



## **Fact Sheet 3 - Safeguarding your flying site**

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### **Introduction**

The expansion of development into green-field sites places pressure upon operational and potential flying sites, resulting in an increasing need to protect the safety of their operating environment. This protection, or 'safeguarding', has long been recognised by HM Government and the CAA, principally in Directions made under the Town & Country Planning Act, renewed in 2003, and in CAA publications. The CAA no longer safeguards any aerodromes: all aerodromes, licensed and unlicensed, are now responsible for their own safeguarding.

### **What is 'safeguarding' and does my site need it?**

'Safeguarding' is a term used in UK aviation and planning circles to describe a process of controlling the use of land so as to protect the airspace over and around an aerodrome in order to preserve the safety and integrity of its flying operations. The need to protect an aerodrome's airspace against the indiscriminate erection of tall structures may be obvious, but safeguarding involves much more. For example, what about that planned land-fill site, will it attract birds? Will the floodlights for that golf driving-range off the end of the runway distract pilots? What about that mobile phone mast? Then there are navigation aids (visual and electronic); they need protection too. The list is long and varied.

For **any** site established for flying operations it is clear that there needs to be a measure of safeguarding protection in order to preserve safety.

### **Are all aerodromes equal?**

As far as the need for safety, yes. However, the degree of support that is available from legislation varies greatly.

There is legislation for England and Wales, and for Scotland that obliges Local Planning Authorities (LPA) to refer planning applications that exceed certain criteria to the aerodrome for assessment, but this only applies to about 40 licensed aerodromes in UK - called "officially safeguarded". As the reader is unlikely to operate one of these sites, we shall not dwell on that end of the spectrum. It will be the hundred or so other licensed aerodromes and the many unlicensed sites that we shall address - referred to as "non-officially safeguarded" in the legislation. Links to the Directions are given at the end of this fact sheet.

The Airports (Northern Ireland) Order 1994 does not specifically refer to "safeguarding", but the measures that it covers give safeguarding protection by controlling the use of land close to airports.



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---

### **How does the legislation help?**

The safeguarding Directions are issued under the Town & Country Planning Act and say that non-officially safeguarded aerodromes (specifically including unlicensed aerodromes and sites) should:

“ .....take steps to protect their locations from the effects of possible adverse development by establishing an agreed consultation procedure between themselves and the planning authority or authorities. One method, recommended by the CAA to aerodrome licensees, is to lodge a non-official safeguarding map with the local planning authority.”

NB This is the advice of HM Government, supported by the CAA.

From this it can be seen that the large majority of aviation sites in UK do not have the statutory right to demand safeguarding. However, with the encouragement of HM Government and the CAA from within the legislation, it is entirely reasonable for operators to try and establish a liaison with their LPA. The acknowledgement of a safeguarding map by the LPA is probably the best way to ensure that the aerodrome's interests are noted. It will define the area within which the LPA should check any pertinent development with the operator. It is also helpful to establish the local GA interests in the 'Statement of Community Involvement'.

### **What publications can help me?**

It is recommended that you have access to three civil air publications (CAP), all of which are available to download free from the CAA website (see the link at the end):

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|---------|---|
| CAP 793 | Safe Operating Practices at Unlicensed Aerodromes |
| CAP 738 | Safeguarding of Aerodromes                        |
| CAP 168 | Licensing of Aerodromes                           |

If yours is an unlicensed site then CAP 793 should be familiar to you. It has a section on safeguarding, in which it refers to the advice given in CAP 738. While CAP 738 is primarily for the use of licensed aerodromes, it suggests that it can be used by unlicensed sites as well. To do so requires a knowledge of the safeguarding parameters laid down in CAP 168.



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---

### **What steps should I take to safeguard my site?**

There several things that can be done. Some of the important ones are listed below, and are mainly directed at the unlicensed site.

#### Local Planning Authority (LPA) Liaison

Whether in the planning stage or already operational, it is important for the operator to make that link with the LPA, and, if possible, establish the site's interests in the 'Statement of Community Involvement'. Regrettably there is no standard response from LPAs - it can range from welcoming to hostile. However, if explained with reference to the legislation, most LPAs will see the reason for safeguarding, and will accept a safeguarding map. After all, nobody wants to be seen to be responsible for a reduction in safety standards. If the LPA knows little of safeguarding, Fact Sheet 4 has been prepared specifically to introduce LPAs to the subject. It is strongly recommended that it is copied and presented to your LPA(s). Having made the LPA aware of the legislation and the advice that comes from it, it is worth directing the LPA to the CAA's planning advice, a link to which is given at the bottom of this page.

#### Safeguarding Parameters

It is beyond the scope of this fact sheet to detail the various dimensions and parameters of the safeguarding surfaces (obstacle limitation surfaces or OLS) that you should adopt. However, although CAP 428 leaves the safeguarding parameters to the operator, it is recommended that the international standards laid down in CAP 168 are used, unless, of course, your operations require greater protection. For example, glider or microlight operations may require shallower takeoffs and/or approaches than the standard.

CAP 168 (Ch 3 and 4) cover all the options and you are advised to study these. Doing so you will note that the dimensions of the various surfaces are determined by airfield criteria. Establishing the OLS to be used is important, and it may be that specialist advice should be sought.

#### Safeguarding Maps/Charts

CAP 738 also gives advice on the production of safeguarding maps. While the production of a safeguarding map is recommended, CAP 428 makes the specification optional. The production of a full-specification map would be expensive, but there is a cost-effective solution upon which advice can be sought.

Another important safeguarding factor is the bird-hazard. The normal area within which potential bird-attractive developments should be checked is a radius of 13km from the site. It may be that this is excessive, but whatever the value, it should be marked on the map and the LPA made aware of it.

As a matter of policy the GAAC recommends that all aerodrome operators prepare a safeguarding map by which to ensure/encourage consultation.

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### Planning Applications

Having lodged a safeguarding map with the LPA and ensured that it knows how to use it, what happens when the planning applications arrive? CAP 738 gives advice, but the first thing to underline is that each will be time-limited; usually there are 21 days to reply. A 'no-reply' can be taken as a 'no objection'. So, for effective safeguarding, a system has to be in place to ensure that applications do not fall through the net.

The planned structure or change of land-use will then need to be checked against the safeguarding surfaces that are established for the aerodrome. It is beyond the scope of this fact sheet to show how this is done; however, CAP 738 details the procedure. From this, a decision will have to be made about the advice to be given to the LPA.

If the safeguarding advice is to object to the application, the reasons should be given to the LPA. In this case, the operator should be prepared to attend, and give evidence in support of that advice, at any appeal hearing or inquiry which may follow. Thus, the safeguarding advice provided must be technically correct and supportable.

### Wind Turbines

These are increasingly becoming a safeguarding problem for aerodromes. Although an emotive subject, to many sites wind turbines present no more of a physical safeguarding issue than any other structure of the same dimensions. However, the turbulence that they produce may create problems for light aircraft up to a CAA-suggested distance of 16 times the rotor diameter.

There are two issues - one that turbines are tall and create turbulence, the other that their proliferation is supported by HM Government's policies on renewable energy. These result in a likely infringement of safeguarding criteria when near to aerodromes (the critical distance varies), and a conflict between politics and aviation safety. The focus of action should be the potential effect of any wind turbine(s) upon the continued safe operation of the aerodrome.

The CAA publishes CAP 764 - Policy and Guidelines on Wind Turbines, a link to which follows.

### **Is that all that there is to it?**

Regrettably, no. These are probably the main things that need to be considered when safeguarding your site, and following them will certainly put you on the right path. However, given the range of sites and flying operations in this country, taking advice on setting up a system of safeguarding is strongly recommended.

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### **LINKS (Current at time of publication)**

#### **Legislation**

England & Wales <http://www.dft.gov.uk/publications/safeguarding-aerodromes-technical-sites-military-explosives-storage-areas/>

Scotland <http://www.scotland.gov.uk/Publications/2003/01/16204/17032>

Northern Ireland [http://www.opsi.gov.uk/si/si1994/Uksi\\_19940426\\_en\\_1.htm](http://www.opsi.gov.uk/si/si1994/Uksi_19940426_en_1.htm)

#### **CAA Publications**

Aerodromes (List) [www.caa.co.uk/application.aspx?categoryid=33&pagetype=65&applicationid=11&mode=list&type=subcat&id=3](http://www.caa.co.uk/application.aspx?categoryid=33&pagetype=65&applicationid=11&mode=list&type=subcat&id=3)

Wind Turbine Policy & Guidelines - CAP764

<http://www.caa.co.uk/application.aspx?categoryid=33&pagetype=65&applicationid=11&mode=detail&id=2358>

CAA Planning Advice <http://www.caa.co.uk/default.aspx?catid=375&pagetype=90&pageid=2965>

#### **Safeguarding Specialist**

Airfield Safeguarding & Development <http://www.airfield-safeguarding.com>  
(Honorary Advisor to the GAAC)

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