

**TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 77 AND TOWN
AND COUNTRY PLANNING (INQUIRIES PROCEDURE) (ENGLAND)
RULES 2000**

APPLICATIONS BY LONDON ASHFORD AIRPORT LTD

**SITE AT LONDON ASHFORD AIRPORT LIMITED, LYDD, ROMNEY
MARSH, TN29 9QL**

**SUMMARY PROOF OF EVIDENCE OF
MALCOLM SPAVEN MA (Hons) MSc
on behalf of Lydd Airport Action Group
on**

**FLIGHT PATH ASSUMPTIONS IN
ASSESSMENTS MADE BY THE NUCLEAR
INSTALLATIONS INSPECTORATE**

PLANNING INSPECTORATE REFERENCE: APP/L2250/V/10/2131934

LPA REFERENCES: Y06/1647/SH and Y06/1648/SH

INQUIRY DOCUMENT REFERENCE: LAAG/10/B

1. Professional qualifications and experience

- 1.1 My name is Malcolm Spaven. I hold an M.A. (Honours) degree from the University of Edinburgh and an M.Sc in Rural and Regional Resources Planning from the University of Aberdeen. I am the principal of Spaven Consulting.
- 1.2 Spaven Consulting has specialised in assessments of aircraft noise around airfields and in low flying areas, and assessments of the impacts of renewable energy developments on aviation. My clients have included wind energy developers, airports, trade associations, non-governmental organisations and community groups.
- 1.3 I am a qualified pilot with a commercial pilot's licence, an instructor's rating, a night rating and an instrument meteorological conditions rating. I work as a flying instructor at Edinburgh and Fife Airports.
- 1.4 On behalf of gCAP Ltd I perform audits of instrument approach procedure charts for airports in the UK, Ireland and France.
- 1.5 I am familiar with the details of the proposed development and the development site. I have carried out analysis work on the proposed development on behalf of Lydd Airport Action Group since 2006.

2. Scope of evidence

2.1 In my main proof of evidence [LAAG/10/A], I deal with the following matters:

- ▶ inadequacies of the aviation information provided in the planning application
- ▶ feasibility of the flight paths depicted in the airport's planning submissions
- ▶ the airport's December 2009 submissions on the subject of noise and visual impacts
- ▶ flight path assumptions in assessments made by the Nuclear Installations Inspectorate
- ▶ practical constraints on the use of Lydd Airport by commercial airliners.

2.2 In this summary proof of evidence, I address the issue of flight path assumptions in assessments made by the Nuclear Installations Inspectorate. Other aspects of my evidence are summarised in LAAG/10/B.

2.3 In this summary proof, references to the relevant paragraphs of my main proof [LAAG/10/A] are appended in square brackets.

3. Flight path assumptions in assessments made by the Nuclear Installations Inspectorate

3.1 Section 6 of my main proof of evidence addresses a number of questions relating to assessment by the Nuclear Installations Inspectorate of the Lydd Airport expansion plans, namely:

- changes in the operating environment at Lydd Airport since the conclusion of the previous Nuclear Installations Inspectorate (NII) report on Lydd Airport's runway extension proposal in 1988;
- review of the flight path assumptions in the 1988 NII report, and how they compare to the NII's flight path assumptions in relation to the current Lydd Airport development proposal;
- assessment of likely crash scenarios.

3.2 A number of changes have been made to the aviation environment and facilities around Lydd Airport since 1988. With the exception of the introduction of RNAV instrument approaches, these have either increased the operating constraints on the airport and/or reduced the margins of safety in relation to the risk of an aircraft crashing on the Dungeness power station. [6.3 to 6.4]

3.3 The NII's 1988 assessment started from a position that any flight path which involved aircraft pointing at the power stations was unacceptable. This led to a binding legal agreement that no aircraft, other than those under 5700kg in the visual circuit, could turn left on departure from runway 21. [6.5 to 6.6]

3.4 In relation to the current proposals, which permit all aircraft less than 5700kgs to turn left on departure from runway 21, it is not clear why NII has determined that this flight path is now acceptable. [6.7]

3.5 Similarly, it is not clear why in 1988 the NII placed a maximum 5.7 tonnes limit on aircraft using an arrival flight path for runway 03 over the town

of Lydd, pointing at the power stations, whereas in their assessment of the current proposals, NII is content to permit much larger aircraft to fly a similar but even more critical flight path. [6.8]

3.6 The 1988 NII assessment was based on a cap on movements by jets and aircraft over 5.7 tonnes of 6,000 movements per annum. The current proposals would permit more than two and a half times those traffic levels. It is not clear why NII considers this acceptable, with fewer restrictions on flight paths now than were deemed necessary in 1988. [6.9 to 6.11]

3.7 Under the current proposals there are four scenarios in which an aircraft might follow a flight path which points at the power station – a situation which NII deemed unacceptable in 1988. [6.12 to 6.19]
