



Hearing Transcript

Project:	Norwich to Tilbury
Hearing:	Issue Specific Hearing 1 (ISH1) - Part 3
Date:	28 April 2026

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00:00:05:02 - 00:00:15:12

Hey good afternoon everybody. Welcome back. Um, now, 1325, uh, thank you for returning so promptly. Um, and the hearing is resumed.

00:00:18:11 - 00:01:00:13

So we'll start with the beginning of agenda item 5.1. Uh, policy matters. Um, and if we could start on this subject looking at policy regarding critical national priority infrastructure, um, in one which is the overarching national policy statement for energy states, it's likely that the urgent need for CMP infrastructure will outweigh any residual impacts not capable of being addressed by application and mitigation hierarchy in all but the most exceptional circumstances, but that this presumption does not apply to residual impacts which present an unacceptable risk to, or interference with human health, public safety or defence.

00:01:00:15 - 00:01:12:24

Amongst other things. Um, so the first question to the applicant is do you consider the risk to or interference with aviation safety from the project could, in theory apply in this respect?

00:01:14:25 - 00:01:52:08

The direct answer is no, for reasons I've come to before I do that. Um, the other exception, um, which I'm perhaps taking out of turn of your question and apologies, but you'll see why is defense because of course um, uh, the wattisham um dio um submissions raised the issue of defence, which we would accept are immediately, um, capable of disengaging the presumption in the way that you've just outlined. Um, but I wanted to bring you up to date with where we are on that, because it means that my answer in relation to the first part of the question can be can be shorter.

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Um, we've had significant and positive constructive engagement with the Dio on the defence issue, which is directly relevant to the question you've asked. The Dio have completed its various calculations, which, you know we were waiting for and indicated its potential concerns and means of dealing with them in relation to Wattisham Station. Um, those concerns were passed to us on Thursday or Friday last week.

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I don't make a complaint about that because it's positive and constructive, but we need to look at that. Suffice it to say, in the time available to us, we are significantly confident. And I think the Dio shares this position, that their concerns can be overcome and likely within the limits of deviation, hopefully resulting in an agreement and removal of objections subject to, um, conditions or requirements being put in place.

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And I mention it now because it probably not profitable. Use of examination time to air all the potential issues. If there is likely to be a statement of common ground dealing with those issues, and particularly since we only received the information on Thursday and Friday, and our cursory position is positive. But I think you deserve from us our full position. So, uh, with that in mind, um, uh, then we would say in all circumstances, um, the defense exception to the presumption in favor of critical national infrastructure is probably not going to be displaced.

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Turning to the question which you did ask, which is public safety. Uh, I'm going to deal with this more fully when I deal with the difference between licensed and non licensed airports. But the bottom line is this for the type of air aerodromes that we are dealing with here. The issue of public safety is a matter for the aerodrome operator. And in we say in all but one of the cases, and that one case is a chase farm, that there is no public safety implication.

00:04:15:24 - 00:04:49:25

And if there is no public safety implication, then the the presumption in favour of CNI is not engaged. There would be no residual public safety issues if the operator takes the view that the aerodrome is not publicly safe, it'll close. And by the same token, there be no public safety issue because the aerodrome would not be able to operate a not safe position. So the actual mischief aimed at would never come about.

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Now, we don't think that happens in the circumstances of this case. If it did happen, then, as we'll see from the way licensed and unlicensed airports work, there would be a loss of the operational capability, but not a public safety issue, because if you're an aerodrome operator who does not believe their airport is safe enough, you close and no circumstances it would then go into the public balance in the way that the N-1 tells you it should, although with a little less weight than if it were a licensed or a safeguarded aerodrome.

00:05:24:19 - 00:05:56:05

So the direct answer to your question is if the defense potential is engaged, but we think is likely to be resolved, the public safety issue we don't think can arise in the particular circumstances where aerodrome operators unlicensed and the airport safety is a matter for them. What the Ian one says is that they must operate to find a different way of operating safely, but if there is no safe way of operating, then they close.

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So I'll come to that in a little more detail when I'm dealing with the licensed and unlicensed, if that's acceptable.

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Okay. Thank you. So so just exploring that a little bit more in your, uh, reasoning definition if you like. Um, there would be a difference in that instance between licensed and unlicensed aerodromes.

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There are. And it goes to, um, two things. It goes to who is responsible for the safety of the, uh, aerodrome, um, whether it's the CAA or the aerodrome operator and the individual pilot in the first hand and the second hand, it goes to the weight that, um, the Secretary of State is to give, uh, to the potential loss of operation, uh, both in terms of a safeguarded, uh, a licensed and an unlicensed, uh, operator.

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Those all of those concepts come into play when you read in one in the appropriate way.

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Okay. Thank you. So

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in would you say, would it be a fair reflection of your views, therefore, that in that respect, um, unlicensed aerodromes are of less importance and licensed aerodromes? Yes.

00:07:14:14 - 00:07:40:16

Yes. There's no doubt about that. And that is clear from a clear reading of of NI. Now each aerodrome will be judged on its own merits, clearly, and its economic and socioeconomic impacts. But the whole purpose of official safeguarding and licensing is to protect the most important elements of the UK aviation industry.

00:07:42:05 - 00:07:44:11

Okay. Thank you, Mr. Curtis.

00:07:45:15 - 00:08:16:03

Yeah. Um, that's I'm afraid it's fundamentally incorrect because the general aviation strategy applies here. Government's policy on networked aerodromes and some of the busiest general aviation aerodromes in the country are, in fact unlicensed. The only difference, and it's incorrect, by the way, to say that the operator of a licensed aerodrome is less responsible than the operator of an unlicensed aerodrome. They both are responsible for the safe operation of the aerodrome.

00:08:16:05 - 00:08:52:23

The only difference is that at a licensed aerodrome, the CAA has oversight of that safety and management. That's the only difference. And the only reason that an aerodrome would hold a licence is to allow it to accept commercial air transport from international commercial air transport or certain types of flight training, professional flight training and other facets of flight training that require a licensed aerodrome. The reason that the majority of aerodromes in the UK are not licensed is because the costs of licensing are high, and if you don't actually need that, um, stamp of approval from the CAA, you don't license.

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But to say that unlicensed aerodromes are less important than licensed aerodromes is completely misleading the panel because, as I say, some of the biggest general aviation aerodromes in the UK, I mean Northampton Cy, well by example, are not licensed.

00:09:09:17 - 00:09:32:22

Thank you. So, um, I don't know. Um, try and put Miss Harris's words. Uh, well, I'm sure you'll correct me if I'm wrong, but Mr. Harris said, then I believe that, um, licensed aerodromes and unlicensed aerodromes are dealt differently with in terms of policy, in terms of CMB. What would you say to that?

00:09:32:24 - 00:10:03:25

Well, Curtis reign and wings, uh, they are dealt almost identically in terms of policy and in actual fact. On the 20th of of March 2025, the CAA wrote to the applicant to explain that safeguarding an unlicensed aerodrome has equal weight. Safeguarding a licensed aerodrome. And this is entirely logical, because an obstacle that would be dangerous as a licensed aerodrome will not necessarily be less dangerous than an unlicensed aerodrome. You can't change the laws of physics. The aircraft type, the pilots flying them.

00:10:03:27 - 00:10:17:05

The risk is identical except that at an unlicensed licensed aerodrome, there's unlikely to be an air traffic control service, and therefore you could argue the risk is actually higher because there's no air traffic control service to warn the pilot of the obstacle.

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Thank you. I'll come back to you in a second, Mr. Harris. I'll just, um, we'll hand up hand online from, um, Miss Barnebey.

00:10:27:19 - 00:11:04:16

Thank you, sir. Good afternoon. Um, an baa to be on behalf of the General Aviation Awareness Council. I fully agree with what Mr. Curtis has just said. Um, I think I think it is, um, completely incorrect of the applicant to be arguing as they have done the wording in Ian, one doesn't only refer to public safety. It refers to human health. And it's quite clear from all of the work that the CAA, A8 did that Mark Meadows has done that there.

00:11:04:25 - 00:11:42:27

The proposed development as currently being promoted would cause a huge risk to aviation safety. It's also, in my view, completely inappropriate to refer to protecting the most important part or most, yes, important parts of aviation aviation, as Mr. Curtis has already indicated. Trains the pilots that this country needs. It provides recreation which is fully supported in government policy in the NPF and Also.

00:11:43:07 - 00:12:13:12

For your information, sir, this is the first time I have heard the applicant make that argument. Until now, there's been a lot of work that has been done by ASA, which has sought to rubbish the case being put by the airfields, but at no point previously has this reference to most important parts of aviation been made. And it is not correct that they should be arguing that. Thank you.

00:12:14:24 - 00:12:17:03

Thank you, Mr. Harris.

00:12:19:13 - 00:12:52:01

The the submissions I made derived directly from the questions which the panel asks. And it's really important to understand the various strands of safeguarding official safeguarding, licensing and unlicensed. So I'm going to take it really quite slowly because what we've just heard is, is a fundamental misunderstanding of the way in which N1 deals with the importance of licensed and unlicensed aerodromes.

00:12:52:15 - 00:13:24:26

First point officially safeguarded aerodromes, if you like, put a capital O and a capital S in it. There are 30 of them in the country, and they are described by N1 as the most important aircraft in terms of aerodromes in terms of aviation, air traffic control and socio economic activity. They have and must have published official safeguarding provisions.

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Para 5.5.4 those official safeguarding provisions show obstacle limitation services surfaces. These are obstacles which should be avoided and into which obstructions should not protrude. Unless the operator agrees that there is no adverse impact or an agreed acceptable mitigation of the OLS can be put in place.

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All officially safeguarded sites are also all licensed. Every single one of them. A licence is required when an aerodrome is used for public transport, as was just said, or in some circumstances for training.

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There are licensed aerodromes which are not officially safeguarded, but are nonetheless required to ensure that they have a system of safeguarding in place. They are known as not officially safeguarded, and the way in which they are encouraged to ensure safeguarding is with local planning authorities and local planning authorities can identify zones and constraints.

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Again, I'm reading from Ian one. These licensed aerodromes and their, um, safeguards are not the same as officially safeguarded zones which have the backing of the CAA. Again, in this instance, where you are a licensed aerodrome which is not officially safeguarded. It's good practice to use obstacle limitation services. But again, it's not a minimum requirement that they are never intruded into.

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It's not a

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requirement, much less a mandatory requirement. Operators should be flexible in determining whether they are made unsafe by overhead line systems or other critical national infrastructure, and they should mitigate against that possibility even if it occurs within obstacle limitations. Surface areas.

00:16:05:18 - 00:16:43:06

Paragraph 5.5.4 makes this clear, and it makes it clear that the way in which you are able to mitigate is to agree changes to operation of an aerodrome, for example, which areas or sectors you hold your competitions in, or to provide lighting or notification on the obstacle. There are two ways in which mitigation can take place. If the operator takes the view that such mitigation is not available and that the aerodrome is dangerous, it should not operate.

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It's as simple as that. Now, in our case, none of the aerodromes on the agenda are officially safeguarded or licensed. They don't fall into either of those categories, which are the most important in terms of aviation, air traffic control and socio economic activity.

00:17:06:04 - 00:17:55:04

Licensed aerodromes, especially officially safeguarded ones, are by definition more important in aviation and socio economic terms than unlicensed. And that's reflected in the decision making terms of the Secretary of State in section 55 of the N1, where he's dealing with a licensed aerodrome. The Secretary of State is specifically obliged to have regard to the circumstances where a licensed aerodrome would lose its licence and the effect of that operational loss on the local, national and local economy or emergency services need at licensed aerodromes.

00:17:55:06 - 00:18:36:25

There is no such requirement in relation to the potential closure of non licensed aerodromes, reflecting the fact that such airports are not generally intrinsically as important. So if there was a loss of an airport aerodrome as a result of an overhead line, for example, that closure, if it were indeed not mitigated by the airport operator being flexible and accepting changes to the operation would weigh in the balance against the grant of the DCO, but would not upset the um.

00:18:38:07 - 00:19:15:12

Critical national infrastructure presumption and wouldn't weighs heavily. All other things being equal, as the loss of a licensed aerodrome or an officially safeguarded one of the 30, which are the main, uh aviation hubs for the UK. In this case. In this case, the applicant identifies only one case where, on expert advice there is a potential a potential to have an operational loss of an aerodrome, namely Chase farm.

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In all other. In all other cases, there is acceptable mitigation available were the operator to be flexible as required by one.

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And there would be, in such circumstances, no safety concerns. That ought to be that ought to give rise to any of the issues that we've discussed above.

00:19:46:26 - 00:20:23:02

In all others, therefore, there is acceptable mitigation based on internationally accepted criteria, which we've set out and made available to the examining authority, which all of which would render it safe. We do note that none of those that are contending that anything other than Chase farm is actually unsafe produce contrary evidence based on those international standards. So for all of those reasons, it does make a difference, as the question implies, whether you are licensed or not.

00:20:23:04 - 00:20:41:23

The Secretary of State is obliged to treat licensed aerodromes in a different way. Unlicensed aerodromes, were they to be lost? Clearly have to be taken into account, but they are in a different category and decision making terms from licensed airports and aerodromes.

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Thank you.

00:20:45:11 - 00:20:48:06

Mr. Curtiss, was there anything you wish to come back on that?

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Um, I thank you, Will Curtis, for Ray and wings. I think that, uh, that does a disservice to the

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importance of unlicensed aerodromes. And I also believe it's contrary to the general aviation strategy the government so clearly set out. It wants a network of aerodromes. So that has to be put into the balance. I do take the point on the importance of licensed aerodromes, but I don't think that closing unlicensed aerodromes to put in place air power network is actually a justifiable thing to do in the greater scheme of things.

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Thank you.

00:21:32:27 - 00:21:37:03

Okay. Um, Miss Bartleby, have your hand up.

00:21:38:17 - 00:22:09:29

Um. Thank you. And Bartleby from the General Aviation Awareness Council. Um, I agree again with what Mr. Curtis says, and I find the applicant's position very strange in that this argument has never been put before. And over the last few years, there have been multiple attempts by ASA to demonstrate that there is no risk, rather than starting from the position that Mr.

00:22:10:01 - 00:22:19:19

Harris has just set out. So we will clearly take away the comments that have been made today and respond further in writing. Thank you.

00:22:20:00 - 00:22:24:26

Thank you for that. Um, Mr. Harris, before we move on, was there anything you wish to respond to that?

00:22:25:05 - 00:22:25:20

Nothing.

00:22:25:22 - 00:22:27:26

Thank you. Okay. Thank you. Um,

00:22:29:24 - 00:22:53:22

I had one question, um, from a representation from, um, the General Aviation Awareness Council, um, where in their representation, they referred to, um, concerns of maintenance of future overhead lines, referring to the use of drones. Um, and I wondered if you could confirm whether or not that's something you'd be looking at in this case.

00:22:55:17 - 00:23:14:04

Russell. Harris. Casey. Um, I'm going to ask Mr. Reston to deal with the issue of, um, the requirement to maintain with drones. Um, and then I'll ask Mister Jameson to give a comment on whether that is an additional risk that any of the relevant, um, aerodromes.

00:23:16:02 - 00:23:18:16

Yeah. Paula Easton for the applicant. Um.

00:23:19:00 - 00:23:20:12

Again, maintenance inspections.

00:23:20:14 - 00:23:20:29

Are.

00:23:21:01 - 00:23:44:13

Undertaken of the overhead lines. Um, helicopters are often used with thermal cameras. I'm aware that there have been tests of drones to do that, work with them following appropriate regulation, but, um, so I'd probably have to come back with a little bit more detail. I think that's just in its sort of testing phase. And we'll come back with a little more detail about the timing of that.

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Okay. Thank you. And would it, I suppose within that information, would it be worth looking at, uh, if a requirement may be necessary in terms of drones or in detailed copter usage near existing aerodromes?

00:24:01:19 - 00:24:04:23

Sorry. Could you just repeat the last part of the question? I didn't quite catch it.

00:24:04:25 - 00:24:20:29

Um, it was just as part of your information that you come back on with it. Would it be worth considering whether a requirement might be necessary? Um, in terms of use of drones or helicopters near overhead lines in the vicinity of aerodromes?

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We can have a look at that. Yes.

00:24:24:07 - 00:24:24:22

Okay.

00:24:24:24 - 00:24:26:03

Thank you. In that written answer. Yeah.

00:24:26:06 - 00:24:27:02

Yeah. Thank you.

00:24:30:22 - 00:24:57:22

Just before we move on. Um, I had a question for, uh, Miss Barnaby. Um, on one of your representations. Um, where, uh, one of the preferences of the applicant was referring to. Remarkable was, I believe. Um, and I wondered if you could outline your position regarding Mark Ables. And could they be a useful mitigation measures in some instances?

00:25:01:18 - 00:25:24:03

And possibly for the General Aviation Awareness Council? Um, I'm not qualified to answer that particular question, sir. Um, it would be a matter for the aerodrome operator to do that. I believe that, um, TBM have indicated in the past that it would be unacceptable, but I. They must answer that point, sir.

00:25:24:16 - 00:25:25:24

I understand. Thank you.

00:25:28:24 - 00:25:51:18

Okay. If we move on, then to Wattisham Station. Um, which obviously you referred to earlier, Mr. Harris. Um, I was going to obviously, I was aware that you were waiting on the technical assessment, um, from the Ministry of Defence. Um, and you've answered that there. Well, they came to you last Thursday or Friday. Um.

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The preliminary findings were your your it was positive from your point of view.

00:25:58:01 - 00:26:21:03

Yes. The preliminary findings are positive. I know that they are on the line and we've spoken to them before. I introduced this in the way that I did. Um, clearly we'll need to look at, uh, technically what's, uh, achievable within the limits of deviation. But, um, I mean, they will speak for themselves. Um, but certainly from this side of the room where we are

00:26:22:20 - 00:26:41:14

happy for you to proceed on the basis that there is, um, a significant likelihood of an agreement and a removal of the objections, um, subject to there being probably, um, uh, a separate requirement dealing with the concerns that have been raised.

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Thank you. Um, yeah. Mr. Wilson, if you're online, if you could, um, update us from from your point of view, please.

00:26:52:02 - 00:27:23:28

Afternoon. John Wilson from the Defence Infrastructure Organisation for the Ministry of Defence. Uh, yes. The Ministry of Defence has completed its technical assessments. We've completed

assessments in relation to the East two wide area multilateral network, which is a regional air navigation system that the Mod safeguards that operate in the area. And we've also completed assessments against Wattisham station in relation to its obstacle limitation surfaces and a precision approach radar navigational aid.

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There, we've taken account of the maximum extent of the vertical and lateral limits of variation defined in the development as proposed, and we've identified there are impacts in relation to those assets I've just described to you. We've identified that they can be addressed by some requirements limiting the height of the development, where it crosses under microwave links that form part of the S2 WAM network.

00:27:57:02 - 00:28:32:07

And if the vertical limits of variation are removed on three sections of the overhead line cable route where it passes through the Aerodrome safeguarding zone for Wattisham, two of those being to protect the obstacle limitation services and one of them to maintain the effective operation of the precision approach radar. We have had dialogue with the applicant about that which has been very constructive, and our assessments are only fully completed quite late last week, so it's only recently been discussed with them.

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Um, we have offered wording for three requirements to implement all of our safeguarding needs. And we've identified, um, a need to make revisions to the development consent order, or possibly to make a further requirement to remove the vertical limits of variation for the areas affected, subject to those being implemented. Then the Ministry of Defence will be in a position to remove its safeguarding objection.

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Thank you, Mr. Wilson. I think that's answered all my questions on a Wattisham station. Was there anything else you wish to say, Mr. Harris?

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Um. Russell. Harris. Casey. No. Uh, Just to thank the Dio for coming back to us before this hearing. Saved a lot of effort.

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Thank you. So we'll hear next deadline.

00:29:27:04 - 00:29:35:29

Yeah, we will try and put something in our written submissions. Um, yes. By next deadline. Um, if only to bring you up to date with where we are.

00:29:36:06 - 00:29:51:24

That'd be useful. Thank you. Okay, so if you move on now, obviously we've dealt with ten. Um, so we'll move on now to Priory Farm. Um, and to the applicant first, if you could outline your conclusions on any risk to operations from this airstrip for me, please.

00:29:52:23 - 00:30:22:26

Russell. Harris. Casey, I'm just going to emphasize that we say looking at, um, 5.5.62, that, uh, when you go through the, um, the cascade that's there, set out, we are very satisfied that there are, uh, operational changes, obligations, etc., which mean that this aerodrome can be made safe. I'm going to pass over to Neil Jameson in a minute.

00:30:23:03 - 00:31:05:14

Um, I would ask you to look very carefully at 5.5.62. Maybe I'll read it out. Um, just just, um, so members of the public can hear where, after reasonable mitigation, operational changes, obligations and requirements have been proposed. So the position is it can reasonably be achieved. The Secretary of State should consider whether a development would prevent a licensed aerodrome from maintaining its licence, and the operational loss of the said aerodrome would have impacts on national security and defence, or result in substantial local, national economic loss or emergency service needs.

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That's the test that we've applied. Um, uh, in considering this part of the case. Can I pass over to Mr. Jameson, please?

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Sorry, Miss Harris. Sorry just to interrupt you there. You said 5.5.62. Is that correct? Yes. Could I just check because, um.

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Am I looking at the wrong one?

00:31:25:06 - 00:31:33:02

Because I'm on my n1. The relevant applicable PM one. I don't think there is a 5.5.62.

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Just bear with me. I'm probably looking at the, um, might be 55559. Yes.

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In 5.5.95.5.5959.

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In the relevant.

00:31:46:26 - 00:32:15:10

Version. In the relevant version, it hasn't changed. So the most up to date government position as reflected in the gotcha 2026 N1, which of course is a relevant and potentially powerful mitigating material consideration. In any event, I'm sorry I've got the wrong one up on my screen, but, um, those words appear in exactly the same form in, Um, the one that formally applies for the purposes of the act. In the circumstances.

00:32:15:12 - 00:32:20:24

They say that's useful. Thank you, Mr. Harrison, I apologize. No problem. Schoolboy error. And thank you, Mr. Bedford.

00:32:21:00 - 00:32:21:23

Thank you, Mr. Bedford.

00:32:24:10 - 00:32:41:15

So I'm going to turn to Mr. Jameson to explain why we conclude that, um, uh, the Priory Farm. So next on the list, um, uh, is consistent with that, um, approach, that cascade approach.

00:32:43:00 - 00:33:15:21

And Neil Jamieson for the applicant. Um, so, as Mr. Harris explained, um, in context of N1, how Secretary of State may make his decisions around aerodromes, um, I think it's fair to say that that as the appointed aviation consultants in this project, we have been closer to the position of some of the aerodrome operators in that we have not made a distinction between, uh, officially safeguarded, licensed and licensed or any other kind of aerodrome, in fact.

00:33:15:23 - 00:33:31:19

So we've tried to treat them all equally on the same basis. That Mister Curtis says is that, you know, pilots, obstacles, so on are the same wherever they are in the sky. So our assessment has been the same for each of the 21 sites on this line.

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And as Mr. Harris has previously said on only one of those sites, if we agreed straight away with the operator our assessment and the operator assessment, uh, from the from the word go is that this was, uh, were the line to be built as planned? It wouldn't be safe to operate. So in the case of Priory Farm, uh, that is one of the majority of sites, the vast majority of sites where our assessment has shown that there is either no change required to current operating practices.

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And by operating practices, I mean. Practices that are specific to that aerodrome. So circuit patterns and so on. Um or um, what is normal aviation practice for the type of, uh, aircraft that operate from that site or are likely to operate from that site? So in the case of Priory Farm, the it may be worth, I don't know if it would help the panel and people here to to see on the screen. I don't know if you're able to do that for us. Um, just to show where the line is in relation to Priory Farm.

00:34:40:10 - 00:35:10:21

Um, so it's just the east of the line you can see there on the right hand side of the picture is, is Tiverton. Um, Priory farm is a north south runway, and, uh, the line runs, uh, relatively close to the western side of the runway. So in this case, it's possible for an aircraft to, uh, climb out after takeoff or to approach to land parallel to the line. And so the pilot in command would have a choice as to when or if they crossed the line, so they can do so at a safe height.

00:35:10:23 - 00:35:36:24

So we assessed that in general terms, and also in terms of the published circuit patterns for Priory Farm, and to see whether, um, not just whether in theory it was possible, but but looking at

performance data from various different aircraft types, whether it was possible to follow the published circuit i.e. stay with the current practices and clear the line by what we would consider to be a safe margin. And we did find that that was the case.

00:35:39:13 - 00:35:48:14

Okay. Thank you. And has there been any since your last representations on this? Has there been any further contact or, uh, meetings with the airstrip owners?

00:35:55:02 - 00:36:02:07

And the applicant. So the latest position is that we've we've requested further meetings, but none have been agreed so far.

00:36:02:19 - 00:36:03:19

Okay. Thank you.

00:36:05:18 - 00:36:21:04

Um, does anyone else wish to raise anything on Priory Farm specifically? Okay. Thank you. I suppose the only other thing I would mention just before we move on is that, uh, obviously there was an action point earlier relating to Tiverton about, um,

00:36:23:00 - 00:36:35:27

and notwithstanding your view of mitigation, but the lower height pylons. Um, and if that could take in take in Priory Farm as well, given the proximity of the two airfields, that'd be useful.

00:36:36:14 - 00:36:38:08

Casey noted. And that will happen.

00:36:38:10 - 00:36:54:20

Thank you. Okay. Then if we move on to raid and Wings, then, um. And if I could begin with you, please, Mr. Curtis, if, um, you could outline your your current concerns. Really? Um, I suppose, is it the proposed pylon route, the sealion compound or or both elements.

00:36:55:03 - 00:37:26:24

Thank you. Um, will Curtis for raiding wings Aerodrome. Um, just to set up my relevant experience very quickly. I'm an airline transport pilot, UK and Federal Aviation Administration. I hold an unlimited aerobatic display authority. I'm a qualified flying instructor. I've been in aviation for 40 years. I was formerly MD Accountable Manager of various airline operations in the UK, Gulf States, Switzerland, Portugal and Ireland. I'm currently the MD and Accountable Manager of London.

00:37:26:27 - 00:38:03:01

Sorry, I was the Accountable Manager and MD of London Biggin Hill Airport between 2013 and 2019. I'm currently a director and accountable manager of Oxford Airport and the London Heliport, and I'm the chief executive of Dublin Western Airport. And of course, most importantly, I'm the accountable manager and operator of Ride and Wings Aerodrome. Um, just before we move on earlier, we heard about engine failures. Mr. Jamieson wasn't able to put his finger on the database to

which he referred. I can tell you that the database to which I referred is the Federal Aviation Administration, National transport Safety board.

00:38:03:03 - 00:38:39:13

Statistical database. That's probably the biggest database in the world of engine failures. And that's one every 3200 hours. Just for clarity. Probably more if you're towing a glider because the engine is under a greater level of strain. Um, so Air Raid and Wings Aerodrome is an unlicensed airfield, as I'm sure the panel knows. It's clearly marked on maps. It was established in 1997 and we took over operation in 2022. It goes without saying that we're not ideologically opposed to the development we support, um, improvements in national grid infrastructure.

00:38:39:26 - 00:39:22:17

Um, however, we were concerned when we first saw the graduated swathe because I could put it out there that it might have been possible to design a graduated, uh, swathe that didn't affect any aerodromes or grade one listed buildings or, you know, residential gatherings. But unfortunately, It appeared to us that, um, the applicant wasn't aware of the existence of a great many of these aerodromes at the point it designed the graduated swathe, and presumably for that reason, um, major disaster, uh, for arising from aviation was not considered in the EIA scoping document for the project.

00:39:22:27 - 00:39:53:06

And in terms of engagement, our engagement has been 120 minute site visit in 2023, 120 minute meeting at Open Day in Brentwood in April 2024, and 130 minute teams call during the Suffolk six targeted consultation and in all other respects, correspondence has been, um, procedural and not really adding anything to the process.

00:39:55:03 - 00:40:30:28

Initially we saw the um, proposals and we made representations that the line crossed the end of our runway. And it seems that subsequently, the applicant redesigns the overhead line course and the location of the cable end sealing compound. But it didn't refer to us as in the process of making those changes. It didn't engage with us and say, you know, would this be acceptable to you? How could we best mitigate it? Just went ahead and did it. And it presented those proposals at the Brentwood Open meeting in um, 2024.

00:40:31:14 - 00:41:06:05

And at that meeting, I was told very clearly by Mr. Jamison that, uh, safeguarding an unlicensed aerodrome was not a thing. It didn't exist. There was no need to be concerned about that. And we had no rights to request that safeguarding was applied to our aerodrome. And that situation didn't change until the 20th of March, 2025, when the CAA wrote to the applicant to tell them, and I think they put the relevant paragraph in bold letters to say, you know, that safeguarding is a thing at an unlicensed aerodrome.

00:41:06:15 - 00:41:41:25

So essentially what we have here, I think, is that this overhead line alignment and all this associated hardware was designed against the presumption that they could essentially do what they wanted with unlicensed aerodromes. And now that they've discovered that isn't the case, there's a scramble to

produce safety cases which suggest that actually, this is all perfectly safe. Nothing to see here, but I think it would be fair to say that the applicant has not followed the points set out in in one.

00:41:41:27 - 00:42:12:29

So as the panel will be well aware, Ian, one says that it is essential that new energy infrastructure is developed collaboratively with alongside aerodromes and airspace operators so that safety operations and capabilities are not adversely affected by the new energy infrastructure. It goes on to say that issues such as cumulative impacts can potentially have a bearing on aviation safety. And we say that at Rain and Wings, we have that cumulative impact because we also have the Bramford to Winsted reinforcement going on.

00:42:13:01 - 00:42:45:07

So that's a double whammy for us. Furthermore, the one point that is agreed between parties is that safeguarding applies an unlicensed aerodrome to the same extent that it does at a licensed aerodrome, and therefore the obstacle limitation slope set out in Cap 168 would be applicable, and 5.5.14 says that care must be taken to ensure that new developments do not infringe the protected obstacle limitation slopes except where an aerodrome.

00:42:45:09 - 00:42:57:05

And I notice that Mr. Harrison said an operator know it says an aerodrome has considered the development and either determined there to be no adverse impact or agreed on acceptable mitigation.

00:42:59:15 - 00:43:30:04

So we think that as a result of all of that, um, it's difficult for the Secretary of State to be assured that as in 5.5.52 states, and this is probably the overarching policy statement in the Secretary of State's decision making process. It says that, in particular, the Secretary of State should be satisfied that the proposal has been designed, where possible, to minimise minimise adverse impacts on the operation and safety of aerodromes.

00:43:30:11 - 00:44:02:03

And we say that the Secretary of State can't be assured it hasn't happened. There has been no attempt to minimize the damage done to small aerodromes. Quite the contrary. In fact, we've been bullied, I would characterize. And actually at Oxford we've just dealt with a big solar farm. And the applicant Was very, very good at engaging with us and coming up with mitigations, and we reached a statement of common ground. And the inspector then actually has asked more questions.

00:44:02:05 - 00:44:51:22

They've delayed the decision by six months in order to look at the aviation issues in more detail, simply because one flying school said they weren't happy after after the examination in public. So if that's a benchmark, then this is the opposite end of the spectrum. We I would characterize the engagement that we have had as as overbearing and aggressive. We have been told repeatedly that we're not important. We don't matter. We don't have any rights. But all this comes back to the fact that the applicant has been very badly advised in respect of its responsibilities to unlicensed aerodromes, and unfortunately, that's led to several very undesirable features being baked into the design to the extent that the applicant is now struggling to mitigate, because it's it's hard baked, these pylons and overhead line alignments.

00:44:51:24 - 00:45:22:09

Cable and ceiling compounds. In our case, we've made it clear that we only really had one ask at every point in the consultation, which was to move the cable and ceiling compound to literally 100m north to the other side of a disused railway line, where the ground level was a bit lower, and there was a defined landmark showing where you reached the limit, if you like, of safe flight, which is a very straight linear line, you can see it very well from the air. It's the disused railway.

00:45:22:15 - 00:45:53:21

And one of the reasons that we're keen on that is we use the overhead of the aerodrome for unlimited aerobatic practice, and quite often a pilot will literally fall out of a manoeuvre because it goes wrong, because they're practising and they will end up in a vertical orientation, and then we'll pull out into level flight. And if they happen to be heading towards the cable end ceiling compound, they'll close the distance in about 1.5 seconds from the point where they hit level flight.

00:45:53:23 - 00:46:31:01

Not long enough to take evasive action. If they bail out of an aeroplane because of a structural failure, they'll be on a parachute. And if the wind is blowing in that direction, they'll end up frying. Tonight in the cable end ceiling compound. So we. And the reason that we say, you know, it's not just the cable end ceiling compound, there are big dropper cables that come down from the overhead pylons across that disused railway line. So for us, I think if the proposal goes ahead as designed, we will have to limit the aerodrome simply to take off and landing and no, no circuits, no aerobatic practice.

00:46:31:03 - 00:47:03:18

It will very much constrain. And it's already constraining the use of the aerodrome, because I've been approached by various operators to set up there. I've turned them down on the basis we don't know what the future holds. We're aiming for a gliding club have asked me and I've had to turn them down on the basis we don't know what the future holds. The same goes for a flying school. Um, all the occupants who were formerly at RAF Aerodrome. That's closed. The list is endless. We could have several several, um, hangars built by now. In any case, at the moment we're uncertain.

00:47:03:20 - 00:47:38:14

The future is uncertain. And we ask only one thing that the, um, inspector asks the applicant to revisit the issue of the location of the cable end ceiling compound, which we think is reasonable. We were told at the Suffolk six consultation that was not up for discussion, and the cable end ceiling compound had to be located where it was based on ecology and geology reports, which I find astonishing given that safety, human safety surely should trump geology and ecology to some extent.

00:47:38:16 - 00:47:41:03

So I'll leave it at that. Thank you.

00:47:41:21 - 00:47:55:00

Thank you, Mr. Curtis. Um, Mr. Harris or Mr. Jameson, if you could come back and, uh, particularly concentrate on the, um. The elements, uh, about the cable ceiling and compound and the attached overhead lines. That'd be useful. Thank you.

00:47:55:16 - 00:48:30:22

Um, I'm going to ask Mr. Reston to explain the siting of the cable and ceiling reports. But before I do, and bearing in mind the tests in on one, um, the panel will have noticed that, um, it wasn't ever said that the airport couldn't be safe or couldn't be made safe. An example was given, for example, of, uh, altering the method of operation of the airport, and it was said that that would give rise to economic loss. Well, that's something that may or may not sound in, um, uh, other areas.

00:48:30:24 - 00:49:02:03

Um, CAA is being heard tomorrow, for example. But when it comes to looking at the test set out in the N, um, I didn't detect that the operator was suggesting that this was, going to lose all of its operational function, which is the test, and there needs to be an engagement with alterations and shifts in operating pattern in order to go down the cascade that the secretary state has to go down. Um, I'd stop there.

00:49:02:05 - 00:49:12:15

In terms of cable and ceiling location, I wonder if Mr. Easton can explain what thoughts being given to that and what the consequence of that analysis was.

00:49:15:03 - 00:49:51:21

Thank you, Paul Reston, for the applicant. Um, I'll just start with a slightly more strategic overview. So the I'm just answering a couple of the other points as part of that. Um, so the original corridor and preliminary thing and citing study, which is AP 356, um, which sort of looked at the broad location for the required infrastructure and the graduated sude that Mr. Curtis referred to, um, that we had non-statutory consultation on that in 2022. And out of that there was consideration of aviation and defence interests and their location.

00:49:51:23 - 00:50:23:00

But in the context of, um, the, the outcome was a relatively broad swathe with the route then being informed by that was then the subject of the next consultation in 2023, being informed by the, um, potential for various bits of mitigation and the routes in detail to be to be located, um, and specifically the relation to terrain and wings. The um various uh reports, the 2024 design development report.

00:50:23:05 - 00:50:56:13

Um, and I'll have to put the app number in the, uh, the notes afterwards. Um, but that identified a different location, um, for the cable sealing end with a slightly different alignment. I think there was feedback from various parties that led to the move of that to the, um, to the north to the current location. And then I think from subsequent feedback, we also looked at other locations to the north of the, um, the railroad line, as Mr. Curtis suggests, and a number of locations in, in that area.

00:50:56:15 - 00:51:46:26

Um, throughout, um, the decision making is around finding a balance based on the feedback from different technical experts. So, for example, to the north of the railway, um, you get different feedback from um, for example, landscape team and from, um, from others, from heritage, as you would on a location further south. And I think based on the information we had from Mister Jameson and the positioning which was behind some trees that the as it were, Nam Grove, um, the location was deemed to be the appropriate and we didn't consider there was the justification to to move it against

that background of it being in our terms and on our assessment being assessed as being an appropriate location.

00:51:52:05 - 00:52:16:26

Okay. Thank you. And your answer to, um, written question SS 1.9 um, which was about the, um, minor penetration of the inner horizontal surface rate of wings. Um, I just wondered if you could maybe expand or clarify what you mentioned that, um.

00:52:19:18 - 00:52:43:07

For the unlicensed, unlicensed aerodrome. No. Um, obstacle limitation surfaces are defined, uh, as an unlicensed non instrument runway. Radial wings is not bound by any regulation regarding obstacles in the environment, but is recommended to follow the guidance given in cap 793. Um, and I wondered if you could expand a little bit on that and what it what it means. Okay.

00:52:46:10 - 00:53:20:24

So, Jamison, for the applicant. So as we previously discussed, um, we've treated licensed and unlicensed aerodromes in the same way and that although this is a, an unlicensed aerodrome, as it happens, um, we've applied the OLS as if it were a licensed runway of equivalent dimensions, and our findings were as given in the answer to SS 1.9, which which is that the, um, the OLS is are not penetrated, save the minor penetration of the inner horizontal surface.

00:53:21:27 - 00:53:35:23

And, um, we would say that that, um, is where it's occurred in, in other, um, cases not related to this project that that's generally been accepted by an aerodrome operator.

00:53:35:25 - 00:54:03:25

Okay. Thank you. So you in your last second bit, last sentence in your answer there, you said, uh, the applicant is cleared at the aerodrome. Need not achieve compliance with cap 168 as it is not licensed. And as such, no safety measures have been or will be required by the CAA. So in effect, is that saying, um, that there will be infringement of the OLS but that you don't need to do anything about it?

00:54:05:12 - 00:54:35:22

No, that's what it's a technical point really, in that that although we have applied OLS, OLS does not exist at an unlicensed aerodrome. So, um, it's a it's a guide for an aerodrome operator. And it's a, it's an ingredient in the impact assessment to say that, that if an OLS existed there would be a minor penetration here. Um, and it's of this size. And if you deem that to be unsafe. As Mr.

00:54:35:24 - 00:55:03:17

Harris has said previously, I presume you would stop operating. However, in my opinion and I have a similar level of experience to Mr. Curtis, I'm not quite his age and I haven't had the business background, but I've certainly got an EPL helicopter licence, etc. etc. I've got extensive gliding experience and so on. So I'm quite clear that in my experience, penetration of a horizontal surface of that size does not render the operations at an aerodrome like this unsafe.

00:55:04:09 - 00:55:08:03

Okay. Thank you. Um, before we move, Mr. Curtis, do you want to come back on it up?

00:55:08:16 - 00:55:44:28

Yeah. Just to say, I think that sums up the whole thing. It's Mr. Jamieson's opinion that it's safe, but it needs to be our opinion that it's safe. And the we've not heard as as Mrs. Barnaby pointed out, we've not heard previously today that we can just close if we don't like it. That's a new concept to us. And I think it flies in the face of the general aviation strategy, Particularly because all of this could have been avoidable if the applicant had engaged properly with us whilst designing its scheme or whilst redesigning its scheme.

00:55:45:00 - 00:56:15:20

It actually conversed with us and said, look, we've got this penetration, it would be about three metres into the slope. Could you live with that? As I've made clear on the occasions when we've met, since this decision was made and frozen and negotiable, I said, look, if you talk to us, we probably could have accepted that infringement if the cable end sealing compound had been the other side of the railway line. But the combination of the two raises risks that we're not particularly happy with now.

00:56:16:00 - 00:56:59:15

It's unfortunate that we've got to stage. We've got to, but I think it's it's redeemable. As inconvenient as it may be to the applicant, it's not unreasonable to say to the applicant you need to go back and do the job you didn't do properly because you didn't follow N1 and minimise the effects on aviation, it's not unreasonable for them to be asked to go back and actually do the job properly, even if it causes them a delay. Why should the applicant, we say, get away with failing to follow the prescribed procedure properly and precisely at the expense of the amenity, the general aviation amenity? It seems very unfair, but it's up to the inspectors, of course.

00:56:59:17 - 00:57:00:10

Thank you.

00:57:00:29 - 00:57:04:24

Thank you, Mr. Curtis. Um, is there anything you wish to come back with?

00:57:05:02 - 00:57:13:15

No, we disagree with that last point, but we'll put that in writing, if we may, including a schedule of the appropriate interactions between the parties and things that resulted from that.

00:57:13:17 - 00:57:28:23

Yes, that'll be useful. And also, um, but, you know, I don't know if this is but in terms of the statement of common ground or if further discussions between yourselves and Mr. Curtis, if that would be you, I think that would be useful to ourselves. Yes. If that those could take place. Yes.

00:57:28:25 - 00:57:50:20

We will do that in relation to the sentence that you read out, I think the Russell Harris case. The issue that is of note is that, um, for a licensed uh, aerodrome, that CAA have a say in the safety as opposed to an unlicensed. And in that respect, there's a there's the difference as well.

00:57:51:19 - 00:57:55:29

Okay. Thank you. Okay. So if we're sorry, Mr. Curtiss, just briefly, please.

00:57:56:02 - 00:58:17:17

May I just correct that the CAA don't have any impact in terms of the safety? The CAA, the aerodrome operator, is always responsible for safety. The CAA just accepts that the minimum standard has been met when they issue a licence, but they are not responsible for safety. So it's always the aerodrome operator who's responsible rather than the regulatory authority.

00:58:17:25 - 00:58:18:18

Thank you.

00:58:20:05 - 00:58:23:25

Okay, so if we can move on to, um, Chase farm. Um.

00:58:26:18 - 00:58:33:29

Is there any update on, the airfield study of their options for relocating or reorienting.

00:58:34:04 - 00:58:45:05

I'm going to pass, uh, over to, um, Mrs. Jameson and, uh, Reston. I think ongoing work is still proceeding, but I'm not exactly sure where we are.

00:58:47:27 - 00:59:21:02

All reached in for the applicant. Um, the current situation is that, um, National Grid is, um, supported chase farm in undertaking a, uh, commissioning somebody to look at the suggestion that we'd identified of a reorientation or relocation of the runway. Um, that study identified a number of viable options. Um, we've had a response from, um, Chase farm identifying a sort of a list of what they think would be involved in taking forward one of those options.

00:59:21:08 - 00:59:39:27

Um, I think there's we've responded. I know a colleague was trying to make contact to see whether that's a feedback type response. So there is a appears to be a available solution that would orientate and were in in discussion to resolve that at the moment.

00:59:41:18 - 01:00:07:12

Thank you. That's useful. Okay. I didn't have anything else on. Um, Chase farm obviously, if you could just keep us updated through the the written process, that'd be useful. Um, just before I close this item I just mentioned in passing the, uh, Thurrock airfield, just to. I'm sure you're aware it's just the latest status on the planning application, which the appeal has been dismissed, I believe, for housing.

01:00:09:19 - 01:00:13:02

It came out last week, I believe. So just to flag for your attention.

01:00:13:18 - 01:00:29:00

Yeah. Paul reads them for the applicant. Yes, we are aware of that. And, um, our interpretation therefore, is that the airfield will continue to operate. So we will continue to progress, Um, with the low height pilots in that location.

01:00:29:02 - 01:00:38:19

Thank you. Um, okay, just before we move on, are there any, uh, brief comments that anyone in the room or online wishes to make on aviation safety before we move on?

01:00:42:01 - 01:00:57:06

Not just one comment from me, Russell Harris. Um, and that is there will be a very different team for the next heading. So if we could just indulge your, um, yourselves with a small breakout or something so that we can move seats, of course.

01:01:00:15 - 01:01:10:25

Yeah, we can. Let's take a ten minute adjournment now and then, but then we won't have any further breaks this afternoon. This. This will be the break. Okay. The Germans will.

01:01:15:18 - 01:01:20:04

Say 240, actually. And then. Yeah. Come back at 240. Thank you.