

Windy Strangeway

C^{HS}

From: Hilary Saunders
Sent: 09 February 2015 11:35
To: Planning
Subject: Fwd: NYM/2014/0819/FL South Moor Farm aerodrome

Sent from Samsung Mobile

----- Original message -----

From: Louise Gregory <
Date: 09/02/2015 10:19 (GMT+00:00)
To: Hilary Saunders <h.saunders@northyorkmoors.org.uk>
Cc: 'South Moor Farm'
Subject: RE: NYM/2014/0819/FL South Moor Farm aerodrome

NYMINPA
-- 9 FEB 2015
WS

Dear Hilary

Thank you for forwarding the Natural England comments, the content of which was fully assessed at the previous appeal and a screening opinion undertaken in respect of a potential Environmental Impact Assessment. This was deemed not to be necessary and the proposal was deemed not to have any effect on the SPA and SSSI. It was also considered that noise was not an issue.

The appeal failed solely on the siting and appearance of the agricultural building, with which the Inspectors comments have been taken into account and the proposed building now being a typical agricultural building as permitted on a neighbouring farm.

We would also like to add the following:-

Sout Moor Farm has an "Entry Level Stewardship Agreement number AG00330987 with Natural England. This agreement terminates on 30 June 2015 when they hope to negotiate another agreement. Under the agreement they are contracted to maintain the glass land, archaeological features and dry stone walls. 300 metres of dry stonew walling has been rebuilt under the agreement. If planning permission is obtained the applicants will laise with Natural England on the removal and rebuilding of the stone walls indicated on the air strip plans.

I understand you now have a copy of the archaeology report which concludes the following:-

"Aircraft movement and noise will affect their setting and significance but this may be mitigated by setting controls on numbers of aircraft movements. These effects will need to be weighed against the Inspector's appeal decision dated 28 August 2014 (Gray 2014, 3) for the previous application NYM/2013/0435/FL which states that the technical evidence shows no real likelihood of noise levels that would be harmful to residential amenity or the enjoyment of the area by visitors.

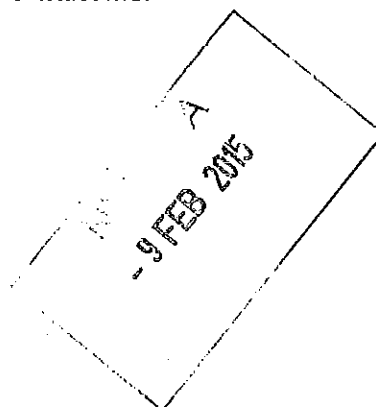
Resiting the power line underground across the auxiliary runway will have an impact on designated barrows HER 6289 and 6290 and others as yet unrecorded on the line. This can be mitigated with an archaeological watching brief during excavation of the trench.

The proposed aircraft storage building and wind turbine will have no impact on the significance and setting of the monuments. There is no known undesignated archaeology on or close to the footprint and it is too far away to be a likely location for undiscovered archaeology."

Should you have any queries then please do not hesitate to contact me.

LOUISE GREGORY
Rural Planning Consultant

Acorus Rural Property Services Ltd
Old Market Office
10 Risbygate Street
Bury St Edmunds
Suffolk, IP33 3AA



From: Hilary Saunders [mailto:h.saunders@northyorkmoors.org.uk]
Sent: 06 February 2015 15:22
To: Louise Gregory
Subject: FW: NYM/2014/0819/FL South Moor Farm aerodrome

Dear Ms Theobald,

Please find attached Natural England comments for information.

Regards

H. Saunders

Mrs Hilary Saunders
Planning Team Leader
Development Management

North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

Tel. no. 01439 772700
Web: www.northyorkmoors.org.uk

From: Planning
Sent: 06 February 2015 15:19
To: Hilary Saunders
Subject: FW: NYM/2014/0819/FL South Moor Farm aerodrome

Christopher Knowles
Planning Administration Technician

Normal Working Days: Wednesday, Thursday and Friday

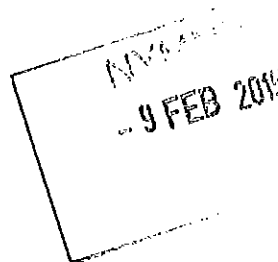
Extension Number: 2529

From: Walsh, James (NE) [mailto:
Sent: 04 February 2015 10:09
To: Planning
Subject: NYM/2014/0819/FL South Moor Farm aerodrome

Please find attached Natural England's response to the above.

Kind regards

James Walsh
Lead Adviser
Yorkshire & Northern Lincolnshire Team
Natural England
Lateral
8 City Walk
Leeds
LS11 9AT



we are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

Natural England is accredited to the Cabinet Office Customer Service Excellence Standard

This email and any attachments is intended for the named recipient only. If you have received it in error you have no authority to use, disclose, store or copy any of its contents and you should destroy it and inform the sender. Whilst this email and associated attachments will have been checked for known viruses whilst within the Natural England systems, we can accept no responsibility once it has left our systems. Communications on Natural England systems may be monitored and/or recorded to secure the effective operation of the system and for other lawful purposes.

CONFIDENTIALITY: The contents of this message are the views of the author, not necessarily the views of the North York Moors National Park Authority. This is a private message intended for the named addressee(s) only. Its contents may be confidential.

If you have received this message in error please reply to say so and then delete the message. Any use, copying, disclosure or distribution by anyone other than the addressee is forbidden.

www.northyorkmoors.org.uk

This email has been scanned for email related threats and delivered safely by Mimecast.
For more information please visit <http://www.mimecast.com>

Disclaimer: Information in this email message and any attachments is confidential. The message is intended solely for the attention and use of the named recipient(s). Copying, retransmission, dissemination and other use of, or taking of any action in reliance upon, this information is prohibited. Unless explicitly stated otherwise, the contents of this email and attachments are subject to contract and intellectual property laws; any views or opinions offered in the message may be personal and shall not create a binding legal contract or other commitment on the part of Acorus Rural Property Services Limited.

BURY ST EDMUNDS - EXETER - LEEDS - WOLVERHAMPTON Acorus Rural Property Services Ltd. Registered in England No. 04514547 Registered Office: The Old Market Office, 10, Risbygate Street, Bury St Edmunds, Suffolk. IP33 3AA Directors: Ted Rogers FRICS, Brian Barrow MRICS, Mike Bamforth MCIQB, James Whilding MRICS, Anthony Atkinson RICS FAAV Associates: David Ellis MBIAC

HS C

Wddy Strangeway

From: Front Desk on behalf of General
Sent: 09 February 2015 08:45
To: Planning
Subject: FW: Planning application NYM/2014/0819/FL

From: Nigel Blades [mailto:
Sent: 08 February 2015 09:51
To: General
Subject: Planning application NYM/2014/0819/FL

NYMNP
- 9 FEB 2015
D'

Dear Sir or Madam,

Planning Application NYM/2014/0819/FL

Change of use of land to form 2 no. grass runways, construction of storage building and pilot/restroom building (revised scheme to NYM/2013/0435/FL)

I had noted from a previous visit to your Planning Explorer webpages that the closing date for comments to the above application was 12-2-2015, but when I visited the site to register my comments this morning I was surprised to see this had apparently changed to 29-1-2015.

Please accept the comments below from myself and my family, who regularly enjoy walking and visiting the National Park and value it highly as an area of great natural beauty:

While visiting family in Yorkshire or on holiday we regularly walk in the Dalby Forest area of the North Yorkshire Moors National Park. As a family of walkers who enjoy the peace and quiet of the countryside, we are opposed to this planning application, which would lead to an expansion of light aviation in and around the National Park.

Nearer to home, we often walk in the Chiltern Hills in Buckinghamshire. On a clear day the sound of light aircraft flying overhead is a constant presence, reminding you that you are in busy south-east England.

The NYM National Park is one of the last wilderness areas in England and it would be a great shame if its special qualities of tranquility and wilderness were to be affected in the same way. The impact of even low level aircraft noise on tranquility should not be underestimated and is not captured by studies of decibel levels on landing and take-off.

Light aviation may have its place in the countryside but please don't encourage its expansion in the National Park.

Yours faithfully,

Nigel and Julia Blades

178 Lionel Road

Brentford TW8 9QT

Please forward HS email

C

Wendy Strangeway

From: John Cook
Sent: 06 February 2015 08:17
To: Planning
Subject: NYM/2014/0819/FL

British Horse Society, c/o Mrs C Cook, Burgate Farm, Harwood Dale, Scarborough, YO13 0DS Tel:01723 870333

Dear Ms Saunders,

PROPOSED GRASS RUNWAYS AND ASSOCIATED BUILDINGS, SOUTH MOOR FARM, LANGDALE END

I am objecting on behalf of the British Horse Society for the following reasons:

1. Equestrian rights of way are few and far between when compared with the density of footpaths. Which means that riders do not have the choice of routes to choose from. The proposed development would affect the existing bridleway. As it is relatively remote it is not used a great deal, but horse tourism is growing and we must protect these public rights for future generations as well.

NYM/19/01
-6 FEB 2015
DU

2. The horse industry is the second largest land based industry after agriculture; larger than forestry and horticulture. It is worth millions of pounds per annum within the National Park. Each local horse contribute some £3,000 per annum to the local economy, which needs protecting.

3. The government is trying to tackle obesity by encouraging exercise. Riding is a predominately female sport which attracts teenage girls and the elderly female, both groups which are difficult to stimulate into taking more exercise. 95% of those that hack out are female, and it is very good for stimulating both mental and physical well being.

4. The National Park have encouraged cycling on the bridleways at Sutton Bank which are now so heavily used in a reckless manner by male cyclists from outside the National Park, that the local female riders can no longer use the bridleways. If the National Park care about the local economy then this application should be refused and the local horse industry be protected.

5. In practice the landing of aircraft would frighten the horses and

certainly suppress demand by cautious riders. If passed and the airstrip was successful, I can see further extensions being applied for in the future. A noisy activity such as this should be sited outside the National Park, which is an area of tranquillity.

I sincerely hope that the application will be turned down for safety, noise and industrial activity reasons.

Yours sincerely,

Catriona Cook MBE (Mrs)

BHS Regional Access Officer

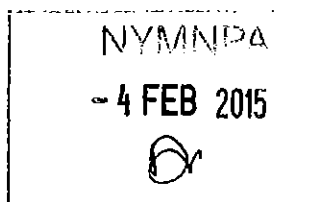
NYMNEA
- 6 FEB 2015

Date: 04 February 2015
Our ref: 140207
Your ref: NYM/2014/0819/FL



Mrs H Saunders
Planning Officer
North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ



BY EMAIL ONLY

Dear Mrs Saunders

Planning consultation: Application in respect of change of use of land to form 2 no. grass runways, construction of storage building and pilot/restroom building (revised scheme to NYM/2013/0435/FL)

Location: South Moor Farm, Langdale End, Scarborough

Thank you for your consultation on the above dated 27 January 2015.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

**PLANNING AND COMPULSORY PURCHASE ACT 2004
CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2010 (AS AMENDED)
WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)**

Internationally and nationally designated sites

The application site is within or in close proximity to a European designated site (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). The application site is in close proximity to the North York Moors Special Protection Area (SPA) which is a European site. The site is also notified at a national level as North York Moors Site of Special Scientific Interest (SSSI). Please see the subsequent sections of this letter for our advice relating to SSSI features.

In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have¹. The Conservation objectives for each European site explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

¹ Requirements are set out within Regulations 61 and 62 of the Habitats Regulations, where a series of steps and tests are followed for plans or projects that could potentially affect a European site. The steps and tests set out within Regulations 61 and 62 are commonly referred to as the 'Habitats Regulations Assessment' process. The Government has produced core guidance for competent authorities and developers to assist with the Habitats Regulations Assessment process. This can be found on the Defra website. <http://www.defra.gov.uk/habitats-review/implementation/process-guidance/guidance/sites/>

Further information required

The consultation documents provided by your authority do not include information to demonstrate that the requirements of Regulations 61 and 62 of the Habitats Regulations have been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment.

In advising your authority on the requirements relating to Habitats Regulations Assessment, it is Natural England's advice that the proposal is not necessary for the management of the European site. Your authority should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out. Natural England advises that there is currently not enough information to determine whether the likelihood of significant effects can be ruled out. In our response to the previous application at this site (13th September 2013), we advised that further information should be submitted on the number and direction of flights that would take place, in order to determine the likely level of disturbance to bird species which are interest features of the North York Moors SPA. We note that the information submitted by the applicant states that flight activity will be restricted to 20 movements per day. However, we advise that further information is submitted on the direction of flights and whether these are likely to be towards the SPA boundary to the north-west. We also advise that a suitably worded condition is included in any planning permission to state that aerobatics, or special events which would involve a greater number of flights, do not take place.

SSSI

Our concerns regarding the potential impacts upon the North York Moors SSSI coincide with our concerns regarding the potential impacts upon the North York Moors SPA, and are detailed above.

Should the application change, or if the applicant submits further information relating to the impact of this proposal on the SSSI aimed at reducing the damage likely to be caused, Natural England will be happy to consider it, and amend our position as appropriate.

If your Authority is minded to grant consent for this application contrary to the advice relating to the North York Moors contained in this letter, we refer you to Section 281 (6) of the *Wildlife and Countryside Act 1981* (as amended), specifically the duty placed upon your authority, requiring that your Authority;

- Provide notice to Natural England of the permission, and of its terms, the notice to include a statement of how (if at all) your authority has taken account of Natural England's advice, and
- Shall not grant a permission which would allow the operations to start before the end of a period of 21 days beginning with the date of that notice.

Designated landscapes

The proposal is located within the North York Moors National Park. As advised in our previous response, due to the nature and scale of the proposed storage building, we do not consider that it is likely to significantly impact on landscape character. However, the proposed flight activities are likely to impact on the purposes of designation of the National Park, in particular the sense of tranquillity which is recognised as one of its special qualities. We recommend that the number of flights and related activities is taken into account when determining this application.

Protected Species

We have not assessed this application and associated documents for impacts on protected species. If the LPA is aware of, or representations from other parties highlight the possible presence of a protected or priority species on the site, the authority should request survey information from the applicant before determining the application. The Government has provided advice² on priority and protected species and their consideration in the planning system.

Natural England has published Standing Advice on protected species. The Standing Advice includes a habitat decision tree which provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides detailed advice on the protected species most often

² Paragraph 98 and 99 of ODPM Circular 06/2005

affected by development, including flow charts for individual species to enable an assessment to be made of a protected species survey and mitigation strategy.

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence may be granted.

If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application, please contact us with details at consultations@naturalengland.org.uk.

Other advice

We would expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:

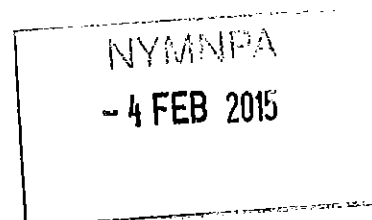
- local sites (biodiversity and geodiversity)
- local landscape character
- local or national biodiversity priority habitats and species.

Natural England does not hold locally specific information relating to the above. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the appropriate bodies (which may include the local records centre, your local wildlife trust, local geoconservation group or other recording society and a local landscape characterisation document) in order to ensure the LPA has sufficient information to fully understand the impact of the proposal before it determines the application. A more comprehensive list of local groups can be found at [Wildlife and Countryside link](#).

We would be happy to comment further should the need arise but if in the meantime you have any queries, please contact James Walsh on 0300 060 1832. For any new consultations or issues, please contact consultations@naturalengland.org.uk.

Yours sincerely

James Walsh
Yorkshire & Northern Lincolnshire Team



HS C

Mr. M. A. Hammond.
Eberston Common Farm,
Langdale End,
Scarborough,
YO13 0LW.
27th. January 2015.

NYM/2014/0819/FL
- 2 FEB 2015
D

North York Moors National Park Authority
The Old Vicarage,
Bondgate,
Helmsley,
York,
YO62 5BP.

Planning Application : NYM/2014/0819/FL South Moor Farm Air Strip.

Dear Sir / Madam,

I am writing this letter to support the planning application for a Farm-Strip at South Moor Farm by Mr. Walker.

I am one of his closest neighbours. Mr. Walker gave myself and other close neighbours a copy of the proposal in February 2013 and asked our opinion.

Aircraft using the main runway will pass between Eberston Common Farm and Jingleby Thorn Farm at low height as they are climbing away or descending. "

Mr. Walker assures me that there will be no more than 10 aircraft using the facility on any one day. I believe this condition can be imposed by the planning authority. "

We have a variety of aircraft, military and civilian, including gas pipe line and electricity line helicopters, flying overhead which do not cause any problems. "

Light aircraft passing overhead are generally only heard for two or three minutes. I do not think a few extra from South Moor Farm will cause any problems. "

The National Park was created, and is maintained largely by farmers. Although South Moor Farm is a small farm Mr. Walker has sheep and cattle grazing the fields which help to maintain them and he has repaired many of the dry stone walls. "

The National Park supports many recreational activities including flying and I see no reason why a small farm air strip could not be used for a limited number of flights. "

Yours Sincerely,

Mark Hammond.

Miss Anne McIntosh LLB MP
MP for Thirsk, Malton and Filey
House of Commons
London
SW1A 0AA

Your ref:

Our ref: NYM/2014/0819/FL

Date: 28 January 2015

Re: Planning Application for Airstrip and Hanger Building at South Moor Farm

Thank you for your letter of 12 January enclosing email correspondence from one of your constituents, Mr R Walker in connection with the above planning application.

The Authority is currently considering this application which is a re-submission of a previous proposal for an airstrip and hanger building in this part of the National Park, which was previously refused permission and subsequently dismissed at appeal by the planning inspectorate in August last year. I note that, in his email, Mr Walker is requesting a letter of support for his current application, and also raising a number of planning issues which were considered by the Authority and the inspector in the previous case.

The issue of tranquillity is considered to be particularly important. The North York Moors National Park is recognised as being an important and extensive tranquil area and tranquillity is one of the Park's most appreciated special qualities. This issue is addressed in the National Park's Management Plan where its aims and policies 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. Consequently, whether or not the noise of light aircraft generated from the proposed development would have a detrimental impact on the sense of tranquillity of this part of the National Park needs to be given very careful consideration.

In relation to the comments about planning conditions, as no planning permission has been granted, this Authority has not imposed any conditions on the proposed buildings. However, it was suggested that if the development were allowed at appeal, a condition be attached to require that the building be removed if it were no longer needed.

I confirm, as requested that these issues will be considered again by the planning officer in relation to the re-submitted application and by Members, should the matter come before them.

Andy Wilson
Chief Executive (National Park Officer)

04AMW201

Miss Anne McIntosh LL.B (Hons) MP

Member of Parliament for Thirsk, Malton and Filey - Telephone:

or

House of Commons)

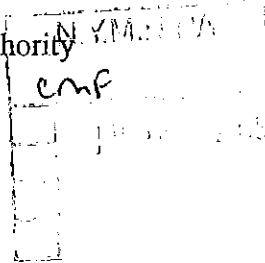


HOUSE OF COMMONS

LONDON SW1A 0AA

Monitored
cc Amw

Mr Andy Wilson
Chief Executive
North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
York YO62 5BP



12 January 2015

Dear Mr Wilson, *Andy,*

Please find enclosed a copy of a letter I have received from one of my constituents, Mr Walker, regarding the issue of his planning application for a light aircraft landing strip.

I would be grateful if you could look at Mr Walker's letter and address his concerns on this matter. Thanking you in advance.

Warmest wishes for New Year and 2015,
Yours sincerely,

Miss Anne McIntosh LLB MP
Member of Parliament for Thirsk, Malton and Filey

BATE, Heather

From: South Moor Farm
Sent: 09 January 2015 15:53
To: MCINTOSH, Anne
Subject: South Moor Farm Air Strip.
Attachments: NeighboursAirstrip.doc; APPEAL DECISION.pdf

R.W. Walker.
South Moor Farm,
Langdale End,
Scarborough,
YO13 0LW.
09/01/2015.

Dear Mrs. McIntosh,

Thank you for your previous support for my wind turbine which has been producing green energy for four years now.

I am the owner of a small sheep farm with guest accommodation in the North York Moors National Park and fly a light aircraft based at Wombledon.

I wish to further diversify my business by providing a light aircraft landing strip for pilots to visit Dalby Forest and stay at the Guest House. The facility will also be used by 3 other local pilots and I who would like their aircraft stored nearer to their homes.

I have a revised planning application in progress and would like some support for a very modest recreational facility. I am not building a new Heathrow just a grass strip with a storage building and no more than 10 flights on a busy day. Most of the time visitors will see sheep grazing the field and an additional sheep shed which houses 4 aircraft.

I have only four neighbours within one mile of the property, they were consulted before the initial application and none of them expressed any objection to my proposed air strip. A copy of the consultation document is attached.

A letter of support from you might enable the planning authority to consider the application more favourably.

A previous planning application was refused by the North York Moors National Park Planning Authority mainly on the grounds of noise.

A noise survey concluded that the noise from light aircraft was no more intrusive than the noise from farm machinery or cars on the road. Also the noise from the aircraft could only be heard for 2-3 minutes. i.e. 30 minutes on a busy day with the proposed limit of no more than 10 flights on any one day.

On appeal the planning inspector disagreed with some of their reasons for refusal but upheld one regarding the building design and dismissed the appeal. A copy of the appeal decision is attached.

This encouraged a discussion with the planners but they do not accept the Inspectors view and have put conditions on the building only some of which I can comply with.

General Aviation needs a wide range of facilities from grass strips with no facilities to larger airfields with a full range of facilities. I hope you can support this application for a very modest general aviation facility.

To view the planning application for the Air Strip at South Moor Farm go to the North Yorkshire Moors Planning Web Site:-

South Moor Farm. Air Strip.

Bob Walker.
South Moor Farm,
Langdale End,
Scarborough.
YO13 0LW.
2nd. Feb. 2013.

Re. Proposed Air Strip, South Moor Farm. Pre planning consultation.

Dear

Background information:-

Some of you may know that I, Bob Walker, hold a Private Pilot Licence. I fly a small single engine aircraft based at Wombledon airfield. Since training at Full Sutton airfield 7 years ago I have been flying regularly and have flown for over 350 hours.

Our aircraft is owned by a group of 5 pilots and we each fly about 40 trips per year to various parts of the UK.

We regularly use grass runways at various air fields and it would be possible to land at South Moor Farm.

Last year we had to move the plane from our previous hangar and had some difficulty finding a new hangar.

There is a shortage of hangar space so some aircraft are stored outside, which reduces their useful life.

I would like to build a hangar at South Moor Farm and prepare a strip of grass to use as a runway.

To help other pilots I would like a hangar capable of storing up to 10 small aircraft so that they could use the air strip.

If you would like further information or wish to discuss this proposal please ring on 01751 460285.

South Moor Farm. Air Strip.

Summary of proposal:-

Use of the proposed facilities to be restricted to experienced pilots flying to and from the area.

No training flights, no practice circuits, and no aerobatics overhead by pilots based at South Moor Farm.

All flights to be during day light, no night flights.

Only to be used by small low powered light aircraft. Visiting aircraft would require prior permission.

All aircraft will be asked to avoid flying directly over houses within 1 mile of South Moor Farm.

With reference to attached image.

Propose a 600 metre grass strip aligned South West to North East as the main runway. (Prevailing wind is South Westerly).

Propose a 400 metre grass strip aligned West to East to allow aircraft to land if wind across main runway too strong.

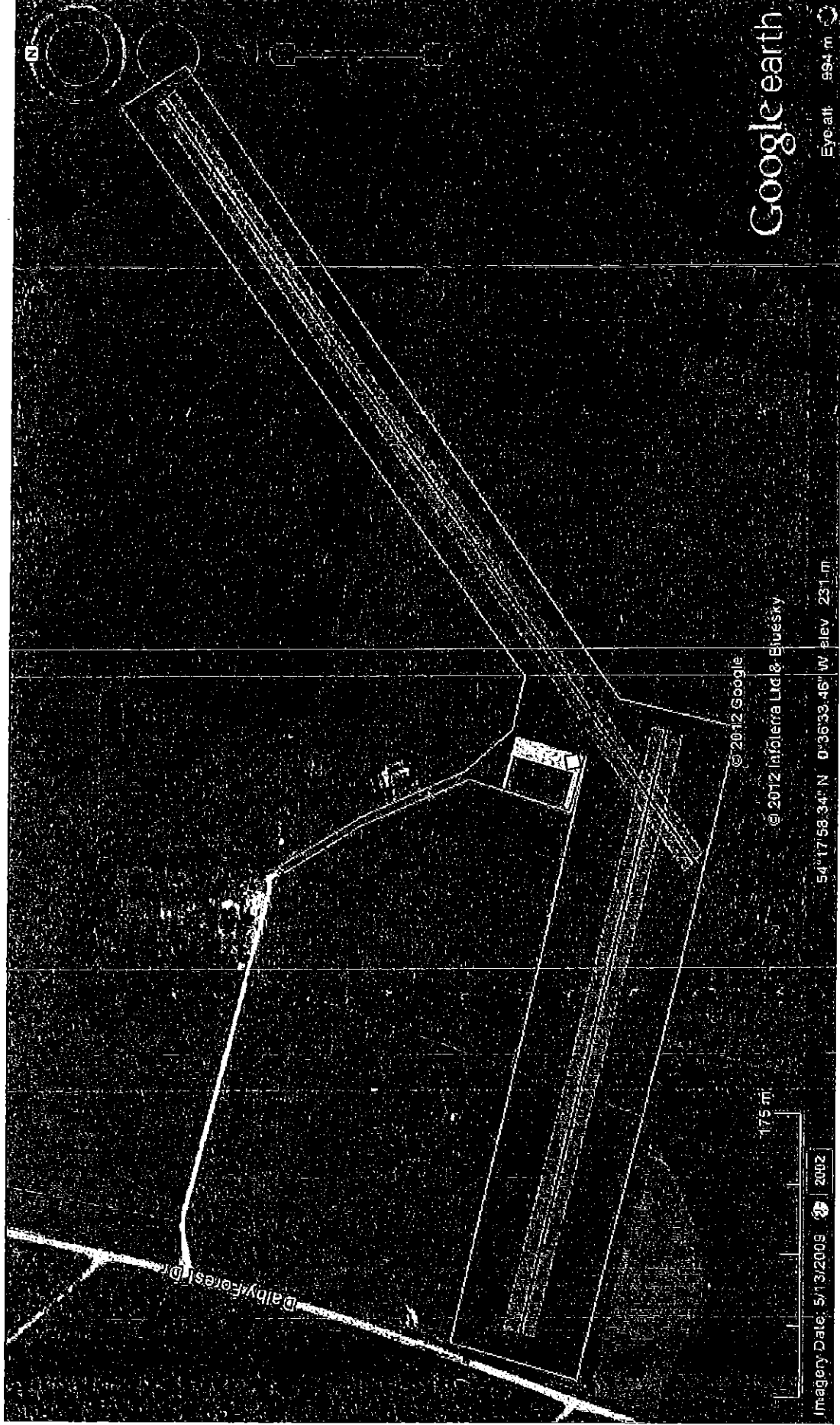
Construct a hangar for up to 10 aircraft, shown as a green rectangle on attached image. The hangar may be a steel framed building, with metal cladding, similar to a farm building.

Provide a small wooden building or caravan, shown as a white rectangle on attached image. This would house the movement's log, and pilot rest area with limited refreshments. (e.g. Tea, coffee, soft drinks, crisps and biscuits.)

Extend the existing access road from the farm buildings to the hangar.

If you would like further information or wish to discuss this proposal please ring on 01751 460285.

South Moor Farm. Air Strip.



If you would like further information or wish to discuss this proposal please ring on 01751 460285.

South Moor Farm. Air Strip.

Noise.

Light air craft engines are noisier than some car engines but not as noisy as Lorries or tractors.

Aircraft produce most noise on take off so pilots will be required to avoid overflying houses on take off.

Once above 1000 feet very few people notice small aircraft.

The Flying Farmers Association operates farm air strips near horses, cattle and sheep.

Larger and noisier aircraft need much longer runways than the proposed 600 metre strip.

Safety.

Farm strips are only used by experienced private pilots.

Pilots must keep more than 500 feet from any person or building except when taking off or landing.

All pilots using the air strip will be aware of the condition and limitations of the air strip.

They will be aware of the requirement not to overfly neighbouring properties at low height.

Future.

The proposed facility will only be suitable for recreational flying.

We will not be installing hard runways and have limited runway length.

It cannot meet the Civil Aviation Authorities requirements for a licensed air field or public commercial flights.

If you would like further information or wish to discuss this proposal please ring on 01751 460285.

Appeal Decision

Site visit made on 19 August 2014

by **John L Gray DipArch MSc Registered Architect**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 28 August 2014

Appeal Ref. APP/W9500/A/14/2212850

South Moor Farm, Langdale End, Scarborough, YO13 0LW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr R Walker against the decision of the North York Moors National Park Authority.
 - The application, ref. NYM/2013/0435/FL, dated 27 June 2013, was refused by notice dated 24 September 2013.
 - The development proposed is the change of use of land for the formation of an airstrip including two grass runways, a storage building and pilot/restroom facilities.
-

Decision: the appeal is dismissed.

Application for costs

1. An application for costs was made by the North York Moors National Park Authority against Mr Walker and is the subject of a separate decision.

Main Issues

2. There are two main issues in the appeal:
 - whether noise and activity caused by the proposed use would be detrimental to the amenities of local residents and the experience of visitors to the area, including users of the public rights of way within the site;
 - whether the proposed storage building would be appropriate in terms of its location, size and design;

Reasoning

3. Policy is to be found in the North York Moors Local Development Framework (LDF), specifically adopted Core Strategy Policies A, C and H and adopted Development Policies 3, 12, 13, 14 and 23. Policy A sets out the intention to conserve and enhance the special qualities of the National Park, this case relating to clauses 1 (providing a scale of development and activity consistent with the quiet enjoyment of the Park), 3 (maintaining and enhancing the natural environment and conditions for biodiversity) and 7 (strengthening and diversifying the rural economy and providing opportunities for tourism). Policy C elaborates on clause 3 and Policy H on clause 7. Development Policy 3 looks for the design of new development to maintain and enhance the distinctive character of the National Park; Policy 12 permits new agricultural buildings subject to criteria; Policies 13 and 14 set criteria to be met by rural diversification and tourism/recreation proposals respectively; and Policy 23 seeks to reduce the environmental impact of traffic on the National Park.

First main issue – noise and activity

4. The Authority considers that flying activity from the proposal would have a harmful effect on the peace and tranquillity of the locality, to the detriment of the character of the area, the amenities of local residents and the enjoyment of the area by visitors, all of which would conflict with National Park purposes.
5. The appellant submitted a noise study with his appeal statement. In summary, it concludes that the noise levels of light aircraft taking off from the site would be insignificant if limited to the numbers proposed (the appellant suggests a condition limiting movements to no more than 20 a day, in effect 10 flights).
6. The study found, unsurprisingly, that ambient noise levels were low – 34-47dB L_{Aeq} and 26dB-37dB L_{A90} , both 1: hour – and that one take-off and one landing would make little or no difference to the hourly level at the nearest noise-sensitive dwelling, about 500m away. It is the noise from the specific take-off or landing event that is going to cause disturbance to local residents. The appellant's aircraft flying over the site was recorded at 58dB-70dB L_{Amax} with events lasting 2-5 to 3 minutes. Take-offs and landings would last a similar period (until out of, or from coming into, earshot), with take-offs being noisier because of the powered acceleration. Measurements noted around 70dB L_{Amax} for take-offs. That is noisy – but not unduly so.
7. One must remember also that the suggested conditions would mean, in effect, only 10 take-offs a day, with a cumulative noise duration of less than 30 minutes, and with the noise decreasing for parts of that time. The 10 landings would last a similar period of time but be less noisy. There would also be what the study terms 'fly-pasts', again lasting similar periods of time, less noisy than take-offs and more dispersed over the area. Lastly, there would be no night flying, when receptors would be at their most sensitive. The Council is unconvinced that a restriction on night flying would be enforceable but that would require lighting, which would presumably require planning permission (or else, if it occurred and caused disturbance, could be expected to be reported).
8. There is then the question of the bridleway and public footpath within the site (the bridleway along the southern boundary, parallel with the proposed auxiliary airstrip, the footpath crossing that airstrip) and walkers, cyclists and riders on the road to the north-west and west or beyond that, within Dalby Forest. The noise study considers the rate of rise in noise levels; typically, that would be between 2dB and 11dB per second, which it finds not high enough to cause what it calls "startle effects" in humans and substantially below the rate caused by military low flying. With ten take-offs in a day, the likelihood of a walker or horse-rider being on one of the rights of way at the same time is relatively small and, even if it occurred, the likelihood of either the horse or the rider being startled is also fairly small; and people or horses further afield would be still less likely to be startled.
9. In similar vein, the likelihood of an accident is very small indeed. Anyone on the bridleway or public footpath would easily be able to see if there was an aircraft about to take off and could take action accordingly. An incoming aircraft would be more difficult to spot – but appropriate warning signs would encourage walkers to look before crossing the auxiliary airstrip (which, of course, would not be the one commonly used).
10. There is also the highway *ratione tenurae*. Its line was explained to me but there is now no real evidence on the ground. Thus, while it may exist in law, the likelihood of anyone wishing to use it is so low as to be immaterial.

England's further comments that there is insufficient information to determine the likely effect of the proposal. The reason for refusal is, in effect, that it has not been demonstrated that there would be no adverse effect on the adjacent North York Moors Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI). The appeal statement takes a different line; it says that flights "could potentially" cause disturbance to SPA birds, goshawks or nightjars in particular, and that there is insufficient information, particularly on the number and direction of flights, to be able to judge. However, the Authority says no more than that the birds are known to be in Dalby Forest and are known to be sensitive to noise; there may or may not be a threat but it offers no assistance in determining if there is one, let alone whether there might be a serious one.

17. There are two SSSIs about 2.4km and 2.6km from the appeal site - which hardly qualifies for the adjective "adjacent"; and the nearest boundary of the SPA is some 6km away. The area is already subject to low-level military aircraft activity, which must clearly cause disturbance when it occurs. Other than in the immediate surroundings of the proposed airstrip, where the noise from take-offs and landings would be more regular, and apparent, the noise from the sorts of aircraft flying from the appeal site would be highly unlikely to cause any significant disturbance. The suggested condition would limit movements at the airstrip to no more than 20 a day; the duration of flights is an unknown, presumably limited only by fuel capacity, but the small number of movements itself suggests that any disturbance caused could not be significant. If there would be no unduly harmful effects for human beings or horses, it seems highly unlikely that there would be such effects for goshawks or nightjars. In short, the proposal raises no material conflict with Core Strategy Policy C.

Not a flying zone, is it?

Archaeology

18. A glance at the OS Map for the area shows a significant number of archaeological features. There are no obvious indications of any archaeological remains on the appeal site. Nor does the nature of the proposal raise any need for investigation other than, perhaps, where the building would stand. Even then, it appears that the only excavations would be for stanchions (assuming that the floor of the building would, like the airstrips, remain as grass); on that basis, a 'watching brief' condition would suffice, were the appeal to succeed.

Conclusion

19. Dalby Forest, within which South Moor Farm is located, is promoted as a place for non-motorised recreational activity which furthers understanding of the National Park's special qualities
20. I have borne in mind that it would be possible as permitted development to fly from the appeal site on 28 days of the year. That, though, is a small proportion of the year. Also, irrespective of how much flying took place, the building, which requires planning permission in its own right and which I have found to be inappropriate, would be permanent. I have taken all other matters into account but have found nothing to outweigh my conclusion on the second main issue, which has led me to my decision.

John L Gray

Inspector

11. It is debatable whether the experience of an aircraft taking off or landing by walkers, cyclists or riders would be considered as a disturbance or as an interesting, if perhaps unexpected, event. It is true that one of the important characteristics of the National Park is its tranquillity – but that does not mean that an event having nothing to do with the character or tranquillity of the National Park must automatically be considered a disturbance.
12. To sum up, the Authority's fears are understandable, particularly in the absence at the application stage of the noise study, but the technical evidence shows no real likelihood of noise levels that would be harmful to residential amenity or the enjoyment of the area by visitors. Neither does it suggest activity that would pose a serious threat to public safety. Accordingly, in relation to this issue, there is no undue conflict with Core Policies A or H or Development Policies 3, 14 and 23 (though it is unclear precisely how Policy 3 can apply, unless walkers or riders crossing the site can be described as "users of the development").

Second main issue – the proposed storage building

13. The phrase "storage building" in the application does not, on its face, indicate that what would be stored would be up to ten aircraft. It would be 36.7m long, 10.0m wide and 3.35m-4.57m high. It would be a large building in any rural context, more so in terms of the style and character of the agricultural buildings generally to be found in the National Park. It would have a monopitch roof, rather than a double pitch, and so would not look particularly like an agricultural building – and the character of the wider area is such that one would not expect to see other than agricultural buildings of one sort or another. The walls and roof would all be clad with profiled steel sheeting, giving more of an industrial than agricultural character.
14. No attempt has been made to reduce the visual impact of the mass of the building (for example, by an L-shaped plan, though there is no guarantee that that would be effective). No landscaping is proposed that might mitigate against the size of the building. In addition (and also a reason why a different form of building might not be acceptable), it would stand some 80m from the existing farm building, which is itself about 90m from the farmhouse, further reducing any tenuous visual impression of an agricultural building.
15. It may be noted that the building in its proposed location would be virtually unseen, save by fliers, bed and breakfast customers at the Farm and users of the public rights of way within and adjacent to the site. That, however, cannot automatically render acceptable an otherwise inappropriate proposal. The design fails against Development Policy 3 because its characteristics are not compatible with surrounding buildings (meaning buildings typically to be seen in the National Park, there being none that are obvious in close proximity to the appeal site), it would appear utilitarian, rather than being to a high design standard, and there would be no associated landscaping. The proposal also fails against Policy 12 because the site is not physically related to the existing buildings (the Policy is aimed at agricultural buildings but its principles must apply equally to buildings for the diversification of farm businesses).

Other matters

Ecology

16. Although it is the fourth reason for refusal, there is no mention of ecological matters in the officer report. The update sheet to the report notes Natural

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.

C HS

Wendy Strangeway

From: Sarah Walker
Sent: 28 January 2015 17:58
To: Planning
Subject: Planning Application No: NYM/2014/0819/FL

Dear Sir/Madam

I am writing to express my concern regarding the planning application number NYM/2014/0819/FL, two airstrips at South Moor Farm, Dalby Forest YO13 0LW.

Building: Is it appropriate for a large building to be built in an area of natural beauty that is not linked to farming? How many aircraft will the building house and is there the potential for additional buildings to follow?

Noise pollution: this is a key issue, especially as I understand that planes will be encouraged to approach from the South or East in order to avoid Fylingdales HIRTA. This will cause substantial noise pollution for those settlements on the approach routes.

Public Safety: there are footpaths, bridlepaths and forest roads around the proposed airstrip which may become unsafe

Noise: With the exception of a programme of scheduled time-limited events, Dalby Forest is a place of quiet and tranquillity and a haven for wildlife. Aircraft landing and taking off will certainly detract from enjoyment of the forest by visitors and potentially disturb and disrupt local fauna and flora.

Although this application was originally refused on the issues of noise pollution and building design and the subsequent appeal on the latter, the issue of noise pollution should also be taken into account.

Should North Yorkshire Moors Planning Authority grant this planning application I would urge you to put rigorous limits of use and movement on this application, especially concerning future use by the paying public, as a training club, a storage facility for small planes or helicopter landing pad.

Yours faithfully

Sarah Walker

Brook House Farm
6 Main Street
Ebberston
YO13 9NS

