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Our ref: 285230
Your ref: TR020002



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BY EMAIL ONLY

Dear Mr MacDonald

NSIP Reference Name / Code: Manston Airport / TR020002
Natural England's comments on the Report on the Implications for European Sites (RIES)

Thank you for your consultation on the above dated 18 June 2019 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England's view is that the RIES contains a helpful and accurate statement of the progress that has been made in resolving the potential impacts on European sites.

Our comments on the stages in Habitats Regulations Assessment (HRA) are as follows:

Identification of European Sites

Natural England agrees with the identification of sites that could potentially be affected by the proposal, within 15km of the Order limits, as set out in Table B.1 in Appendix B of the Updated RIAA [REP7a-014]. Our Written Representation [REP3-089] identified that The Swale SPA/Ramsar could potentially be affected by air quality impacts as part of the site is within 200m of the A299. Therefore, these additional sites were included in the air quality assessment. We also identified the Thanet Coast SAC in our Written Representation, as the outfall is close to the boundary of that site. Therefore, our view is that the correct European Sites are identified in the RIES.

Assessment of Likely Significant Effects

Table 3.1 of the RIES identifies the European sites, features and impacts for which the Applicant concluded a likely significant effect. Natural England confirms that we agree with this assessment. Our view is that the correct sites are considered in the assessment of likely significant effects at Annex 1 of the RIES (i.e. Thanet Coast and Sandwich Bay SPA/Ramsar, Thanet Coast SAC and Sandwich Bay SAC). However, we would add that a potential pathway exists for the outfall to impact on the Thanet Coast SAC: its habitats could be affected by water quality impacts or scour. Therefore, we recommend that the matrix at Annex 1 is amended so that rather than reporting n/a for effects from the outfall, impacts are screened out for the same reasons as for Sandwich Bay SAC, ie that the designated features are beyond 100m of the outfall.

Whilst our Written Representation identified potential air quality issues for The Swale SPA/Ramsar, we are satisfied that the air quality assessments (for NOx in [REP6-016] and N and acid deposition in Appendix I to the RIAA [REP7a-014]) rule out likely significant effects on these sites.

Assessment of Adverse Effects on Integrity

Table 4.1 of the RIES identifies the European sites, impacts and view of Interested Parties. This accurately reflects Natural England's views as submitted at the time the RIES was produced (an update on the area of disagreement is provided below).

Two areas are identified in Table 4.1 where Natural England had been unclear in its submissions; apologies for this. To confirm, we are satisfied that an operational phase barrier effect on golden plovers can be ruled out based on the survey information provided at Appendix F, and the information on functionally linked land at Appendix H, of the Updated RIAA [REP7a-014]. We are also satisfied that operational noise effects on little terns can be ruled out based on the noise contour maps provided at Deadline 4 [REP4-018].

The remaining area of disagreement at the time the RIES was produced was that operational noise would not affect the turnstones that form part of the interest of the Thanet Coast and Sandwich Bay SPA/Ramsar. Our concern was that the increase in peak noise events would be significant and risk hindering the restoration of the turnstone population. The area predicted to be affected by the loudest noise and the greatest number of peak noise events is the northern part of Pegwell Bay (as shown by the noise contour maps [REP4-018]) and so turnstones using this area were the greatest concern.

As set out in Natural England's answer to Ec.4.2 (submitted at Deadline 9), Natural England has worked with the Applicant to resolve our uncertainty over impacts on the turnstone population. This is also described in the Appendices to the Applicant's Answers to the 4th Written Questions, Appendix Ec.4.2: North Pegwell Bay: Noise and Turnstone.

Appendix Ec.4.2 demonstrates that the proposed flightpath is similar to that used by the previous Manston Airport, and the noisiest planes that used to fly from Manston would not be allowed at the new airport. Therefore, although the previous airport caused fewer peak noise events, these would have been louder than would be produced by the proposed operations. As the previous disturbance study¹ did not specifically note disturbance by commercial aircraft, even though the planes would have caused greater peak noise events, this provides evidence for the Applicant's assertions regarding the absence of impacts.

Therefore, Natural England is satisfied that Appendix Ec.4.2 provides sufficient evidence to resolve our uncertainty over noise disturbance impacts on turnstones in Pegwell Bay. We accept that, for the reasons set out in section 3 (Assessment) of the Appendix, an adverse effect on integrity can be ruled out.

Whilst not necessary to reach a conclusion of no adverse effect on integrity, further weight is added to that conclusion by the provisions set out in section 4 of Appendix Ec.4.2. Natural England welcomes the recognition that disturbance is a key pressure on SPA bird species and that unforeseen circumstances, such as changes in the fleet mix, may have an impact. Therefore, we welcome the measures set out in section 4, which guard against that eventuality. The noise mitigation plan encourages the use of quieter aircraft, and the funding for disturbance monitoring and projects addresses any risk of residual impact.

Natural England, therefore, recommends amending the parts of Annex 2 to the RIES to reflect the reasoning set out in section 3 of Appendix Ec.4.2. While this Appendix is specifically related to turnstones using the north of Pegwell Bay, Natural England's advice is that the conclusions would also apply to those using the north Thanet coast.

I hope this information is helpful in progressing the Examination. If you would like any further information, please get in touch on 0208 225 7693 or alison.giacomelli@naturalengland.org.uk

¹ Swandale, T and Waite, A. 2012. Pegwell Bay, Kent: Bird Disturbance Study 2010-2011. Kent Wildlife Trust, Maidstone

Yours sincerely

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