

APP/W9500/16/3144478 – CHANGE OF USE OF LAND TO FORM 2 NO GRASS RUNWAYS AND CONSTRUCTION OF PILOT/RESTROOM BUILDING – (REVISED SCHEME TO NYM/2014/0819/FL)

STATEMENT OF COMMON GROUND

South Moor Farm is located within Dalby Forest. The farm is run as a small agricultural business with 40 hectares of grazing land and a Bed and Breakfast facility operating from the main farmhouse.

The development site is not bounded by immediate residential neighbours.

South Moor Farm is within a military Low Flying Area.

The farm can operate as an airfield for 28 day per year as per the General Permitted Development Order with no limits in number of aircraft visiting the site.

Planning History

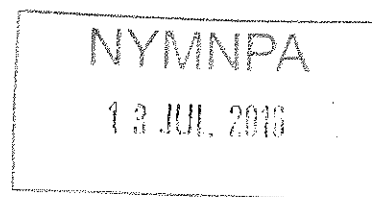
Application 1 – Submitted 10 July 2013 – Ref: NYM/2013/0435/FL

Planning permission was refused by the Local Planning Authority (LPA) for the change of use of land to provide 2 no grass runways, an aircraft hanger building and construction of pilot/restroom building.

The main runway would comprise a 600 metre grass strip aligned south west to north east, with an auxiliary runway, comprising a 400 metre grass strip aligned west to east to be used when there are strong cross winds.

The application was refused for the following reasons:-

1. Noise and effect on tranquillity.
2. The new storage building would be isolated from the site, be substantial in size with poor quality materials and design.
3. Adverse impact on the Public Rights of Way in terms of noise, disturbance and public safety.
4. It was not demonstrated that the proposed development would not have an adverse impact on SPA birds on adjacent North York Moors Special Protection Area and adjacent SSSI.



The proposal (application 1) was dismissed at appeal in 2014 on the size, design, material and location of the proposed storage building only.

As part of the appeal process a screening opinion was sought as to whether the development could require an Environmental Impact Assessment. It was concluded that "in the opinion of the Secretary of State, having taking into account the criteria in which Section 3 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, the development would not be likely to have significant effect on the environment by virtue of factors such as its nature, size or location. It is agreed the proposal is not an Environmental Impact Assessment development.

A noise assessment report was prepared for the appeal and considered by the Inspector which concluded that there is no real likelihood of noise levels that would be harmful to residential amenity or the enjoyment of the area by visitors.

Application 2 – Submitted 12 December 2014 – Ref: NYM/2014/0819/FL

A second planning application (application 2) was submitted with a different building. The revised proposed building was agricultural in appearance and sited closer to existing buildings.

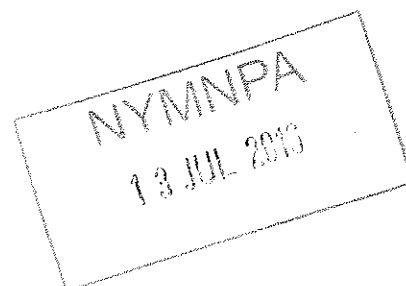
A Heritage Assessment was prepared which concluded that the development would have no impact on the significant and setting of heritage assets.

There are no known undesignated archaeology on or close to the footprint of the buildings.

Application 2 was refused for the following reasons.

1. Noise and effect on tranquillity.
2. The new storage building would be, be substantial in size and double the visual bulk of existing agricultural buildings.
3. Adverse impact on the Public Rights of Way in terms of noise, disturbance and public safety.
4. Noise, structures or other interventions would have a negative impact on setting and visitor experience and cause unjustified harm to the significant of a designated heritage asset.

Application 2 was dismissed at appeal on the basis that the Inspector found the storage building to be inappropriate only. Partial costs were awarded against the Local Authority on this second appeal due to the fact the LPA refused on the same reasons the previous Inspector had already dealt with and felt were acceptable.



**Application 3 (subject of this appeal) – Submitted 10 November 2015 – Ref:
NYM/2015/0781/FL**

A third application (application 3) has no storage building.

There have been no concerns raised about the proposed pilot's rest room.

Application 3 was refused for the following reasons.

1. Noise and effect on tranquillity.
2. Adverse impact on the Public Rights of Way in terms of noise, disturbance and public safety.
3. The proposal would change the character of a site to an airfield rather than a farm holding, to detriment of tranquillity of the area.
4. Potential effect on SPA birds which may use offsite feeding areas closer to the proposal site.
5. Potential effect on designated heritage assets.

