

# North York Moors National Park Authority

District/Borough: Ryedale District  
Parish: Farndale East

Application No. NYM/2019/0591/TN

**Proposal:** installation of pole mounted satellite dish

**Location:** Telecommunications Mast at Cote Hill Farm, Daleside Road, Church Houses

**Decision Date:** 16 October 2019

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## Consultations

Parish -

**Site Notice Expiry Date** – 24 September 2019

## Director of Planning's Recommendation

**No objections**

### Informative

Coal Referral Area

The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority. Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 08457626848 or at [www.groundstability.com](http://www.groundstability.com)



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**Background**

Cote Hill Farm is one of a number of farmsteads located on the eastern side of Farndale, close to Daleside Road roughly midway between Low Mill to the south and Church Houses to the north. The "Daffodil Walk" runs along the public right of way next to the River Dove, about 400m to the west. Two public footpaths which link up to the daffodil walk converge at a point just to the south west of the farm complex.

This proposal is not a full planning application, but a prior notification under Part 16 of the Town and Country (General Permitted Development) (England) Order 2016 (the GPDO). This establishes that the installation of an electronic communications mast to be acceptable in principle within a National Park. The only factors that can be considered under such a notification are those concerning the final 'siting' and 'appearance' of the proposed development.

A determination as to whether the Local Planning Authority approves or refuses the prior approval must be given in writing to the applicant within 56 days of the Prior Notification being received. If the applicant does not receive a written decision from the LPA within that time period, they can proceed with the development.

This current notification relates to the proposed addition to the existing communications apparatus on site consisting of a 1.2m diameter ground based VSAT dish to be fixed to a new steel pole of 2.5m in height mounted on the existing concrete base forming the foundation for the mast. This would be sited at an existing compound, approximately 180m from the road and at a significantly lower level.

The additional VSAT dish is required as an additional means of linking the base station to the Airwave Emergency Services Network and also to ensure there is resilience in the event of systems failure.

The proposal is further to application NYM/2018/0284/TN on land nearby for an 11m high mast with one 200mm diameter radio link dish attached at the top. This proposal was to be located adjacent the road, away from existing development or tree cover.

This was refused for the following reason:

1. The proposed 11m mast would by reason of its siting, have a severe and widespread adverse impact on the landscape due to its exposed and prominent location and is contrary to Core Policy A and Development Policy 25 of the North York Moors Local Development Plan Policies which seek to conserve and enhance the landscape and ensure that the development does not have an adverse visual impact upon the character of the locality.

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**Main Issues**

The main issue is whether this new pole and dish, with a maximum height of 3.3m (adjacent an existing 15m high monopole mast) would have an adverse impact on the character of the National Park landscape.

Development Policy 25 (Telecommunications) of the North York Moors Local Development Framework relates to telecommunication provision within the Park and states that the erection of radio and telecommunication masts will be permitted where the proposal does not have an unacceptable impact on the character of the locality and wider landscape.

Furthermore Government Guidance states that National Parks should respond positively to telecommunications development proposals whilst taking into account the need to protect the best and most sensitive environments.

The English National Parks and The Broads Circular 2010 is a UK Vision and Circular is explicit in its positive approach to encouraging communications infrastructure in National Parks. In the context of the additional constraints presented by protected landscapes, the Government nevertheless "is committed to working with operators to ensure the best possible outcome."

In terms of Planning Legislation and Prior Notification procedures, telecommunications operators benefit from certain permitted development rights with regard to the installation, alteration or replacement of telecommunications apparatus. This means that development is either 'permitted development' **under** Part 16 of the Town and Country (General Permitted Development) (England) Order 2016 (the GPDO), or it requires 'planning permission' for which an application must be made to the Local Planning Authority.

Permitted development rights are restricted in certain designated areas, such as National Parks.

The only factors that can be considered under an application for prior approval are those concerning the 'siting' and 'appearance' of the proposed development. Factors concerning siting may involve, height of the site in relation to surrounding land, topography of the site and vegetation, openness and visibility of the site, designated areas, the site in relation to existing masts, structures or buildings or proximity to residential property. With regard to appearance this can include details such as; materials, colour, design, dimensions, overall shape, solid or open framework. No other factors can be considered by the Local Planning Authority for this type of application.

The important considerations in terms of the proposed siting of the mast include whether or not the proposed mobile phone mast would have a detrimental impact on the character of the locality and the wider landscape.

The proposed re-sited pole and dish would be located adjacent existing telecommunications development mast, at a significant distance and lower level than the road, and consequently it would not be visually prominent in the immediate or wider landscape.

In view of the above considerations, it is recommended that no objections be raised to this this Prior Approval.