



Application by East Pye Solar Ltd for an order granting development consent for the East Pye Solar project (EN0110014)

Written Representation

Interested Party Reference Number [REDACTED]

1. Introduction

- 1.1 This Representation is made by the General Aviation Awareness Council, as an Interested Party, on behalf the Norfolk Gliding Club (NGC) based at Tibenham Aerodrome that would be adversely impacted by the East Pye Solar project scheme as promoted in the submitted DCO Application.
- 1.2 The GAAC is not opposed to the principle of this proposed development but the location of some of the proposed solar panel sites and, significantly, the related infrastructure which, if the scheme were to progress as currently proposed would be a threat to the safe operation of Tibenham Aerodrome. The scheme has been amended since first promoted and, in particular, the introduction of a National Grid Sub-Station at the end of Tibenham's Runway 08 and a BESS in close proximity constitute major threats to human safety.
- 1.3 The threat to aviation safety would be generated:
- Directly by the location and nature of the proposed solar farm and the associated BESS and National Grid infrastructure; and
 - Indirectly by the cumulative impact of this scheme and the Norwich to Tilbury National Grid project and the local authority approved Station Road solar scheme.
- 1.4 The General Aviation Awareness Council (GAAC) was formed over twenty years ago to work for the protection of UK airfields from indiscriminate development. It represents the interests of over 30 Associations, including the British Gliding Association (BGA), Aeroplane Owners & Pilots (AOPA), the Light Aircraft Association (LAA), the Honorable Company of Air Pilots (HCAP), the Aerodrome Operators Group (AOG), British Business & GA (BBGA), the Flying Farmers Association (FFA), British Microlight Aircraft (BMAA) and ARPAS, the Association of Remotely Piloted Aircraft Systems. It therefore represents 40,000+ members involved in fixed wing, helicopter, gliding, Microlight, Balloon, Drone and Aeromodeller activities.
- 1.5 Wherever possible, the GAAC works in conjunction with complimentary organisations such as Sport England, the RSPB and CPRE. Since 2018 the GAAC has been closely involved with the All Party Parliamentary Group for General Aviation.
- 1.6 The Civil Aviation Authority's Combined Aerodrome Safeguarding Team (CAST) has issued a series of advice notes for aerodromes and decision makers highlighting the need for



developers and decision makers to take account of the presence of general aviation aerodromes and for the safety of users to be protected.



Key Issues

- 2.1 We believe there are six key issues relating to the proposed scheme, the way it has been defined and the impact that it would have on the site and activities at Tibenham Aerodrome.
- 2.2 These key issues are the scope and level of the Applicant's engagement with Tibenham Aerodrome, the scope of the Applicant's assessment, cumulative issues, inconsistency, the value and importance of Tibenham Aerodrome and relevant policy.

Engagement

- 2.3 The applicant's document APP-024 shows that EPS had one meeting with NGC on 23 Jan 2025 and the only issue discussed was Glint and Glare (G&G). A further meeting on Glint and Glare took place on 5 January 2026. The G&G work has been generic, not site specific. The Norfolk Gliding Club submission explains this in detail.
- 2.4 The applicant was informed about an additional solar scheme being promoted through the Town and Country Planning system – at Station Road - but has not addressed the potential cumulative impact of this generating glint and glare. Full planning permission for the Station Road scheme, application 2024/3817, was granted on 30 June 2025, so there has been time for this to be taken into account by the Applicant. It is not known if the Applicant had any engagement with Mr Mark Kelly who promoted the application North of Station Road, Tivetshall, but there is no mention of it in APP-024.
- 2.5 It is also important at this point to note that Seething Aerodrome, a smaller, much less busy aerodrome and less diverse in its range of activities, has been given far more consideration by the applicant than has been granted to Tibenham (document 6.1.5., Section 10B) This inconsistency not been explained by the Applicant. The revised Seething assessment was undertaken in November 2025 but this was not mentioned in the Tibenham meeting in January 2026.
- 2.6 More significantly, there has been no engagement with Tibenham Aerodrome following the introduction of a National Grid substation at the end of Tibenham's Runway 08 and a BESS within the wider cone of impact on the +/- 30 degree Engine Failure on Take-Off (EFATO) splay. The Norfolk Gliding Club submission provides all of the detail in respect of this failure properly to engage.
- 2.7 The Applicant's Position Statement on Aviation, September 2026, in Section 2.2 lists the nature and summary of engagement with the GAAC. It will be noted that representations from the GAAC were received, but no responses were received from the Applicant.
- 2.8 This lack of proper engagement is contrary to the provisions of EN-1 in particular, paragraphs 5.5.1 – 5.5.2, 5.5.7-5.5.9, 5.5.19, 5.5.40, 5.5.42 and 5.5.46. It is similarly contrary to EN-3 paragraphs 2.10.150-151 and 2.12.51.



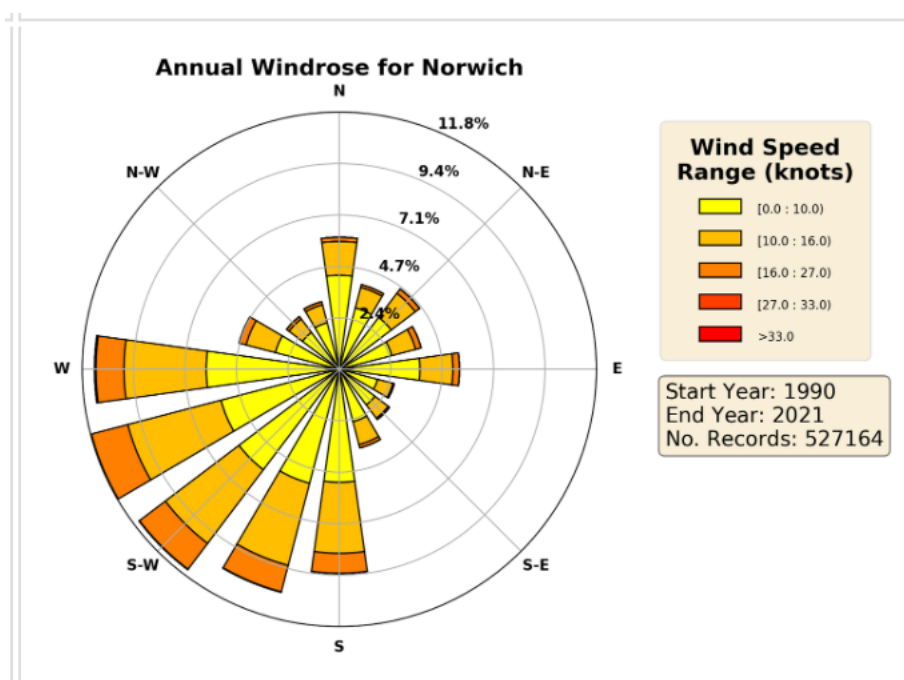
Scope of the Applicant's Assessment

- 2.9 There are six main respects in which the scope of the Applicant's assessment of the environment in which its proposals are being promoted is inadequate.
- 2.10 Most significantly, there is no evidence that the Applicant has undertaken an assessment of the risk and effects of an engine failure on take-off (EFATO), whether undertaking a practice circuit, or on departure from Tibenham's Runway 08 and then flying toward the National Grid sub-station, the BESS, or the proposed solar panels the Applicant wishes to install in fields immediately below the take-off path.
- 2.11 Landing on the sub-station or the BESS would be catastrophic for the person or people involved and for the occupants and structures of the proposed new infrastructure. Taking account of their weight and mass, landing on the commercial solar panels would generate a serious threat of loss of life for people on the aircraft and, potentially for a glider should that be being towed.
- 2.12 There is no explanation as to why a proper and appropriate assessment has been undertaken at Seething, but not at Tibenham.
- 2.13 Tibenham Aerodrome has now carried out this work and this demonstrates that in a range of quite normal flying scenarios, a catastrophic outcome could be predicted.
- 2.14 The assessment of Glint and Glare is based on movements by fixed wing aircraft and has not considered the less predictable glider movements as well as the need for a glider pilot to have a full 360 degree uninhibited view without any glint and glare. The NGC representations set this out in detail./
- 2.15 There has been no consideration of bird strikes, despite recent research by the RSPB and Cambridge University which shows that birds are attracted to shelter beneath solar panels. (BIRD STUDY 2025, VOL. 72, NO. 3, 217–222 <https://doi.org/10.1080/00063657.2025.2450392>)
- 2.16 Cumulative impacts including all of the above factors and the additional potential risks that will be created by the National Grid Norwich to Tilbury Overhead Power Lines have not been considered.

Cumulative Issues

- 2.17 The applicant's document APP-116 records the comments of the planning authorities on its ES scope. Suffolk County Council urged the applicant to give full consideration to cumulative impacts of renewable energy and infrastructure projects. In particular, there is no consideration of the potential cumulative impact of Norwich to Tilbury and East Pye on the safety and operations of Tibenham. The Planning Inspectors' questions appear to agree that assessing the cumulative impacts on aviation safety is material.

- 2.18 Cumulatively, the presence of the planned National Grid pylon route together with the key components of the East Pye scheme – solar panels, BESS and substations together with the existing overhead pylons and the permitted Station Road solar scheme would make Tibenham less attractive in general.
- 2.19 It is also critical to take account of the ongoing need for Tibenham Aerodrome and Tibenham Priory Farm to minimise operational conflicts. This has been satisfactorily negotiated between the two aerodromes for many years. Now, however, two new infrastructure schemes adversely impact on this – the National Grid Norwich to Tilbury and the proposed East Pye Scheme. The National Grid Pylon route is clearly of national significance. The East Pye proposed solar scheme is speculative, sprawling, ill-considered and has many adverse impacts on villages and local residents as well as a very significant and unacceptable risk to aviation safety.
- 2.20 A circuit taking off from runway 08 would take an aircraft over the proposed solar panels / substation / Bess and then over Norwich to Tilbury Overhead power cables and pylons. A circuit usually takes between 5-7 minutes but normally circuit training involves multiple circuits – 5-10 per session. This could, therefore, be an hour's activity for a trainee and would require intense concentration in order to remain safe. In addition, as Mr Cownden points out, the grass section of runway 08 is not recommended for use by powered aircraft.
- 2.21 It is entirely possible that, on the grounds of safety, it would not remain appropriate to use runway 26/08 for training purposes. Runway 21/03 is regarded as the 'main runway' but the loss of 26/08 would be damaging. The ability to fly when it is precluded at other airfields by the strength of crosswinds is definitely a selling point for Tibenham. Runway 15/33 is less well maintained and less well used due to the prevailing winds (as shown by the Norwich Airport wind rose below).





- 2.22 In addition, visitors to the airfield would be facing very unusual circumstances when approaching Tibenham, which is a safety risk as well as a deterrent.
- 2.23 The Applicant has failed to demonstrate an understanding of, or address, the complex aviation environment that operates out of Tibenham airfield. In doing so, it has ignored the needs of co-existent Power and Gliding operations, Power Flight Training (Flight Training East Anglia - FTEA), Ballooning (Virgin Balloons & Buckletlist Balloons), MOD Helicopter Fuel replenishment, Remote Control Models (including Jets) and Para-motors. Each category operates aircraft with differing types and performance standards.
- 2.24 Aircraft / Launch types from Tibenham include: Single Engine Piston (SEP) including and Turbo Prop capability, Winch Launched Glider, Aerotow / Glider Combinations, Self Launched Gliders, Motor-gliders, Balloons, Helicopters and Para-motors. The airfield also has capability to handle Twin Piston or turboprop aircraft.

Inconsistency

- 2.25 The applicant's willingness to reappraise its initial risk methodology at Seething but not at Tibenham is not explained. The Applicant's document APP- 6.1.5 refers to 'discussions' at Design Stage 3. For Tibenham, the Applicant should have undertaken comparable assessment to that tested at Seething.

Value and importance of Tibenham

- 2.26 Tibenham is defined as a National Significant Area for Sport (SASP) by Sport England. It is a premier venue for regional, national and international gliding events and competitions. It is also identified in the whole Strategic Aerodrome Network (SAN) as of Regional Significance.
- 2.27 The British Gliding Association (BGA) manages training standards, safety and competition flying operating with authority delegated by the Civil Aviation Authority. There are some 8,500 glider pilots in the UK.
- 2.28 The airfield is a genuinely multi-purpose site with gliding, powered flight, micro-lights, ballooning, model and jet model flying. It has a working relationship with military and emergency operators through its fuel and PPR facilities.
- 2.29 A wide range of activities take place at Tibenham from ab-initio to aerobatics training in gliders and powered craft. Tibenham is categorised as a 'Significant Area for Sport' by Sport England. It is becoming increasingly used by private companies that operate aviation experiences.



- 2.30 Tibenham also regularly host groups of young people, introducing them to Gliding. It has been very successful attracting local Scout Groups over the last couple of years. This will continue into 2027 as it already has bookings.
- 2.31 Norfolk Gliding Club's Board is keen to see aviation at Tibenham expand, with plans currently being taken forward to provide additional hangar space, which is hoped will attract an aviation service / repair operation which in turn will attract more pilots to Tibenham - with a consequential increase in aircraft movements.
- 2.32 Tibenham is open every day. Gliding courses run regularly between April and October. Other events include tractor runs, classic car and bike meets and camping.

Conclusions on the Key Issues

- 2.33 The Applicant has not fully or properly addressed aviation safety. The submitted material is simplistic and fails properly to take account of the presence and nature of Tibenham Aerodrome.
- 2.34 Planning appeal decisions confirm that aviation safety is a material consideration and the status of this application does not override that material consideration.
- 2.35 The following Dismissed Appeal Decisions confirm this (We have not sought to include extracts from these decisions as they should be read in full) :
 - a. Appeal Ref: APP/C2741/W/19/3223376 Land to the west of Bradley Lane, Rufforth, York
 - b. Appeal Ref: APP/V3500/W/24/3354097 Land at Copland Way, Ellough, Beccles, Suffolk, NR34 7TL
 - c. Appeal Ref: APP/H0520/W/25/3369356 Land East Of Billing Brook And North And South Of Peterborough Road Haddon PE7 3TT



3. Policy

3.1 Since 2018, planning policy has sought to retain the national network of general aviation aerodromes. The 2026 NPPF, in TR7c refers to maintaining ‘...a national network of aviation airfields, and support an airfield’s economic or public service role (for example in serving business, leisure, training and emergency service needs).’

3.2 In addition, as all general aviation activity is classified as sport, policy HC7 is relevant:

‘HC7: Development affecting existing recreational land and facilities

1. *Development proposals should not result in the loss of existing open space, sports and recreational buildings and land, including playing fields, other formal and informal play space and allotments, unless:*
 - a. *An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
 - b. *The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality, in a location which offers comparable or improved accessibility for the community it serves; or*
 - c. *The development is for public service infrastructure, and the resulting loss would be replaced by equivalent or better provision in terms of quantity and/or quality; or*
 - d. *The development is for alternative open space, sports and recreational buildings and land, the benefits of which clearly outweigh the loss of the current or former use.’*

3.3 Clearly the changes that this proposed scheme, if unamended, would introduce constitute a major change to the quality, range and operations of Tibenham. The policy position set out in EN-1 does not override national policy. It seeks to facilitate new energy infrastructure but paragraph 5.5.7 states:

‘UK airspace is important for both civilian and military aviation interests. It is essential that new energy infrastructure is developed collaboratively alongside aerodromes, aircraft, manned and unmanned air systems and airspace so that safety, operations and capabilities are not adversely affected by new energy infrastructure. Likewise, it is essential that aerodromes, aircraft, air systems and airspace operators work collaboratively with energy infrastructure developers essential for net zero. Aerodromes can have important economic and social benefits, particularly at the regional and local level, but their needs must be balanced with the urgent need for new energy developments, which bring about a wide range of social, economic and environmental benefits.’



- 3.4 This project has not been developed collaboratively alongside aerodromes. Safety and operations have not been given adequate consideration. The economic, social and environmental benefits of Tibenham have not been addressed.
- 3.5 It is clear from the prospective developer's scattering of proposed sites across a wide area that there were not, and are not, fixed criteria which has led to the identification of specific sites. It appears most likely that the proposed fields for the solar panels align with landowners keen to open a new, relatively undemanding, income stream.
- 3.6 Tibenham Aerodrome is a busy, diverse aerodrome. General Aviation airfields constitute a national asset and should be fully taken into account at the start of the evaluation of new infrastructure projects. The Applicant did not actively engage with Tibenham Aerodrome prior to defining its project. No proper consideration was given to the impact of the scheme when the areas of land proposed for solar installations and the large scale and wide distribution of ancillary infrastructure was first published. The Applicant has lacked genuine engagement and given inadequate consideration to Tibenham Aerodrome – in its own right or in respect of cumulative impacts.
- 3.7 Paragraph 5.5.52 of EN1, relating to the Secretary of State's decision making and states:
- 'In particular, the Secretary of State should be satisfied that the proposal has been designed, where possible, to minimise adverse impacts on the operation and safety of aerodromes and that realistically achievable mitigation is carried out on existing surveillance systems such as radar/tracking technologies. It is incumbent on Operators of aerodromes to regularly review the possibility of agreeing to make reasonable changes to operational procedures.'*
- 3.8 The Norfolk Gliding Club can clearly demonstrate that this Application has not been designed to minimize adverse impacts on the operation and safety of operation of Tibenham Aerodrome.
- 3.9 This is contrary to the provisions of the NPPF. Policy P4: 'Impact of development on existing activities', states:
- '1. Existing businesses, community facilities, public services and defence and security activities should not have unreasonable restrictions placed on their current or permitted operation as a result of development being approved after they were established. This means that development proposals should be capable of being integrated effectively with existing business, community and public service activities and infrastructure in their vicinity (including, but not limited to, uses such as pubs, music venues, places of worship, sports clubs, blue light services, defence, electricity network infrastructure and industrial and waste sites).*
- 2. Where the operation of an existing activity could have a significant adverse effect on a proposed new development in its vicinity, development proposals should:*



a. Identify the nature of the potential impacts, informed where necessary by early discussions between the applicant (i.e. the 'agent of change') and those existing uses which could be affected by the proposal to inform the scope for mitigation; and

b. Be able to demonstrate that suitable mitigation can be provided before first occupation of the development, if it is to be acceptable. Planning conditions or obligations should be used to secure agreed mitigation measures

3. This policy applies to new development involving changes of use of land and property, as well as to new construction, and includes situations where new development may interfere with the operation of electronic communications networks. Both lawful current and permitted levels of operation of existing activities should be taken into account when applying this policy.'



4. Aviation Regulation and Related Guidance

4.1 ANO 2016 Article 240 applies to **any** aerodrome. It states:

Endangering safety of an aircraft

Article 240 states *'A person must not recklessly or negligently act in a manner likely to endanger **an aircraft, or any person in an aircraft.**'* [our emphasis]

4.2 ANO Article 265 defines offences and penalties for contravention of the provisions of the Order.

Circular 1/2003

4.3 The Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002 Annex 1 – Circular 1/2003 states:

'Other civil aerodromes

*Operators of licensed aerodromes which are not officially safeguarded, and **operators of unlicensed aerodromes and sites for other aviation activities (for example gliding or parachuting)** should take steps to protect their locations from the effects of possible adverse development by establishing an agreed consultation procedure between themselves and the local planning authority or authorities. One method, recommended by the Civil Aviation Authority to aerodrome licensees, is to lodge a non-official safeguarding map with the local planning authority or authorities. Local planning authorities are asked to respond sympathetically to requests for non-official safeguarding. The general advice in this Annex is applicable to non-officially as well as to officially safeguarded aerodromes, but the requirements of the Direction at Annex 1 will not apply. The Civil Aviation Authority is prepared to offer advice on the preparation of a non-official safeguarding map at the request of any aerodrome operator or local planning authority.'* [our emphasis]

CAST

4.4 In addition, the CAA Combined Aerodrome Safeguarding Team (CAST) publication GA1: Safeguarding Guidance to General Aviation Aerodrome Managers & Operators states *'Whilst, therefore, it is not a requirement for an unlicensed aerodrome to have a safeguarding arrangement it is a very good idea to do so.'*

4.5 Therefore, it is clearly best practice, recently reinforced, for all unlicensed aerodromes to ensure a safe operating environment is maintained and for this to be accorded weight when new development proposals are under consideration. To be sufficiently safe, an unlicensed aerodrome must meet most of the standards set by the UK CAA licensing regime.

- 4.6 This is reinforced by Chapter 1 paragraph 2 of CAP 793 which refers to the ‘sound practice’ of safeguarding. In particular, attention is drawn to paragraph 4 which states, ‘...where flying training is taking place additional safety margins should be considered.’ Paragraph 9 also states, ‘This publication is written primarily to cover unlicensed aerodromes used by aeroplanes. Less demanding criteria may apply to aerodromes solely used by helicopters, gyroplanes or microlights.’
- 4.7 And, further, by paragraph 8 which states: ‘The fact that an aerodrome is unlicensed does not preclude compliance with the ANO or the Rules of the Air Regulations (RoAR).’
- 4.8 Chapter 2, paragraph 3.2 confirms HM Government advises that aerodrome owners should take steps to safeguard their operations.
- 4.9 Chapter 4, paragraph 2 states:
- ‘The physical characteristics required of a licensed aerodrome are detailed in CAP 168 Licensing of Aerodromes, available via www.caa.co.uk/cap168. While the licensing criteria may not be necessary for safe operation of every type of aircraft, they can be used as guidance on which the layout of an unlicensed aerodrome may be based.’*
- 4.10 Paragraph 5.1 goes on to address obstacles, stating, ‘Anything that, because of its height or position, could be a hazard to an aircraft landing or taking off should be conspicuously marked if it cannot be practicably removed or minimised.’
- 4.11 The specific circumstances at Tibenham Aerodrome underline the failure adequately to take account of the provisions of CAP 793.



5 Scope of the Assessment

Overview

- 5.1 In the submitted documents there is no mention of the ALARP principles. Paragraph 5 of CAP 738 states:

'The common aim of all safeguarding is to assess the implications of any development being proposed within the vicinity of an established aerodrome to ensure, as far as practicable, that the aerodrome and its surrounding airspace is not adversely impacted by the proposal, thus ensuring the continued safety of aircraft operating at the location.'

- 5.2 CAP 738, paragraph 3.2 requires the aerodrome operator to assess the risks to safeguarding to include the following:

*'as a **minimum**:*

- a) any development or change in land use in the aerodrome area;'

- 5.3 The CAA's CAP 760 also provides '*Guidance on the Conduct of Hazard Identification, Risk Assessment and the Production of Safety Cases*' which is sub-titled, 'For Aerodrome Operators and Air Traffic Service Providers' – and which again confirms how and where the assessment and mitigation of risk is to be managed.

- 5.4 CAP 760 was prepared to '*...enhance safety regulation and potentially enhances safety performance...*'

- 5.5 It defines 'ALARP', (As Low As Reasonably Practical) as:

'A risk is low enough that attempting to make it lower, or the cost of assessing the improvement gained in an attempted risk reduction, would actually be more costly than any cost likely to come from the risk itself.'

- 5.6 The principle of ALARP was established in a 1949 court case in the UK, is internationally recognised and is applied throughout the nuclear industry and was codified in the 1974 Health and Safety at Work Act. The principle applied through industry is that the operator must analyse hazards, determine the risks and take appropriate actions to reduce the risks.

- 5.7 Whilst the main focus of CAP 760 is on internal systems it is equally applicable to external threats.

- 5.8 In this case, the cost of the potential risk generated by the proposed development is high and the Applicant has not demonstrated this risk is tolerable. The Applicant did not include the consideration of major disasters (including loss of life caused by aircraft accidents) in its



assessments. It did not, therefore, consider the potential effects of its proposals on general aviation or aviation safety.

- 5.9 The NPPF definition of **Aviation airfields** is *‘Licenced or unlicenced aerodromes with hard or grass runways, often with extensive areas of open land related to aviation activity.’* It makes no distinction between licensed or unlicensed.
- 5.10 The CAA does not define an ‘acceptable’ obstacle clearance. The aerodrome operator is the expert responsible for ensuring ongoing safety of the airfield and its surroundings.



6. Conclusion

- 6.1 Aviation issues have not been properly or adequately addressed by the Applicant. Threats to aviation safety are capable of being resolved through amendments to the scheme, in particular by removing / relocating the proposed National Grid Sub-Station and the BESS.
- 6.2 The operations of general aviation aerodromes should have been identified and addressed in a professional way at earlier stages of the project definition.
- 6.3 Aviation is an important activity in East Anglia and is fully recognised in national aviation policy. Aviation safety is paramount and is fully recognised by the Civil Aviation Authority. The Aerodrome Operator is the expert responsible for ensuring ongoing safety of the airfield and its surroundings.
- 6.4 The ExA is respectfully requested fully to address this important issue reject this DCO Application.



Application by East Pye Solar Ltd for an order granting development consent (EN0110014)

Summary Written Representation

Interested Party Reference Number F9C57A119

1. Introduction

- 1.1 The location of some of the proposed solar panel sites and, significantly, the related infrastructure would be a threat to the safe operation of Tibenham Aerodrome. In particular, the proposed National Grid Sub-Station and a BESS at the end of Tibenham's Runway 08 constitute major threats to human safety.
- 1.2 The CAA Combined Aerodrome Safeguarding Team (CAST) has issued a series of advice notes for aerodromes and decision makers highlighting the need to take account of the presence of general aviation aerodromes and the safety of users to be protected.

2. Key Issues

Engagement

- 2.1 The applicant's engagement with the Norfolk Gliding Club (NGC) has been sporadic, and has not addressed relevant issues or other relevant development.
- 2.2. The Applicant has used appropriate risk analysis at Seething but not at Tibenham.
- 2.3 There was no engagement with NGC relating to the National Grid substation and a BESS at the end of Runway 08.
- 2.4 This is contrary to the provisions of EN-1 and EN-3.

Inadequate Scope of Applicant's Assessment

- 2.5 The Applicant has undertaken no assessment of the risk and effects of an engine failure on take-off (EFATO), whether undertaking a practice circuit, or departing from Tibenham's Runway 08 then flying toward the National Grid sub-station, the BESS, or the proposed solar panels the Applicant wishes to install in fields immediately below the take-off path.
- 2.6 Landing on the sub-station or the BESS would be catastrophic for the person or people involved and for the occupants and structures of the proposed new infrastructure. Taking account of their weight and mass, landing on the commercial solar panels would generate a serious threat of loss of life for people on the aircraft and, potentially for a glider should that be being towed.



- 2.7 NGC has carried out this assessment which demonstrates that in a range of quite normal flying scenarios, a catastrophic outcome could be predicted.
- 2.8 The assessment of Glint and Glare is based on movements by **fixed wing** aircraft and has not considered the less predictable glider movements as well as the need for a glider pilot to have a full 360 degree uninhibited view.
- 2.9 There is no consideration of bird strikes, despite recent research by the RSPB and Cambridge University which confirms birds shelter beneath solar panels.

Cumulative Issues

- 2.10 Cumulative impacts of the above factors and additional risks associated with the Norwich to Tilbury Overhead Power Lines are not considered.
- 2.11 The presence of the nationally significant National Grid pylon route alongside the East Pye scheme would make Tibenham less attractive in general and increase risk to human safety.
- 2.12 It is also critical to take account of the ongoing need for Tibenham Aerodrome and Tibenham Priory Farm to minimise operational conflicts.
- 2.13 East Pye proposed solar scheme is speculative, sprawling, ill-considered and has many adverse impacts on villages and local residents as well as a very significant and unacceptable risk to aviation safety.
- 2.14 A circuit taking off from runway 08 would take an aircraft over the proposed solar panels / substation / Bess and then over Norwich to Tilbury Overhead power cables and pylons. It is entirely possible that, on the grounds of safety, it would not remain appropriate to use runway 26/08 for training purposes damaging the value of Tibenham. Visitors to the airfield would face very unusual circumstances when approaching Tibenham, - a safety risk and a deterrent.
- 2.15 The Applicant has failed to demonstrate an understanding of, or address, the complex aviation environment that operates out of Tibenham airfield.

Inconsistency

- 2.16 The applicant's willingness to reappraise its initial risk methodology at Seething but not at Tibenham is not explained.

Value and importance of Tibenham

- 2.17 Tibenham is defined as a National Significant Area for Sport (SASP) by Sport England. It is a premier venue for regional, national and international gliding events and competitions. It is identified in the Strategic Aerodrome Network (SAN) as of Regional Significance. The



airfield is a multi-purpose site. It hosts groups of young people, introducing them to Gliding.

- 2.18 NGC's Board is keen to see aviation at Tibenham expand, with plans currently being taken forward to provide additional hangar space, to attract an aviation service / repair operation to attract more pilots to Tibenham - and increase in aircraft movements.

Conclusions on the Key Issues

- 2.19 The Applicant has not addressed aviation safety. Planning appeal decisions confirm that aviation safety is a material consideration (see APP/C2741/W/19/3223376; APP/V3500/W/24/3354097 and APP/H0520/W/25/3369356).

3. Policy

- 3.1 Since 2018, planning policy has sought to retain the national network of general aviation aerodromes. The 2026 NPPF, in TR7c seek to maintain '*...a national network of aviation airfields, and support an airfield's economic or public service role (for example in serving business, leisure, training and emergency service needs).*'
- 3.2 NPPF HC7 supports the retention of sports and recreational facilities.
- 3.3 EN-1 seeks to facilitate new energy infrastructure but paragraph 5.5.7 clearly sets out the need to protect civilian aviation interests. This project was not been developed collaboratively alongside aerodromes. Safety and operations have not been given adequate consideration. The economic, social and environmental benefits of Tibenham have not been addressed. The scheme conflicts with paragraph 5.5.52 of EN1.
- 3.4 The NGC can clearly demonstrate that this Application has not been designed to minimize adverse impacts on the operation and safety of operation of Tibenham Aerodrome.
- 3.5 The scheme is also contrary to the provisions of the NPPF Policy P4.

4. Aviation Regulation and Related Guidance

- 4.1 ANO 2016 Article 240 applies to **any** aerodrome. It states '*A person must not recklessly or negligently act in a manner likely to endanger **an aircraft, or any person in an aircraft.***'
- 4.2 The T&CP (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002 Annex 1 – Circular 1/2003 encourages operators of unlicensed aerodromes and sites for other aviation activities (for example gliding or parachuting) to take steps to protect their locations from the effects of possible adverse development. Tibenham has done so, in line with this and CAST advice.



- 4.3 This is reinforced by Chapter 1 paragraph 2 of CAP 793 which refers to the ‘sound practice’ of safeguarding. In particular, attention is drawn to paragraph 4 which states, ‘...where flying training is taking place additional safety margins should be considered.’ Paragraph 9 also states, ‘This publication is written primarily to cover unlicensed aerodromes used by aeroplanes. Less demanding criteria may apply to aerodromes solely used by helicopters, gyroplanes or microlights.’
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- 4.7 Paragraph 5.1 goes on to address obstacles, stating, ‘Anything that, because of its height or position, could be a hazard to an aircraft landing or taking off should be conspicuously marked if it cannot be practicably removed or minimised.’ Clearly in this case the proposed BESS, Substations and some solar panels should be removed.

5 Scope of the Assessment

- 5.1 In the submitted documents there is no mention of the ALARP principles. Paragraph 5 of CAP 738 states:
- ‘The common aim of all safeguarding is to assess the implications of any development being proposed within the vicinity of an established aerodrome to ensure, as far as practicable, that the aerodrome and its surrounding airspace is not adversely impacted by the proposal, thus ensuring the continued safety of aircraft operating at the location.’*
- 5.2 CAP 738, paragraph 3.2 requires the aerodrome operator to assess the risks to safeguarding to include the following:
- ‘as a **minimum**:*
- a) any development or change in land use in the aerodrome area;’
- 5.3 The CAA’s CAP 760 also provides ‘Guidance on the Conduct of Hazard Identification, Risk Assessment and the Production of Safety Cases’ which is sub-titled, ‘For Aerodrome Operators and Air Traffic Service Providers’ – and which again confirms how and where the assessment and mitigation of risk is to be managed.



5.4 CAP 760 was prepared to '*...enhance safety regulation and potentially enhances safety performance...*'

5.5 It defines 'ALARP', (As Low As Reasonably Practical) as:

'A risk is low enough that attempting to make it lower, or the cost of assessing the improvement gained in an attempted risk reduction, would actually be more costly than any cost likely to come from the risk itself.'

5.6 In this case, the cost of the potential risk generated by the proposed development is high and the Applicant has not demonstrated this risk is tolerable. It did not include the consideration of major disasters (including loss of life caused by aircraft accidents) in its assessments. The aerodrome operator is the expert responsible for ensuring ongoing safety of the airfield and its surroundings.

6. Conclusion

- 6.1 Aviation issues have not been properly or adequately addressed by the Applicant. Threats to aviation safety are capable of being resolved through amendments to the scheme, in particular by removing / relocating the proposed National Grid Sub-Station and the BESS.
- 6.2 The operations of general aviation aerodromes should have been identified and addressed in a professional way at earlier stages of the project definition.
- 6.3 Aviation is an important activity in East Anglia and is fully recognised in national aviation policy. Safety is paramount and is fully recognised by the Civil Aviation Authority. The Aerodrome Operator is the expert responsible for ensuring ongoing safety of the airfield and its surroundings.
- 6.4 The ExA is respectfully requested fully to address this important issue reject this DCO Application.