

North York Moors National Park Authority

The Old Vicarage, Bondgate, Helmsley, York YO62 5BP
Tel: 01439 772700
Email: general@northyorkmoors.org.uk
Planning enquiries: planning@northyorkmoors.org.uk
www.northyorkmoors.org.uk



Andy Wilson
Chief Executive

WHP Telecoms Limited
fao: Mr Damian Hosker
Helena House
Troy Mills
Troy Road
Leeds
LS18 5GN

Your ref:

Our ref: NYM/2020/0286/TN

Date: 08 June 2020

Dear Sir/Madam

Notification under Part 16 of the 2016 Town and Country Planning (General Permitted Development Order) for erection of 10 metre high mast with antennas together with associated ground based equipment and fencing at Swallow Head Farm, Fylingdales

I refer to your notification under the above Order which was validated 22 April 2020.

I am writing, on behalf of the National Park Authority, to advise you that this Authority has no objections subject to the following conditions:

1. The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

Document Description	Document No.	Date Received
Location plan	305184-00-004-MD002 Rev 2.A	14/05/2020
Site plan proposed	305184-01-100-MD002 Rev 2.A	14/05/2020
Equipment layout proposed	305184-01-101-MD002 Rev 2.A	14/05/2020
Elevation proposed	305184-01-150-MD002 Rev 2.A	14/05/2020

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.

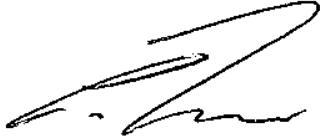
2. The pole, antenna and associated equipment utilised in the development hereby permitted shall be coloured light grey and thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
3. If the use of the mast for the purposes approved permanently ceases the mast 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.



Please Note your Rights of Appeal are attached to this Decision Notice

The work must be carried out in accordance with the detailed specifications and plans comprised in the notification hereby approved and commenced within five years of the date of this letter, otherwise a new formal notification will be required.

Yours faithfully

A handwritten signature in black ink, appearing to read 'C M France', written in a cursive style.

Mr C M France
Director of Planning

If you are aggrieved by this decision you have the same rights of appeal that you would have if a planning application had been refused and these are set out below for your information.

Rights of Appeal

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State in accordance with Section 78 of the Town and Country Planning Act 1990, within six months of the date of this notice. The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

- (2) If permission to develop land is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State, the owner of the land may claim that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the council of the county/district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Note: If an aggrieved applicant wishes to exercise their right of appeal as above mentioned, they should do so using a form which you can get from the Secretary of State at:

Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 00 00) or online at www.planningportal.gov.uk/planning/appeals

Notes

1. Please note, only the applicant possesses the right of appeal.
2. If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within 28 days of the date of this notice.
3. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.