



GUIDANCE ON CIVIL AVIATION AUTHORITY (CAA) PLANNING CONSULTATION REQUIREMENTS

2 August 2012

1. Introduction

- 1.1 As a general rule, decisions concerning local land use and planning issues, including cases where local aerodromes may be affected or involved, lie solely within the remit of local authorities. Whilst the CAA has a role in providing relevant aviation safety advice upon request, aside from cases that may involve CAA property, the CAA is not routinely a statutory consultee for planning applications. **When not a statutory consultee the CAA will only respond to planning enquiries where there is something definitive to contribute; where this is not the case the CAA will not respond. Please note that the CAA will not send a 'nil response' letter in return.**
- 1.2 There are however several occasions where the CAA should be involved in planning discussions. Whilst it is difficult to be definitive, the following guidance aims to set out the more typical occasions when the CAA should or should not be involved in consultation, providing appropriate contact details dependent upon the nature of the associated development¹.

2. Officially Safeguarded and Other Aerodromes

- 2.1. In all cases, aerodrome safeguarding responsibility rests with the aerodrome licence holder/operator (not the CAA). Accordingly, any Local Planning Authority enquiry concerning a specific development that might have aerodrome safeguarding implications should be forwarded directly to the relevant aerodrome licence holder/operator. From a more strategic perspective, it is the published government advice that local development frameworks and other strategic planning documents include aeronautical safeguarding as policy. This applies not only to the officially safeguarded aerodromes but also to other civil aerodromes when unofficial safeguarding procedures have been agreed between the operator and Local Planning Authorities.
- 2.2. It follows that, in the case of developments around aerodromes, correspondence should initially be addressed to the aerodrome, not the CAA (unless it falls into one of the categories detailed in the following paragraphs). Note that aviation safeguarding responsibility extends beyond that associated with physical safeguarding and includes the safeguarding to ensure the integrity of communications and navigation systems; the safeguarding of those published procedures remains the responsibility of the relevant aerodrome operator / licence holder.

¹ This guidance complements governmental guidance provided within ODPM / DfT / NAFW Circular 1/2003 and Scottish Government Circular 2/2003.

3. Granting of Permission Contrary to Objection of an Officially Safeguarded Civil Aerodrome or NATS

3.1. It is essential that the CAA be informed immediately whenever a Local Planning Authority is minded to grant permission for a proposed development to which an officially safeguarded civil airport or NATS has objected; [ODPM / DfT / NAFW Circular 1/2003](#) and [Scottish Planning Circular 2 / 2003](#). This applies to all NATS sites and to the officially safeguarded airports in England, Scotland and Wales.

3.2. The CAA point of contact for related enquiries is:

(a) When wind turbines are involved:

Renewable Energy Project Officer
Directorate of Airspace Policy
Civil Aviation Authority
CAA House
45-59 Kingsway
London
WC2B 6TE
e-mail windfarms@caa.co.uk (preferred option)

(b) When wind turbines are not involved:

Aerodrome and Air Traffic Standards Division
Safety Regulation Group
Civil Aviation Authority
Aviation House
Gatwick Airport South
West Sussex
RH6 0YR
e-mail aerodromes@caa.co.uk

4. Wind Turbines

4.1. Notwithstanding any future introduction of associated permitted development rights, the CAA Directorate of Airspace Policy is willing to provide input to Planning Authorities in respect of individual wind turbine proposals and more strategic development plans. Wind turbine related enquiries should be addressed to the CAA via the Renewable Energy Project Officer (contact details detailed at paragraph 6). CAA Policy and Guidelines on Wind Turbines is comprehensively detailed within a related Civil Aviation Publication, [CAP 764](#).

5. Tall Structures²

5.1. Further to Planning Authorities' direct referral to any relevant aerodrome licence holder/ operator through the aerodrome safeguarding process described at paragraphs 2 and 3, the CAA has a general interest in tall structures as follows:

- (a) For civil aviation purposes, there is a mandated requirement to promulgate and chart all known structures of a height (i.e. above ground level) of 91.4 m (300 feet) or more.
- (b) Whilst there is a mandated requirement for structures of a height of 150 m (491 feet) or more to be equipped with aviation warning lighting, structures of lesser height may need to be lit if, by virtue of their location and nature, they are considered a significant navigational hazard. Whilst it is unusual for the CAA in isolation to recommend lighting of such structures, it would be unlikely that the CAA would raise any associated issues with an aviation stakeholder's (e.g. a local aerodrome operator or airspace operator) request for lighting or marking of any structure that they considered to be a significant hazard to air navigation.
- (c) As a minimum it is recommended that all proposed developments over 90 m in height should be notified to the CAA through:

Off Route Airspace 5
Directorate of Airspace Policy
Civil Aviation Authority
CAA House
45-59 Kingsway
London
WC2B 6TE
e-mail ora@caa.co.uk

6. Gas Venting and Flaring

6.1. The venting and flaring of gas might have a potential impact upon the safe operation of aircraft in the immediate vicinity. Any plan associated with a facility that is expected to vent or flare gas, either routinely or in an emergency, should be brought to the attention of the CAA using Off Route Airspace 5 as the appropriate point of contact (contact details at paragraph 5.1).

7. Nuclear Installations

7.1. Typically, in accordance with Statutory Instrument 2007 No 1929 (The Air Navigation (Restriction of Flying) (Nuclear Installations) Regulation 2007), UK facilities such as nuclear power stations are afforded an element of protection from aviation activity through the establishment of a Restricted Area (RA) encompassing each individual site. Aviation activity within any RA is limited to that specifically permitted by the Statutory Instrument. Evidently, the CAA will need to be involved in any related planning process for nuclear installations; Off Route Airspace 5 is available to provide related input (contact details at paragraph 5.1).

² A CAA policy statement concerning tall structures and aviation lighting requirements is available at [LightingOfEnRouteObstaclesAndOnshoreWindTurbines](#).

8. Planning Appeals

- 8.1. The CAA need not be kept informed of Appeals unless the CAA previously provided related comment or the appeal has specific civil aviation relevance.

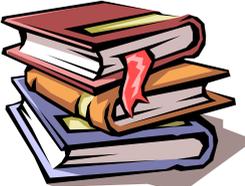
9. Specific Issues Upon Which the CAA Should Not Be Consulted

- 9.1. Other than any consultation required by Section 110 of the Localism Act 2011, it is not necessary to consult the CAA about:
- Strategic Planning Documents (e.g. Local Development Framework and Core Strategy documents) other than those with direct aviation involvement (e.g. Regional Renewable Energy Plans).
 - Waste Plans.
 - Screening Opinions.
 - Low-rise structures, including telecommunication masts³. With the exception of wind turbine developments, the CAA is unlikely to have any meaningful input related to applications associated with structures of a height of 100 feet or less that are situated away from aerodromes or other landing sites.
 - Orders affecting Rights of Way or Footpaths.
 - Sub-surface developments.
 - General Planning Applications not affecting CAA property.

Please be advised that we will no longer respond to future correspondence received regarding the above subjects. Where consultation is required under Section 110 of the Localism Act 2011 the CAA will only respond to specific questions (but will nevertheless record the receipt of all consultations). Where the Localism Act 2011 requires consultation with the CAA, the associated CAA point of contact is Aerodrome and Air Traffic Standards Division (see paragraph 3.2(b) for contact details).

³ Whilst it is noted that the General Development Order states that applications for masts within 3 km of an aerodrome should contain evidence of notification to the CAA or aerodrome operator, the appropriate contact is the aerodrome operator. Notification to the CAA will result in advice to contact the aerodrome operator.

PLANNING CONSULTATION – WHOM TO CONTACT

SUBJECT	DESCRIPTION	CONTACT
 OFFICIALLY SAFEGUARDED, OTHER AERODROMES AND OTHER TECHNICAL SITES	<p>Officially safeguarded aerodromes: Planning Authorities must consult aerodromes on all matters relating to safeguarding (DfT/ODPM/NAFW Circular 1/2003 (Scottish Government Circular 2/2003 refers).</p> <p>Non-officially safeguarded aerodromes: Aerodromes are advised to establish a consultation process with Planning Authorities. In both instances, consultation should be carried out with the aerodrome concerned.</p> <p>When the Planning Authority is minded to grant permission for a proposed development to which an officially safeguarded civil airport or NATS has objected.</p>	<p>→ AERODROME</p> <p>→ CAA AERODROME & AIR TRAFFIC STANDARDS DIVISION (non wind turbine related) CAA Renewable Energy Project Officer (wind turbine related)</p>
DEVELOPMENT PLANS 	<p>The CAA does not normally comment on development plans, including unitary, scoping, environmental and mineral extraction, preferring aeronautical interests to represent themselves. It is there recommended that you direct your communication to any aeronautical site that may be affected by the development plan.</p>	<p>→ AERODROME/ AERONAUTICAL TECHNICAL SITE</p>
TALL BUILDINGS 	<p>There is a mandatory lighting requirement for structures of 150 m or more in height, however structures of lesser height may need to be lit if they constitute a hazard to air navigation. In addition, the location of a tall structure may also be a potential hazard to aviation. Comment should be sought from the Directorate of Airspace Policy (DAP) of the CAA for all proposals over 90 m in height.</p>	<p>→ CAA Off Route Airspace 5</p>
WIND TURBINES 	<p>Comment should be sought from the Directorate of Airspace Policy (DAP) of the CAA and the Ministry of Defence (MoD) for all wind turbine proposals, whether prior to, or at, formal planning application stage. Refer to CAA CAP 764 for MOD address and further information.</p>	<p>→ CAA Renewable Energy Project Officer and MOD</p>
TELECOM INSTALLATION 	<p>Planning Policy Guidance Note 8 (PPG8) requires that any telecommunication application to the Planning Authority must be accompanied by evidence that either the CAA or an aerodrome operator has been notified of any proposal sited within 3km of an aerodrome. In all such cases, it is the CAA's advice that the appropriate contact is the aerodrome operator and notification should be forwarded to the aerodrome concerned.</p>	<p>→ AERODROME</p>

PLANNING CONSULTATION – WHOM TO CONTACT (continued)

SUBJECT	DESCRIPTION	CONTACT
<p>NUCLEAR INSTALLATION</p> 	<p>→ In accordance with Statutory Instrument 2007 No. 1929, UK nuclear installations are afforded an element of protection from aviation activity through the establishment of a Restricted Area. The CAA will need to be involved in any related planning process.</p>	<p>→ CAA Off Route Airspace 5</p>
<p>GAS VENTING AND FLARING</p> 	<p>→ The venting and flaring of gas might have a potential impact on the safe operation of aircraft in the immediate vicinity. Any plan associated with a facility that is expected to vent or flare gas should be notified to the CAA.</p>	<p>→ CAA Off Route Airspace 5</p>

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