



<b>Transboundary screening undertaken by the Planning Inspectorate (the Inspectorate) on behalf of the Secretary of State (SoS)</b>	
<b>Project name:</b>	Manston Airport
<b>Address/Location:</b>	On the existing site of Manston Airport in Thanet, Kent
<b>Planning Inspectorate Ref:</b>	TR020002
<b>Date(s) screening undertaken:</b>	First screening: 18 July 2017 following the issue of a scoping opinion by the Secretary of State
<b>EEA States identified for notification:</b>	First screening: none identified

<b>FIRST TRANSBOUNDARY SCREENING UNDERTAKEN BY THE INSPECTORATE ON BEHALF OF THE SOS</b>	
<b>Document(s) used for transboundary Screening:</b>	RiverOak Investment Corp LLC - Manston Airport DCO - Scoping Report (June 2016) ('the Scoping Report')
<b>Screening Criteria</b>	<b>The Inspectorate's Comments</b>
<b>Characteristics of the Development</b>	<p>The Proposed Development is to enable the re-opening of Manston Airport as an air freight and cargo facility, for at least 10,000 air transport movements of cargo aircraft per year, together with facilities for other aviation-related development, such as: an aircraft maintenance repair and overhaul facility (MRO); an aircraft recycling facility; a flight training school; some passenger operations; and the allocation of land for other aviation-related businesses. The site of the Proposed Development contained an operational airport from 1916 - 2014.</p> <p>Much of the airport infrastructure remains on site, some of which would be re-utilised. The Proposed Development would include the following elements:</p> <ul style="list-style-type: none"> <li>• works to an existing runway 2748m long and 230m wide;</li> <li>• new taxiways and modifications to existing taxiways;</li> <li>• two new aprons on an approximately 208,000m<sup>2</sup> area to provide parking for up to 18 aircraft;</li> <li>• slot drains in the aprons to collect surface water runoff;</li> <li>• 25m high mast lights located around the aprons;</li> <li>• relocation of existing cargo facilities, new airside cargo</li> </ul>

	<p>facilities 15m high on an approximate 66,000m<sup>2</sup> area, and a car park and storage area of approximately 120,000m<sup>2</sup>;</p> <ul style="list-style-type: none"> <li>• retention and use of the existing passenger terminal building and aircraft apron for some passenger services, including sufficient space for up to four additional aircraft stands;</li> <li>• replacement of the existing MRO facility with a new MRO facility;</li> <li>• retention of the existing air traffic control (ATC) building;</li> <li>• a new radar facility to replace the existing radar tower;</li> <li>• retention of a safeguarding zone around the airport radar tower;</li> <li>• a new airside fuel farm facility, to include above-ground and bunded fuel tanks;</li> <li>• warehousing, hangars, offices, and airport-related business units of various sizes and layouts with a total floorspace of approximately 1,400,000m<sup>2</sup>;</li> <li>• additional internal substations;</li> <li>• communication networks; and</li> <li>• foul and surface water connections, which would include interception, attenuation (winter and summer ponds) and pollution control facilities; and could include Sustainable Drainage Systems (SuDS), use of the existing connections to the public drainage system, or use of an existing permitted water discharge.</li> </ul> <p>The construction programme is described as an initial period of 6-12 months of activity, followed by further phased developments over the following 6-18 months.</p>
<p><b>Geographical area</b></p>	<p>No information is provided in the Scoping Report on any areas which could be affected which are under the jurisdiction of another EEA State.</p> <p>The Applicant notes in the Scoping Report that in undertaking the EIA they will give consideration to any potential transboundary effects arising from the Proposed Development in order to enable the Secretary of State to reach a view as to whether the Proposed Development is likely to have significant transboundary effects on other EEA States.</p>
<p><b>Location of Development (including existing use)</b></p>	<p>The proposed application site is on the existing site of Manston Airport, west of Manston and north east of Minster, within Thanet District Council's administrative area. Margate lies to the north east, Ramsgate to the east, and Sandwich Bay to the south east. Much of the airport infrastructure remains in place, including one runway, taxiways, aprons, cargo facilities and a passenger terminal. The site comprises a combination of existing buildings, including a fuel farm, and hardstanding, large expanses of grassland, and some limited areas of scrub and/or</p>

	<p>landscaping.</p> <p>The surrounding area is generally characterised by arable uses. There is a solar farm to the south of the site, housing to the west and east, and hotel uses to the south west.</p> <p>The Applicant has not identified within the Scoping Report the nearest EEA state to the Proposed Development; however, reference to mapping indicates that the nearest EEA state is France.</p> <p>Sandwich Bay and Pegwell Bay in the English Channel are approximately 1.5km to the south east of the site.</p>
<p><b>Cumulative impacts</b></p>	<p>Section 4.4 of the Scoping Report sets out the Applicant's intended approach to the cumulative effects assessment (CEA). The proposed cumulative spatial zone of influence varies according to topic, and includes, for example: developments within 5km of the site that are within the Thanet Aquifer Source Protection Zone, are using the same local road network and could result in discharges to the River Stour catchment.</p> <p>Appendix B of the Scoping Report contains an initial list of 128 developments, shown on Figure 4.1, which will be refined to a smaller number of developments to be considered in the CEA. The list includes residential developments; industrial and commercial units; electrical connections; biomass combined heat and power plants; waste management/recovery facilities; solar farms; a reservoir; and a wind farm.</p> <p>As the CEA has not yet been undertaken, the Applicant has not identified any cumulative likely significant effects (LSE) at this stage.</p>
<p><b>Carrier</b></p>	<p>Impacts could be spread by air, land and water.</p> <p>Surface water discharges to Pegwell Bay via an outfall from the site. There are nine water abstraction points within 1km of the boundary; a public water supply (PWS) borehole approximately 400m to the east of the site (from which water is extracted from the Source Protection Zone (SPZ) underlying the site); and nineteen water discharges within 1km of the site boundary.</p> <p>There is potential for historic land contamination as a result of the site's former use as an airport.</p>
<p><b>Environmental Importance</b></p>	<p>The site is underlain by a principal aquifer, is located in Flood Zone 1, and is within a groundwater SPZ and a Nitrate Vulnerable Zone (NVZ).</p> <p>The site boundary abuts the boundary of the Thanet Urban Area Air Quality Management Area (AQMA).</p> <p>There are eight internationally designated nature conservation sites within 10km of the Proposed Development site, the four closest of which are 925m away to the south east. These are:</p> <ul style="list-style-type: none"> <li>• Thanet Coast and Sandwich Bay Ramsar - 925m to the south-east;</li> </ul>

	<ul style="list-style-type: none"> <li>• Thanet Coast and Sandwich Bay Special Protection Area (SPA) - 925m to the south-east;</li> <li>• Sandwich Bay Special Area of Conservation (SAC) - 925m to the south-east;</li> <li>• Thanet Coast SAC - 925m to the south-east;</li> <li>• Margate and Long Sands SCI - 4840m to the north;</li> <li>• Stodmarsh SAC – 7700m to the south-west;</li> <li>• Stodmarsh Ramsar - 8450m to the south-west; and</li> <li>• Stodmarsh SPA - 8450m to the south-west.</li> </ul> <p>Manston Airport would have been operational at the time that these sites were designated/classified.</p> <p>The SR identifies that there is potential for LSE on some of the above European sites, and that this will be considered in the assessments yet to be undertaken.</p>
<b>Extent</b>	No impacts have been identified at this time which would be likely to significantly affect another EEA State.
<b>Magnitude</b>	No impacts have been identified at this time which would be likely to significantly affect another EEA State.
<b>Probability</b>	No impacts have been identified at this time which would be likely to significantly affect another EEA State.
<b>Duration</b>	No impacts have been identified at this time which would be likely to significantly affect another EEA State.
<b>Frequency</b>	No impacts have been identified at this time which would be likely to significantly affect another EEA State.
<b>Reversibility</b>	No impacts have been identified at this time which would be likely to significantly affect another EEA State.
<p><b><u>Transboundary screening undertaken by the Inspectorate on behalf of the SoS</u></b></p> <p>The transboundary screening of the Proposed Development has been considered taking into account the transitional provisions in Regulation 37 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 2017 EIA Regulations). The Applicant requested the SoS to adopt a scoping opinion in respect of the development to which the screening relates prior to 16 May 2017 (the date of the commencement of the 2017 EIA Regulations). The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (the 2009 EIA Regulations) are therefore considered to be the applicable EIA Regulations.</p> <p>Under Regulation 24 of the 2009 EIA Regulations and on the basis of the current information available from the Applicant, the Inspectorate is of the view that the Proposed Development is <b>not likely</b> to have a significant effect on the environment in another EEA State.</p> <p>In reaching this view the Inspectorate has applied the precautionary approach (as explained in its Advice note Twelve: Transboundary Impacts Consultation); and taken into account the information currently supplied by the Applicant.</p>	

**Action:** No further action required at this stage.

**Date:** 18 July 2017

**Note:** The Secretary of State's duty under Regulation 24 of the 2009 EIA Regulations continues throughout the application process.

## SECOND TRANSBOUNDARY SCREENING

**Document(s) used for transboundary Screening:**

RiverOak Strategic Partners Ltd - Environmental Statement dated July 2018 and ES Appendix 7, in particular ES Appendix 7.1 - Report to Inform the Appropriate Assessment dated July 2018

**Date screening undertaken:**

Re-screened on 30 January 2019 after the submission of the application documents on 17 July 2018 and the Secretary of State's decision to accept the Application for examination on 14 August 2018

### **Transboundary re-screening undertaken by the Inspectorate on behalf of the SoS**

Following submission of a DCO application by RiverOak Strategic Partners Ltd (RSP), in respect of Manston Airport, which included an Environmental Statement (ES) and a Report to Inform the Appropriate Assessment (RIAA), the Inspectorate has reconsidered the transboundary screening decision made on 18 July 2017. It is noted that the previous Applicant was RiverOak Investment Corporation (ROIC).

The first transboundary screening dated 18 July 2017 was completed under Regulation 24 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) (the 2009 EIA Regulations).

On 16 May 2017 the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 2017 EIA Regulations) came into force. RSP opted to prepare its ES in accordance with the requirements of the 2017 EIA Regulations. This transboundary screening has therefore been completed in accordance with Regulation 32 of the 2017 EIA Regulations.

The Inspectorate notes that in addition to the change in Applicant (legally unconnected with ROIC), changes have been made to the Proposed Development since the previous transboundary screening decision was made. The Inspectorate has therefore had regard to the following matters that differ from those considered at the time of that previous decision:

### **Change in the description of the Proposed Development**

The design of the project has evolved during the pre-application process, and is described in the application. The description of the Proposed Development has some layout changes from that which was considered previously including:

- An increase in the number of cargo stands from 18 in the Scoping Report to 19 as assessed by the ES;
- The old Air Traffic Control tower was to be retained in the project description contained in the Scoping Report. However, the ES states that this redundant tower is now to be demolished; and
- The Scoping Report stated that both museums on site, i.e. the RAF Manston Museum and the Spitfire and Hurricane Memorial Museum, were to be relocated. However, the ES now refers to the safeguarding of existing facilities for these museums. However, the ES states that the museum will be retained and proposals have been

prepared for a new Spitfire and Hurricane Memorial Museum only.

In addressing transboundary impacts, ES Chapter 1: Introduction states that greenhouse gas emissions are accounted for in ES Chapter 16: Climate Change, and that other potential transboundary effects are also covered in the appropriate technical ES chapters 6 – 17 in relation to the airspace change process. The ES chapters contain the following information on transboundary effects:

- Chapter 6: Air Quality – No reference to potential transboundary impacts. No likely significant effects (LSE) identified;
- Chapter 7: Biodiversity - No designated sites in other EEA states have been identified as receptors. In respect of ornithology, the future baseline section refers to changes in the distribution of wintering birds from the UK to Netherlands, but concludes that in the short to medium term the baseline will remain the same and states that in any event this is not a direct result of the Proposed Development. Climate Change section (7.6.15) also refers generally to changes in wintering birds due to other parts of the UK “and abroad” being more suitable, but does not provide further information and concludes no LSE from a climate change perspective. Again it is stated that this is not a direct result of the Proposed Development. No LSE identified;
- Chapter 8: Freshwater Environment - No reference to potential transboundary impacts. No LSE identified;
- Chapter 16: Climate Change – Identifies the global atmosphere as a receptor for GHG but does not specifically reference any EEA states. No LSE identified. It is not possible to apportion or identify any impact of an increase (or any particular level of increase) in GHG emissions in terms of environmental effects on a particular EEA state, therefore it is not anticipated that there is potential for significant effects on the environment of any European Economic Area (EEA) State or group of EEA States resulting from carbon emissions from the DCO Project, instead the impact is considered to be at a global level with any effects and mitigation subject to international agreements.
- Aspect chapters for which no reference is made to potential transboundary impacts but for which transboundary impacts would not be anticipated in light of the nature and location of the Proposed Development - Chapter 9: Historic Environment; Chapter 10: Land Quality; Chapter 11: Landscape and Visual; Chapter 12: Noise and Vibration; Chapter 13: Socio-Economics; Chapter 15: Health and Wellbeing; and Chapter 14: Traffic and Transport.

#### **Identification of LSE on European Sites including bird species and marine mammals in other EEA States**

A Report to Inform the Appropriate Assessment (RIAA) has also been provided at Appendix 7.1 of the ES. Section 3.3.7 of the RIAA identifies that there is potential for LSE on European Sites including:

- Thanet Coast and Sandwich Bay Ramsar Site;
- Thanet Coast and Sandwich Bay SPA;
- Thanet Coast SAC; and
- Sandwich Bay SAC.

Of these sites, all except Thanet Coast SAC were progressed to consideration of adverse effects on integrity.

The RIAA screening assessment concludes that the following designated features and conservation objectives should be taken forward to a detailed (appropriate) assessment:

Site Name (distance from Order Limits)	Designated Features <sup>21</sup>	Conservation objectives of qualifying feature
Thanet Coast and Sandwich Bay SPA (0m)	Turnstone (non- breeding)	Maintain and restore the extent, distribution, structure and function of habitats turnstone rely upon. Maintain and restore the population and distribution of turnstone.
	Golden plover (non- breeding)	Maintain and restore the extent, distribution, structure and function of habitats golden plover rely upon. Maintain and restore the population and distribution of golden plover.
	Little tern (breeding)	Maintain and restore the extent, distribution, structure and function of habitats little tern rely upon. Maintain and restore the population and distribution of little tern.
Thanet Coast and Sandwich Bay Ramsar (0m)	Turnstone (non- breeding)	Maintain and restore the population and distribution of turnstone. Maintain and restore the extent, distribution, structure and function of habitats turnstone rely upon. Maintain or restore the supporting processes on which the habitats of turnstone rely.
	15 Red Data Book Invertebrate species (Criterion 2)	Maintain and restore the populations and distributions of the qualifying feature invertebrate species. Maintain and restore the extent, distribution, structure and function of habitats the qualifying invertebrate species rely. Maintain or restore the supporting processes on which the habitats rely.
Sandwich Bay SAC (0m)	Annex I habitats	Maintain and restore the extent, distribution, structure and function of the qualifying habitats (and their typical flora), the supporting processes they rely upon.

Footnote 14 of the RIAA states that 'The geographic extent of the parameters described in Table 3.1 excludes the potential for transboundary effects (i.e. effects that might impact European sites located outside of the UK)'.

The RIAA concludes that the Proposed Development is not likely to have an adverse effect on the integrity of the designated sites.

The Inspectorate notes that the sites under consideration were all designated whilst the airport was operational. Paragraph 4.24.29 and 4.4.3.2 of the RIAA state that in fact golden plover numbers and Turnstone numbers appear to have decreased since the cessation of operations at the airport and Little tern are no longer breeding in the Thanet Coast and Sandwich Bay SPA. The Inspectorate therefore considers at this time that a significant effect on the environment in another EEA state is not likely. The Inspectorate will continue to monitor this issue throughout the examination process.

Under Regulation 32 of the 2017 EIA Regulations and on the basis of the current information available from the Applicant, there is no change to the previous conclusion, and the Inspectorate remains of the view that the Proposed Development is **not likely** to have a significant effect on the environment in another EEA State.

In reaching this view the Inspectorate has applied the precautionary approach (as explained in its Advice Note twelve: Transboundary Impacts); and taken into account the information currently supplied by the Applicant.

**Action:**

No further action required at this stage

**Date:** 30 January 2019

**Note:** The SoS' duty under Regulation 32 of the 2017 EIA Regulations continues throughout the application process.

**Note:**

The Inspectorate's screening of transboundary issues is based on the relevant considerations specified in the Annex to its Advice Note Twelve, available on our website at <http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>