

Vattenfall Wind Power Ltd

Thanet Extension Offshore Wind Farm

Annex A to Appendix 11 Written summary, Issue
Specific Hearing 5

Agenda Item 8: Aviation

Relevant Examination Deadline: 3

Submitted by Vattenfall Wind Power Ltd

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Revision A

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1 Aviation matters

1.1 Agenda item 8

- 1 Agenda Item 8, as identified within PINS Ref EV-015 (Agenda for Issue Specific Hearing (ISH) 5), was:
- 2 The ExA will raise Air Navigation, including but not limited to:
 - a) Possible operational effects on Manston Airport if air services were to be resumed.
 - b) Possible air navigation effects on civil and military aviation.
- 3 The ExA will extend an opportunity for the Applicant, IPs and Other Persons to raise matters relevant to these topics.
- 4 If such matters are raised, the Applicant will be provided with a right of reply.

1.2 ISH5

- 5 Agenda item 8 was not covered during ISH5, the Applicant was asked to provide an update in writing, as set out in this document.

2 Manston Airport

- 6 The Aviation ES chapter (PINS Ref APP-067/ Application Ref 6.3.11) recognises the Manston Airport DCO application, although at the time of submission the application had recently be withdrawn from the Section 55 process.
- 7 The chapter sets out in paragraph 11.5.4 that it is expected that any future operation of Manston Airport would account for the proposed wind farm and such no effects were anticipated. This position is set out in the two SoCGs that have been progressed by the parties.
- 8 The Applicant has been engaging with Manston Airport for over the past year and has one signed SoCG and one very well advanced SoCG. The signed SoCG is in the name of the applicant for Manston, Riveroak Strategic Partners Ltd (RSP), and one in the name of Thanet Extension was submitted as draft at Deadline 1 (PINS Ref REP1-027).
- 9 Both SoCGs cover broadly the same points, namely:
- Recognising that Vattenfall have previously paid for a radar system for Manston Airport as part of our Kentish Flats Extension project. This was committed to and ordered prior to the airport closing down. Upon the airport closing Vattenfall ceased to be liable for the mitigation solution and the radar was never shipped to the UK.
 - Confirmation that should Manston Airport reopen under the RSP scheme, it will be incumbent on the airport to account for Vattenfall's existing wind farms and the proposed Thanet Extension.
 - Thanet Extension would only be required to display such lights as required by the Air Traffic Navigation Order 2016 or as otherwise dictated by the DIO or CAA. This is confirm by DCO requirement 6.
- 10 In summary, it is the position of the Applicant, which has been confirmed with RSP, that Vattenfall have previously paid for a radar solution for the airport which was not implemented. For any forthcoming use of the airport which requires radar, the undertaker of that DCO would be required to ensure that the radar was fit for purpose taking into account the existing wind farms and Thanet Extension.

- 11 It should also be noted that the Manston Airport DCO application is for the airport infrastructure and not for the use of the airspace which requires separate consent from the CAA. As such, without these approvals the Manston DCO does not actually allow flights to recommence and therefore radar interactions with existing or proposed wind farms are a future consideration. Should the CAA consider additional lighting is required for the recommencement of flights from Manston, the project is obliged to implement these as set out in Requirement 6 of the dDCO.

3 Effects on civil and military aviation

3.1 Ministry of Defence

- 12 Air defence radar is not assessed due to the confirmation from the MoD of no objection on the basis of military aviation (paragraph 11.5.13 of the Aviation ES Chapter)
- 13 The Ministry of Defence confirmed no objection to the proposal at Scoping (February 2017). The Applicant asked whether this applied to PEXAs which the MoD confirmed in April 2017 (as set out in the ES chapter).
- 14 Section 42 consultation report confirmed no safeguarding concern regarding aviation other than to confirm the potential need for aviation lighting.
- 15 The position of no objection to the proposals was confirmed at relevant representations (PINS Ref RR-052).
- 16 On the request of the ExA, the Applicant contacted the MoD with regard to military shipping and approach to classification of war graves.
- 17 The Applicant has now received a final response from the MoD stating that the proposal will not affect specific military interests including defence maritime navigation and that they do not wish to enter into a SoCG. The response is submitted at Appendix 31 to the Deadline 3 submission.
- 18 In summary the MoD has consistently stated throughout the development of the Project that it has no objections with respect to aviation.
- 19 DCO requirement 6 requires the Applicant to display such lights as may be directed by the MoD. Additionally, under condition 9 of the dML (Schedule 11 of the dDCO) the project is required to inform the Defence infrastructure safeguarding organisation (MoD) at least 14 days prior to the commencement of the scheme informing them of the layout and height of the turbines, and any subsequent changes. Therefore the MoD will be adequately informed of the elements of the project with the potential to affect military aviation, and have the ability in the DCO to dictate further mitigation by way of lighting, should this be required.
- 20 It is therefore the view of the Applicant that there is no effect on military aviation and the MoD will be kept informed of the proposals should it wish to engage at a later point.

3.2 London Southend Airport

- 21 The ES assesses the potential impact on the London Southend Airport (LSA) Primary Surveillance Radar (PSR) system and concluded, in line with consultation responses from LSA, that the turbines would be detectable and would lead to a moderate effect without mitigation during operation (paragraph 11.10.2 of the Aviation ES Chapter). Mitigation was identified as a software solution which would reduce the impact of the project to negligible (not significant) (paragraph 11.13.1 – 4).
- 22 Mitigation was discussed with LSA on 14th March 2018 and agreed that a Non-Automatic Initiation Zone (NAIZ) software solution was available which had been successfully implemented for multiple offshore wind farms in the Thames Estuary (including the existing TOWF). It was agreed at this meeting that this solution would be suitable to mitigate the effects of Thanet Extension and the next step would be to progress a commercial agreement.
- 23 To that end, the Applicant has been engaging with LSA over the past 6 months to agree a mitigation agreement. A meeting was held with LSA on 27th February 2019 with positive discussions and an expectation that agreement can be concluded prior to the close of examination.

3.3 NATS En-route

- 24 NATS responded to the scoping report stating no objection to the proposals. This was reconfirmed on 3rd May 2018, following submission of the final turbine array area and maximum tip height as submitted. This email confirmation was submitted at Deadline 1 and NATS confirmed in response to the rule 8 letter that it had no objection (PINS Ref REP1-110).

3.4 CAA

- 25 The CAA responded to the scoping report suggesting consultation with Emergency Service Helicopter Support Units and the Defence Geographic Centre (DGC). Search and Rescue operations at sea were covered by consultation with the MCA as required whilst the DGC are covered through consultation with the MoD.
- 26 No further correspondence has been received from the CAA. As requested by the ExA the Applicant contacted the CAA on 14th December 2018. No response has been received to date.
- 27 The project does not affect Helicopter Main Routes or helicopter routes between land and oil and gas platforms and none are within 90nm of the development.

References

- Volume 3, Chapter 11 (Aviation) of the ES (PINS Ref APP-067/ Application Ref 6.3.11)
- Consultation Report and annexes (PINS Ref APP-028 / Application Ref 5.1)
- Ministry of Defence relevant representation (PINS Ref RR-052)
- Manston Airport relevant representation (PINS Ref RR-030)