reasons set out in this letter, these policies cannot be accepted;
 - **Revised Policy SP05 (Former Airport Site)** . RiverOak strongly objects to TDC's proposal to allocate land at the Manston Airport site for a mixed-use settlement comprising at least 2,500 new dwellings and up to 85,000m² of employment and leisure floorspace (or any other non-aviation use). Land at Manston Airport should be retained and protected for aviation uses only and Policy SP05 should be revised to reflect this;
 - **Revised Policy SP11 (Housing Provision) and Revised Location of Housing (Section 4)** - The Council's strategy for housing provision which includes a proposal to allocate land at Manston Airport for significant new housing development as part of a new mixed-use settlement is wholly misconceived. Land at Manston Airport should not be made available for any non-aviation uses and especially not for housing

development. In any event, there is insufficient justification to demonstrate that a new settlement is the most appropriate strategy to deliver TDC's housing needs especially as all other reasonable alternatives have not been properly considered;

- **Revised Policy SP39 and Map 15 (Thanet Parkway Station)** – RiverOak is supportive of the proposals for a new Thanet Parkway Station including in its revised location at Cliffsend;
- **Section 8 – New Strategic Routes Policy** . RiverOak is supportive of the proposals to widen the B2050 Manston Road and the B2190 Spitfire Way; the junction improvements that are proposed at Manston Road/Spitfire Way and at Manston Road/Manston Court Road and the new road that is proposed from Columbus Way (Manston Business Park) to Manston Road, Birchington;
- **Section 9 – New Implementation Policy (Council's draft Infrastructure Delivery Plan)** . RiverOak objects to any proposal for there to be reduced or no Community Infrastructure Levy (CIL) on larger sites especially if TDC chose to provide a significant proportion of its housing need via a new settlement (which RiverOak strongly objects to and especially on the Manston Airport site); and
- **Other** . RiverOak wish to voice concerns about the process that has taken place to agree the proposed revisions for public consultation especially in light of the significant local objection that was received to the January 2015 consultation in respect of the proposal not to safeguard land at Manston Airport for aviation uses.

6. The remainder of this letter (and the appended documents) set out RiverOak's detailed comments and evidence to justify their position.

General

7. Paragraph 182 of the NPPF requires that Local Plans be prepared in accordance with the duty to cooperate and legal and procedural requirements (as set out in paragraphs 150 to 181 of the NPPF). It also sets out what constitutes a sound plan. For a Local Plan to be sound, the NPPF states that it needs to be:
 - **Positively prepared** . the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
 - **Justified** . the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
 - **Effective** . the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
 - **Consistent with national policy** . the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.
8. For the following reasons, which are expanded on throughout this letter with reference to the NPPF, RiverOak considers that any acceptance of the proposed revisions to the draft Local Plan as they currently stand will make the draft Local Plan unsound:
 - The evidence base that has been used to formulate Revised Policy SP05, solely consisting of the AviaSolutions Report (September 2016) is not adequate, up-to-date or

relevant (paragraph 158 of the NPPF). Consequently it should not be relied upon in the preparation of the new Local Plan;

- TDC's assessment of and strategies for housing and employment are not integrated and they do not take full account of the relevant market and economic signals (paragraph 158 of the NPPF);
 - TDC has failed to work with DDC as a neighbouring authority to fully assess their housing needs. The Strategic Housing Market Assessment (SHMA) for Thanet assumes housing market areas across boundaries with Dover. RiverOak understands that TDC's approach is contested by DDC (paragraph 159 of the NPPF);
 - TDC, in failing to safeguard Manston Airport for aviation uses, has demonstrated a clear lack of understanding of the business needs within the aviation sector and the benefits that Manston Airport could bring to that sector. There is also no evidence to demonstrate that TDC has worked with county, neighbouring authorities and Local Enterprise Partnerships to prepare and maintain a robust evidence base to understand both existing business needs and likely changes in the market, as advised in paragraph 160 of the NPPF;
 - RiverOak has reservations about the quality and capacity of infrastructure for transport and utilities in Thanet, and about TDC's ability to meet forecast demands based on the Local Plan growth requirements especially if a new settlement is being proposed to meet housing needs (paragraph 162 of the NPPF);
 - TDC have failed to take account of the need to retain Manston Airport in aviation use to address a strategic and national infrastructure need in their area for additional air freight capacity (paragraph 162 of the NPPF);
 - Concerns are also raised about whether the proposed new settlement at Manston Airport, as proposed in Revised Policy SP05, is actually deliverable. Creating a new settlement at Manston Airport would require such a scale of obligations and policy burdens that its ability to be developed viably is threatened. The associated costs of the requirements likely to be applied to development, including affordable housing, standards, infrastructure contributions or other requirements, together with normal developer costs and mitigation costs, is unlikely to provide competitive returns to the landowner in order for the development to be deliverable. certainly not within the Local Plan period.
9. This is demonstrated in part by what is already known about the mixed-use development that is the subject of the live planning application (TDC reference OL/TH/16/0550) by Stone Hill Park Ltd (the freehold owners of Manston Airport) where reduced amounts of affordable housing are sought on viability grounds (paragraph 7.119 of the Planning Statement accompanying the application) as part of their mixed-use redevelopment proposal for the airport (paragraph 173 of the NPPF); and
- TDC has failed in its duty to cooperate with DDC as a neighbouring authority on the future of Manston Airport which is a strategic, cross-boundary issue (paragraph 178 of the NPPF). There is a need for a joint planning policy approach on this strategic matter given the airport's close proximity to the boundary with DDC (paragraph 179 of the NPPF). There is no evidence to demonstrate that TDC has effectively cooperated with DDC (or other local authorities and statutory consultees) on the future of Manston Airport, and indeed DDC have published a Cabinet paper for consideration on 20 March 2017 that is critical of TDC's approach to the duty to co-operate. The future of Manston Airport is very clearly a cross-boundary issue (paragraph 181 of the NPPF).



10. Recommendations are made throughout this letter as to how the draft Local Plan could be made sound.

Revised Policy SP05 (Former Airport Site)

11. Given its strongly committed aspirations for reopening Manston Airport as set out at the beginning of this letter, RiverOak objects in the strongest sense to Revised Policy SP05 and TDC's proposal to allocate land at the Manston Airport site for a mixed-use settlement.

12. It can be seen from the evidence provided with this letter (and as was evidenced during the Public Inquiry into the Lothian Shelf (718) Limited change of use planning appeals between 14 and 17 March 2017) that land at Manston Airport must be retained as an airport and safeguarded and protected for aviation uses only. Revised Policy SP05 should be rewritten to capture this strategic priority for Thanet which needs to be reflected throughout the new Thanet Local Plan alongside integration with the Council's housing and employment strategies. The justification for RiverOak's position is evidenced as follows:

An airport at Manston is viable

13. The evidence submitted with this representation demonstrates that Manston Airport is required as a hub for air freight aviation, that it is viable and deliverable, and that its use as such is in the national, regional and local interest. This is contrary to the conclusions of the AviaSolutions Report (September 2016) that has been prepared by TDC as evidence upon which to prepare their new Local Plan. The evidence submitted with these representations demonstrates that no reliance can be placed upon the AviaSolutions Report.

14. RiverOak has been strongly pursuing their interest in the reinstatement of Manston Airport as a specialised aviation agglomeration centre. RiverOak and its investors have spent three years and more than £3,000,000 to date in pursuing their proposals to reopen Manston Airport. RiverOak and its investors are experienced investors, and the monies spent to date are evidence of their confidence in its scheme and their determination to pursue it. As investors, they would not pursue the scheme if they were not completely convinced of the merits and the business case for it. In particular, RiverOak is completely confident that there is a need for the scheme, and that RiverOak will be able to deliver the reopening of Manston Airport as a cargo based airport with supplementary passenger use and other related aviation uses and ensure a financial return in the process.

15. RiverOak is fully committed, prepared and financed to pursue a DCO and deliver the proposed development project. Although progress has been slowed by unsuccessful compulsory purchase order (CPO) negotiations with TDC throughout 2015 and 2016, and with the more recent delay in obtaining site access from the current owners in order to undertake necessary environmental surveys, RiverOak has undertaken substantial works in preparation of its application.

16. RiverOak expects to submit its application for a DCO later in 2017 and anticipates that the DCO will be granted by the end of 2018 which will be during the lifetime of the new Local Plan.

17. A report that has been prepared for RiverOak by Dr Sally Dixon, Business and Aviation Consult at Azimuth Associates, entitled 'Manston Airport : A National and Regional Aviation Asset' (March 2017) is provided with this letter. The report is presented in three Volumes as follows and demonstrates clearly why Manston Airport is a viable prospect:

- Volume 1 Demand in the south east of the UK

- Volume 2 A qualitative study of potential demand
- Volume 3 The forecast

18. Volume 1 of Dr Dixon's report concludes that there is demand in the South East of England for this type of proposed development and shows that Manston Airport, with the high level of investment proposed by RiverOak, its geographic location and airspace position, is capable of handling air freight at least to the volumes required to class the project a nationally significant infrastructure project and therefore to require authorisation under the Planning Act 2008 by means of a Development Consent Order (DCO) (a capacity of a minimum of 10,000 Air Traffic Movements (ATMs) per annum; that number of ATMs being exceeded by Year 6 of being in operation (by 2026)). Dr Dixon concludes that Manston Airport is a valuable regional and national asset, capable of providing infrastructure badly needed by the UK in the short, medium and long-term, playing a role in helping Britain's connectedness and trade with the rest of the world, and of making a substantial contribution to the future economic and social wellbeing of the nation.
19. Volumes 2 and 3 of Dr Dixon's report set out the demand for Manston Airport as an operational airport. This includes freight and passenger demand as well as other revenue generating activities the airport can support. Dr Dixon concludes that Manston Airport can attract a volume of passenger traffic, providing a valuable service to the region and that it is also capable of attracting other revenue and job creating activities such as aircraft recycling, an on-site MRO (maintenance, repair and overhaul facility), a FBO (fixed base operator), and a flying school.

No reliance can be placed on the AviaSolutions Report (September 2016)

20. TDC's new draft Local Plan proposes to reallocate land at Manston Airport for non-aviation uses entirely based upon the conclusions of an airport viability study by AviaSolutions (Avia) that TDC commissioned. This study, which concludes that airport operations at Manston are very unlikely to be financially viable in the longer term and almost certainly not possible in the new Local Plan period to 2031, is fundamentally flawed and cannot be relied upon as a sound evidence base upon which to prepare the new Thanet Local Plan and especially to reallocate land at Manston Airport for a mixed-use settlement.
21. On 10 August 2016, RiverOak and its representatives met with Dr Chris Smith and Mr Paul Morris who are the principle authors of the Avia Report. Following that meeting, Dr Dixon had concerns that Avia had not undertaken very much research and she was surprised by the poor level of information in the final report. For example, Avia's analysis of annual average growth for the aviation sector runs only until 2012 (page 31 of the Avia final report) but economic recovery in the sector began towards the end of 2013. 2016 figures from the International Air Transport Association (IATA) show growth at 3.8% for the year, which contrasts sharply with the figures used by AviaSolutions of less than 2%.
22. It is also apparent that in writing their report Dr Smith and Mr Morris had not taken into consideration the information that RiverOak, the other consultants present, and Dr Dixon had provided at the meeting on the 10 August 2016. In particular, the report focuses on the passenger market (which is not RiverOak's intended business model for the airport) and fails to provide anything other than a forecast of 30,000 tonnes of air freight each year until 2040 (then 80,000 tonnes in 2045 and 140,000 tonnes in 2050). This figure merely replicates the tonnage handled by Manston Airport during its last years of operation, when it was suffering from a severe lack of investment. Avia have made it clear that their forecast is based on the assumption that very little investment is made in Manston Airport except to return it to its previous state before closure (see

page 84 of their report) which shows, for example, a total cost output of £12 million in 2020. This is contrary to RiverOak's very clear proposal for the airport, including the level of investment outlined by RiverOak, as expressed to Avia at that meeting which was £300m for the total eventual costs to create infrastructure for 10,000 cargo movements.

23. A report is provided with this letter. This report has been prepared by on behalf of RiverOak by Mr Chris Cain of Northpoint Aviation Solutions (Northpoint) and is entitled '*The Shortcomings of the Avia Solutions Report and a Review of RiverOak's Commercial Opportunities for an Airport Operation at Manston*' (March 2017).
24. The Northpoint report concludes that RiverOak's vision of Manston Airport as a multi-faceted airport combining freight, passenger and air servicing and recycling activities, amounts to a completely different business model for the use of the airport than that which is envisaged in the Avia Report which focuses on passenger-driven revenues for the airport's viability. Avia's report therefore demonstrates a fundamental misunderstanding of RiverOak's intentions and a failure to understand how to strategically exploit Manston's infrastructure assets within a congested system of airports in the South East.
25. The conclusion reached by Northpoint is that the Avia Report adopted an outlook, methodology and accompanying assumptions that were designed to generate a pre-determined answer, namely that Manston Airport was no longer viable as an airport.
26. For the following reasons, Northpoint remain convinced that given:
 - the right activity and therefore revenue mix that does not depend materially on passenger volumes as in the past;
 - significant investment in infrastructure on the ground and in particular all the new parking stands warehousing and hangarage required to support a major air freight hub operation at Manston;
 - an investor with the resources to take a long-term view of the airport as an investment and not expect an instant return;
 - the consolidation of key partnerships with key carriers and other important stakeholders (such as those RiverOak have been discussing their plans with); and
 - the successful progress of a DCO and the associated CPO

".....that Manston can be both viable, profitable and a major source of employment, whilst offering much needed cargo capacity to a London airports system which is at capacity and is likely to remain so for many years to come."

27. Accordingly, Manston Airport can be successfully developed as a mixed-use airport, underpinned by a significant and much-needed cargo operation, to become an important and complementary infrastructure asset within the wider South East airport's system that will contribute to the local, regional and national economy.
28. TDC needs to recognise the significant opportunity presented by the airport and plan for it accordingly as part of its new Local Plan.

National policy support for aviation uses at Manston

The National Planning Policy Framework (NPPF) (March 2012)

- 29. The information submitted in this letter and its appendices demonstrates that reopening Manston Airport would deliver much needed infrastructure which in turn would deliver economic growth on a local, regional and national level in addition to widening growth opportunities.
- 30. In recognition of this and in accordance with the national planning policy objectives as set out in the NPPF, TDC has a role to play in positively preparing its new Local Plan so that sufficient land of the right type is available at Manston Airport now to support growth and innovation and to respond positively to wider opportunities for growth and to create jobs.
- 31. It also has a role to coordinate development requirements including the provision of infrastructure that the country needs.
- 32. As such, and consummate with the advice provided in the NPPF, TDC will be fulfilling its requirement to proactively drive and support sustainable economic development and growth by safeguarding land at Manston Airport for aviation uses (a need that RiverOak and its consultants have demonstrated exists), thereby contributing to building a strong, responsive and competitive economy not just at a local but regional and national level.

Aviation Policy Framework (APF) (March 2013)

- 33. Paragraph 33 of the NPPF requires that when planning for airports and airfields that are not subject to a separate national policy statement (NPS) (as is the case with Manston Airport), plans should take account of their growth and role in serving business, leisure, training and emergency service needs. Plans are required to take account of the NPPF as well as the principles set out in the relevant NPS, where one exists, as well as the Government Framework for UK Aviation which is set out in the Aviation Policy Framework (APF). The APF is the Government's high-level strategy which sets out its overall objectives for aviation and the policies that will be used to achieve those objectives.
- 34. The APF states that the Government's primary objective is to achieve long-term economic growth and that the aviation sector is a major contributor to the economy whose growth the Government supports. The key aviation objectives and policies contained within the APF which are of relevance are set out below:
 - In the short term (to around 2020) the Government's key priority is to make better use of existing runways at all UK airports;
 - The Government recognises the importance of maintaining access to a national network of aerodromes including regional aerodromes in England which it says is vital to the continuing success of the aviation sector;
 - Where a planning application is made that is likely to have an impact on an existing aerodrome's operations, the economic benefit of the aerodrome and its value to the overall aerodrome network as well as the economic benefits of the development will be considered as part of the application process;
 - In preparing their Local Plans, local planning authorities are required to have regard to policies and advice issued by the Secretary of State. This includes the APF, to the extent it is relevant to a particular local authority area, along with other relevant planning

policy and guidance. The APF may also be a material consideration in planning decisions, depending on the circumstances of a particular application; and

- Local planning authorities should identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen choice. This could apply to airport infrastructure.
35. In preparing their new Local Plan, TDC is required to have full regard to the policies contained in the APF. In light of the robust evidence that is being provided by RiverOak, in its response to the Local Plan consultation, on the need and demand for an airport at Manston, and the advice contained within the APF, TDC should be protecting land at the airport for aviation uses thereby fully recognising the economic opportunities that are presented and the vital role that the airport could have to the continuing success of the aviation sector and its major contributor to the economy.

Draft Airports NPS : New Runway Capacity and Infrastructure at Airports in the South East of England (February 2017)

36. The draft Airports NPS which was published in February 2017 follows: the outcome of the Airports Commission's work and its final report which was issued in July 2015, and the Government's announcement in October 2016 that a north-west Runway at Heathrow Airport was its preferred scheme to deliver additional airport capacity in the South East of England.
37. The draft Airports NPS sets out the Government's proposed planning policy in relation to applications for any airport nationally significant infrastructure project in the South East of England. The draft NPS reaffirms that international connectivity is important to the success of the UK economy and that the aviation sector benefits the UK economy through its direct contribution to GDP and employment, and by facilitating trade and investment, manufacturing supply chains, skills development, and tourism.
38. Great importance is attached in the draft NPS to the contribution that air freight makes to the UK economy. For example at paragraph 2.7 it states that it is particularly important for supporting export-led growth in sectors where goods are of high value or time critical. In the future, the draft NPS predicts that UK manufacturing competitiveness and a successful and diverse UK economy will drive the need for quicker air freight. It further states that the aviation sector can also boost the wider economy by providing more opportunities for trade through air freight. By providing more space for cargo, lowering costs, and by the greater frequency of services, the draft NPS predicts that this should in turn provide a boost to trade and GDP benefits.
39. It is evident that the draft NPS recognises that air freight benefits are a strategic consideration of national importance when considering the merits of airports schemes. The reinstatement of Manston Airport would provide significant opportunities for trade through air freight which would benefit the wider UK economy and for this reason alone, should be safeguarded for aviation use.
40. In this context, it is interesting to note that Arup in their Sustainability Appraisal (December 2016) in Appendix G1 (Justification of the Preferred Options) which provides the rationale behind the decision-making employed for selecting preferred options for the January 2015 consultation and the reasons why other options were rejected - justified their decision to continue safeguarding operation of the airport as it was assessed as:

".....being likely to have benefits in terms of contributing towards job creation, economic growth, supporting the visitor economy and providing measures to avoid potentially significant adverse impacts

on landscape, noise and air quality. Not safeguarding the airport would be harmful to the airport’s potential future and contrary to the NPPF’s instructions to support all sectors of the economy. To not plan for additional employment growth at the airport would be ignoring a potential major opportunity. It would be stifling an important growth sector of the economy and wider impact and therefore contrary to the NPPF.”

41. Given that no reliance should be placed on the AviaSolutions Report, RiverOak argues that there has not been any change in circumstance or new evidence (other than their own which is submitted with this letter) which would suggest that the approach to planning for the future of Manston Airport should be anything other than safeguarding it for aviation use.

Manston Airport’s important role in delivering the regional growth strategy

42. Consistent with national policy, regional growth strategies recognise the importance of the aviation sector and in particular, the role that Manston Airport could play in achieving regional economic growth objectives. Reopening Manston Airport is important to realising Kent County Council’s regional growth policies as set out in their Position Statement (March 2015) and the Local Transport Plan for Kent 2011-2016. This identifies Manston Airport as a major gateway for the movement of international freight and recognises its significant potential to develop into a regional airport and thereby becoming one of the largest single generators of economic activity in the County.

43. The airport site is in close proximity to Dover District and RiverOak consider that its future is a cross-boundary strategic priority. The NPPF places a duty to cooperate on planning issues that cross administrative boundaries and that this should be clearly reflected in individual Local Plans (paragraph 179). There is no obvious evidence to suggest that there has been any joint working with Dover District Council (DDC) on the future of Manston Airport which is a serious failing on the test of delivering a sound Local Plan (see earlier commentary).

44. It is very evident from DDC’s letter to TDC dated 6 July 2016 in which it objects to the Stone Hill Park Limited planning application for mixed-use redevelopment of Manston Airport that DDC very obviously recognises the opportunity presented through safeguarding Manston for aviation uses. In their letter, DDC state unreservedly that they *“support the campaign to retain Manston as an operational airport recognising the role and place that it can have in the UK aviation industry, making better use of regional capacity in accordance with the views of the South East Local Enterprise Partnership while making a significant contribution as one of the strategic priorities for regeneration in the East Kent area.”* (motion passed by DDC at a meeting of Full Council in July 2014). RiverOak await the comments of DDC in relation to this consultation but fully expect that they will raise objections that TDC need to properly address prior to taking forward their new Local Plan further.

45. The employment land assessments prepared as evidence to the Local Plan recognise that delivering employment land in Thanet has been difficult in the past. An operational airport at Manston would serve as a major employer not only within Thanet but also within the wider East Kent region and would be a catalyst for bringing forward related airport employment (and associated benefits) in the region’s economic interest.

Changes needed to Revised Policy SP05

46. In light of the above and the evidence submitted in and with this letter, Policy SP05 should be revised to reflect wording that safeguards land within the airport boundary for aviation uses only. It should be revised to state: thereby adopting the wording and objectives for policies governing Manston Airport as currently saved in the 2006 Thanet Local Plan (Policies EC2 and EC4) that is:

“The area shown on the proposals map as Manston Airport should be retained and protected as an airport and for related aviation uses. Non-aviation uses will not be permitted within this area. Permission will be granted for the further development of the airport and for related aviation buildings and uses provided satisfactory safeguards are in place to mitigate the impact of the operation of the airport on the environment including noise, air quality, flooding, surface access, visual impact and climate change.”

Revised Policy SP11 (Housing Provision) and Revised Location of Housing (Section 4)

47. The Council’s strategy for housing provision, which includes a proposal to allocate land at Manston Airport for significant new housing development as part of new mixed-use settlement, is wholly misconceived. Land at Manston Airport should not be made available for any non-aviation uses and especially not for housing development as it is needed as an airport. It should be removed from Table 2 (Total Housing Provision) as a Strategic Housing Site (sites of 500+ dwellings) consistent with the comments made in this letter. It should also be removed from the list in Section 4.1 as a Strategic Housing Site with a potential capacity of 2,500 dwellings.

48. In any event, and through their own admissions, TDC has confirmed that significant additional work is still required in relation to its housing evidence (see further details below) including an update to its Strategic Housing Land Availability Assessment (SHLAA) which RPS was informed is in the process of being prepared and which will be available at a later date (but after this consultation event). Consequently, the housing strategy and the resultant housing policies in the emerging Local Plan will need to be thoroughly reviewed in light of this new work and specifically in relation to the following additional points relating to the Council’s latest approach to defining its housing strategy:

Housing Market Areas

49. TDC and DDC are presenting different approaches to defining their Housing Market Areas (HMA) in their Strategic Housing Market Assessments (SHMA) . despite both local authorities publishing their SHMAs in the last three months. The following HMA discrepancies have been identified, with Dover appearing twice:

- East Kent HMA (see Thanet SHMA, December 2016) *Thanet, Canterbury and Dover*
- Dover and Shepway HMA (see Dover SHMA, February 2017) *Dover and Shepway*

50. The fact that the discrepancy exists would suggest, and despite the advice in paragraph 159 of the NPPF, that there has been a failure by the East Kent authorities to work together as neighbours given that there are clearly housing market areas that cross administrative boundaries. This matter needs to be addressed as a matter of urgency and questions the reliability of TDC’s housing evidence which has informed the proposed revisions to the Local Plan.

51. *TDC has not given appropriate consideration to alternatives to delivering its housing need requirements before settling on a new settlement option (with reference to The New Settlement Mitigation Strategy, November 2016)*

52. RiverOak objects to proposals for a new settlement at Manston as it would result in the irrevocable loss of Manston Airport.
53. It also represents a wholly unsustainable option that would require significant mitigation and infrastructure improvements to remedy the fact that it is located away from existing facilities and services. Concerns are also raised as to whether a new settlement on the site with the known and unknown mitigation would be a viable and therefore a realistic prospect.
54. In any event, there is insufficient justification to demonstrate that a new settlement is the most appropriate strategy to deliver TDC's housing needs especially as all other reasonable alternatives have not been properly considered. RiverOak's reasons for this conclusion are expanded upon below:
55. The response to the January 2015 consultation on the new Local Plan demonstrated considerable public concern for a new housing strategy based on a new settlement. The preference was for development of existing urban areas with limited settlement expansion. The 2013 Interim Sustainability Appraisal Report recorded that the new settlement option scored poorly based on an assessment against the performance criteria. The key negative effects were associated with the settlement being located away from existing facilities and services and that this could result in the greater reliance on private car use to access services.
56. There are many queries that need to be raised in connection with the process that has been undertaken to conclude that a new settlement at Manston Airport should be promoted. The process is by no means sufficiently transparent and there is vital information that has not been presented by TDC as part of the consultation including the following:
57. The New Settlement Mitigation Strategy (November 2016) states that the location of indicative sites for a new settlement has been based on sites submitted under the Strategic Housing and Land Availability Assessment process and omission sites (alternative housing sites put forward as a result of the January 2015 consultation). These sites are shown on Figure 1 in the strategy. The 320ha Manston Airport site (including the Northern Grass) was promoted by Stone Hill Park Ltd for mixed-use development including approximately 2,500 new homes as part of the January 2015 consultation and is therefore an omission site which has been considered.
58. The December 2016 Sustainability Appraisal by Arup states in Section 5.2 (Housing and Employment Land Allocation) that a number of new sites had been promoted since the January 2015 consultation. The assessment of these sites has not taken place and TDC state that this will be included in the Environmental Report which will be prepared to support the Pre-Submission draft Local Plan that will be finalised during 2017. To promote a new settlement in advance of assessing the other omission sites is fundamentally incorrect. Furthermore, this very important information is missing from the current consultation which is misleading the public.
59. Proper consideration of the other omission sites needs to be made before settling on the preferred housing strategy as these sites could involve fewer sustainability issues if they were to be taken forward and therefore perform better than the proposed new settlement option. Based on a review of the consultation responses, it would appear that there are a number of sites including large sites on the urban edges that have not been considered. Given that this is the preferred approach to new housing delivery as evidenced from the January 2015 Local Plan consultation, it is clear that TDC has not given appropriate consideration to expanding urban areas before settling on the proposed new settlement option at Manston Airport;

60. The New Settlement Mitigation Strategy (November 2016) further states that the mitigation that could benefit a new settlement option has been identified from a literature review. The Strategy accepts that once a masterplan is devised for a new settlement, and more detail is known about the new settlement, more detailed specific measures can be included to mitigate and enhance any sustainability issues. The fact that there is a live planning application with TDC for the type of development envisaged by Revised Policy SP05 (application reference OL/TH/16/0550 by Stone Hill Park . the freehold owners of Manston Airport) means that TDC is much more informed than it otherwise would have been about the Manston Airport site option in terms of the likely environmental effects and the mitigation that will be required in the event that the settlement goes ahead. Significant objections have been received in connection with that application including from statutory consultees and significant matters remain unresolved. This questions the actual ability to deliver a new settlement on the site unless there is considerable mitigation which may render the scheme unviable. New settlements by their very nature require large infrastructure investment and there are long lead-in times associated with their delivery which questions the ability of this option to be realised during the plan period;
61. Land comprising the Northern Grass at Manston Airport (Site NS4 in the New Settlement Mitigation Strategy, November 2016) is measured as being a Greenfield site in Table 3 of the Strategy which is an assessment of the new settlement options against the sustainability appraisal objectives. This is incorrect as it is land within the airport boundary which is already allocated in the adopted Local Plan and protected for employment use and is a brownfield site; and
62. The sites considered for the new settlement options are not comparable. Site NS5 (Manston Airport) is the only brownfield site and is significantly larger than the other sites considered. Consequently, it would only ever score best on many of the sustainability appraisal options. The process that has been followed which has resulted in the preference for a new settlement option is too simplistic and the other indicative new settlement options not on land at Manston Airport (based on sites submitted under the SHLAA process and omission sites . see Figure 1 in the Thanet District Council New Settlement Mitigation Study Summary Report, November 2016) were never large enough in their own right to accommodate the volume of housing needed. Consequently, land at the airport simply because of its large size and the fact that it is brownfield land whereas all the other options are on Greenfield land, clearly meant that this option scored more highly in terms of meeting the Sustainability Appraisal objectives. It does not appear that TDC considered an option which allowed for the provision of new housing collectively across a number of the sites considered for the new settlement option. This is an omission.
63. Furthermore, and no explanation is provided as to why, given the identified local demand for additional housing and the reported difficulties in finding suitable new housing sites, it is surprising that TDC has not expressed any interest in promoting a new settlement at Manston Airport as part of the Government's garden villages programme (villages of between 1,500 and 10,000 homes). Whilst the need for the additional 2,753 dwellings was not known until after GL Hearn prepared an Updated Assessment of Objectively Assessed Housing Need in January 2017 (which was after the Government's deadline for expressions of interest on 31 July 2016), the Government has confirmed that it may run a further call for expressions of interest in 2017 for other places with proposals for new garden villages. RiverOak is not aware that TDC have expressed any interest in benefitting from this Government initiative despite a new settlement at Manston Airport being able to fulfil all the eligibility criteria to be considered for Government support (proposals must be for a new settlement of 1,500 . 10,000 homes; it must be a new discrete settlement, and not an extension of an existing town or village; and it must be led by local authorities to support wider housing and growth ambitions).

64. The Government are especially encouraging expressions of interest which make effective use of previously developed land (brownfield land). If TDC were genuinely supportive of a new settlement at Manston Airport, then surely they would have applied to benefit from this initiative which is designed perfectly for the Council's needs. However, it has not and this raises suspicions as to TDC's genuine intentions for the Manston Airport site.

Is a mixed-use settlement on Manston Airport even deliverable and sustainable?

65. Developing a new settlement at Manston Airport with at least 2,500 dwellings will result in a settlement that is half the size of Birchington or similar in size to Cliffsend and Pegwell combined or Newington . in an area which is located quite a distance away from existing facilities and services - thereby resulting in a greater reliance on private car use to access services unless significant mitigation is put in place to improve sustainability issues.
66. As stated above, concerns are raised about whether the proposed new settlement at Manston as proposed in Policy SP05 is actually deliverable. Creating a new settlement at Manston Airport would require such a scale of obligations and policy burdens that its ability to be developed viably is threatened. The associated costs of the requirements likely to be applied to development, including affordable housing, standards, infrastructure contributions or other requirements, plus the normal cost of development and mitigation, is unlikely to provide competitive returns to the landowner in order for the development to be deliverable . certainly within the plan period up to 2031. This is demonstrated by what is already known about the mixed-use development that is the subject of the live planning application OL/TH/16/0550 by Stone Hill Park (the owners of the airport) where reduced amounts of affordable housing are being sought on viability grounds and considerable objections have been raised, including from statutory consultees including the MOD, about the site's ability to deliver a large-scale, mixed-use development. A Viability Appraisal has been promised as part of that submission but has yet to be provided by the Applicants. Until the findings of that Appraisal are understood and tested, there are concerns that a new settlement development at Manston would not be viable and therefore deliverable. This puts into jeopardy Thanet's ability to meet its housing needs up to 2031.
67. Providing infrastructure upfront in a coordinated way is often critical to the successful delivery of development and creating great places. There is no certainty that this can be achieved at Manston if a new settlement is progressed especially as there is little evidence of discussions with infrastructure providers.

Revised Policy SP39 and Map 15 (Thanet Parkway Station)

68. RiverOak is generally supportive of the proposals for a new Thanet Parkway Station including in its revised location at Cliffsend.
69. A new station could serve airport visitors with sustainable transport links in the future if the airport reopens. Potential air passengers living along the rail corridor in Kent and connecting areas would be provided with a fast and reliable public transport means of travelling to and from the airport. From the Local Plan consultation document, it is unclear if the development of a station building has been considered. A station building may provide possible future benefits for interchanging passengers between transport modes. If the current option is progressed, future provision should be made to allow for the development of a station building and indeed the expansion of the station itself if operational demand requires it.

70. There may also be opportunities to investigate a more sustainable distribution network using rail in connection with the predominant cargo operations at the airport.
71. The timing for the station opening is complementary to RiverOak's programme for the proposed reopening of Manston Airport.

Section 8 – New Strategic Routes Policy

72. Land is safeguarded for key road schemes and junction improvements to support implementation of the Thanet Transport Strategy. The B2050 Manston Road and B2190 Spitfire Way by the airport are proposed for widening and junction improvements are proposed at Manston Road/Spitfire Way and at Manston Road/Manston Court Road. A new road is also proposed from Columbus Way (Manston Business Park) to Manston Road, Birchington. These proposals are supported by RiverOak as they would benefit any proposals to reopen the airport. RiverOak wish to continue discussions with KCC and TDC about these proposals in the context of their DCO application.

Section 9 – New Implementation Policy (Council's draft Infrastructure Delivery Plan)

73. RiverOak are supportive of the new policy requirement for all new development to fully meet its infrastructure requirements.
74. Specifically in terms of the draft Infrastructure Delivery Plan (November 2016), the following points are raised:
- appreciate that it is a first working draft and that it will continue to be updated and amended as it develops;
 - the details of the viability testing by Peter Brett Associates should be made available for comment. This relates to the infrastructure provision that is required to serve the development set out in the draft Local Plan;
 - reduced or no CIL on larger sites is not supported. Large or Strategic Sites whilst playing an important role in the delivery of key infrastructure for the area also place significant strains on existing infrastructure and should be subject to CIL;
 - Manston Airport is an infrastructure asset for local, regional and national purposes and represents a major opportunity in terms of achieving employment and economic growth. Retaining it as an employment site is important to realising these strategic objectives; and
 - the development identified in the draft Local Plan requires the provision of new utilities infrastructure (water, gas, electricity and digital infrastructure) . how is this going to be addressed especially as the development of utilities is not identified as a priority for development funding or funding from other sources. Does this mean that sites will actually be deliverable?

Other

Concern about the process that has taken place to agree the Proposed Revisions for public consultation

75. Notwithstanding the concerns that RiverOak have about how the Avia Report was prepared and the conclusions that it reaches, there are further concerns about the process that has been followed in the run-up to the Local Plan consultation.

76. Despite the majority of Members voting in favour of recommending to the Cabinet that the proposed changes are put out to public consultation, the minutes from the 21 November 2016 Overview and Scrutiny Panel meeting clearly demonstrates that Members expressed concerns about:
- the time they were given to study reports and that they requested more time for consideration;
 - the proposed loss of Manston Airport for non-aviation related uses;
 - the lack of consideration of alternative uses for the airport site other than housing development; and
 - whether TDC was going to re-look at rejected housing sites before finalising their housing strategy to deal with the additional homes needed.
77. Some of the recommendations made by the 21 November 2016 Overview and Scrutiny Panel in relation to Revised Policy SP05 (Former Manston Airport Site) have not been reflected in the wording for that policy or elsewhere in the Proposed Revisions document (January 2017) which is currently being consulted upon. This is misleading to the public. The omitted revisions include the following:
- that there should be an explicit explanation stating that evidence produced during the coming phases of consultation can still be considered between now and the Examination in Public; and
 - that further reviews will be conducted in relation to the rejected housing sites list to find extra space for housing development in order to minimise the use of greenfield sites. TDC state that this will be done prior to submission of the draft Plan to the Inspectorate for Examination.
78. Adequate time needs to be allowed between now and the submission of the draft Plan to the Inspectorate for a proper review of any new relevant evidence including information that has been promised to the public by TDC, and the public need to be given an opportunity to provide their comments. In particular, TDC must provide (in good time) the outcome of their further review of the rejected housing sites and a full assessment of the new housing sites that have been promoted (this has been promised as part of an Environmental Report which TDC will prepare to support the pre-submission draft Local Plan . see Section 5.2 of the Arup Sustainability Appraisal of the revised Preferred Options to the Thanet local Plan, December 2016).

There is significant local objection to proposals that do not safeguard Manston Airport for aviation uses

79. This is evidenced by the responses received to the January 2015 public consultation on the Preferred Options for the draft Local Plan and the significant objection to the Stone Hill Park planning application proposals. The proposed revisions, in promoting Manston for a new settlement, do not adequately respond to the significant local objections.
80. Paragraph 52 of the NPPF currently acknowledges that the supply of new homes can sometimes be best achieved through planning for large-scale development, such as new settlements or extensions to existing villages and towns. Furthermore it recognises that local planning authorities should consider, with the support of their communities, where such opportunities provide the best way of achieving sustainable development. Given the results of RiverOak's non-statutory consultation and the objections to the Stone Hill Park application, it is very evident that there is no

overriding support from the local community to reuse the Manston Airport site for anything other than an airport.

- 81. Debate about Manston Airport should require cross-boundary decision making and its future should be guided by long-term development needs, rather than short-term demands, or even single plan period requirements.

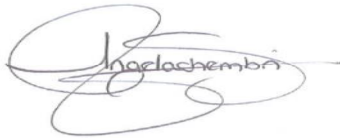
Conclusion

For the reasons set out in this letter and the evidence provided with it, it is clear that there is a need, in the Local Plan, to safeguard land at Manston Airport exclusively for aviation related uses . consistent with the national policy context. The airport would deliver much needed infrastructure which in turn would deliver economic growth on a local, regional <https://www.cancerresearchuk.org/support-us/donate> and national level in addition to wider growth opportunities fully consistent with national planning policy objectives. There should be no new mixed-use settlement promoted at Manston.

RiverOak would very much like the opportunity to discuss the contents of this letter further with TDC and would welcome the opportunity to be directly involved in the process towards formulating the new Local Plan for Thanet, especially given its aspirations to reopen Manston Airport.

I shall look forward to hearing from in due course in response to this letter and to taking matters forward.

Yours faithfully,



ANGELA SCHEMBRI
Planning Director

Encs.