

North York Moors National Park Authority

Ryedale District Parish: Allerston Ebberston	App Num. NYM/2015/0781/FL
---	----------------------------------

Proposal: change of use of land to form 2 no. grass runways and construction of pilot/restroom building (revised scheme to NYM/2014/0819/FL)

Location: South Moor Farm, Langdale End, Scarborough

Applicant: Mr R Walker, South Moor Farm, Dalby Forest Drive, Ebberston, Scarborough, North Yorkshire, YO13 0LW

Agent: Acorus Rural Property Services, fao: Mrs Louise Gregory, Old Market Office, 10 Risbygate Street, Bury St Edmunds, Suffolk, IP33 3AA

Date for Decision: 05 January 2016

Grid Ref: SE 490586 490218

Director of Planning's Recommendation

Refusal for the following reasons:

1. The Local Planning Authority considers that the proposal conflicts with National Park purposes and 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 seriously harm the tranquillity of the area and be detrimental to the amenities of local residents and the experience of visitors. The proposal would therefore be contrary to Core Policies A and H and Development Policy 14 of the NYM Local Development Plan.
2. 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.
3. The Local Planning Authority considers that the cumulative impact of the visible presence of standing aircraft, combined with subsequent aircraft movements and the associated aircraft activity and noise on this exposed agricultural holding would change the character of the site to an airfield rather than a farm holding, to the detriment of the remote and rural character of the area and its special quality of tranquillity. The proposal would therefore be contrary to Core Policies A and H and Development Policy 14 of the NYM Local Development Plan.
4. 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) because 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. The proposal is therefore contrary to Core Policy C of the Local Development Plan

Consultations

Allerston & Wilton Parish Council -

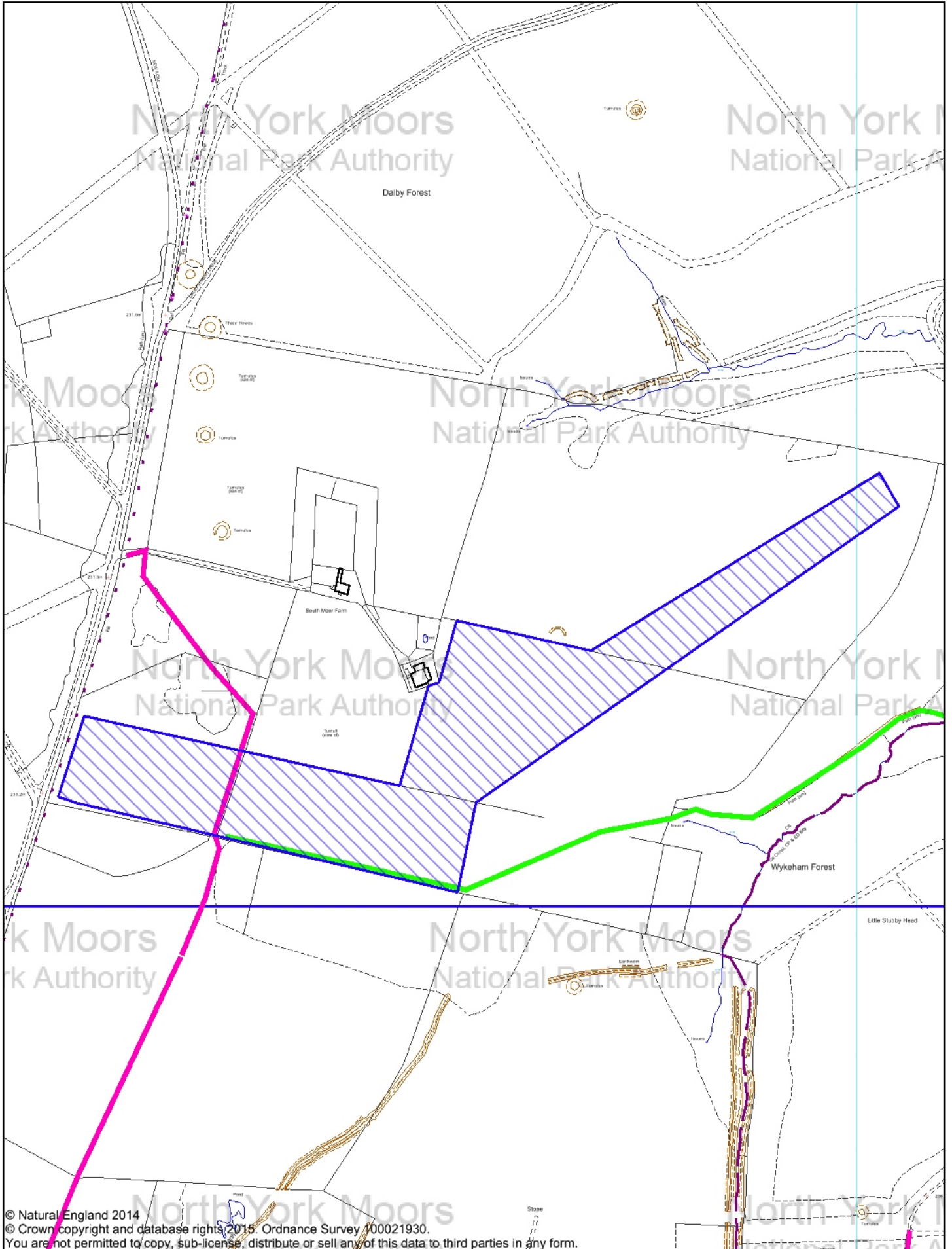
Darncombe-cum-Langdale End Parish Group – Objections continue to be expressed due to continuing concerns regarding noise and unacceptable impact on peacefulness.



North York Moors National Park
 Authority
 The Old Vicarage
 Bondgate
 Helmsley YO62 5BP
 01439 772700

Application Number: NYM/2015/0781/FL

Scale: 1:5000



Application No: NYM/2015/0781/FL

Consultations (continued)

It has also been suggested that if approved a future application would be likely to be submitted for an aircraft storage building.

Snainton Parish Council -

Ebberston with Yedingham and Bickley Parish Council – Remain opposed to this scheme. In addition, following the change of some of the Councillors at the recent election, further issues and concerns have been identified to support our objection.

Additional Comments - Previous objections were based around the impact the proposed installation would have upon the local environment and the people living within and visiting this area. Our continued objection is based upon this and also the following issues:-

1. The flight path from stated main runway passes directly over two natural gas installations located approximately 350 metres from the south facing end of the main airstrip.
2. The installation of any ancillary equipment at these sites, including gas flare system etc, would present additional significant risk of a major incident with low flying aircraft.
3. The easterly end of the ancillary runway (East – West) lies approximately 20 metres from the very popular Tabular Hills Walk and the Dalby Forest Drive.
4. The applicant quotes minimal additional buildings or infrastructure and benefits to local tourism and employment. These statements are contradicted by associated documentation included in the application.
5. The application states no additional facilities required; including car parking, storage of aircrafts and utilities / waste products required for its operation.
6. The supporting documentation for this revised application is at best confusing, containing repetitive and irrelevant statements and elements that directly contradict the planning application.
7. The application references “approval by local neighbours” within 1 mile of the proposed facility, this is clearly based upon a selective sampling procedure as Ebberston PC, in representing local residents, is aware of strong opposition from the residents of Bickley and the surrounding areas.

Supporting Information and Notes

1. Third Energy North Moor Gas Well A has recently received approval to commence commercial operation for the extraction, processing and distribution of natural gas from the site.
2. Northern Gas has an installation adjacent to the third energy site that forms part of the gas national grid system. Light aircraft are at greatest risk of incident during take-off / landing, and whilst the probability of an incident involving an aircraft using this proposed facility is relatively low, a weighting of the risk against the consequences is such that a detailed Hazop* type risk assessment should be conducted prior to any planning approval.*(A hazard & operability study)
3. Whilst we have no documentation to confirm the installation of a flare stack they are commonly used within gas processing installations to safely dispose of excess gas during normal operations and process disruptions. The operation of flare stacks presents a significant risk to low flying aircraft approaching or departing the proposed air strip. Again this risk requires further investigation.

Application No: NYM/2015/0781/FL

Consultations (continued)

4. The applications accompanying documentation states the majority of visitors to Dalby Forest park cars at the Visitor Centre located some 5 miles from the site. The proposed site lies adjacent to the Tabular Hills Walk the Dalby Forest Drive, is close to local viewpoints, walks and picnic areas.
5. Planning Statement – Rural Planning Consultants is confusing and extremely difficult to follow. It is repetitive and contains numerous irrelevant references. Statements made within this document contradict the NYMNP application and other accompanying documentation:-
 - The proposed use is by the applicant and local residents - therefore no uplift to the applicants B&B and other local business.
 - States that footpaths and bridleways are not generally used by forest visitors
 - States provision for the storage of and waste management with all buildings being compatible with the surroundings.
 - The airstrip design takes into consideration access and car parking.
 - Several reference aircraft maintenance and storage of 10 light aircraft.
6. Mass environmental report states storage for 10 aircraft.

As you will note from the above there are a number of unconsidered risks with regard to adjacent gas facilities and a significant number of anomalies within the presentation. The Council would like to have each point clarified, as clearly it would not be correct to progress unaddressed. Most of the points in this response are due to a diligent analysis by a Parish Councillor. It would have been better if these points had been qualified prior to circulation, in fact the presentation is flawed.

Ward -

Highways - Although no objections it should be noted that the Highway Authority has concerns regarding the proximity of the auxiliary runway to the live carriageway. As this will only be used occasionally it is felt that the distraction of an occasional light aircraft landing or taking off could result in conditions which are prejudicial to highway safety. Dalby Forest Drive is a private toll road and any warning signage should be agreed with the Forestry Commission.

Historic England – The current application includes a Heritage Statement and it is recommended that the application can be determined with a condition for an appropriate level of archaeological mitigation in relation to the undergrounding of the existing overhead power cable.

South Moor Farm is located in an area of intense archaeological activity. There are two large named Scheduled Monuments and numerous other Scheduled sites in the vicinity of the application site. It should be assumed until demonstrated otherwise that the spaces between the designated sites contribute to the significance of the monuments as well as being important in their own right. The sum value of the numerous designated sites and spaces between them indicate that the site is part of an extensive pre-historic cultural landscape, characterised by high visibility and good preservation levels. The suggested number of flight movements (up to 20 per day) could have a negative impact on the public experience and enjoyment of and thus the setting and significance of the designated heritage assets. Consequently, the number of flights should be limited to a maximum per day.

Application No: NYM/2015/0781/FL

Consultations (continued)

Forestry Commission – Comments made previously remain unchanged due to the surrounding tree cover.

The Civil Aviation Authority guidance document refers to the design being such that obstacles such as trees and power lines etc, should not obstruct the approach and take-off paths. The proposed site is surrounded by trees and both runways are orientated so that the take-off and/or landing approach will be over the tree canopy. The guidance refers to the orientation of the runway with regards the prevailing wind and also the potential effect of buildings, trees and other natural features on the local surface wind. The surrounding trees may have a potential impact on the airfields winds through wind roll over etc, thus affecting its safe operation.

Due to the close proximity of the runways to the surrounding trees, the runways may be regarded as challenging or be classed as unsuitable for some light aircraft/pilots. If a light aircraft were to get into difficulty on take-off or landing, this would potentially occur on/over the surrounding Forestry Commission land, heightening the associated risks such as fire.

During harvesting operations, a Countryside Rights of Way (CROW) closure and Public Rights of Way restrictions are in place. This is for health and safety of the forest users to take into account normal associated risks of felling works, but also the potential risk that a chain could detach from the machine and travel in any direction (including upwards), potentially causing serious injury/damage. This risk would therefore apply to any light aircraft flying above the felling areas.

In addition, one of the runways will have the final take-off/landing approach over the Dalby Forest Drive, potentially posing as a distraction to road users.

North Yorkshire Moors Association – Once again object as the proposal is contrary to National Park and National Policies. The cumulative effect of two aircraft runways with stationary aircraft parked in the open and the associated aircraft activity (brightly coloured windsock and warning notices up when the second runway is used), and noise, amounts to an inappropriate development in the National Park.

The remoteness from any larger settlements means it is a particularly quiet area. The proximity to Dalby Forest and the Dalby Forest Trail makes it a well-used area for walkers, cyclists and horse riders. The application omits to say how many aircraft movements per day there will be and any aircraft movement will spoil the quiet enjoyment of those people and will cause unnecessary disturbance to residents in this area of the Park.

The elevated position and the exposure of the holding mean that the proposed change of use will make it unmistakably an airfield rather than a farm holding and the proposal will change the location from an area in which visitors can enjoy peace and tranquillity, to one disturbed by aircraft noise.

It is clear that the increase from ambient background levels to that created by the movement of aircraft on the site and in the air is considerable. Background levels are approx. one sixteenth as loud as the fly-past by the Rallye aircraft used by the applicant as measured at the South Moor Farm site.

However, it is simplistic to assume that by merely quoting the sound energy level of a noise this describes all the characteristics of that sound and how people are affected by it. This is clearly described in the proof of evidence presented by Mike Stigwood of MAS Environmental in an appeal case re- Elvington Park Ltd.

Application No: NYM/2015/0781/FL

Consultations (continued)

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

Further case law (Godfrey v Conwy County Borough Council 14th November 2000 ref. CO/438/2000) states that “on the statutory provisions to which I have referred, impossible to contend either that a particular decibel level, or noise above the naturally occurring ambient level, must be demonstrated before a statutory nuisance can be shown...Therefore my response to the first question they pose:

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

I would answer “yes”

Although the Planning Inspector dismissed the noise factor in the 2013 Appeal by saying that;

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

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

Any number of aircraft movements is completely unacceptable and would represent an intrusive noise for visitors seeking the enjoyment of a particularly quiet area of the National Park. It would in addition introduce an unacceptable level of noise for residents in the area who have the expectation of the quietness which is a characteristic aspect of living in this area. It would be contrary to the enjoyment of the special qualities of the National Park.

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

NATS Safeguarding – No safeguarding objection.

Scarborough Ramblers – Our Objections are exactly the same as before. It is the wrong business in the wrong place. It does not fit a National Park and there would be no local benefit. The noise and disturbance would be horrendous. We have planes flying over us quite often and the noise is very disturbing and landing and taking off in an area surrounded by trees also very dangerous for the public. There are two RoW crossing this land and would be affected very seriously by aircraft taking off and landing. The safety of the public is paramount. There is plenty of space outside it in much better locations, for such a venture. The forestry roads would be at risk also as one runs down the side of this application.

Application No: NYM/2015/0781/FL

Consultations (continued)

MOD – No safeguarding objections.

Bridlington Rambling Club and Ryedale Group Ramblers Association –

Environmental Health Officer –

Northern Gas Works –

Arqiva –

British Horse Society –

General Aviation Awareness Council –

RSPB –

Natural England – In our previous response we advised that further information should be submitted on the direction of flights and whether they would be towards the NYM Special Protection Area (SPA). This information does not appear to have been provided in the October 2015 report.

Advertisement Expiry Date - 24 December 2015

Others –

Third Energy – We believe risks of over flying are extremely low as there is considerable distance between the two sites and we are not planning to flare as part of our normal operation. The only flaring that we can envisage is when we production test the well and that is for a limited period of time. This event would be planned well in advance and could be co-ordinated with flight activity. However, the flight path of all air traffic should be directed away from the well site, not only because of the flare, but because of the other low probability event of planes potentially crashing into the forest/well pad area.

Chris Levings, 115 Percy Green Place, Ullswater – Support. I am a recreational pilot and if the airstrip was given permission I would use local bed and breakfast amenities for local cycling and walking holidays in Dalby Forest.

The Authority may be concerned about the possible impact the airstrip may have on local wildlife and the general peace and quiet of the immediate area to the air strip, but due to short runways, approach and departure restrictions you will find use of the strip limited to short take-off and landing aircraft which in themselves are usually small, light and quiet. Engine noise in take-off lasts no more than a few minutes, less than a motorised lawn mower; and much less than this in landing. Also many UK and European airstrips have noise abatement and movement restrictions in force.

The Stow Maries Airfield near Southend, is famous not just because it is the only remaining operational WW1 airfield but also for its resident wild life conservation.

I do hope you will support and permit this development, I would be happy to demonstrate landing and take-off at the strip to alleviate your possible concerns over impact and noise from the small number of aircraft I believe would visit.

Application No: NYM/2015/0781/FL

Others (continued)

Tony Yarnold, 7 Sycamore Close, East Barnet, Herts – Support. I fly a small single engine aircraft purely for recreational purposes and have seen a number of small airfields close over recent years. From my experience, flying to similar farm strips no nuisance is caused and in fact many neighbours are unaware of the activity. I hope the Committee aren't over-influenced by nimbyism.

Mr W.D Johnson, 4 Mill Lane, Ebberston – Object as this development is not appropriate to a National Park. This is “a special place, forged by nature, shaped over generations – where peace and beauty rub shoulders with a rich history and a warm welcome.” Not noisy and incongruent airfields. The suggested number of aircraft movements of up to 20 per day would have a significant negative impact on the area.

There will be an unnecessary increase in noise disturbance to the surrounding area and its villages. Assurances are given that aircraft will “avoid flying directly over neighbouring properties.” However flight paths are rarely adhered to at the best of times and when wind/weather conditions are adverse they are ignored.

There will not be additional visitors to the area as a result of this proposal. Pilots will fly in, have a cup of coffee and fly out. Indeed the presence of this airfield is likely to have, if anything a negative effect upon visitor numbers.

Brian Turner & Joan Roberts, 1 Bickley Cottages, Langdale End, Scarborough – Residents are deeply disappointed about the inability of the Planning Authority to stop the detrimental effect the operation of this facility will have upon the peace and tranquillity, flora and fauna in the immediate area and surrounding parishes. Residents are concerned that both Appeals Inspectors failed to recognise the considerable number of objections and evidence provided for the initial application relating to the Sandford Principle. We are particularly concerned that the last Appeals Inspector's report dismisses important issues such as environmental preservation for fauna and flora, and for historic sites as irrelevant to the application. Surely the very role of the Appeals Inspectors is to ensure that such matters are seriously considered and protected.

We recognise the roles, remits and limitations of those involved in both the NYMPA and Forest Enterprise and we, as a residents group, wish to join with the Planning Authority to ensure that we work as a single entity to protect the very special environment we enjoy and to find ways in which we can stop potentially unmonitorable and uncontrollable developments and allow Dalby Forest and its environs to continue to attract many users and visitors who enjoy the peace and tranquillity originally foreseen by Lord Sandford and those responsible for creating the National Parks.

In response to the latest application we resubmit the same objections as were raised before on behalf of the Bickley Residents Association (BRA):

- Will lead to loss of habitat and landscape features such as dry stone walls and be detrimental to walkers, cyclers and horse riders using the extensive rights of way network.
- Will be of no social or economic benefit to the local community and can only have an adverse effect.
- The BRA agrees with the National Park Authority's statements that the area is a rich and diverse countryside for recreation, has a strong feeling of remoteness and is a place for spiritual refreshment and area of tranquillity. These qualities enrich the nature of the area and will be seriously and adversely affected.
- It will be impossible to manage the airstrip in such a way so as not to undermine the peace and tranquillity, landscape and natural habitat and feel this location is entirely inappropriate.

Application No: NYM/2015/0781/FL

Others (continued)

- The Park is a worthy designation as a landscape of national importance and this should be upheld and safeguarded.
- It's clear that the proposal conflicts with NYMNP Core Policy A and Section 62 of the Environment Act. This is known and acknowledged as a remote area of outstanding beauty peace and tranquillity and should be protected from this sort of development.
- This area is home to many species of birds and mammals which would be adversely affected by such development.
- It is strongly felt that the previous noise report was not impartial and restricted sound levels to a very small part of the area affected by such an application. It is the urgent request of the group that another, independent noise report is undertaken, commissioned by the NYMNP. There is a large variance in noise nuisance created over differing topography by different aircraft and we request that topography of the "Bickley Bowl" is included in any monitoring of noise and nuisance to be caused at the sensitive receptors.
- This proposal will detract from the experience of visitors and will irreparably affect the quality of life of local residents.
- While we understand the need for one individual to supplement their income, this should not result in such irreparable harm to the local and wider environment and will bring no benefit at all in terms of employment and income to the wider rural economy.
- Bickley, Langdale End, Broxa, Crosscliffe, Darncombe and Deepdale are very special areas in need of protection to ensure peace and tranquillity, wilderness, beautiful flora and fauna and dark skies will remain unspoiled and will continue to contribute enormously to the 2026 Vision and beyond.

In addition we wish to strengthen our objections on grounds of noise pollution. Concerned how the Planning Authority could measure and monitor noise pollution by aero engines once they are in flight. Also, as far as we are aware the Inspector made no effort to visit nearby properties such as ours or immediate neighbours to assess the impact of sound away from the level surface of the farm and where sound is likely to be increased because of the valley and other topography.

Colin Langley, 107 Main Street, Ebberston – Object to this which has been rejected on appeal twice. It is a totally inappropriate use within the National Park and will create noise and disturbance both to users of the National Park as well as causing disturbance to residents of adjoining villages such as Bickley and Ebberston. Aircraft approaching or taking off from the airfield will pass over Ebberston thereby adding considerably to noise which we already accept from RAF aircraft training over the area.

If a condition to restrict movements to 20 a day was to be included as part of any approval, could it be effectively monitored and enforced. The temptation to allow a few more aircraft in would always be there. Further if it was to be limited to 10 landings per day that is hardly going to make a noticeable contribution to visitors to the Park as argued by the applicant.

No evidence of a lack of suitable sites outside the National Park has been produced and I would argue that the development at this site is both unnecessary and seriously detrimental to the amenity of the area.

Ebberston Parish Council is objecting to the proposal and I would support them and urge the Park Authority to continue to resist this inappropriate development.

Application No: NYM/2015/0781/FL

Others (continued)

Nigel and Julia Blades, 178 Lionel Road, Brentford, Middlesex – Object as will lead to an expansion of light aviation in and around the National Park. As a family we regularly enjoy walking and visiting the National Park and value it highly as an area of great natural beauty. We regularly walk in Dalby Forest and enjoy the peace and quiet of the countryside. Nearer to home, we often walk in the Chiltern Hills in Buckinghamshire and 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 tranquillity and wilderness were to be affected in the same way.

The impact of even low level aircraft noise on tranquillity should not be underestimated and is not captured by studies of decibel levels on landing and take-off.

The maximum 20 take-offs and landings proposed in a single day are likely to occur at holiday times and weekends and would involve flying over the National Park, disturbing the enjoyment of the Dalby Forest area by walkers, cyclists and horseriders, as well as local residents.

The application report asserts that the area is already subject to military flying. We have very rarely heard military jets fly overhead whilst walking in the Dalby Forest area. On the rare occasions this has happened, the noise of the fast-moving aircraft is over in seconds, whereas our experience in south-east England is that the constant buzz of slow-flying light aircraft is far more disturbing to the natural soundscape of the countryside.

Mr & Mrs Marflitt, Howden Farm, Langdale End – Object. Very disappointed with previous appeal decisions. Also there is a gas well nearby which could be dangerous. Our farm is in the flight path and we have a lot of animals and horses and bridle paths which are used by children on ponies.

Glynis Ludkin, Spring Farm, Langdale End – Object and disappointed that the previous appeal was turned down on the size of buildings only and that the very real impact on the environment and residents of this rural community situated in a National Park are apparently irrelevant.

My property is almost under the flight path and I have serious concerns about the noise nuisance. The geography of the valley below South Moor Farm is such that sound appears to be amplified. The proposal does not have any place in a National Park which aims to protect the environment and landscape against inappropriate development. The RAF often have training aircraft in the area and helicopters can be very noisy. The vibrations can also be felt in the house at times. We do not need or deserve to have more inflicted on us.

Over the year there are a number of potentially disruptive and noisy events in the Park. The pop concerts, car and motor cycle rallies occur only two or three times a year and like the Tour of Yorkshire they are inclusive and can be enjoyed by the general public and residents alike. The proposed airfield would cater only for an exclusive group of hobbyists, whilst having a negative impact on the area.

We live in a beautiful and tranquil place and expect it to remain so. The Park is not a museum, but some activities, such as the proposed airfield are simply inappropriate.

Many residents keep horses and are keen and regular riders. The bridle paths criss-cross the forest and a number, one in particular, are very close to the proposed runways. As the airfield would have unscheduled flight times there is a very real possibility of a horse being spooked, resulting in a serious accident.

Application No: NYM/2015/0781/FL

Others (continued)

Do not understand how this proposal would benefit the community.

Dr Julie Dixon, Bickley Heights – Strongly oppose the application. There is no need of aeroplane service in this area; there are no businesses that will benefit from this service; the aerodrome and associated flights will be detrimental to this sensitive and unspoilt ecosystem; there will be increased traffic in the area; the local infrastructure can barely cope with current demands; the increased noise and traffic will be detrimental to both the local residents and tourists, to say nothing of farm and indigenous animals; the application absurdly states that the aerodrome would not significantly add to background noise - no person who has visited or lived in this area could sensibly or seriously expect to deny the noise pollution and irritation that an aerodrome would cause here. There is virtually no background noise in our area and that is precisely why most residents and visitors choose to spend time in this quiet, unspoilt, rural area.

An aerodrome would compromise the peaceful enjoyment of residents and visitors alike. I trust that we can rely upon you to protect both us and this ecologically valuable area from the aerodrome and aeroplane flights.

Ruth James, 35 Ryndle Walk, Scarborough – Object because this is not an appropriate use of land within the National Park. I visit this area for quiet recreational activities such as walking, cycling and birdwatching. Aircraft will disturb the area and wildlife.

Graham Dixon, Bickley Heights – Strongly object

Graham Cooper and Danielle Salvadori, 9 Castle Terrace and Norman Cooper, 374 Scalby Road, Scarborough – very strongly object to this application. The proposal is wholly inappropriate for a part of the countryside that is valued highly for its natural beauty and tranquillity. This should be rejected on the same grounds as the original application in that it would generate unacceptable levels of noise and activity, it would have an adverse impact on the enjoyment of users of the PROW, both in terms of noise and disturbance, and would have a detrimental impact on the character and appearance of the area. The proposal might have some economic benefit for the applicant and a small number of aircraft owners but these economic benefits are in conflict with the aims of the National Park.

Mrs J K Ramage, Northside Barn, Bickley – Object. The applicant does not have the backing of the Bickley Residents Association; I don't want any planes taking off over me or the area. "Viking" does not want to re-open the gas plant along the Bickley – Ebberston Road, so there is no need for a landing strip to bring "Viking" executives to the plant.

Margaret & William Farey, Fox Whin, Bickley - Strongly object. This introduction of an airfield and associated activities will destroy the peace quiet and tranquillity that makes this area very special and is now extremely rare in this country and is also totally out of keeping with the principles of the NYMNP

Will aircraft land at South Moor and then fly off again or will they be parked on the premises and will they be re-fuelled there? This appears to us that once any planning permission to fly aircraft in & out of South Moor is granted, then other applications to further develop this site will soon follow.

The area around Bickley offers lovely walks, amazing scenery and a rich variety of wildlife and is much appreciated and enjoyed by both locals and visitors alike. There is so little man made noise that any noise from light aircraft is very noticeable and intrusive.

Application No: NYM/2015/0781/FL

Others (continued)

We know from experience (Langdale Quest) that once permission is granted, it is very easy for use and numbers to escalate and is extremely difficult to monitor and control.

In 2011 Eberston Parish Council completed a Parish Plan; all households in the parish received a questionnaire including the residents of Bickley. One of the questions asked what we liked about the Bickley area and overwhelmingly this was the 'peace quiet and wonderful countryside'

We urge the NYMNPA to reject this latest application and help us to protect this very special area from intrusive and unnecessary disturbances.

Mr John Walker, 6 Orchard Close, The Beeches, Uppingham, Rutland - Support. I am not related to Mr R Walker and my interest in the application stems from a life-long involvement in aviation as a member of the RAF; employment in aerodrome management; as a private pilot as well as being an active member of the Aircraft Owners and Pilots Association.

The current application is a further revised scheme. All of the applications have two elements; the provision of an airstrip and the provision of related buildings. Although both appeals failed they did not do so in respect of the provision of the airstrip (the details of which have remained unchanged), only in respect of the proposed aircraft storage building. Since both of the Inspectors in their independent capacity and with full knowledge of National and Local Planning Policies have concluded that the aviation aspects of the application are not in conflict with these Policies, the Park Authority has no grounds to refuse the current application from the aviation perspective.

The current application does not include an aircraft storage building but retains the flight planning office which is similar to a garden

Background

South Moor Farm is located on 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.

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. It also benefits from having a wind turbine.

Planning permission was refused and then dismissed at appeal in 2014 to change the use of the agricultural land 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 which was to be used as a flight planning/reporting office. It was proposed that the main runway would be a 600 metre grass strip aligned south west to north east with the auxiliary runway only being used when the cross winds are too strong for the main runway. This would be a 400 metre grass strip aligned west to east. A bridleway runs adjacent to both the proposed runways and a public highway and public footpath cross over the auxiliary runway.

It was also proposed to construct a hangar building located to the south of both the farmhouse and existing traditional agricultural buildings, and a pilot's rest room building in the form of a removable timber shed structure.

Application No: NYM/2015/0781/FL

Background (continued)

It was proposed that the facilities would be restricted to experienced pilots flying to and from the area with no training flights, practice circuits or aerobatics.

This application was refused on the grounds of unacceptable levels of noise and activity that would be detrimental to the amenities of local residents and the experience of visitors as well as harm the tranquillity of the area, that the building would be substantial in size with poor quality materials and design and that the proposed development would have an adverse impact on the enjoyment of users of the Public Rights of Way. The proposal was dismissed at appeal, but the Planning Inspector found the greatest harm to be the size, design, material and location of the proposed hangar building and was of the view that disturbance to users of the rights of way network and noise disturbance might not be unacceptable.

Consequently a revised application was submitted later in 2014 for a revised scheme which differed from the previous scheme in terms of the size, design, materials and location of the proposed hangar building, with the proposed hangar building being sited immediately to the east of an existing range of traditional stone and modern agricultural buildings, approximately 80m to the south west of the main house. All other aspects of the proposal remained the same as the previous proposal. A Noise Report from MAS Environmental was also submitted in support of the application which stated that a Norsonic 140 sound level meter utilising an all-weather microphone enclosure was installed at South Moor Farm between 7 and 9 November 2013 to measure ambient noise levels. It also stated that measurements were taken of the applicant's aircraft performing take-off and landing manoeuvres at Sherburn in Elmet. In addition, measurements of the applicant's light aircraft flying over South Moor Farm were taken. The findings of this study indicated that the proposed development could operate without materially detracting from residential amenity and with appropriate mitigation on the bridleway, such as signage and wind socks, horse riders could anticipate the presence of aircraft and engine. MAS also recommended that a condition limiting aircraft movements to no more than ten take offs and ten landings a day and a recommended weekly limit of 40 take offs and landings to ensure the extent of impact is limited.

Supporting letters were received primarily from the flying community around the country and a very large number of objections, primarily, but not entirely, from the local community, were also received. This application was again refused by the Planning Committee and again dismissed at Appeal, but only on the basis that the Planning Inspector found the greatest harm to again be the size, design, material and location of the proposed hangar building. The applicants do not explain how the buildings were previously felt to be necessary and can now be simply omitted.

The second Inspector accepted the first Inspectors view that the proposal would not have a detrimental impact on tranquillity of this part of the National Park and awarded costs against the National Park Authority for refusing the applicant on the grounds of tranquillity and the setting of the scheduled monuments.

This third application has now been submitted and seeks permission for the change of use of land to form two grass runways and to construct a pilot/restroom building. This application does not include a proposal for a larger aircraft hangar building.

The supporting information again states that flights will be restricted to daylight hours only and that there would be no training flights, practice circuits or aerobatics. It states that there would be a maximum of 20 aircraft movements a day (representing 10 take-offs and 10 landings and on average five visits per week by car.

Application No: NYM/2015/0781/FL

Main Issues**Policy Context**

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.

Development Policy 7 of the NYM Local Development Framework states that proposals for development that would have an unacceptable impact on the integrity or setting of a Scheduled Ancient Monument or other sites or remains considered to be of national archaeological importance will not be permitted.

Development Policy 13 of the NYM Core Strategy and Development Policies seeks to support proposals for the diversification of existing agricultural businesses where 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.

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.

National Planning Policy Framework

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 should be considered in the context of national policy relating to National Parks which requires great weight to be given to conserving landscape and scenic beauty and respecting their statutory purposes following designation.

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 proposed development would significantly benefit the wider rural economy or the local community and would not respect the peaceful character of this part of the National Park and thus conflicts with the National Planning Policy Framework.

Application No: NYM/2015/0781/FL

Main Issues (continued)**Tourism**

Dalby Forest is a regional visitor recreational 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.

It is considered that the proposed airfield and associated storage/parking of aircraft 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 application were allowed.

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 the special qualities of the National Park which could as a consequence; result in the reduction of other visitors to the Forest.

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.

Tranquillity

The importance of tranquillity was eloquently expressed by a member of the public who spoke at the Planning Committee Meeting on 19 February 2015 in relation to the previous application. It is important that they are re-iterated because the importance and need for tranquil places must not be underestimated. The comments made were that "National Parks such as the North York Moors and beautiful quiet spaces such as Dalby Forest are now, and will become increasingly important for the physical and mental health of those who visit, to find tranquillity, a place where they can play, paddle, walk, run, cycle, ride and climb safely in beautiful quiet surroundings, to discover the wildlife and flora, to spend time away from all the ever-present noise and overcrowding of urban living and increasingly elusive work/school life balance".

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.

Most importantly, tranquillity cannot be assessed simply by measuring predicted noise decibels of a proposed activity. Tranquillity is about visual disturbance as well as aural disturbance and can be harmed by such things as electricity pylons which disrupt the sky scape, and consequently also by the movement of light aircraft. 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.

Application No: NYM/2015/0781/FL

Main Issues (continued)

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 clearly see stars at night).

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.

It is considered that the noise and activity in the air 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 Forest Dark Skies status.

In view of the harmful impact on tranquillity that is inevitable due to the nature of the activity, 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.”

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.

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.

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 horseriders, 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 NYM Local Development Framework.

Application No: NYM/2015/0781/FL

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.

Visual Clutter

Whilst it is accepted that the omission of the proposed hangar building would remove one of the previous reasons for refusal, the consequence of this is that aircraft would have to be parked and stored in the open. It is considered that the cumulative effect of two aircraft runways with stationary aircraft parked in the open and the associated aircraft activity, and noise, would result in a visually intrusive development, of clearly non- agricultural development, which would be to the detriment to the tranquil character of the area. The applicant has not confirmed that all the necessary equipment checks can be undertaken within the building.

The constant presence of aircraft in the open landscape will also add to the erosion and tranquillity of the area and the public enjoyment of a part of the National Park which currently has a sense of deep rurality, peace and remoteness.

Archaeology

The current application includes a Heritage Statement which to some extent overcomes previous concerns. However, South Moor Farm is located in an area of intense archaeological activity and it is likely that the suggested number of flight movements could have a negative impact on the public experience and enjoyment of and thus the setting and significance of the designated heritage assets, as stated in the response from Historic England.

Wildlife

It would seem that the previous Inspectors have not thoroughly taken into account the ecological implications of this proposal.

Having consulted with the Authority's Ecologist, it is considered that the report by Acorus may be mistaken in saying that there are no ecology issues from the proposed development. Whilst there are no SPAs or SSSIs within 2km of the site, there are two bird species of particular concern breeding in the adjacent forest and either could be within that distance of the application boundary. Goshawk is specially protected under Schedule 1 of the Wildlife and Countryside Act and to avoid the risk of illegal persecution, Goshawk nest sites are kept confidential. The second is Nightjar, where important concentrations of this species breed in forest clear-fell sites and young plantations, to the extent that this area may qualify as a Special Protection Area for this species. Both could be very vulnerable to disturbance if nesting close by if aircraft subsequently fly close to their nests, such as when taking off or landing.

To avoid the risk of damaging disturbance, the potential impact on these birds, and possibly others, should be properly considered and any appropriate mitigation proposed before planning permission is given. There is an active Forest Bird Study Group covering Forestry Commission forests here which might be willing to liaise with a competent ecologist on this topic.

Application No: NYM/2015/0781/FL

Main Issues (continued)

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.

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.

Weight to be Given to Previous Appeal Decision

Core Policy A seeks to further the National Park purposes and duty by encouraging a more sustainable future for the Park and its communities whilst conserving and enhancing the Park's special qualities.

The special qualities of the North York Moors are set out in the Management Plan and include a strong feeling of remoteness and tranquillity. Whilst the views of both Planning Inspectors in relation to the appeals at South Moor Farm was that the impact of the proposed building would be greater than the impact of aircraft noise, the Local Planning Authority does not consider this to be so.

It is contended that the proposed use of the existing agricultural grazing land for the take-off and landing of light aircraft would introduce a level of aircraft noise and visual activity, albeit on a limited basis, to a particularly tranquil area of the National Park. This would undermine the special qualities of the National Park and would therefore be contrary to Core Policy A and Policy E19 of the National Park Management Plan.

Furthermore, Development Policy 14 is supportive of new tourism development and the expansion or diversification of existing tourism businesses where the proposal provides opportunities for visitors to increase the awareness, understanding and enjoyment of the special qualities of the National Park in a manner that will not undermine those special qualities or in a way that conserves and enhances the special qualities and will not generate increased activity including noise, which would be likely to detract from the experience of visitors and the quality of life of local residents. The proposal is also considered to be contrary to Development Policy 14 in that it does not provide a type of recreational activity that would further the understanding of the special qualities of the National Park.

It is also considered that the second Inspector did not fully take into account similar appeal proposals within Exmoor National Park, dating from 1990 and 1998. However, the passage of time is not considered to make them any less relevant to this current proposal because the National Park Designation and National Park Purposes have not altered. Indeed the awareness and importance of protecting tranquillity has increased since this time and is specifically referenced in Government Policy and guidance, e.g. the 2010 National Parks and The Broads Circular and NPPG.

The Inspectors' considered that the main issue was the effect of the proposal on the quality and tranquillity of the National Park landscape. They acknowledged the importance of National Parks and their protected status, by referring to the fact that National Parks were established with the twin purposes of protecting the landscape and enhancing their natural beauty and of promoting their

Application No: NYM/2015/0781/FL

Main Issues (continued)

enjoyment to the public. Reference was also made to National Policy which sought (and still does) to ensure that proposals for new development in these areas are subject to special scrutiny to ensure they fit properly into their surroundings, with the strict control of recreation and leisure facilities to ensure they do not detract from the landscape and the natural environment.

Both appeal decisions concluded that that there would inevitably be additional activity in the form of vehicles coming and going as well as the taking off and landing of air craft which would give rise to disturbance in the locality. The noise and movement of such light aircraft could not fail to be visible and audible over a wide area which would disturb and seriously detract from the tranquil quality that would normally characterise the locality and would be inconsistent with the purposes of the National Park. Furthermore, those proposals were for private use of the airfield, not for any commercial use.

Recommendation

In view of the above considerations it is considered 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 conflicting 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 applicant's business of the desire of pilots across the country to fly to South Moor Farm. Consequently refusal is recommended

Explanation of how the Authority has Worked Positively with the Applicant/Agent

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and concluded that the scheme represents a form of development so far removed from the vision of the sustainable development supported in the Development Plan that no changes could be negotiated to render the scheme acceptable and thus no changes were requested.