

## **Henstridge Airfield S106 – Update Report**

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### **Purpose of the Report**

To update members on the progress of the s106 agreement in relation to Henstridge Airfield.

### **Public Interest/Background**

At the July meeting of Area East Committee members resolved to approve application 15/04069/FUL as a replacement operational permission for Henstridge Airfield. This approval is subject to a S.106 agreement under the Town and Country Planning Act 1990 to set out the obligations under which the airfield will operate in future.

Members expressed a hope that this agreement would be completed with 3 months and expressed a wish that an update be provided should the agreement take longer to produce

### **Recommendations**

(1) That members note progress to date

### **Report Detail**

It was resolved that application 15/04069/FUL be approved subject to:-

- a) the prior completion of a s106 agreement, in a form acceptable to the Council's solicitor(s) and to the satisfaction of the Development Manager in consultation with the Council's advisors and ward members and chair to:-
  - i. require the applicant to establish a Consultative Committee;
  - ii. Revoke all previous permissions without compensation
  - iii. agree a regime of testing to be applied to aircraft without recognised noise certificates;
  - iv. To limit aerobatic flying by aircraft landing or taking off from the airfield to one period of 20 minutes between 11.00am and 12.00 noon and another 20 minute period between 2.00pm and 3.00pm Monday to Saturday and not at all on Sundays and bank holidays. Such flying shall only occur in the airspace over the airfield and shall only be undertaken by aircraft based at the airfield. These 'approved' slots shall be limited to 8 per week and not more than 150 in total per calendar year and. Within each slot multiple aircraft may fly aerobatics, however each aircraft shall count as one towards the annual and weekly maxima. No aerobatic flying with 2 days notification of a noise sensitive event.

With the exception of the afore mentioned aerobatic flying over the airfield there shall be no aerobatic flying within 8km of the centre point of the main runway unless agreed in writing in relation to a specific public event

'Aerobatic' flying shall be defined as that which:-

*"involves performing intentional manoeuvres in an aircraft involving an abrupt change in its attitude, an abnormal attitude or abnormal acceleration, not necessary for normal flight, including flying inverted or performing vertical or near vertical climbs or descents, rolls, loops, spins, stalls and sharp turns or a combination of the above in an aircraft certified for aerobatics, normally carried out over a fixed area or aiming point such as the airfield. Aerobatic flying is normally associated with a notable change of aircraft noise when performing different manoeuvres".*

All aircraft flying within approved aerobatic slots to carry appropriate GPS to verify compliance.

- v. Prohibition of abinitio circuit training (which shall be defined).
- vi. Ensure a log of aircraft movements is maintained log shall include:-
  - (a) Date and time of arrival/departure;
  - (b) Point of departure/destination;
  - (c) Aircraft registration;
  - (d) Aircraft type;
  - (e) Pilot's name;
  - (f) Number of Persons On Board.

Such log shall be open to inspection by the Local Planning Authority on request.

- vii. Ensure that the airfield owner shall expressly bring the agreed procedures and restrictions to the notice of every pilot of an aircraft intending to use the airfield, in accordance with details to be agreed by the Local Planning Authority, including for this purpose making the airfield PPR (Prior Permission Required).
- viii. Require the agreement of a pilots contract to cover adherence to the above restrictions.
- ix. Set out the monitoring regime and sanctions which may have been taken against pilots in event of any breach.

and;

- a) the imposition of conditions as set out in the report .

The Council's solicitor as prepared a draft agreement which has been shared with the applicant, the Council's advisors (principally John Steel QC and the Environmental Protect Unit) and ward members. Their comments are being incorporated in the agreement, where appropriate.

Unfortunately there have been delays over the summer and early autumn period due to the availability and other commitments of our advisors and officers. It is also the case that a complex and unique agreement such as this may take longer than normal to draft, especially

given the role of our external advisor. Nevertheless it is important that care is taken to ensure that the final agreement achieves the aims of the committee resolution, whilst at the same time is in a form that is acceptable to the Airfield.

It is hoped that with the on-going input of all parties, constructive progress will continue to be made and the agreement will be concluded by the end of the year.

### **Financial Implications**

None.

### **Council Plan Implications**

None

### **Carbon Emissions & Climate Change Implications**

None

### **Equality and Diversity Implications**

None

### **Background Papers**

- Officer report to Area East Committee July 2016
  - Minutes of July 2016 Area East Committee
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