

Planning Inspectorate Reference:
Local Planning Authority Reference:

APP/W9500/A/14/2212850
NYM/2013/0435/FL

North York Moors National Park Authority

Town and Country Planning Act 1990

Appeal by: Mr R Walker

Against: Refusal of planning permission for the change of use of land to form 2 no. Grass runways, extension to existing access track and construction of storage building and pilot/restroom building

Location: South Moor Farm, Langdale End, Scarborough

Statement by Local Planning Authority For Written Representations Appeal

Contents

- 1.0 Introduction
- 2.0 Relevant Site History
- 3.0 The Proposal and the Decision
- 4.0 Planning Policy Background
- 5.0 Local Planning Authority's Case
- 6.0 Comments on Grounds of Appeal
- 7.0 Conclusion
- 8.0 Appendices –
 - A – Rights of Way map
 - B – Archaeology map
 - C – Proposed Conditions
 - D – Application for costs

Planning Inspectorate Reference:
Local Planning Authority Reference:

APP/W9500/A/13/2212850
NYM/2013/0435/FL

1.0 Introduction

1.1 This Statement refers to the refusal of planning permission for the change of use of land to form 2 grass runways, extend an existing access track and construct a storage building and pilot/restroom building at South Moor Farm in Langdale End near Scarborough, by the North York Moors National Park Authority (NPA) as the Local Planning Authority (LPA). The decision notice was dated 24 September 2013.

1.2 Site and Surroundings

Dalby Forest

1.3 South Moor Farm is located within **Dalby Forest** which is situated on the southern slopes of the North York Moors National Park. The southern part of the forest is divided by a number of valleys creating a 'Rigg and Dale' landscape whilst to the north the forest sits on the upland plateau; which is where South Moor Farm is situated.

1.4 Dalby is a significant tourist destination in the region and is termed by the Forestry Commission as "The Great Yorkshire Forest". It is used for quiet outdoor recreation as well as timber production and consequently contributes greatly to the local economy. Whilst the majority of the land and forestry is owned by the Forestry Commission there are also a large number of private households, farms and tourist related businesses within the forestry area.

1.5 It offers over 8,000 acres of woodland to explore and enjoy, including play areas for children, barbecue sites, numerous waymarked walking trails and 55 miles of mountain bike trails for all abilities as well as a "Go Ape " which offers a tree top adventure centre for all ages and segway hire and trails.

1.6 The main visitor centre has a café and shop, which is adjacent to a selection of other businesses including a bike hire centre and shop and Go Ape; this is the area of concentrated activity, although there are several car parks throughout the forest to explore quieter areas.

1.7 The Dalby Observatory is located adjacent to the visitor centre and is recognised as being one of the best places to enjoy the night sky in the country and was declared a Dark Sky Discovery Site on BBC Two's Stargazing LIVE in January 2013.

Planning Inspectorate Reference:

APP/W9500/A/13/2212850

Local Planning Authority Reference:

NYM/2013/0435/FL

- 1.8 **South Moor Farm** itself is located on the Dalby Forest Drive, approximately 1.5km to the south west of the Dalby Forest Toll gate at Bickley and approximately 5.5km to the north east of the Dalby Forest Visitor Centre. The farm is situated within a large clearing within the forest on undulating land with the existing farm buildings visible from the Forest Drive.
- 1.9 The farm is run as a small agricultural business with 40 hectares of grazing land for sheep and cows and a Bed and Breakfast facility comprising four rooms (one twin, one double, one family and one single) operating from the main farmhouse.
- 2.0 Relevant Site History**
- 2.1 There is no planning history that is considered relevant to this appeal proposal.
- 3.0 The Proposal and the Decision**
- 3.1 The planning application was validated on 10 July 2013.
- 3.2 Planning permission was sought to change the use of the agricultural land contained within four fields to provide a General Aviation airstrip with two grass runways, a hangar building for the storage of up to ten aircraft and owner maintenance, and a small building to be used as a flight planning/reporting office.
- 3.3 It was proposed that the main runway would comprise a 600 metre grass strip aligned south west to north east. An auxiliary runway was also proposed, comprising a 400 metre grass strip aligned west to east to be used when strong cross winds.
- 3.4 It was proposed that the hangar building would be located to the south of both the farmhouse and existing traditional agricultural buildings and would measure 36.7 metres long by 10 metres deep with a monopitch roof measuring 3.35 metres high on the south elevation and 4.57 metres high on the north elevation. The elevations and roof of the building would be clad in coloured box profile steel sheet cladding, with three sets of four sliding doors on the north elevation.
- 3.5 It was proposed that the pilots' rest room building would be a removable timber shed structure measuring 2.4 metres long by 1.8 metres wide with a height to the highest point of 2.2 metres. This building would have two solar panels to the roof and a 51cm diameter wind charger on a 3 metres pole sited adjacent to the building to power a security camera and a kettle.

Planning Inspectorate Reference:
Local Planning Authority Reference:

APP/W9500/A/13/2212850
NYM/2013/0435/FL

- 3.6 It was stated within the application that the facilities would be restricted to experienced pilots flying to and from the area with no training flights, practice circuits or aerobatics.
- 3.7 The National Park's Planning Committee resolved to refuse the application at its meeting on 19th September 2013 and the Refusal Decision Notice was issued on 24th September with the following reasons:
1. *The Local Planning Authority considers the proposal would not provide a type of recreational activity that would further the understanding of the National Park's special qualities, and would be likely to generate a level of noise and activity that would be detrimental to the amenities of local residents and the experience of visitors as well as harm the tranquility of the area. The proposal would therefore be contrary to Core Policies A and H and Development Policies 3 and 14 of the NYM Local Development Framework.*
 2. *The proposed new building would be isolated from existing development on the site and be substantial in size with poor quality materials and design. Consequently, in the view of the Local Planning Authority would have a detrimental impact on the character and appearance of the area contrary to Development Policies 12 and 13 of the North York Moors Local Development Framework.*
 3. *In the view of the Local Planning Authority the proposed development would have an adverse impact on the enjoyment of users of the Public Rights of Way which run through the site, both in terms of noise and disturbance and public safety. The proposal is therefore contrary to Development Policy 23 of the NYM Local Development Framework.*
 4. *The proposed development would be contrary to the provisions of Core Policy C of the North York Moors Local Development Framework and would conflict with the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended) which state that permission cannot be granted for a development unless it can be ascertained that it will not adversely affect the integrity of a European site. As a result of the likely noise and activity levels inseparable from such a use, it has not been demonstrated the proposed development would not have an adverse impact on SPA birds on the adjacent North York Moors Special Protection Area (SPA) and adjacent SSSI.*

Planning Inspectorate Reference:

APP/W9500/A/13/2212850

Local Planning Authority Reference:

NYM/2013/0435/FL

4.0 Planning Policy Background

4.1 This section covers both the Development Plan and the general implications of location in a National Park.

4.2 **Location in the National Park.** The two purposes of the National Parks in England and Wales were originally stated in the 1949 National Parks and Access to the Countryside Act and were revised in the 1995 Environment Act and the English National Parks and the Broads UK Government Vision and Circular 2010. They are:

- *"to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Parks"* and
- *"to promote opportunities for the understanding and enjoyment of the special qualities of the Parks by the public"*.

When these purposes are in conflict the 'Sandford principle' confirms that greater weight should be given to the conservation of the landscape (English National Parks and the Broads Circular 2010), 'Environment Act 1995, part III: *'National Parks'* DoE, 11 September 1996.

4.3 Section 62(2) of the Environment Act places a requirement for all 'relevant authorities, statutory undertakers and other public bodies' to have regard the purposes of National Parks in exercising or performing any functions in relation to or so as to affect land in a National Park. The importance of National Park purposes is therefore given legal support in addition to government policy in the determination of this appeal.

4.4 At the time of decision, the Development Plan for the area formally consisted of:

- **The North York Moors Local Development Framework Core Strategy and Development Policies.** Adopted by the NPA on 13 November 2008.

Planning Inspectorate Reference:

APP/W9500/A/13/2212850

Local Planning Authority Reference:

NYM/2013/0435/FL

- 4.5 **The National Planning Policy Framework** – Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up to date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. The Core Strategy and Development Policies document was adopted on 11th November 2008 under the provisions of the 2004 Act and is therefore up to date and should be the starting point for any decision making in the North York Moors National Park.
- 4.6 The Government's commitment to the protection of National Parks is clearly set out in the NPPF. Paragraph 115 says that great weight should be given to conserving landscape and scenic beauty in National Parks, which have the highest status of protection in relation to landscape and scenic beauty. This commitment has been publicly confirmed by the Prime Minister during the consultation on the draft NPPF and in recent announcements by the Planning Minister in relation to permitted development rights changes. Furthermore, the NPPF, in Footnote 9, also confirms that the Framework specifically indicates that development, including the "presumption in favour of sustainable development" should be restricted within a National Park. It is clear that the NPPF expects a different approach to be taken in National Parks to both plan making and decision taking compared with other areas outside of designated National Parks.
- 4.7 The National Planning Policy Framework sets out that economic growth should be supported in rural areas to promote a strong rural economy, rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors and which respect the character of the countryside. This however needs to be balanced against the specific policy protection afforded to National Parks in paragraph 115 and footnote 9 as set out in paragraph 4.5 above. The support for economic development in National Parks must therefore be delivered within the concept of sustainable development as set out in the English National Parks and Broads Circular 2010 which at paragraph 29 states:

" Within the Parks, conserving and enhancing the landscape biodiversity, cultural heritage, dark skies and natural resources, and promoting public understanding and enjoyment of these should lie at the very heart of developing a strong economy and sustaining thriving local communities."

Planning Inspectorate Reference:

APP/W9500/A/13/2212850

Local Planning Authority Reference:

NYM/2013/0435/FL

4.8 It is considered that whilst the proposal might be of financial benefit to the applicant and provide a facility for private pilots across the country, it is not considered that this proposal development would benefit the wider rural economy or the local community and would not respect the peaceful and tranquil character of this part of the National Park and thus conflicts with the National Planning Policy Framework.

4.9 **Local Development Framework:** The relevant policies are:

- Core Policy A "Delivering National Park Purposes and Sustainable Development"
- Core Policy H "Rural Economy"
- Core Policy C "Natural Environment, Biodiversity and Geodiversity"
- Development Policy 3 "Design"
- Development Policy 14 "Tourism and Recreation"
- Development Policy 12 "Agriculture"
- Development Policy 13 "Rural Diversification"
- Development Policy 23 "New Development and Transport"

Core Policy A of the NYM Local Development Framework seeks to ensure that new development conserves and enhances the Park's special qualities; with priority being given to ensuring development does not detract from the quality of life of local residents and supports the character of a settlement.

Core Policy H of the NYM Local Development Framework seeks to strengthen and support the rural economy by providing local communities with a range of opportunities for entrepreneurship, education and training in various ways, including allowing new employment development in Whitby Business Park, Service Villages and Local Service Villages.

Development Policy 3 of the NYM Local Development Framework seeks to maintain and enhance the distinctive character of the National Park by ensuring that the siting, layout and density of development preserves or enhances views into and out of the site; that the scale, height, massing and design are compatible with surrounding buildings; that the standards of design are high; that there is satisfactory landscaping and that the design takes into account the safety, security and access needs for all potential users of the development.

Planning Inspectorate Reference:

APP/W9500/A/13/2212850

Local Planning Authority Reference:

NYM/2013/0435/FL

Development Policy 12 of the NYM Local Development Framework seeks to permit proposals for new agricultural buildings, where, amongst other criteria the site is related physically and functionally to existing buildings associated with the business.

Development Policy 13 of the Core Strategy and Development Policies seeks to support proposals for the diversification of existing agricultural businesses where the scheme will make use of existing buildings and the proposed scheme is compatible with the existing farm activity and is of a scale and nature which will not harm the character and appearance of the locality, and where the existing access arrangements are appropriate for the proposed use.

Development Policy 14 of the NYM Local Development Framework seeks to ensure that new tourism development and the expansion or diversification of existing tourism businesses will be supported where the proposal will provide opportunities for visitors to increase their understanding, awareness and enjoyment of the special qualities of the National Park; where the development can be satisfactorily accessed from the road network (by classified roads) or by other sustainable modes of transport including public transport, walking, cycling or horse riding; where the development will not generate an increased level of activity and where it will make use of existing buildings.

Development Policy 23 of the NYM Local Development Framework seeks to ensure that existing Public Rights of Way, linear routes and other access routes for pedestrians, cyclists and horse riders are protected.

These LDF Policies and supporting text have been supplied for the Inspector with the questionnaire.

5.0 Local Planning Authority's Case

5.1 The key issues for consideration are whether or not the proposal would have significant detrimental impact on the peace and tranquillity of the locality to the detriment of the amenities of local residents, the enjoyment of the area by visitors and the character of the area, which would conflict significantly with National Park purposes. It is also important to consider whether any harm likely to be caused by the development would outweigh any benefits to the economic viability of the applicant's business or the desire of pilots across the country to fly to South Moor Farm.

Planning Inspectorate Reference:
Local Planning Authority Reference:

APP/W9500/A/13/2212850
NYM/2013/0435/FL

- 5.2 **Tourism** - As set out in Sections 1.3 to 1.7 above, Dalby Forest is a regional visitor attraction, as well as being a place where people live. The forest is promoted as being a place for non-motorised recreational activity which furthers the understanding of the Park's special qualities and it is well visited by both the local population and tourists from further afield.
- 5.3 It is considered that the proposed airfield and associated new buildings which could house up to 10 planes would be very likely to generate a level of noise and activity that would detract from the experience of other visitors as well as local residents. The level of activity generated by planes taking off, landing and flying overhead would be extremely difficult to control by means of conditions if this appeal were allowed.
- 5.4 Furthermore, it is not considered that the contribution that the additional visitors arriving by plane to South Moor Farm might make to the local economy would outweigh the likely harm caused to amenity which could as a consequence, result in the reduction of other visitors to the forest.
- 5.5 In these respects it is considered that the proposal is contrary to Core Policies A and H and Development Policy 14 of the NYM Local Development Framework (which also resists the requirement for new building).
- 5.6 **Tranquillity** - The national mapping of tranquillity undertaken in 2006 shows the North York Moors National Park as being an important and extensive tranquil area. The mapping undertaken by the Campaign to Protect Rural England shows that almost 90% of the National Park can be classed as relatively tranquil to a greater or lesser degree. Consequently, tranquillity is one of the Park's most appreciated special qualities and in resident and visitor surveys it is repeatedly identified as something that people value and concern is expressed over its erosion and loss.
- 5.7 The sense of remoteness engendered by the extensive, open, undeveloped spaces is a valued quality, contributing to people's enjoyment of 'getting away from it all'. These qualities have led people to come to the North York Moors National Park seeking spiritual refreshment for many centuries and the North York Moors National Park Management Plan 2012 sets out its aim to protect and increase tranquillity (relevant extracts have been supplied for the Inspector with the questionnaire).

Planning Inspectorate Reference:

APP/W9500/A/13/2212850

Local Planning Authority Reference:

NYM/2013/0435/FL

- 5.8 Most of the National Park is generally considered to be semi-natural, remote, wild and free from obvious human impact. Other elements of the National Park that contribute towards its sense of tranquillity include running water, and particularly in the south of the National Park (including Dalby Forest), the presence of native trees and woodland and dark night skies (with the ability to see stars at night).
- 5.9 The aims and policies set out within the management plan seek to protect, expand and improve existing tranquil areas and dark skies and resist new development in the National Park which will cause unacceptable light or noise pollution.
- 5.10 It is considered that the noise of light aircraft generated from the proposed development would have a detrimental impact on the tranquillity of this part of the National Park. Furthermore, whilst the appellant states that no taking off or landing would take place after dark, this would be difficult to enforce and any such activity would result in localised but significant levels of light pollution in an existing very dark area which would have a detrimental impact on the Dalby Forests Dark Skies status.
- 5.11 In view of the detrimental impact on tranquillity that is inevitable, this proposal would be detrimental to the enjoyment of local residents and visitors alike and contrary to Core Policy A of the NYM Local Development Framework and the objectives of the management plan. The National Planning Practice Guidance (NPPG) which came into force on 6 March 2014 confirms that National Park Management Plans can be material considerations in making decisions on individual planning applications, where they raise relevant issues. The NPPG also emphasises the importance of tranquillity in protected areas:
“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.”
- 5.12 **Public Right of Way** - The farmland in this locality is a relatively quiet area of the National Park for recreational access despite being within and adjacent to Dalby Forest. However, there is a public bridleway abutting the proposed runways and a public footpath and a Highway Ratione Tenurae (repairs by tenants of the lands) which both cross the western runway.

Planning Inspectorate Reference:

APP/W9500/A/13/2212850

Local Planning Authority Reference:

NYM/2013/0435/FL

- 5.13 The footpaths are used by the Tabular Hills walk, the Pickering to Langdale End part of the Moor to Sea cycle route and nearby is the Allerston BOAT (Byway open to all traffic) 500208. Details of all these routes are attached at Appendix A
- 5.14 It is considered that if the proposed development were to be allowed, there would be an adverse effect on the enjoyment of users of these Public Rights of Way, both in terms of noise, disturbance and public safety. Furthermore, it is considered that the dangers, be they either real or perceived, for horesriders, cyclists and walkers, of planes taking off and landing either in such close proximity to these routes would significantly detract from their enjoyment of the area. This would be contrary to Development Policy 23 of the Local Development Framework.
- 5.15 Impact on Neighbouring Properties** - The development site is not bounded by immediate residential neighbours, however, there are numerous residential properties in the locality that would suffer from loss of amenity, peace and tranquillity as a result of noise disturbance that will result from aircraft landings and take offs numerous times a day and incoming and outgoing flights overhead. The proposal would therefore be contrary to Core Policy A and Development Policy 3 of the NYM Local Development Framework.
- 5.16 Scale and Siting of Proposed Building** - The proposed new building would be substantial in size and would not contribute to the character of the area in terms of its design and materials. The applicant states that it has been designed to appear as an agricultural building, however, its location so far away from the farmhouse and other buildings on the site mean that even if it were for agricultural purposes, its isolated location would render it contrary to Development Policy 12. The proposal is also contrary to Development Policy 13 which only permits rural diversification proposal where they re-use existing buildings.
- 5.17 Archaeology** - There are a number of archaeological concerns in relation to the appeal proposal. The site lies within an area rich in prehistoric archaeology, surrounded by Early Bronze Age burial mounds (although many of these have been reduced or levelled by past cultivation) and with a complex of prehistoric boundaries (which appear to predate the burial mounds) within 100 metres of the proposed runways. Two of the latter boundaries can be seen running towards the intersection of the runways before they are lost to sight. A copy of an annotated aerial photograph indicating these is attached at Appendix B.

Planning Inspectorate Reference:

APP/W9500/A/13/2212850

Local Planning Authority Reference:

NYM/2013/0435/FL

- 5.18 The potential for there being levelled but previously unrecorded archaeology within this general area is very high. In addition there are the sites of two round barrows and any ground disturbance could damage the buried remains. Consequently, the appeal proposal is likely to cause unacceptable damage to the archaeology in the locality.
- 5.19 **Wildlife** - Light aircraft are known to cause disturbance to birds and this is believed to be due to visual disturbance and noise both from the aircraft themselves and possibly personnel movements. Dalby Forest is an important area for several bird species of conservation importance that are legally protected from or potentially sensitive to disturbance, such as Goshawk and Nightjar.
- 5.20 It is considered that insufficient information has been submitted to determine whether the proposal will have a likely significant effect on the interest features of the North York Moors Special Protection Area (SPAs). Flights from the proposed airstrip could potentially cause disturbance to SPA birds, which may use offsite feeding areas closer to the proposal site, as well as the SPA itself. Further information would need to be submitted about the number and direction of flights that would take place throughout the year. These same concerns also apply to the SSSI.

6.0 Comments on Grounds of Appeal

- 6.1 The appellant's agent states that a noise assessment will demonstrate that noise will not be an issue. However, no such report has been submitted and it is considered that if such a report is submitted now, it is unreasonable to submit such information at such a late stage of the appeal as the Authority will be likely to seek external advice to assess it.
- 6.2 The appellant's agent also comments that there are no SSI's or SPA's adjacent to the site. However, the concern is that Goshawks, which are legally protected, are particularly sensitive to noise disturbance, especially erratic noise which would result from overhead aircraft movements from an airfield in the locality.

Planning Inspectorate Reference:
Local Planning Authority Reference:

APP/W9500/A/13/2212850
NYM/2013/0435/FL

7.0 Conclusion

- 7.1 The LPA considers that the proposal would have significant detrimental impact on the peace and tranquillity of the locality to the detriment of the amenities of local residents, the enjoyment of the area by visitors and the character of the area and thus conflict significantly with National Park purposes. The harm likely to be caused by the development is considered to outweigh any benefits to the economic viability of the applicants business or the desire of pilots across the country to fly to South Moor Farm. Consequently the LPA does not consider that the proposal satisfies the requirements of the development plan or the government's policy guidance in relation to National Parks in both the NPPF and the 2010 National Parks and Broads Circular and considers that planning permission should not be given.
- 7.2 The proposal would therefore conflict with National Park purposes, and is not considered to comply with Core Policies A, C and H and Development Policies 3,12,13, 14 and 23 of the NYM Local Development Framework or the aims and objectives of the North York Moors National Park Management Plan.
- 7.3 As stated in 4.2 above, policies and decisions that could have an impact upon National Parks have to take the two National Park purposes into consideration. If there is conflict between the two purposes, the first must take precedence. It is considered that, due to the likely adverse impact upon the peace and tranquillity of this part of the National Park which is popular with visitors seeking to enjoy the special qualities of the National Park, the proposal is in conflict with both the first and second statutory National Park purposes.
- 7.4 Therefore the LPA respectfully requests that the Inspector dismisses the appeal. However, should the Inspector be mindful to allow the appeal, a list of conditions which the LPA would wish to see imposed are attached at Appendix C.
- 7.5 The LPA also respectfully requests that the Inspector takes into consideration the application for costs which is set out at Appendix D.

Planning Inspectorate Reference:
Local Planning Authority Reference:

APP/W9500/A/13/2212850
NYM/2013/0435/FL

APPENDIX A

£3.95

The North York Moors National Park is one of the most beautiful parts of England and Wales. As the largest expanse of open heather moorland in the country, it is a treasured landscape which deserves all the care the nation can give it.



North York Moors National Park Authority
Information Service
The Old Vicarage
Bonogate
Helmsley
York
YO62 5BP

www.visitthemoors.co.uk

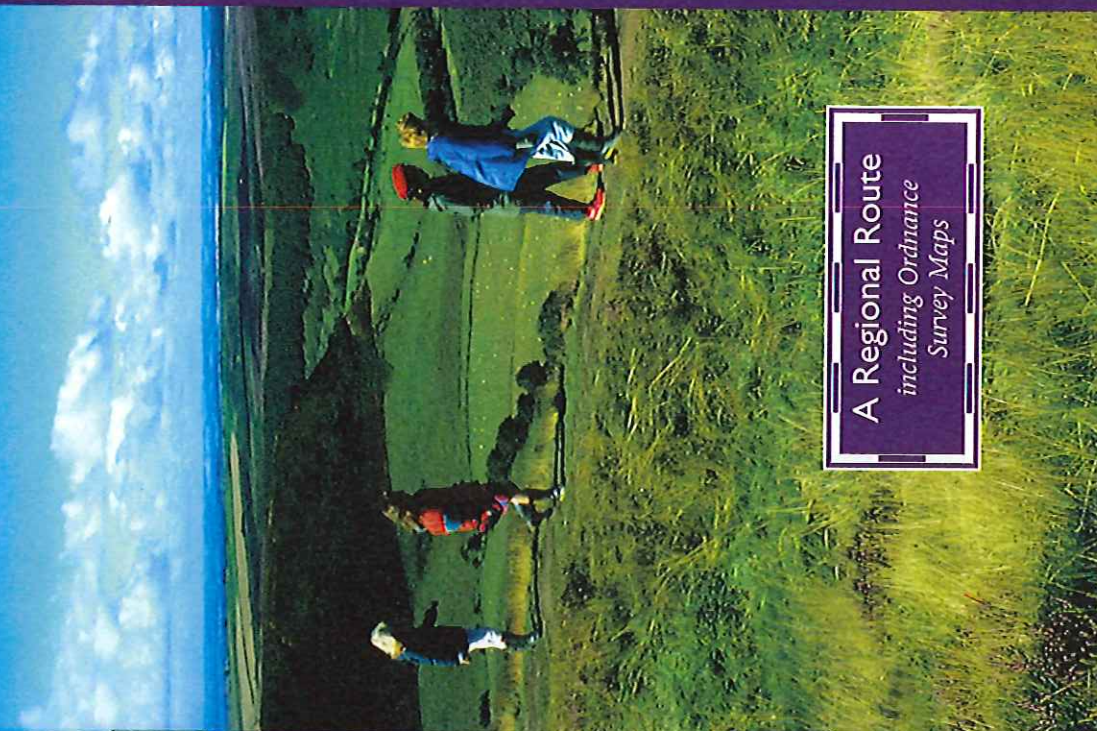
014006

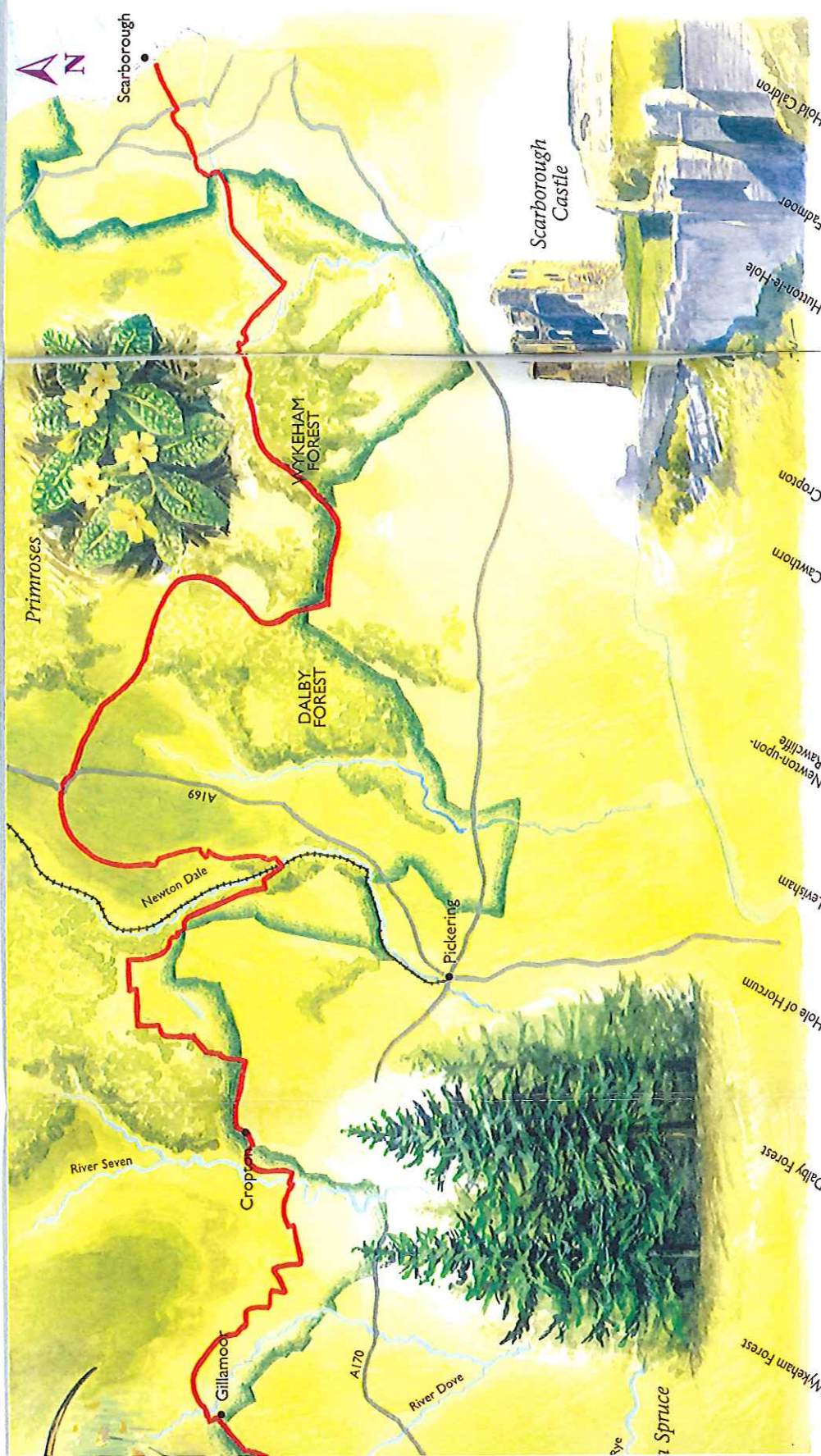
North York Moors National Park

The Tabular Hills Walk








A Regional Route
*including Ordnance
Survey Maps*

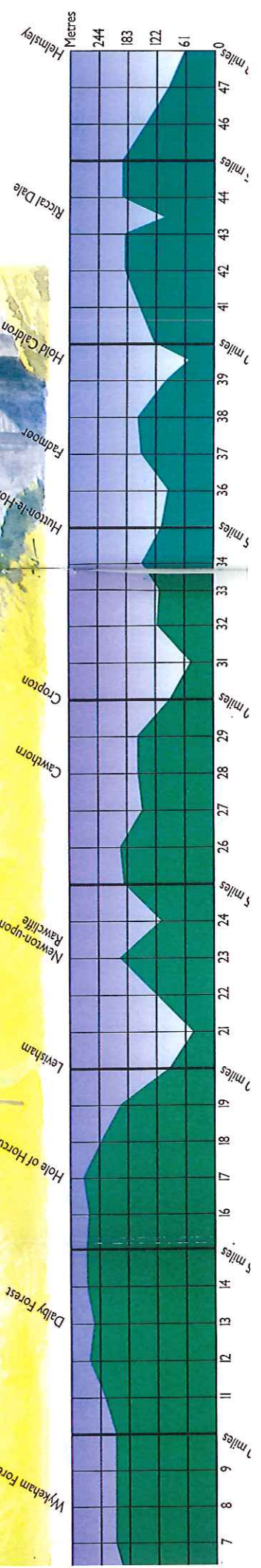




KEY TO THE MAP

-  The Tabular Hills Walk
-  River
-  Railway
-  'A' Road
-  National Park Boundary

YOUR ROUTE



Dalby forest

Over 600 years ago the area between Pickering and Scarborough was the Royal Forest of Pickering, a hunting playground for kings from Henry I to Henry VII. Red, roe and fallow deer and even wild boar once roamed here but now you are likely to see only the occasional roe deer. Dalby, 'The Great Yorkshire Forest', is part of the North Riding Forest Park and is managed by the Forestry Commission. Along the edges of the conifer plantations you can see an interesting variety of wildflowers such as tufted vetch, bird's-foot trefoil and common centaury. The stretch of tarmac road is part of the Dalby Forest Drive, a nine mile scenic route through the forest. On the right as you leave the tarmac road is a large grassy mound, one of three ancient burial mounds or howes in the field.

Where the road divides bear right (14) and follow the road to join the tarmac Dalby Forest Drive (15). Continue ahead and where the Forest Drive swings right, (16) continue ahead along the limestone road towards Crosscliff Viewpoint. Approaching the viewpoint follow the 'Disabled Parking Only' route (17). Follow the path along Crosscliff Brow.



Deer



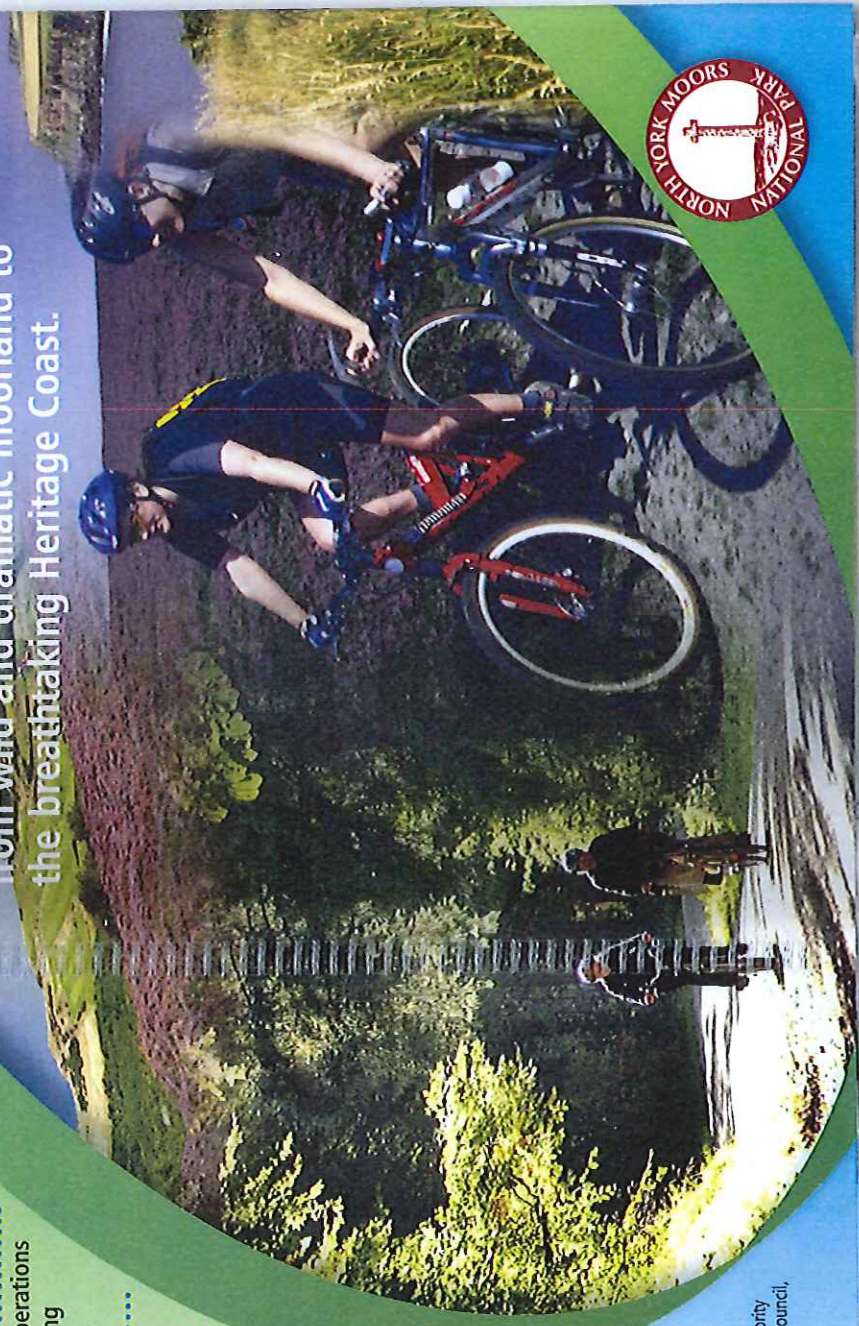
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. North York Moors National Park Authority, 100021930.2004

Moor to Sea Cycle Network

Featuring Eleven
Routes

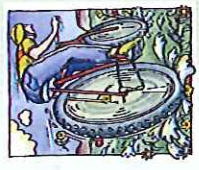
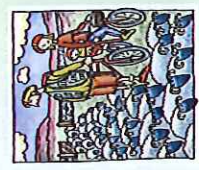


Stunning cycling through the heart
of the North York Moors National Park –
from wild and dramatic moorland to
the breathtaking Heritage Coast.



Moors Message Cycle Code

- Please remember to cycle responsibly and safely.
- Always wear a helmet and take plenty of drinks and snacks.
- Stick to legal routes. In the forests, there may be occasional route diversions for tree felling and other operations. All route diversions will be clearly marked.
- Remember that forest roads are also used by vehicles and take care on country lanes.
- Danger! Keep away from forest operations and do not pass any vehicle loading timber until you have been told to do so.
- Consider others using the route, e.g. walkers and horse-riders.
- Please leave all gates as you find them.
- Expect the unexpected – keep your speed down.
- Enjoy the countryside and respect its life and work.



Printed on paper that contains a minimum of 80% recycled fibre from post consumer waste. Production is totally chlorine free.

The Moor to Sea Cycle Network was created by a partnership between the North York Moors National Park Authority, North Yorkshire County Council, Scarborough Borough Council, Ryedale District Council, the Forestry Commission and PACE cycles.



North York Moors National Park Authority
The Old Vicarage, Bondgate, Helmsley, York YO62 5BP
Tel: 01439 770657 www.northyorkmoors.org.uk

www.moortoseacycle.net

© North York Moors National Park Authority, 2011

This publication was produced by the North York Moors National Park Authority in partnership with North Yorkshire County Council, Scarborough Borough Council, Ryedale District Council and the Forestry Commission.

Past

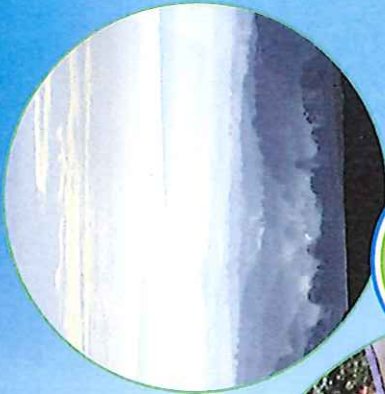
are the remains of a forgotten North Yorkshire. Long before it was farmland where rabbits were specially constructed warrens. In massive 1,000 acre warrens, 6,000 rabbits were killed every year!



men and ladies would hunt for furrers in Malton, North Yorkshire.

Did You Know?

Pickering has more royal connections than any other town in Yorkshire except York...



Pickering to Langdale End



Distance: 14.9 miles, 24 km

Time: 2 - 3 1/2 hours

Terrain: On roads and forest tracks with some steep ascents and descents

Refreshments: Pickering, Low Dalby



The Moor to Sea Cycle Network was created by a partnership between the North York Moors National Park Authority, North Yorkshire County Council, Scarborough Borough Council, Ryedale District Council, the Forestry Commission and PACE cycles.



North York Moors National Park Authority
The Old Vicarage, Bondgate, Helmsley, York YO62 5BP
Tel: 01439 770657 www.visitthemoors.co.uk

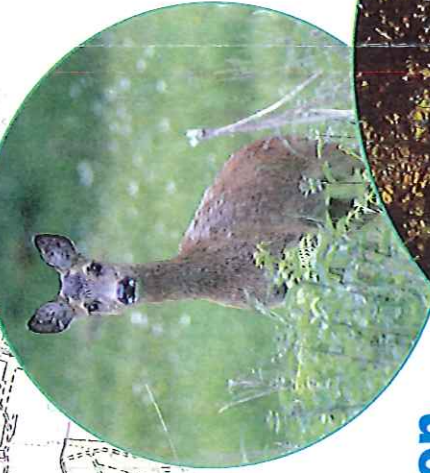
www.moortosea.net

© North York Moors National Park Authority, 2007

This publication was produced by the North York Moors National Park Authority in partnership with North Yorkshire County Council, Scarborough Borough Council,

Pickering to Langdale End

Explore the beautiful Dalby Forest on this shady section following the popular Forest Drive. You may catch a glimpse of one of the forest's more elusive residents and, if you have enough energy, you can explore more of the 8,600 hectare forest on a network of cycle trails.



KERING

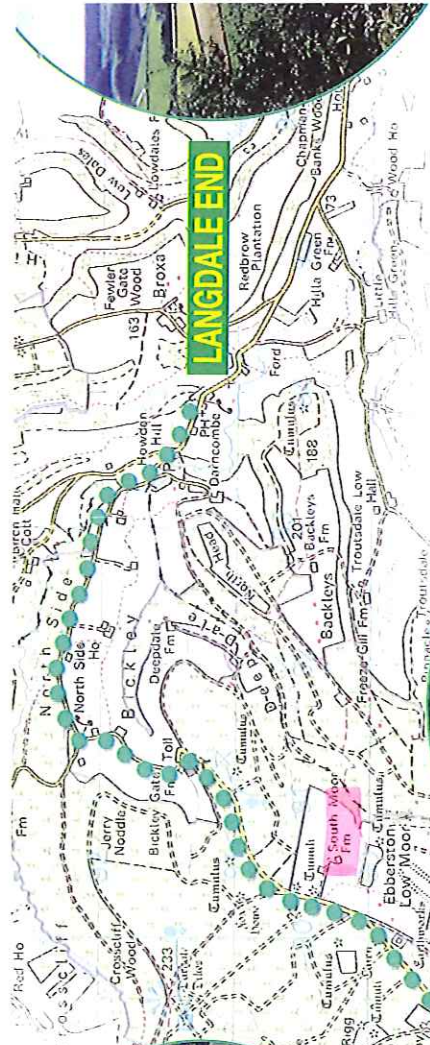
Royal Recreation

Dalby Forest is popular with walkers and cyclists today but, in medieval times, it would have been the local gentry who spent their leisure time here. The Royal Forest of Pickering stretched from Helmsley to Scarborough and was an enormous playground for England's kings, whose pastimes included hunting red and roe deer. If you are lucky, you might still catch a fleeting glimpse of a deer as it disappears into the trees...

Nocturnal Noise

Visit the forest around dusk and you may 'churring' song of another of the forest's Nightjar – a summer visitor to Dalby. Although they are unlikely to actually see one travelled birds – they blend into the forest's plumage that resembles dead leaves and





The Nightjar was once in major numbers but the special management as Dalby means its numbers have declined to the point where it is difficult to climb. Nightjars are more common in modified areas of heathland and have not yet



**North York Moors National Park
The Old Vicarage, Helmsley**

Definitive Map of Public Rights of Way
Working Copy with other highways added

Key

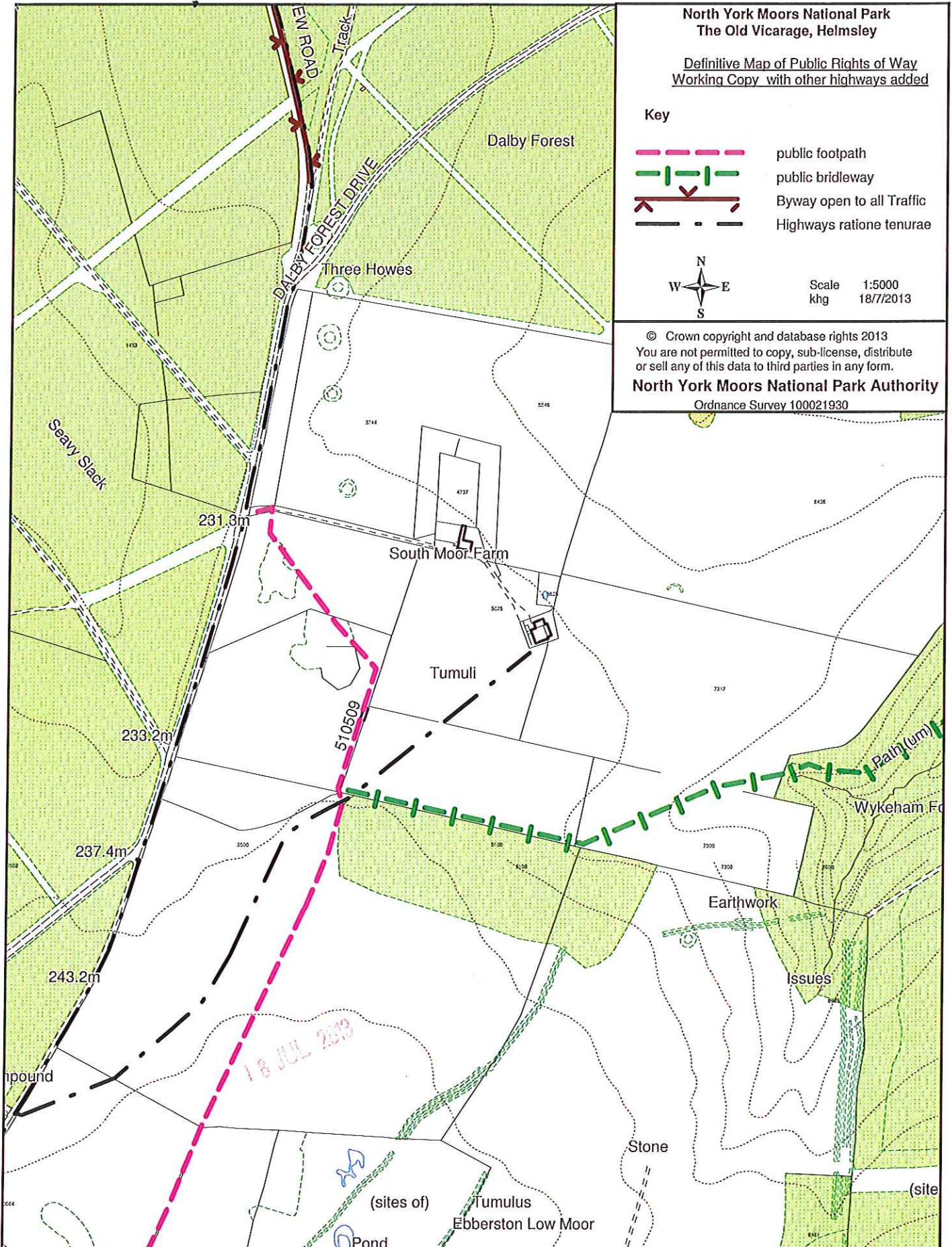
-  public footpath
-  public bridleway
-  Byway open to all Traffic
-  Highways ratione tenurae



Scale 1:5000
khg 18/7/2013

© Crown copyright and database rights 2013
You are not permitted to copy, sub-license, distribute
or sell any of this data to third parties in any form.

North York Moors National Park Authority
Ordnance Survey 100021930

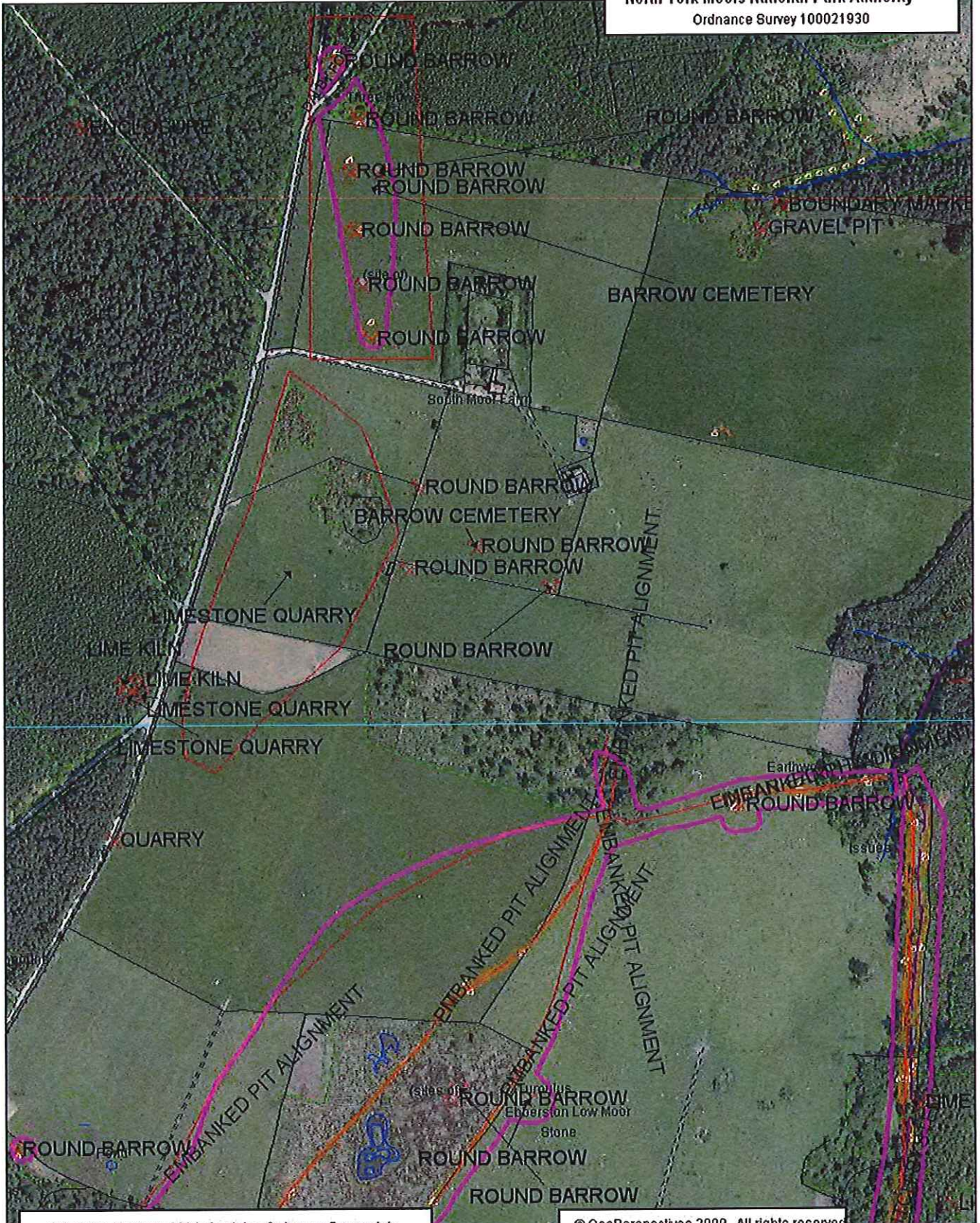


Planning Inspectorate Reference:
Local Planning Authority Reference:

APP/W9500/A/13/2212850
NYM/2013/0435/FL

APPENDIX B

© Crown copyright and database rights 2014
 You are not permitted to copy, sub-license, distribute
 or sell any of this data to third parties in any form.
North York Moors National Park Authority
 Ordnance Survey 100021930



© English Heritage 2014. Contains Ordnance Survey data.
 © Crown copyright and database right 2014.
 The English Heritage GIS contained in this material
 was obtained on 16/12/2013.
 The most publicly available up to date English Heritage
 GIS Data can be obtained from <http://www.english-heritage.org.uk>

© GeoPerspectives 2009. All rights reserved.
 Unauthorised reproduction may lead to
 criminal prosecution or civil claims for damages.
 For information purposes only
 No part of this data may be reproduced

Planning Inspectorate Reference:
Local Planning Authority Reference:

APP/W9500/A/13/2212850
NYM/2013/0435/FL

APPENDIX C

Proposed Conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
2. The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.
3. There shall be no aircraft taking off or landing from the site before 07.30 hrs and after 20.00 hrs on any day between the 1st April and 30th September in any year nor before 08.00 hrs and after 16.00 hrs between 1st October in one year and 31st March in the next year without the prior written agreement of the Local Planning Authority.
4. No more than 10 aircraft shall be on the site at any one time without the prior written agreement of the Local Planning Authority
5. No flying training shall be undertaken from the site and no aircrafts shall take off or land from the site other than those being operated solely by fully licensed pilots.
6. If the use of the buildings and land for the purposes of an airfield and storage of planes within the unit permanently ceases within five years from the date on which the development was substantially completed, the buildings shall be removed from the land and the land shall, so far as is practicable, be restored to its condition before development took place unless the Local Planning Authority has otherwise agreed in writing or unless planning permission for change of use of the buildings to another purpose has been approved.
7. Prior to the commencement of any works required to implement the permission hereby granted, a diversion order shall be secured to re-route the public bridleway, public footpath and Highway Ratione Tenurae away from the runways on the site.
8. No development shall take place on site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Planning Inspectorate Reference:
Local Planning Authority Reference:

APP/W9500/A/13/2212850
NYM/2013/0435/FL

APPENDIX D

Appendix 2

The Planning Inspectorate Application for an award of appeal costs

You can use this form as a template if you wish to apply for costs in:

- a written appeal
- an appeal going to a hearing or inquiry, but you wish to give advance notice of an application for costs
- an appeal which is withdrawn (or where the enforcement notice is withdrawn)

Notes to help you are in part D
A Information about the claimant

Full name: *North York Moors National Park Authority*

Address: *The Old Vicarage, Bondgate, Helmsley*
.....
.....

Postcode: *YO62 5BP*.....

Your reference: *NYM/2013/00435/FL*.....

Daytime telephone No: *.....01439 772700*.....

Fax no:.....

Email address:

planning@northyorkmoors.org.uk.....

Status (Appellant/Local Planning Authority/Interested Party):

Local Planning Authority.....

Agent's Name (if applicable):..... *N/A*.....

Agent's

Address:..... *N/A*.....
.....
.....

Postcode:.....

Reference:.....

Daytime telephone No:..... **Fax no:**.....

Email address:.....

B Information about the party being claimed against

Full name: *Mr R Walker*.....

Address: *South Moor Farm, Langdale End,
Scarborough, North Yorkshire*

.....
Postcode: *YO13 0LW*.....

Status (Appellant/Local Planning Authority/Interested Party):

Appellant.....

C Information about the appeal

Planning Inspectorate appeal reference number *APP/W9500/A/14/2212850*

(Please quote all appeal reference numbers if the costs application relates to more than one appeal)

Name of Local Planning Authority:

North York Moors National Park Authority.....

Description of the development:

Change of use of land to form 2 no. Grass runways, extension to existing access track and construction of storage building and pilot/restroom building

Address of the site.....*South Moor Farm, Langdale End, Scarborough,
North Yorkshire*

.....

E Your costs application

Please state what you think is:

the unreasonable behaviour which has caused you unnecessary or wasted expense in the appeal

The appeal relates to a development which is clearly contrary to national planning policies which state that adopted and up to date development plan policies should be the primary determining factor when assessing planning applications.

The proposal is completely contrary to policies contained in the adopted North York Moors Local Development Framework. Furthermore the appellant has not submitted any substantial grounds of appeal, although reference has been made to a noise assessment, this has not yet been submitted to the Inspectorate. As no such assessment has been previously submitted this will result in significant extra work on the part of the Authority to take external advice and if it makes fundamental changes to the consideration of the proposal, should have been submitted as part of a second planning application.

Continue on a separate sheet if necessary.

• **your unnecessary or wasted expense in the appeal (not the amount, but the kind of expense):**

Professional Officer time and Administration Officer time in completing appeal questionnaire, preparing appeal statement, attending appeal site visit and copying and postage costs.

.....

.....

.....

.....

Continue on a separate sheet if necessary.

Please sign below

I understand that:

(a) use of this form is voluntary, and that the Planning Inspectorate may use the information I have given for official purposes in connection with the processing of my application for an award of costs

(b) the costs decision resulting from processing my application will be published on the Planning Portal and will include relevant names but not addresses

By signing this form I am agreeing to the above use of the information I have provided.

I have completed all sections of the form and confirm that details are correct to the best of my knowledge. (Please note: signature is not necessary for electronic submissions)

Signature

H. Saunders

On behalf of *North York Moors National Park Authority*.....

Name (in capitals) *HILARY SAUNDERS, NORTH YORK MOORS NATIONAL PARK AUTHORITY*

Date. *6 March 2014*.....

The gathering and subsequent processing of the personal data you give on this form accords with the terms of the Planning Inspectorate's registration under the Data Protection Act 1998. More about the Planning Inspectorate's data protection policy can be found on our website at "Privacy Statement":

www.planning-inspectorate.gov.uk/pins/terms_conditions/privacy/index.htm

Please note exceptions below but otherwise send this form and any supporting documents to:

The Planning Inspectorate
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

For the attention of your appeal case officer or e-mail it to the email address as shown on the letter(s) you have received from your appeal case officer