

## North York Moors National Park Authority

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Parish: Newby and Scalby

App No:  
NYM/2021/0058/TNNYM/2021/0058/T  
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**Proposal:** prior notification for erection of 9.97 metre high mast with antennas and dishes together with associated ground based equipment and fenced compound under Part 16

**Location:** Land south east of Suffield, Mowthorp Road, Suffield-cum-Everley

**Applicant:** EE Limited  
fao: Luke Huestis, Trident Place, Mosquito Way, Hatfield, AL10 9NW,  
Hertfordshire

**Agent:** Mono Consultants  
fao: Mr Luke Huestis, Culzean House, 36 Renfield Street, Glasgow, G2 1LU

**Date for Decision:** 25/03/2021

**Extended to:**

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### Director of Planning's Recommendation

**Approval** subject to the following condition(s):

1. The external surface of the mast shall be coloured dark brown and thereafter be so maintained.
2. 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.

#### Reason(s) for Condition(s)

- 1 & 2. For the avoidance of doubt and in order to comply with the provisions of NYM Strategic Policies A and C which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded

### Consultations

**Parish –**

**Highways –**

**Site Notice Expiry Date –** 26 February 2021

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**Aerial supplied by applicant's agent**

## **Background**

This application relates to a site located adjacent an existing covered reservoir compound, off Mowthorp Road between Suffield and Scalby. The proposed site utilises the existing access route to the reservoir compound and is then situated approx. 20m south-west of the reservoir entrance. The site is screened in the wider landscape on three sides by trees and woodland.

The proposal relates to the installation of a 9.97m high monopole structure with associated antenna/dish antennas along with the installation of three equipment cabinets and a meter cabinet and one, 1.2m satellite dish located within a compound surrounded by a 2m high weld mesh fence, which would match the reservoir compound fencing.

Ground-based equipment would be painted Fir Green (RAL 6009) with the pole and antennas to be painted Bitter Chocolate (BS: 4800 08 B29)

This proposal is an alternative scheme to previous schemes that were considered to be unacceptable, the first for a 15.97m high alpha pole mast in a much more prominent position and a subsequent alternative that was also considered to be unacceptable due to the proximity of the site to unrelated dwellings.

This proposed telecommunications site is required as part of the Emergency Services Network; an integral part of the Emergency Services Mobile Communications Programme.

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Mono Consultants Limited are acting as Agents for the Home Office; lead department for delivery of this Government programme which seeks to replace the existing Airwave blue-light communications system with a 4G platform. The proposed site that is subject of this application is required to cover the minor roads from Throxenby to Everley and the surrounding area.

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.

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.

A ICNIRP (International Commission on Non-Ionising Radiation Protection) Certificate has been submitted with the application, as required by Government.

In support of the application it is noted that the proposed site location, benefits from a much greater distance to residences, reduced more discreet design and existing access.

**Main Issues**

**Policy BL10 - Communications Infrastructure** - seeks to permit the provision of infrastructure for radio, broadband and other telecommunications and information technology only where it is of a scale and design appropriate to the National Park and helps meet the needs of local communities, and there is no unacceptable adverse visual impact upon the character of the locality and the 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.

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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 mast would have a detrimental impact on the character of the locality and the wider landscape.

The proposed mast would be sited in the open countryside, but screened by a substantial tree belt against which it would be viewed. This would help set the mast into the context of other vertical features in the landscape and reduce its impact. Furthermore, as located next to an existing reservoir, the site benefits from an existing access.

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

**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 confirmed to the applicant/agent that the development is likely to improve the economic, social and environmental conditions of the area.