

Appendix 16 Aviation Consultation

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Defence Infrastructure Organisation

Mr Michael Billings
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Ministry of Defence
Safeguarding – Wind Energy
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Your Reference: Section 36 Application

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Joyce Melrose
Scottish Government
Energy Consents Unit
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

17 December 2013

Dear Joyce

Please quote in any correspondence: 10940

Site Name: Sandy Knowe Wind Farm

Proposal: Erection of Wind Turbines

Planning Application Number: Section 36 Application

Site Address: South West of Kirkconnel and Kelloholm, Dumfries & Galloway

Stuart Winter of Jones Lang Lasalle consulted the Ministry of Defence (MOD) on the above Section 36 Planning Application in a communication dated 18 November 2013.

I am writing to tell you that the MOD has no objection to the proposal.

The application is for 30 turbines at 125 metres to blade tip. This has been assessed using the grid references below as submitted in the planning application or in the developers' your pro-forma.

Turbine	100km Square Letter	Easting	Northing
1	NS	69572	11396
2	NS	69201	11337
3	NS	69055	11108
4	NS	68892	10887
5	NS	69030	10590

6	NS	68807	10399
7	NS	68720	10143
8	NS	68627	09893
9	NS	69488	11065
10	NS	69408	10668
11	NS	69198	10102
12	NS	69050	09876
13	NS	69913	10787
14	NS	69962	10498
15	NS	69724	10136
16	NS	69685	09866
17	NS	70428	10753
18	NS	70382	10471
19	NS	70402	10182
20	NS	70151	10007
21	NS	70187	09664
22	NS	70579	09876
23	NS	70830	10051
24	NS	71136	10275
25	NS	70764	10503
26	NS	71017	10676
27	NS	71381	10445
28	NS	71369	10748
29	NS	70679	10925
30	NS	71036	11004

In the interests of air safety, the MOD requests that all turbines are fitted with 25 candela omni-directional red lighting or infrared aviation lighting with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration at the highest practicable point.

The principal safeguarding concern of the MOD with respect to the development of wind turbines relates to their potential to create a physical obstruction to air traffic movements and cause interference to Air Traffic Control and Air Defence radar installations.

Defence Infrastructure Organisation Safeguarding wishes to be consulted and notified of the progression of planning applications and submissions relating to this proposal to verify that it will not adversely affect defence interests.

If planning permission is granted we would like to be advised of the following;

- the date construction starts and ends;
- the maximum height of construction equipment;
- the latitude and longitude of every turbine.

This information is vital as it will be plotted on flying charts to make sure that military aircraft avoid this area.

If the application is altered in any way we must be consulted again as even the slightest change could unacceptably affect us.

I hope this adequately explains our position on the matter. If you require further information or would like to discuss this matter further please do not hesitate to contact me.

Further information about the effects of wind turbines on MOD interests can be obtained from the following websites:

MOD: <http://www.mod.uk/DefenceInternet/MicroSite/DIO/WhatWeDo/Operations/ModSafeguarding.htm>

Yours sincerely

Michael Billings
Safeguarding Assistant – Wind Energy
Defence Infrastructure Organisation

SAFEGUARDING SOLUTIONS TO DEFENCE NEEDS

By post and email

Stephen McFadden
Energy Consents and Deployment Unit
Scottish Government
4th Floor
5 Atlantic Quay
150 Broomielaw
Glasgow

23 October 2014

Dear Stephen

**Glasgow Prestwick Airport
Section 36 Planning Application for the Development of 30 Wind Turbines and
associated infrastructure at Sandy Knowe, Dumfries and Galloway (“the Sandy
Knowe development”)**

We refer to the application by Sandy Knowe Wind Farm Limited for Section 36 consent for the Sandy Knowe development.

As you are aware, Glasgow Prestwick Airport Limited (“**GPA**”) has objected to the Sandy Knowe development on the basis that its wind turbines will be detected by the Primary Surveillance Radar (“**PSR**”) at the Airport and consequently it will have a significant adverse impact on the safety and efficiency of GPA’s air traffic control service (“**ATS**”). GPA first formally objected to the Sandy Knowe development on safeguarding grounds on 13th December 2012.

GPA has assessed and identified a number of potential solutions likely to mitigate the impact of wind farm developments in proximity to the Airport on its PSR and ATS and is working with Sandy Knowe Wind Farm Limited to identify the most appropriate solution to mitigate the adverse impact of the proposed Sandy Knowe development on its PSR and ATS.

In light of the progress of this work, we have now entered an agreement with Sandy Knowe Wind Farm Limited on the basis of which Sandy Knowe Wind Farm Limited have agreed to abide by terms of the proposed conditions (set out below), in order to enable GPA to select the most appropriate Mitigation Scheme for the Sandy Knowe development.

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Accordingly, in light of the agreement concluded and with the reasonable likelihood a solution can be delivered within a reasonable period of time following the development receiving Section 36 consent, GPA is prepared to withdraw its objection to the Sandy Knowe development, provided that any consent is made subject to the conditions set out below. The conditions are required because our ability to select and identify an appropriate Mitigation Scheme depends upon the agreement we have reached with Sandy Knowe Wind Farm Limited.

"The Conditions

- 1. No development shall commence unless and until such time as the Scottish Ministers receive confirmation from the Airport Operator that: (a) a Radar Mitigation Scheme has been identified; and (b) the Radar Mitigation Scheme can be implemented and maintained for the lifetime of the development.*
- 2. No blade shall be fitted to any turbine or turbines forming part of the development and no such turbine shall operate, save as provided for and in accordance with the Testing Protocol, unless and until such time as the Scottish Ministers receive confirmation from the Airport Operator that: (a) all measures required by the Radar Mitigation Scheme prior to operation of any turbine have been implemented; and (b) the Civil Aviation Authority has evidenced its approval to the Airport Operator that the Radar Mitigation Scheme is acceptable mitigation for the development and has been satisfactorily implemented by the Airport Operator.*
- 3. No turbine shall operate other than in accordance with the terms of the Radar Mitigation Scheme.*

Reason: In the interests of aviation safety.

Definitions:

"Airport Operator" means Glasgow Prestwick Airport Limited or any successor as holder of a licence under the Air Navigation Order 2000 from the Civil Aviation Authority to operate Glasgow Prestwick Airport.

"Radar Mitigation Scheme" means such equipment, procedural or technological measures, as the Airport Operator identifies as necessary and sufficient to prevent the operation of the development or of any turbines forming part of the development impacting adversely on radar performance or on the performance of other navigational aids at Glasgow Prestwick Airport or on maintaining safe and efficient air traffic control services or procedures or airspace and which the Airport Operator is willing and able to implement and maintain for the lifetime of the development or for such shorter period as may be agreed in consultation with the Airport Operator as necessary to mitigate any such adverse impact.

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"Testing Protocol" means the protocol to control the operation of any turbine or turbines forming part of the development for the purposes of testing of the Radar Mitigation Solution.

Our willingness to withdraw our safeguarding objection to the Sandy Knowe development depends upon the imposition of the conditions above. If they are unacceptable to you or if you would otherwise wish to amend their terms, we would appreciate if you would inform both ourselves and Sandy Knowe Wind Farm Limited of that position before taking a decision to consent the application and discuss your proposed approach with us to ensure that any conditions continue to reflect the principles underlying our proposed conditions. As you know, we have been an active participant in the Scottish Government's South West Scotland Regional Aviation Solution Group and it is our aspiration that the technology chosen to mitigate the Sandy Knowe development will be capable of being modified or adapted in order to provide a regional solution. We plan to subsequently enter into an agreement with Sandy Knowe Wind Farm Limited that is capable of providing a regional Mitigation Scheme, and our intention would be to make that Mitigation Scheme available for use by other wind farm developers.

To this end, we would urge the Scottish Ministers to determine the application for the Sandy Knowe development as soon as reasonably practicable, as this will provide us with certainty as to the timeframe for achieving the regional Mitigation Scheme.

We would be happy to discuss matters further.

Yours sincerely



Iain Cochrane

Chief Executive Officer

For and on behalf of Glasgow Prestwick Airport Limited

Copy (by email only) to: Stephen.McFadden@scotland.gsi.gov.uk ,
JohnR@burcote.com

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Stephen McFadden

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3rd December 2014

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✉: natssafeguarding@nats.co.uk
🌐: www.nats.co.uk/windfarms

Sent via email: econsentsadmin@scotland.gsi.gov.uk
cc: Stephen.McFadden@scotland.gsi.gov.uk

NATS CRM Reference: 3629

Dear Sirs,

Sandy Knowe Wind farm

We refer to the application submitted by the Developer dated 6th December 2012 for the construction of 30 turbines.

NERL has objected to the proposed development as its assessment is that the development will cause an adverse impact to the Lowther Hill radar and associated air traffic operations of NATS (En-Route) plc ("NERL") without suitable mitigation.

An agreement has been entered into between NERL and Sandy Knowe Wind Farm Limited 14th November 2014 for the agreement of suitable planning conditions and the implementation of an identified and defined mitigation solution in relation to the development that will be implemented under agreement. In summary, such mitigation solution will require works to be carried out to NERL's infrastructure and comprises a modification to the radar system.

NERL is therefore prepared to withdraw its objection to the application subject to the imposition of the agreed conditions set out below that have been agreed with the developer:

The agreed Conditions read as follows:

- 1.** No blades shall be fitted until a Primary Radar Mitigation Scheme agreed with the Operator has been submitted to and approved in writing by the Scottish Ministers in order to avoid the impact of the development on the Primary Radar of the Operator located at Lowther Hill and associated air traffic management operations.
- 2.** No blades shall be fitted until the approved Primary Radar Mitigation Scheme has been implemented and the development shall thereafter be operated fully in accordance with such approved Scheme.

For the purpose of conditions 1 and 2 above;

"Operator" means NATS (En Route) plc, incorporated under the Companies Act (4129273) whose registered office is 4000 Parkway, Whiteley, Fareham, Hants PO15 7FL or such other organisation licensed from time to time under sections 5 and 6 of the Transport Act 2000 to provide air traffic services to the relevant managed area (within the meaning of section 40 of that Act).

"Primary Radar Mitigation Scheme" or "Scheme" means a detailed scheme agreed with the Operator which sets out the measures to be taken to avoid at all times the impact of the development on the Lowther Hill primary radar and air traffic management operations of the Operator.

Please acknowledge receipt of this letter.

Yours faithfully

A handwritten signature in blue ink that reads "Sacha Rossi".

Mr Sacha Rossi

For and on behalf of NATS (En-Route) plc