

Wendy Strangeway

From: Tom Chadwick
Sent: 19 December 2016 11:01
To: Planning
Subject: NYMA objection letter NYM/2016/0817/FL
Attachments: NYMA Objection to South Moor Farm planning application 2016.docx

For the attention of Hillary Saunders,

Please find attached a letter of objection from the North Yorkshire Moors Association regarding the airfield application at South Moor Farm.

Kind regards

Tom Chadwick
Chairman NYMA

NYMNPA
19 DEC 2016



Reg. Charity 1169240

North Yorkshire Moors Association, 4 Station Road Castleton, Whitby, North Yorkshire YO21 2EG

Planning Application NYM/2016/0817/FL

Change of use of land to form 1 no. grass runway and construction of pilot/restroom building
(revised scheme following dismissal at appeal NYM/2015/0781/FL)

South Moor Farm, Langdale End, Scarborough

Grid Reference 490579 490131

December 17th 2016



Dear Hillary,

The North Yorkshire Moors Association has submitted objections to the previous planning applications for airfield proposals at South Moor Farm. After considering the details of this new planning application, NYM/2016/0871/FL, the North Yorkshire Moors Association would like to once again register our objections.

Our objections are that the development is contrary to National Park Policies and National Policies. We consider that the cumulative effect of an aircraft runway with stationary aircraft parked in the open and the associated aircraft activity and noise, amounts to an inappropriate development in the National Park.

The area around Langdale End and South Moor Farm is a delightful part of the National Park with a mixture of open landscape with distant views and extensive wooded areas. Its remoteness from any larger settlements means it is a particularly quiet area. The proximity to Dalby Forest and the Dalby Forest Trail makes it a well-used area for walkers, cyclists and horse riders.

We consider this proposed change of use an inappropriate development in the National Park and especially in this area. The elevated position of South Moor Farm and the exposure of the holding mean that the proposed change of use will make it unmistakably an airfield rather than a farm holding. This will be further exacerbated by the visible presence of standing aircraft and subsequent aircraft movements which we feel will change the location from an area in which visitors can enjoy peace and tranquillity, to one disturbed by aircraft noise, from low flying aircraft, particularly that of landing and taking off.

National Park Purposes

The Statutory Purposes of the National Park are;

- i) to conserve and enhance the natural beauty, wildlife and cultural heritage of the area;
- ii) to promote opportunities for the understanding and enjoyment of the special qualities of the area by the public.

These purposes are an intrinsic part of the National Park Local Development Framework (LDF) and recognised in the Governments National Planning Policy Framework (NPPF), paragraph 17, Core Planning Principles.

National Planning Policy Framework

Paragraph 115

“Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty”

Note 25 of para 115 points to Circular 2010 for further guidance

English National Parks and the Broads UK Government Vision and Circular 2010

- 23) *“Large numbers of people visit and learn about the Parks every year, drawn by their landscapes, the chance to escape day to day pressures and above all to experience The sense of freedom, peace, adventure and enrichment which generations have enjoyed since the Parks were first established.*
No two Parks are the same and the Government looks to individual authorities to identify The special qualities of their Park including those associated with the cultural heritage, wide open spaces, coastlines, the sense of wildness and tranquillity and the dark night skies that Parks offer”.

NOISE

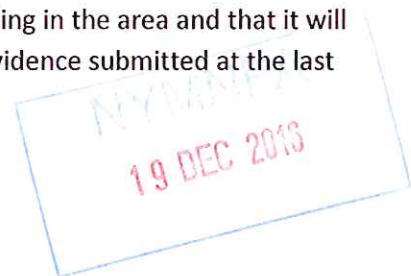
The application omits to say how many aircraft movements per day there will be and for the purpose of this application that is something which we feel should be made clear. Any aircraft movement comprising of taxiing, take-off and landing from this location including helicopters will spoil the quiet enjoyment of those people who are walking, cycling or horse riding in the area and that it will cause unnecessary disturbance to residents in this area of the Park. Evidence submitted at the last appeal hearing also confirms that it will harm wildlife in the area.

National Planning Policy Framework

Paragraph 123

“ Planning policies and decisions should aim to:

- *avoid noise from giving rise to significant impacts on health and quality of life as a result of new development;*
- *mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;*



- *recognise that development will often create some noise and existing business wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established,²⁸ and*
- *Identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason."*

28 subject to the provisions of the Environmental Protection Act 1990 and other relevant law

With regards to identifying areas of tranquillity a planning policy guidance note to para. 123 says;

"There are no precise rules, but for an area to be protected for its tranquillity it is likely to be relatively undisturbed by noise from human caused sources that undermine the intrinsic character of the area. Such areas are likely to be already valued for their tranquillity, including the ability to perceive and enjoy the natural soundscape, and are quite likely to be seen as special for other reasons including their landscape".

Paragraph: 012 Reference ID: 30-012-20140306 Revision date: 06 03 2014

National Park Local Development Framework

Core Strategy and Development Policies

Core Policy A

Delivery of National Park Purposes and Sustainable Development



- (1) *"Providing a scale of development and a level of activity that will not have an unacceptable impact on the wider landscape or the quiet enjoyment, peace and tranquillity of the Park, nor detract from the quality of life of local residents or the experience of visitors."*

Development Policy 14

- 1) *The proposal will provide opportunities for visitors to increase their awareness, understanding and enjoyment of the special qualities of the National Park in a manner that will not undermine the special qualities of the National Park or in any way that conserves and enhances the special qualities.*
- 3) *The development will not generate an increased level of activity, including noise which would be likely to detract from the experience of visitors and the quality of life of local residents.*

With regards to the noise, it is clear that the increase from ambient background levels to that created by the movement of aircraft on the site and in the air especially during take-off and landing is considerable. Background levels are approx. one sixteenth as loud as the fly-past by the Rallye aircraft used by the applicant as measured at the South Moor Farm site.

However, it is simplistic to assume that by merely quoting the sound energy level of a noise this describes all the characteristics of that sound and how people are affected by it.

This is clearly described in the proof of evidence presented by Mike Stigwood of MAS Environmental in an appeal case re- Elvington Park Ltd.

"All audible sounds impart messages to the listener. Noise describes those sounds which are unwanted and which generally have negative connotations or messages. They intrude upon and distract people from either their work or recreation depending on a complex range of factors, especially the noise characteristics and the message imparted by the noise. The extent to which a noise intrudes is not dictated by its decibel level. Noise can be so low in energy level that it is immeasurable in a practical sense, but it can still cause a nuisance in law¹. The decibel level only plays a minor part".

Mike Stigwood. MAS Environmental POE 3.16 Appeal by Elvington Park Ltd. Inspectorate ref. APP/C2741/08/2092716 October 6th 2009

Note 1 refers to the case of Godfrey v Conwy County Borough Council 14th November 2000 ref. CO/438/2000

Paragraph 27, 28

In which the following statement is affirmed.

27) ".....What is in my judgement fatal, is that it is, on the statutory provisions to which I have referred, impossible to contend either that a particular decibel level, or noise above the naturally occurring ambient level, must be demonstrated before a statutory nuisance can be shown.....Therefore my response to the first question they pose:

" Whether a noise which, measured by a noise meter, does not add measurably to the background level of noise but which, by the virtue of its nature is obtrusive, annoying and out of character with the area in which it occurs is capable of amounting to a Statutory Nuisance,"

28) I would answer "yes"

Although the planning inspector dismissed the noise factor in the 2013 Appeal by saying that;  19 DEC 2016

"Technical evidence shows no real likelihood of noise levels that would be harmful to residential amenity or the enjoyment of the area by visitors"

It appears to us that this conclusion was not based on a full understanding of the complexities of the effects of noise which are described by Stigwood and others, but more simply on the sound levels alone, which the inspector admits are "noisy but not unduly so"

In summary we cannot agree with the inspector's conclusions on noise and consider that any number of aircraft movements at South Moor Farm is completely unacceptable and would represent an intrusive noise for visitors seeking the enjoyment of a particularly quiet area of the National Park.

It would in addition introduce an unacceptable level of noise for residents in the area who have the expectation of the quietness which is a characteristic aspect of living in this area. It would be contrary to the enjoyment of the special qualities of the National Park.

Cumulative Impact

It seems clear to us that the cumulative impact of the proposed changes to this site transform a farm from its present appearance to a very obvious airfield. A runway, a pilot/restroom building, a brightly coloured windsock collectively, will be recognised as an airfield rather than a traditional farm holding. The operational activities of aircraft flights and aircraft standing in the open will only confirm this change.

In summary we feel this is a proposal which will be intrusive both in terms of the runway and in terms of visual disturbance and noise.

Finally, the appeal against the last planning application was dismissed because of the information presented to the appeal hearing on protected birds and that the conservation of wildlife is explicit in the statutory purposes of the National Park. Having regard to the Sandford principle, the inspector concluded that harm to wildlife carries greater weight than the stated benefits. In this respect nothing has changed which would affect this conclusion.

We respectfully ask for it to be refused permission.

Tom Chadwick

Chairman North Yorkshire Moors Association

