



Appeal Decision

Site visit made on 4 November 2025

by **S Lo LLB M.SRA**

an Inspector appointed by the Secretary of State

Decision date: 12 December 2025

Appeal Ref: APP/H0520/W/25/3369356

Land East of Billing Brook and North and South of Peterborough Road, Haddon, PE7 3TT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Ms Charlotte Peacock (Wessex Solar Energy Ltd) against the decision of Huntingdonshire District Council.
 - The application Ref is 25/00652/FUL.
 - The development proposed is the Installation of a solar park to export up to 25 MW (AC) electricity, comprising photovoltaic panels and associated infrastructure.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form does not specify the site location. However, both the appeal form and the Council's statements reference the address shown in the banner heading. After visiting the site and reviewing the appeal documents, I am satisfied that this address is correct. The banner heading has been updated accordingly.
3. Notwithstanding the amended description of the proposed development given in the appeal form, I am required to consider the appeal on the basis of that provided on the original application form, as indicated in the banner heading.
4. The appeal is against the failure of the Council to give notice within the prescribed period of a decision on an application for planning permission. As such, there is no decision notice. However, the Council has submitted a written statement, which, had they made the decision, recommended that planning permission should be refused. I have had regard to the Council's Statement and their recommendation, insofar that it provides clarity in terms of the reasons the Council would have considered had it been able to do so.
5. The proposed development follows a previous application (22/00668/FUL) and associated appeal (APP/H0520/W/24/3344095). In that appeal, the Inspector concluded that the scheme would have a harmful impact on the character and appearance of the area and that there was insufficient evidence to demonstrate it would not compromise the safe operation of aircraft. In comparison, the current application proposes a reduction in the overall site area by approximately 20 hectares (representing a 45% decrease from the original 45 hectares), along with a reduction in the number of solar panels from 65,000 to 40,000, and a corresponding decrease in supporting infrastructure.

Main Issues

6. During the Council's Development Management Committee meeting, no harm was found in relation to various planning considerations, except for concerns regarding the safe operation of aircraft. Taking the above background into account, evidence from the interested parties, and my observations onsite, it is considered that the remaining outstanding main issues are:
 - the effect of the proposed development on the safe operation of aircraft, with particular regard to Sibson Aerodrome and Furze Farm; and
 - the effect of the proposed development on surface water drainage and flood risk in the area.

Reasons

7. The site comprises two parcels of Grade 3b agricultural land, covering approximately 25 ha in total. The fields are predominantly enclosed by a mixture of mature hedgerows and trees. They can be accessed via existing entrances from the A605, as well as through an access track that runs beneath the road. The land is sloped, which is consistent with the area's undulating landscape.
8. The proposed solar park includes approximately 40,000 crystalline panels, up to seven inverters and transformers housed in cabins, and a control building. These panels would be orientated in a southwards direction to maximise solar gain and would remain in a fixed position throughout the day and during the year. Any generated electricity would be exported to the regional grid via underground 33 kV cables connecting to an existing substation. A new on-site track would provide access across the appeal site to electrical buildings. The proposed development features a computer control system for remote monitoring and a security fence behind existing hedgerows, with gated access. The appellant has stated that the proposal specifies the upper limits in terms of dimensions and land take, so that the final design, secured by planning condition would not exceed these limits.
9. Policy LP10 of *Huntingdonshire's Local Plan to 2036* 2019 (the 'LP') restricts development in the countryside to the limited and specific opportunities as provided for in other LP policies. It also requires that land of lower agricultural value should be used in preference to land of higher agricultural value: that the intrinsic character and beauty of the countryside should be recognised; and that development should not give rise to other impacts that would adversely affect the use and enjoyment of the countryside by others. Policy LP35 of the LP states that renewable or low carbon energy generating schemes (other than wind energy), will be supported where all potential adverse impacts can be made acceptable. Paragraph 168 of *The National Planning Policy Framework* (the 'Framework') requires that significant weight should be given to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future.
10. Given this requirement, the benefits associated with renewable schemes carry significant weight. Accordingly, this solar farm proposal is acceptable in principle, subject to the consideration of its potential impacts as explored in the remainder of my reasoning.

11. The proposal seeks a 40-year permission, after which the site would be decommissioned, all above-ground infrastructure removed, and the land restored to agricultural use. Although 40 years is a lengthy period for something described as temporary, which approaches permanence in terms of local experience, the scheme would ultimately be reversible. The use of conditions to secure this process aligns with other solar farm appeal decisions. I therefore conclude that, for this proposal, 40 years constitutes a temporary period which can be secured through an appropriate mechanism, and my reasoning below proceeds on that basis.

Effect on the safe operation of aircraft

12. The *Planning Practice Guidance*¹ (PPG) highlights that large-scale ground-mounted solar farms must consider the effect of glint and glare on neighbouring uses and aircraft safety. Guidance from the *Combined Aerodrome Safeguarding Team* (CAST)² identifies sunlight reflection from photovoltaic panels as a key safety concern. 'Glint and glare' is a general term describing the reflection of sunlight from surfaces such as glass and metal. Glint refers to a momentary flash of bright light received by moving receptors, while glare is a continuous source of bright light typically received from large reflective surfaces. I refer to both aspects collectively as 'glint', as per the appellant's evidence.
13. Although designed to absorb light rather than reflect it, solar panels can produce brief flashes when sunlight reflects off their surfaces. This can create visual impacts and potential distractions for receptors. Consequently, glint is considered a safety concern in aviation when panels are located near a runway, particularly during aircraft descent.
14. The appellant has submitted two separate glint and glare assessments, which focus on different aspects of the visual effects of the development. For clarity, I will refer to their combined findings as the glint and glare assessments ('GGA'). The GGA identifies that the proposed development lies within the safeguarding buffer zones of three aviation assets but otherwise does not significantly affect any other receptors. The Council has no objections to focusing primarily on these three assets, Sibson Aerodrome, Furze Farm and Peterborough Conington Airport. Based on the evidence submitted, I have no reason to disagree with this overall assessment.
15. Sibson Aerodrome, operated by Peterborough Flying School (PFS) is located approximately 5km away from the appeal site. Although it contains an Air Traffic Control Tower ('ATC'), it operates under Visual Flight Rules (VFR) only, meaning pilots rely on external visual references to maintain altitude, navigate, and avoid obstacles or other aircraft. The GGA identifies that no glint is predicted which would affect ground-based aviation receptors at this aerodrome, including the ATC tower.
16. Using a computational model which focused on geometric potential for glint along the standard final approach paths to the runways, the GGA predicted that glint from the proposed solar development would be visible only during the initial approach to runway RWY 33, and only for limited periods in the morning to early afternoon across several months of the year. However, as the panels would be

¹ Paragraph: 013 Reference ID: 5-013-20150327

² Renewable energy developments: Solar photovoltaic developments - CAST Aerodrome Safeguarding Guidance Note (July 2023)

positioned directly below or behind the aircraft during approach, the GGA considers that no visible glint would be observed by pilots. Consequently, it finds that significant impacts are not predicted on aircraft on final approach to this airfield.

17. To address the previous Inspector's concerns that the initial modelling did not reflect the unique flying activity patterns at the aerodrome, the GGA was updated for this application to expand the scope of the modelling to include standard runway approaches plus four additional circuit paths (North, South, East, West circuits). These models were created using the Solar Glare Hazard Analysis Tool (SGHAT) standard, which is recognised as the industry standard modelling mentioned in the Federal Aviation Administration ('FAA') guidance. It classifies risk into three levels: Green (low after-image potential), Yellow (possible after-image), and Red (possible permanent eye damage). The appellant has stated that due to the lack of engagement from PFS, these additional four circuit paths at Sibson Aerodrome were modelled based upon assumed standard circuit path distances and routes for light aircraft. The revised modelling assessed potential glare impacts along these routes and confirmed that no green, yellow, or red glare was identified on any of the additional circuit paths. As such, this modelling suggests that the proposed development would be unlikely to result in significant visual impacts for aircraft operating within these circuits at the aerodrome.
18. PFS and other interested parties challenge the validity of these models. They consider that they fail to accurately represent the aerodrome's specific flying activity patterns. According to PFS, flight patterns at the site are non-standard due to its use as a flight school for student pilots and as an active parachute centre. They consider the modelling overly simplistic, noting, for example, that it assumes use of northern circuit paths that aircraft do not use. These northern paths are restricted due to limited circulation space available, with further constraints imposed by electricity pylons to the east. Consequently, they consider that the actual flight patterns show that the majority of movements to and from Sibson occur to the south, directly over the proposed solar development during both arrivals and departures. Additionally, they consider that these operations result in aircraft using a wider range of descent angles and approach lines than standard commercial operations.
19. I acknowledge that the additional modelling undertaken to SGHAT standards offers a more detailed assessment of flight patterns from the aerodrome. However, it does not appear to reflect the specific patterns associated with the use of this site, as referenced by PFS and other interested parties, and also as referenced in the previous appeal decision. Consequently, there is very limited evidence before me regarding the potential impact of the proposed development on parachuting activities or flight school operations, even on a theoretical basis using PFS's indicative activities. It remains unclear whether the increased level of air traffic above the appeal site, arising from these operations, has been incorporated into the modelling. Given this lack of detailed information on local flight patterns, I consider it reasonable to apply the precautionary principle, given the potentially catastrophic outcomes that may arise. I note the appellant's observation that, despite efforts to consult them, PFS has provided limited evidence on the precise nature of its activities. Nonetheless, in the absence of robust evidence, I cannot be satisfied that the GGA has provided an accurate assessment of the conditions which pilots are likely to encounter as a result of the proposed development.

20. Concerns have been raised regarding Engine Failure After Take-Off (EFATO) risk at Sibson Aerodrome, with PFS stating that the proposed solar park would reduce the available land for forced landings. Due to existing flying restrictions caused by electricity pylons, they consider that a turn toward the appeal site could be the most probable course of action in an emergency. Additional concerns have also been raised regarding the risk of injury or impalement on the metal supporting structures within the appeal site, particularly given the likelihood of flight traffic overhead. However, the EFATO Plan (Plan E) illustrates the worst-case EFATO zone. This plan indicates that the appeal site lies over 4 km away and occupies a relatively small area compared to the wider potential landing zone. Consequently, I acknowledge that the appeal site represents only a minor proportion of the available emergency landing area. Furthermore, the site is in close proximity to the A605 and numerous trees, making it a generally less desirable landing option. It is also noted that the land is not formally designated for emergency use, and the landowner has no obligation to maintain it for such purposes. While part of the appeal site falls within the EFATO area for RWY 15L, there are compelling reasons why it would be an unlikely choice for an emergency landing, particularly given the availability of alternative open land in the vicinity, which is largely undeveloped. Taking these factors into account, I consider this matter to carry limited weight against the proposed development.
21. Furze Farm Airstrip is a private grass runway without an ATC located adjacent to the appeal site, approximately 50 metres away. It is also a VFR only aerodrome. The GGA confirms that, due to the orientation of the panels, glint effects from the solar array are generally experienced towards the east, west, southeast, and southwest of the appeal site. Given Furze Farm Airstrip's location to the west, the GGA indicates that, despite partial screening from boundary vegetation and local topography, limited to very limited glint may still be visible to ground-based aviation receptors at the airstrip thresholds during certain months of the year.
22. Under a worst-case scenario that disregards variables such as cloud cover, the GGA identifies yellow and green glint impacts on runway approaches 08 and 26. According to FAA guidance, yellow glare is potentially unacceptable, while green glare can potentially be acceptable. The appellant considers that the primary source of visual impact will be sun glare on the Runway 08 approach rather than glint from the proposed development. However, the GGA confirms that impacts on the Runway 26 approach occur when the sun is outside the pilot's field of view, indicating that these effects are likely attributable to reflections from the proposed solar panels. When landing toward the sun, the GGA notes that these impacts could be reduced through standard pilot mitigation measures. These measures include pilots wearing sunglasses, using darkened cockpit sun visors, overflying and inspecting the runway, landing in the opposite direction if wind conditions allow and planning their flight to land outside the times when sun glare is possible. The appellant states that these measures do not go beyond reasonable measures which pilots are currently expected to implement when flying in the direction of the sun.
23. Paragraph 200 of the Framework confirms that existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. In such circumstances, the agent of change principle requires the developer to provide suitable mitigation before the development has been completed.

24. Although the appellant has identified that flying activities at Furze Farm are reported to be limited to a small number of private aircraft throughout the year, there is very limited evidence regarding the overall type and frequency of flying activity. While such measures may be considered reasonable in principle as part of standard practice for pilots, making them enforceable as a planning condition on a third party would effectively transfer responsibility to the existing operation rather than the developer. This approach would be contrary to the agent of change principle and could place an unreasonable burden on the airstrip operator and its users. Such a requirement could also introduce operational risks and uncertainty for pilots, particularly where compliance with mitigation measures becomes a condition of safe use. This could deter flying activity, which is reportedly already comparatively low, and further restrict the airstrip's operational functionality.
25. An EFATO may require an aircraft to make a forced landing in areas surrounding Furze Farm. While there is no formally defined safeguarding area for EFATO scenarios, CAST guidance recommends that such areas should be considered reasonably and pragmatically. It advises that pilots should, where possible, execute turns no greater than 45 degrees from straight ahead to improve the chances of a safe landing. The evidence indicates that alternative landing areas are available nearby and could be reached with a turn of less than 45 degrees. It also suggests that solar panels located immediately beyond the extended runway centreline could be omitted to facilitate a safe forced landing. The appellant confirms that no solar panels are proposed within 150 metres of the runway strip. However, it is unclear whether this distance would provide sufficient mitigation in the event of an EFATO. While the probability of an EFATO event is low, its consequences can be severe, and any reduction in available emergency landing options could exacerbate risk to pilots and passengers. As such, this lack of clarity introduces a residual safety concern.
26. Peterborough Conington Airport is a licensed airport located approximately 8km away from the appeal site. It is a VFR only aerodrome. The GGA found that there would be no impact, and neither party has disputed this conclusion. Based on the evidence, I have no reason to disagree with this assessment.
27. RAF Wittering is a military aerodrome located approximately 12km away from the site. Following consultation, the Ministry of Defence confirmed no objection to the proposal, stating that it would have no detrimental impact on the operation or capability of any defence site or asset. Accordingly, I have no reason to conclude that the development would result in harm to RAF Wittering or its aircraft operations.
28. The appellant has referred to the existence of several existing solar farms which operate near UK airports. While these examples demonstrate that similar developments have been permitted in close proximity to airports, there is no evidence before me as to how safety considerations were addressed in those cases. Without such information, it is not possible to draw meaningful comparisons or conclude that the impacts of the current proposal would be acceptable. Each site must be assessed on its own merits, and the presence of other solar farms does not justify the harm I have identified following the proposed development.
29. I acknowledge the appellant's concern that no technical evidence has been provided to counter the position established in the GGA. However, as the scheme's promoter, the appellant bears the responsibility to provide sufficient

evidence to demonstrate that the proposed development will not result in harm. As discussed above, there are known non-standard variables in local air traffic that do not appear to have been considered. Additionally, the proposed mitigation measures conflict with the agent of change principle.

30. In conclusion, it has not been demonstrated with sufficient certainty that the proposal would avoid harm to the safe operation of aircraft, with particular regard to Sibson Aerodrome and Furze Farm. As such, it has not been demonstrated that all potential adverse impacts including cumulative impacts are or can be made acceptable, contrary to Policy LP35 of the *Huntingdon Local Plan 2019* ('HLP'). I will consider the public benefits of the proposal later on in this decision.
31. The Council alleges conflict with Policy LP14 of the HLP. However, this policy is primarily concerned with amenity. While it does require that there be no adverse effect on safety near notifiable installations, the supporting guidance indicates that such installations refer to facilities storing hazardous substances. There is no evidence to suggest any risk to such facilities. The Council also alleges conflict with Policy LP34 of the HLP. However, this policy is primarily concerned with the conservation of heritage assets and their settings. The proposed development would not result in harm to any such assets. Accordingly, these policies have not been determinative with regard to this main issue.

Flood Risk Assessment

32. Topographically, the land generally slopes towards Billing Brook. The soils are predominantly lime-rich, loamy and clayey, with impeded drainage. The majority of the site is located in Flood Zone 1, indicating the lowest risk of flooding. However, parts of the appeal site are also located within Flood Zone 2 and 3 due to the proximity of Billing Brook.
33. The appellant's Flood Risk Assessment (FRA) identifies that there would be an increase in impermeable surfaces due to the development of the solar panel support structures, inverter cabins, the control building, and electrical buildings. To manage the additional runoff, the FRA suggests dividing the site into sub-catchments, each incorporating a swale to capture, store, and infiltrate surface water. Based on rainfall data, the estimated storage requirement arising from the increase in impermeable surfaces would be approximately 56 m³, corresponding to a requirement to develop around 468 m of new swales to provide adequate mitigation. However, to ensure full interception of additional runoff, the FRA recommends the construction of approximately 847 m of swales. It is assumed that this allowance also accounts for climate change, with a 40% uplift recommended within the drainage strategy. Given this significant increase, no formal outfall route is included in the design.
34. Following their review of the FRA, the Lead Local Flood Authority (LLFA) has confirmed that they have no objection in principle to the proposed development, subject to the imposition of appropriate planning conditions. They note that the proposed development would result in rates of discharge from the appeal site which would be lower than greenfield levels. The LLFA also consider that the proposed swale system would be capable of effectively managing any increase in surface water, such that the proposed control mechanisms would regulate discharge rates and provide water quality treatment.

35. Interested parties consider that the FRA fails to account for runoff generated by the PV panels and that this should be included in the impermeable area calculations. They estimate that the installation of approximately 40,000 panels would create an additional impermeable area of around 99,892 m², which they contend has not been addressed within the proposed drainage strategy. However, it is unclear why runoff from PV panels should be treated as contributing to impermeable land. While panels do shed rainfall, water would drain onto the underlying ground and subsequently be intercepted by the proposed swale system. Unlike hardstanding or paved surfaces, PV panels are elevated and do not prevent infiltration into the soil beneath. On this basis, I am not persuaded that the presence of panels would inherently increase the amount of impermeable land. It is reasonable to expect rainfall to permeate into the ground after leaving the panels, and the drainage design appears to be capable of managing this process.
36. Interested parties also consider that the PV panels may shed rainfall rapidly along concentrated drip lines, potentially creating localised high-intensity overland flow. They suggest that, when combined with the site's steep slope, this could exacerbate drainage challenges on heavy clay soils. While it is reasonable to expect some degree of accelerated runoff immediately adjacent to each panel, there is no evidence before me to indicate that this effect would be of a significant magnitude to overwhelm the proposed mitigation measures. The drainage strategy already incorporates a swale system designed to accommodate volumes in excess of those anticipated from any increase in impermeable surfaces. On this basis, I am not persuaded that the potential for concentrated runoff would materially affect the effectiveness of the proposed mitigation scheme.
37. Interested parties have submitted photographic evidence and testimony indicating that Billing Brook frequently overtops, causing flooding of nearby highways and adjacent farmland. However, there is no evidence before me to suggest that the proposed development would exacerbate this existing issue. The appeal site currently functions as undeveloped agricultural land, and the proposed swale system has been assessed as being capable of mitigating additional runoff generated by the scheme. Moreover, the development would likely reduce the volume of water leaving the site through the additional mitigation capacity provided by the swales.
38. The FRA assesses surface water flood risk using Environment Agency ('EA') flood maps dated September 2020. These maps indicate that part of the appeal site is susceptible to surface water flooding. However, as all proposed development components would be raised at least 300 mm above ground level, the FRA concludes that they would not be at risk of damage from such flooding. Interested parties consider that the FRA relies on outdated information. They refer to updated flood mapping data from the EA, which shows an expansion of Flood Zones 2 and 3 along Billing Brook, extending into the appeal site. They consider that this updated data is directly relevant to the assessment of flood risk but does not appear to have been considered within the FRA. Having sought comments from the parties, it has been clarified that the areas of land located within these flood zones only contain solar panels. As such, it is considered unlikely that the increased flood zones would interfere with site access or water sensitive equipment.
39. In conclusion, subject to appropriate conditions, the proposed development would not give rise to any adverse impacts to surface water drainage and flood risk in the

area. All forms of flood risk have been adequately addressed and considered as an integral part of the design process, in compliance with Policies LP5 and LP 15 of the HLP.

Other Matters

40. Policy LP35 of the HLP states that when identifying and considering the acceptability of potential adverse planning impacts their significance and level of harm will be weighed against the public benefits of the proposal.
41. Paragraph 161 of the Framework states that the planning system should support the transition to net zero by 2050 and should help to support renewable and low carbon energy infrastructure. Furthermore, paragraph 168 identifies significant weight should be given to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future. It recognises that even small-scale and community-led projects provide a valuable contribution to cutting greenhouse gas emissions.
42. National Policy Statements (NPS) EN-1 and EN-3³ underline the urgent need for new electricity generating capacity to meet our energy objectives. They also identify that NPS's may be a material consideration in decision making on applications that fall under the Town and Country Planning Act 1990. They identify the importance that our supplies of energy remain secure, reliable and affordable, through the accelerated deployment of renewables, so as to ensure a domestic supply of clean, affordable, and secure power as we transition to net zero. Wind and solar are recognised as the lowest cost ways of generating electricity, helping reduce costs and providing a clean and secure source of electricity supply (as they are not reliant on fuel for generation). Analysis indicates that a secure, reliable, affordable, net zero consistent system in 2050 is likely to be composed predominantly of wind and solar.
43. The solar farm would clearly positively contribute to these combined aims, by providing a public benefit of a secure and resilient supply of electricity from a low carbon source. It would have an installed capacity of up to 25 MW which would make a proportionally small, but still meaningful contribution to the total electricity output coming from solar installations in the UK. It would also help to reduce the transmission losses associated with long lengths of transmission lines from conventional power stations and contribute towards the efficiency of the UK distribution system.
44. There would be further environmental benefits of reduced other air quality pollutant emissions in addition to carbon dioxide, following reduced conventional generation, and fuel transportation. It would assist in reducing the UK economy risks of the potential impacts of not taking action to combat climate change. Overall, the proposal would make a significant contribution to mitigating against climate change and achieving net zero ambitions, which I give significant weight.
45. The proposed development represents an investment of approximately £12 million. The appellant intends to encourage the use of locally sourced materials and contractors to maximise economic benefits during construction and operation. The proposal would also generate substantial income from additional business rates. It

³ EN-1: Overarching National Policy Statement for Energy, EN-3: National Policy Statement for Renewable Energy Infrastructure (November 2023)

would deliver a significant increase in biodiversity net gain, particularly for habitat and watercourse units. The land would remain in agricultural use through sheep grazing, supporting land management and food production. A circular permissive path around the perimeter would enhance the existing public rights of way network, and the inclusion of swales would improve flood attenuation. Overall, the development would provide economic benefits during construction and operation, alongside tangible community and environmental gains. I attach considerable weight to these benefits.

46. Although the site's open character would be altered, existing landscaping would be retained, and substantial phased planting would provide screening and additional mitigation as it matures. The Council raised no concerns regarding the proposal's visual impact, and I have no reason to disagree with this assessment.
47. Interested parties have raised multiple concerns regarding the proposed development. These include, the absence of a secured decommissioning bond, that alternative lower-impact sites are available, that a detailed lightning and security plan is absent. While I acknowledge the breadth and significance of these and other concerns, they do not form the central issues in dispute between the Council and the appellant. In any event, the appeal fails on other grounds, and analysis of these matters would not alter the outcome of the appeal. It has therefore not been necessary for me to consider these concerns in further detail.

Planning Balance and Conclusion

48. The proposal would help to secure national energy supply, and mitigate climate change, with the associated environmental benefits. These are public benefits which hold substantial and significant cumulative weight, alongside the varying weight given to the other benefits identified above.
49. The development would not result in adverse impacts on surface water drainage or flood risk in the area. However, I have found that there has been insufficient evidence to demonstrate that the proposal would avoid harm to the safe operation of aircraft, a matter which also attracts significant weight.
50. Given the potentially catastrophic consequences of serious harm to aircraft, I cannot be satisfied that these risks would be outweighed by the public benefits. For the reasons set out above, I find that the proposal conflicts with the development plan taken as a whole and material considerations do not indicate that the appeal should be determined other than in accordance with it. Therefore, for the reasons set out above, I conclude that the appeal should be dismissed.

S Lo

INSPECTOR