



Ministry of Defence

Mark Hill
North York Moors National Park Authority
The Old Vicarage
Bondgate
North Yorkshire
YO62 5BP

Defence Infrastructure Organisation

Safeguarding Department
Statutory & Offshore

St George's House
Defence Infrastructure Organisation Head Office
DMS Whittington
Lichfield
Staffordshire
WS14 9PY

Your reference: NYM/2021/1004/EIA
Our reference: 10053112

www.mod.uk/DIO

07 February 2022

Dear Mark,

MOD Safeguarding – North WAM Network

Proposal: Application for erection of 306m guyed lattice steel replacement mast, communications apparatus, anchor blocks, removal of redundant equipment cabinets, heat exchanger compound and ancillary development thereto, laying of temporary access tracks, removal of access tracks and temporary change of use of agricultural field to provide construction staging area during construction phase.

Location: Bilsdale Transmitting Station, Bilsdale Moor

Grid Ref: 455375, 496255

Thank you for consulting the Ministry of Defence (MOD) on the above proposed development which was received by this office on 18/11/2021. I can confirm the MOD has no safeguarding objections to this proposal.

I trust this is clear however should you have any questions please do not hesitate to contact me.

Yours sincerely

Adam Scott
DIO safeguarding

From:
To: [Planning](#)
Subject: FAO: Mark Hill - NYM/2021/1004/EIA Replacement Mast at Bilsdale Moor
Date: 02 February 2022 10:27:09

Dear Mark

Thank you for consulting CPRENY regarding the above mentioned application.

Having considered the various Environmental Statement documents and taking into account the existing infrastructure on site and the intended benefits to various communities from the end product, CPRENY has no objection to make at this time. It is considered essential, however, that the applicant ensures that a minimum of 10% BNG is delivered across the site, should the application be approved, in line with the Environment Act (2021) and para 174 of the NPPF. It is acknowledged that this is major development in a National Park and as such the MDT should be applied (para 177). CPRENY are of the opinion that in this instance the proposal constitutes an exceptional circumstance which would allow major development to be approved - providing the development can be delivered with the minimal amount of deletion and disturbance to the protected species as required alongside the delivery of BNG across the site. Further it will be essential that the stopping up areas are fully restored to their previous use as soon as practicable.

Thank you.

Yours Sincerely

Fran Evans | Administrator
Usual Hours of Work Tuesday to Thursday.

Web: www.cprenorthyorkshire.co.uk

Twitter: [CPRENY](#) | **Facebook:** [CPRENY](#)
LinkedIn: [CPRE North Yorkshire](#) | **Instagram:** [cpre_northyorkshire](#)

Address: P.O. Box 189, York, YO7 9BL

Mr Mark Hill

By Email to

Your Ref: NYM/2021/1004/EIA

My Ref: 21/02967/NYM

Dealt with by: Peter Jones
Planning

02 February 2022

Dear Mark

PROPOSAL: North Yorks Moors National Park consultation on erection of 306m guyed lattice steel replacement mast, communications apparatus, anchor blocks, removal of redundant equipment cabinets, heat exchanger compound and ancillary development thereto, laying of temporary access tracks, removal of access tracks and temporary change of use of agricultural field to provide construction staging area during construction phase at Bilsdale Transmitting Station, Bilsdale Moor

LOCATION: Bilsdale Transmitting Station Chop Gate North Yorkshire TS9 7JU Thank you for your communication received by Hambleton District Council on the 16 December 2021

Thank you for your communication received by Hambleton District Council on the 16 December 2021 consulting the District Council on the above matter.

Having reviewed the content of the submission, the District Council has no comments to make on the proposed development.

I trust that this is clear. However, if you have any questions about this matter, please do not hesitate in contacting me.

Regards

Peter Jones
Development Manager (North)

From:
To: [Planning](#)
Subject: 20220124_NYM/2021/1004/EIA_Deadline Extension
Date: 24 January 2022 11:39:11

FAO Mark Hill,

Many thanks for consulting us on the above application. Please may I request an extension to the consultation deadline for the above case until 11/02/22?

Apologies for any inconvenience this may cause.

Please could you confirm this as being acceptable.

Kind Regards

Adam Scott

Safeguarding Officer
Estates – Safeguarding

**St George's House | Defence Infrastructure Organisation Head Office |
DMS Whittington | Lichfield | Staffordshire | WS14 9PY**

Mr M Hill
North York Moors National Park

Our ref: RA/2021/143950/01-L02
Your ref: NYM/2021/1004/EIA

Date: 19 January 2022

Dear Mr Hill

Bilsdale Transmitting Station, Bilsdale Moor

Application for erection of 306m guyed lattice steel replacement mast, communications apparatus, anchor blocks, removal of redundant equipment cabinets, heat exchanger compound and ancillary development thereto, laying of temporary access tracks, removal of access tracks and temporary change of use of agricultural field to provide construction staging area during construction phase.

Thank you for your request to comment on the above development which we received on 16 December 2021.

We have reviewed the information submitted for issues within our remit. Included below are our advisory comments on the proposal.

Biodiversity Net Gain

Net gain for biodiversity is defined as delivering more or better habitats for biodiversity and demonstrating this through use of the Defra Biodiversity Metric. It encourages development that delivers biodiversity improvements through habitat creation or enhancement after avoiding or mitigating harm.

The Government introduced the Environment Bill in January 2020 to ensure that the overall impact from development on the environment is positive. The Bill includes measures to strengthen local government powers in relation to net gain and a minimum requirement of 10% biodiversity net gain. Chapter 15 and Paragraphs 174, 175, 179 & 180 of Nationally Planning Policy Framework (NPPF) contain strengthened net gain policies. We encourage you to consider an approach to development that results in measurable net gains in biodiversity, having taken positive and negative impacts into account. Planning Practice Guidance (PPG) provides guidance on the application of net gain.

IEEM, together with CIRIA and IEMA have published guidance on how to deliver net gain in practice. These can be downloaded [here](#)

Land Contamination

We recommend that you refer to our published '[Guiding Principles for Land Contamination](#)' which outlines the approach which should be adopted when managing this site's risks to the water environment.

We recommend that consideration is given to using the [National Quality Mark Scheme for Land Contamination Management](#) which involves the use of competent persons to ensure that land contamination risks are appropriately managed.

More information is available on the [contaminated land](#) pages on gov.uk.

Pollution Prevention

Your proposal should incorporate pollution prevention measures to protect ground and surface water. Guidance is available at .GOV here: [Pollution prevention for businesses](#).

Flood Risk

Our current Flood Map for Planning shows that most of the site lies within Flood Zone 1, with a low probability of flooding from rivers and/or sea. The application is for the construction of residential dwellings which are considered to be a 'more vulnerable' land use in [Table 2: Flood Risk Vulnerability Classification](#) of the Planning Practice Guidance: Flood Risk and Coastal Change.

The site is over 1ha and it necessary for the application to be supported by a site-specific flood risk assessment (FRA), which can demonstrate that the 'development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall'.

Surface Water

The [Lead Local Flood Authority](#) are responsible for providing advice on the management of surface water from new larger developments. Please consult them for their comments.

Sustainable Drainage Systems (SuDs) should always be carefully considered in discussions with the lead local flood authority. However, any drainage system must not pose a risk to groundwater quality and must not be constructed in ground affected by contamination.

Foul Drainage

New development should connect to the public mains sewer, wherever possible. The applicant should contact the relevant water company about connecting to their mains sewerage system.

Government guidance contained within Planning Policy Guidance and building regulations drainage and waste disposal approved document H provides a hierarchy of drainage options that must be considered and discounted in the following order:

- Connection to the public sewer
- Connection to a private sewer, communicating with a public sewer,
- Either a septic tank or another wastewater treatment system,
- A cesspool

If the applicant is unable to connect to the mains sewer, the planning application should outline how they will deal with foul drainage discharge. They should include evidence as to why it is not possible to connect to the mains system, including details of any prohibitive costs.

Please note that some 'non-mains' foul drainage systems will require an environmental permit, as well planning permission. Further information on septic tanks and treatment plants can be found here.

Waste

For any demolition or construction works relating to this development, the waste hierarchy must be applied in a priority order of prevention, re-use, recycling before considering other recovery or disposal options. Government Guidance on the waste hierarchy in England is at: <http://www.defra.gov.uk/publications/files/pb13530-waste-hierarchy-guidance.pdf>

Excavated material arising from site remediation or land development works can sometimes be classified as waste. For further guidance on how waste is classified, and best practice for it's handling, transport, treatment and disposal please see our waste pages at <http://www.environment-agency.gov.uk/business/topics/waste/default.aspx>

Yours sincerely

Ms Jane Wilkin
Planning Specialist

From:
To: [Planning](#)
Subject: planning applications NYM/2021/0905/nm; NYM/2021/0976/FL; NYM/2021/0708/LB AND NYM/2021/1004/EIA
Date: 22 January 2022 12:14:43

Good afternoon.

My apologies, the first email was sent incomplete, here is the full message.

Bilsdale Midcable Parish Council had a meeting last week to discuss the above applications. Comments are as follows -

NYM/2021/0905/NM - no objections

NYM/2021/0976/FL - no objections

NYM/2021/0708/LB - no objections in principle but the PC have 3 points of concern. 1- can the cameras be more in keeping with the environment? 2- does the location and range of one or more cameras create a possible privacy issue with a neighbour 3- are 4 cameras needed? Is this excessive?

NYM/2021/1004/EIA - no objections

Kind regards
Colin Goodall

Clerk to Bilsdale Midcable Parish Council

Mr M Hill
North York Moors National Park

Our ref: RA/2021/143950/01-L02
Your ref: NYM/2021/1004/EIA

By email:

Date: 19 January 2022

Dear Mr Hill

Bilsdale Transmitting Station, Bilsdale Moor

Application for erection of 306m guyed lattice steel replacement mast, communications apparatus, anchor blocks, removal of redundant equipment cabinets, heat exchanger compound and ancillary development thereto, laying of temporary access tracks, removal of access tracks and temporary change of use of agricultural field to provide construction staging area during construction phase.

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Yours sincerely

Ms Jane Wilkin
Planning Specialist

Direct e-mail sp-yorkshire@environment-agency.gov.uk

**NORTH YORKSHIRE COUNTY COUNCIL
BUSINESS and ENVIRONMENTAL SERVICES**



**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**

Application No: **NYM/2021/1004/EIA**

Proposed Development:

Application for the erection of 306m guyed lattice steel replacement mast, communications apparatus, anchor blocks, removal of redundant equipment cabinets, heat exchanger compound and ancillary development thereto, laying of temporary access tracks, removal of access tracks and temporary change of use of agricultural field to provide construction staging area during construction phase

Location: Bilsdale Transmitting Station, Bilsdale Moor

Applicant: Arqiva Limited

CH Ref: **Case Officer:** Tony Lewis

Area Ref: 2/3/6 **Tel:**

County Road No: **E-mail:**

To: North York Moors National Park
Authority
The Old Vicarage
Bondgate
Helmsley
YO62 5BP **Date:** 17 January 2022

FAO: Mr M Hill **Copies to:**

Note to the Planning Officer

The application is supported by a Construction Traffic Management Plan. It should be noted that Banksmen would not be authorised to stop/ direct traffic on the B1257 and if there is an issue at the access then alternate traffic management methods should be utilised. Provided that the other measures described in the Construction Traffic Management Plan are adhered to the there are no local highway authority objections to the proposed development.

Signed:

Tony Lewis

For Corporate Director for Business and Environmental Services

Issued by:

Thirsk Highways Office
Thirsk Industrial Estate
York Road
Thirsk
North Yorkshire
YO7 3BX

e-mail:

Date: 14 January 2022
Our ref: 378750
Your ref: NYM/2021/1004/EIA



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

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

BY EMAIL ONLY

Dear Mark

Planning consultation: Application for erection of 306m guyed lattice steel replacement mast, communications apparatus, anchor blocks, removal of redundant equipment, cabinets, heat exchanger compound and ancillary development thereto, laying of temporary access tracks, removal of access tracks and temporary change of use of agricultural field to provide construction staging area during construction phase

Location: Bilsdale Transmitting Station, Bilsdale Moor

Thank you for your consultation on the above dated 16 December 2021.

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.

SUMMARY OF NATURAL ENGLAND'S ADVICE

FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES

As submitted, the application could have potential significant effects the North York Moors SAC / SPA. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

Natural England considers that the permanent loss of SAC designated habitat will have an adverse effect on the integrity of the North York Moors SAC, and that your authority cannot permit the proposal unless it passes the tests of Regulation 64 of the Conservation of Habitats and Species regulations 2017 (as amended). Further information is also required with regard to mitigation / compensation measures with regard to the permanent and temporary loss of SAC / SPA habitat.

Without this information, Natural England may need to object to the proposal.

Please re-consult Natural England once this information has been obtained.

Natural England's further advice on designated sites and landscapes is set out below.

THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017 (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 2017, as amended (the 'Habitats Regulations'). The application site is partly within, and in close proximity to the North York Moors Special Protection Area (SPA) and Special Area of Conservation (SAC) which are European sites. The site also notified at a national level as the 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.

Additional Information required

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal, in accordance with Regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process, and a competent authority should have regard to Natural England's advice.

Your appropriate assessment concludes that your authority is not able to ascertain that the proposal will not result in adverse effects on site integrity. Having considered the assessment, and the measures proposed to mitigate for any adverse effects, Natural England concurs with this conclusion. Natural England advises that the proposal does not provide enough information and/or certainty to enable adverse effects on site integrity to be ruled out.

Direct permanent loss of SAC designated habitat

The submitted plans indicate that there will be a permanent loss of approximately 150 m² designated European dry heath as a result of the construction of three new stay mast anchor blocks.

Your authority will need to ensure that it can be ascertained beyond reasonable doubt that the permanent loss of SAC habitat does not represent an adverse effect on the integrity of the site. If it **cannot** be ascertained that the proposal will not adversely affect the integrity of the European site, your authority cannot permit the proposal unless it passes the tests of Regulation 64; that is that there are no alternatives **and** the proposal must be carried out for imperative reasons of overriding public interest (IROPI). The link [Habitats regulations assessments: protecting a European site - GOV.UK \(www.gov.uk\)](#), gives further guidance on the process and stages including details of derogations, where proposals fail the integrity test.

Although the authority may want to seek their own independent legal advice, it is the opinion of Natural England that though small in scale, the permanent loss of H4030 dry heath cannot be

¹ Requirements are set out within Regulations 63 and 64 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 63 and 64 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/>

considered insignificant or trivial for the following reason. In order for the SAC features to achieve favourable condition, the site conservation objective state 'Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring; The extent and distribution of the qualifying natural habitats' with the supplementary advice target stating 'Maintain the total extent of the H4030 feature at 24,769ha'. The unit is currently assessed as in unfavourable recovering condition with agreed management in place to work towards achieving a favourable condition. We therefore consider that the proposal on the site, either individually or in combination with other proposals, is likely to be significant in terms of the ecological objectives for which the site was designated and unable to pass the integrity test.

With regard to what is described as 'residual effects' i.e., the permanent loss of 150m² of dry heath habitat at point 5.6.71 of Volume 1 of the Environmental Strategy, for the purposes of the Habitats Regulations Assessment, the term compensation is only relevant at IROPI stage. Compensation measures would be required if the proposal is considered to have an adverse effect on the integrity of the North York Moors SPA / SAC, but passes the tests of Regulation 64 as set out above. Your authority may wish to consider the exceptional tests set out within Regulation 64. Specific guidance about these tests can be found at: <https://www.gov.uk/government/publications/habitats-and-wild-birds-directives-guidance-on-the-application-of-article-6-4>

Direct temporary loss of SAC and SPA designated habitat

The information provided in Chapter 5 of the ES indicates that the total area of temporary habitat loss will be 0.577ha. However, the Habitat Compensation and Enhancement Strategy indicates a reduction in suitability of habitat over an area of 1km². The applicant's Information to Inform Appropriate Assessment refers to Para 1.1.41 – 1.1.42 to a temporary loss of 5570m² for the stay lane access tracks and 20 m² for the temporary pilot and winch anchor block, but then refers in Para 3.2.2 to a temporary loss of 0.579ha. The applicant should clarify the correct extent of habitat loss and for ease, we recommend that units remain consistent throughout the application documents.

Natural England understands that topsoil will be removed from proposed access tracks, stored appropriately, and replaced on site following the construction phase. It is unclear how the topsoil will be stored and this detail should be provided. Furthermore, we understand that, as part of the remedial measures, once replaced, soil will be seeded with heather seed collected in late October – November 2022, and any brash collected during site clearance will be reinstated. Information should be provided detailing where heather seed will be collected and how it will be stored. We also advise that turf translocation should be considered.

Remedial plans consider the use of plug planting with plants translocated from adjacent heathland areas. It is Natural England's advice that plants cannot be taken from within the SAC boundary and used for plug planting.

We note that monitoring of reinstated habitat is proposed for Autumn 2023, Spring 2024, and Autumn 2024 and that during each monitoring period, success of heather establishment will be reviewed and if considered necessary 'conservation led management' completed. It is not clear what 'conservation led management' is being proposed nor what will trigger the need for this. The applicant should clearly set out what remedial measures are proposed, what would determine the need for such measures to be put in place, and when this would take place. We also advise that monitoring should be carried out for a longer period in order to ensure that habitat becomes established.

Indirect loss / degradation of SAC and SPA designated habitat

Natural England understands that, in addition to three new concrete blocks, all existing mast stay concrete anchor blocks will be replaced. Concrete is alkaline and therefore could change the acidic nature of surrounding dry heath habitat. While the proposed construction methods are intended to avoid concrete coming into contact with the surrounding soil, the potential impact of leaching during operation of the development has not been considered.

We note that the area around the new blocks will be monitored to identify alkalinisation of surrounding habitat and that if necessary, measures will be put in place to counteract the effects. It is not clear what the measures are being proposed nor what would trigger the need for such measures. We do not currently have enough information to determine whether the potential impacts would affect site integrity.

Disturbance to SPA designated bird species

Natural England concurs with your authority's assessment that disturbance resulting from the proposed works will not have a significant adverse effect on bird species which are qualifying features of the North York Moors SPA, namely merlin and golden plover, due to the small number of birds likely to be displaced from the area and mitigation measures including the timing of works and monitoring to be carried out should any works be required to take place during the breeding season.

Impacts on SAC and SPA designated habitat due to construction dust

The HRA does not include consideration of the impacts due to construction dust on sensitive features. However, the Construction Phase Plan and Construction Environmental Management Plan (CEMP) include measures to prevent impacts due to construction dust in the 'Dust and Emission Mitigation' section and Method Statements 8 and 9 respectively. Natural England supports the implementation of the measures outlined in these sections and advise they should be incorporated into the HRA.

Outline habitat compensation and enhancement strategy

The proposals outlined in the submitted strategy will require the applicant to obtain necessary EA consents and HSE consents. In order to rely on the proposal as mitigation or compensation, your authority should be satisfied that all the necessary legal technical and monitoring arrangements are in place.

Sites of Special Scientific Interest (SSSI)

Natural England notes the development is partly within and in close proximity to the North York Moors SSSI. Based on the plans submitted, Natural England considers that the proposed development could have potential significant effects on the interest features for which the site has been notified. The information required to determine any potential impacts is listed above (internationally and nationally designated sites).

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Protected Landscapes

The proposed development is for a site within or close to a nationally designated landscape namely North York Moors National Park. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 176 and 177 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of National Parks. For major development proposals paragraph 177 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

The landscape advisor / planner for the National Park will be best placed to provide you with detailed advice about this development proposal. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the park's management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purposes of the National Park are to conserve and enhance the natural beauty, wildlife, and cultural heritage of the park; and to promote opportunities for the understanding and enjoyment of the special qualities of the park by the public. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm those statutory purposes. Relevant to this is the duty on public bodies to 'have regard' for those statutory purposes in carrying out their functions (section 11 A(2) of the National Parks and Access to the Countryside Act 1949 (as amended)). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

If you have any queries relating to the advice in this letter please contact Anne Armitstead
For any new consultations, or to provide further information on this consultation please send your correspondence

Please consult us again once the information requested above, has been provided.

Yours sincerely

James Walsh
Yorkshire & Northern Lincolnshire Team

Mark Hill

Your Ref: NYM/2021/1004/EIA

My Ref: **21/02967/NYM**

Dealt with by: Mr Peter Jones

Date: 11 January 2022

Dear Sir/Madam

PROPOSAL: North Yorks Moors National Park consultation on erection of 306m guyed lattice steel replacement mast, communications apparatus, anchor blocks, removal of redundant equipment cabinets, heat exchanger compound and ancillary development thereto, laying of temporary access tracks, removal of access tracks and temporary change of use of agricultural field to provide construction staging area during construction phase at Bilsdale Transmitting Station, Bilsdale Moor

LOCATION: Bilsdale Transmitting Station Chop Gate North Yorkshire TS9 7JU

Thank you for your communication received by Hambleton District Council on the 16 December 2021 This is receiving attention by Mr Peter Jones.

The Council aim to provide a reply to your request within 28 days.

If you need to contact us or wish to send further information on this matter please quote the reference number given above.

Yours faithfully

Development Management
Hambleton District Council

From: planning@northyorkmoors.org.uk
To: [Planning](#)
Subject: Comments on NYM/2021/1004/EIA - Case Officer Mr Mark Hill - Received from Simon Bassindale - Ranger West at NYMNPA,
Date: 05 January 2022 15:11:51

In over 600 pages of submission the constancy of approach to access along PRow and across Open Access Land is inconsistent and of a concern.

Primary Considerations are:

The route referred to the Eastern Access generally has a comprehensive treatment and consideration of the public footpaths that share this route. To remove any doubt Public Footpaths 10.177/091/1, 10.177/089/1 and 10.177/117/1 which share the Eastern Access should remain open and available for pedestrians throughout the construction and development phase at all times. I have no concerns relating to the adequacy of this route to sustain the proposed traffic without unduly damaging the surface of the public highway. If it is adequately demonstrated by the applicant that this access needs to be restricted for H&S purposes then a suitable traffic regulation order should be applied for under Road Traffic Regulation Act 1984 S14(1)b.

Throughout the documents there is referral of the use of the Southern Access, but the frequency and nature of this traffic is not defined. It should be noted that parts of the Southern Access route form parts of Public Bridleways 25.122/020/1 and 25.122/015/1. Unlike the Eastern Access the Southern Access is already showing deterioration in its condition associated with the construction of the Quarry Mast. The access along the Southern Access should only be used for emergencies and any damage should be repaired at the completion of the construction phase. The public access should remain available throughout the project, unless it is adequately demonstrated by the applicant that this access needs to be restricted for H&S purposes then a suitable traffic regulation order should be applied for under Road Traffic Regulation Act 1984 S14(1)b. It should also be noted the heritage value of this route that forms part of what are locally known as "Postman's Routes" and link former lone outlying farms or steadings.

I am pleased that the area around the site compound is widely acknowledged within the reports as Open Access Land and that consideration has been given to requesting a safety exclusion zone, I would suggest this should extend to encompass the area out with the anchor blocks, largely covered by Figure 1: Site Layout Plan. This restriction will need to be requested via the Access Authority, in this case the North York Moors National Park Authority.

Comments made by Simon Bassindale - Ranger West of NYMNPA

Comment Type is Raise Concerns
Letter ID: 580259

Your Ref: NYM/2021/1004/EIA

4th January 2021

Dear Sir/Madam,

Application details – Bilsdale Transmitting Station, Bilsdale Moor

Thank you for consulting Northumbrian Water on the above proposed development.

In making our response to the local planning authority Northumbrian Water will assess the impact of the proposed development on our assets and assess the capacity within Northumbrian Water's network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control.

Having assessed the proposed development against the context outlined above I can confirm that at this stage we would have no comments to make.

I trust this information is helpful to you, if you should require any further information please do not hesitate to contact me.

Yours sincerely

Carrie Taylor
Developer Services



Historic England

Mr Mark Hill
North York Moors National Park Authority
The Old Vicarage, Bondgate
Helmsley
York
North Yorkshire
YO62 5BP

Our ref: PL00761342

5 January 2022

Dear Mr Hill

**Re: Application for erection of 306m guyed lattice steel replacement mast, communications apparatus, anchor blocks, removal of redundant equipment cabinets, heat exchanger compound and ancillary development thereto, laying of temporary access tracks, removal of access tracks and temporary change of use of agricultural field to provide construction staging area during construction phase
Bilsdale Transmitting Station, Bilsdale Moor.**

Environmental Statement

Thank you for consulting us on this proposal.

Historic England can confirm that it is content with the Environmental Statement as submitted, and both the Heritage Statement and Written Scheme of Investigation (both Pegasus Group, Dec 2021), contained within the file 'Supporting Information Part 1'.

Our only observation concerns the archaeological WSI. Correctly this draws attention to the likelihood of prehistoric remains, particularly flint scatters, but our experience of field walking following the Fylingdales fire is that quantities of World War 1 and World War 2 ordnance and associated features, are extremely common and benefit from thorough recording.

Yours sincerely,

Keith Emerick

Keith Emerick
Ancient Monuments Inspector



37 TANNER ROW YORK YO1 6WP

HistoricEngland.org.uk



Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.



Historic England

cc: Richard Godard, Pegasus Group
Miles Johnson, Head of Historic Environment, NYMNPA



37 TANNER ROW YORK YO1 6WP

HistoricEngland.org.uk



Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.

From:
To:
Subject: NYM/2021/1004/EIA FAO Mark Hill
Date: 29 December 2021 14:07:18

Dear Mark,

Proposal **Application for erection of 306m guyed lattice steel replacement mast, communications apparatus, anchor blocks, removal of redundant equipment cabinets, heat exchanger compound and ancillary development thereto, laying of temporary access tracks, removal of access tracks and temporary change of use of agricultural field to provide construction staging area during construction phase**

Location **Bilsdale Transmitting Station Bilsdale Moor**

Thank you for giving North Yorkshire Police the opportunity to comment on this planning application. In relation to designing out crime, I have no comments to make regarding the proposal.

If I can be of further assistance, do not hesitate to contact me.

Kind regards

Richard

Mr Richard Ball, MPlan
Designing out Crime Officer
Police Station, Fulford Road, York, North Yorkshire, YO10 4BY

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Thank you for your co-operation.

Date: 23 December 2021
Our ref: 378594
Your ref: NYM/2021/1004/EIA



Mr Mark Hill
North York Moors National Park Authority

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

BY EMAIL ONLY

Dear Mr Hill,

Environmental Impact Assessment Screening consultation: Application for erection of 306m guyed lattice steel replacement mast, communications apparatus, anchor blocks, removal of redundant equipment cabinets, heat exchanger compound and ancillary development thereto, laying of temporary access tracks, removal of access tracks and temporary change of use of agricultural field to provide construction staging area during construction phase

Location: Bilsdale Transmitting Station, Bilsdale Moor

Thank you for your consultation on the above dated 16 December 2021 which was received by Natural England on 16 December 2021.

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.

It is Natural England's advice, on the basis of the material supplied with the consultation, that there are potential likely significant effects on statutorily designated nature conservation sites or landscapes and further assessment is required.

Schedule 3(2) of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 requires consideration of the selection criteria for Schedule 2 EIA development and identification of 'environmental sensitivity'.

The proposed development is located within/partly within or has the potential for adverse effects on the following designated nature conservation sites or designated landscapes:

- North York Moors Site of Special Scientific Interest (SSSI)
- North York Moors Special Area of Conservation (SAC)
- North York Moors Special Protection Area (SPA)
- North York Moors National Park

Natural England has not assessed the significance of any impacts on these designated sites or landscapes. The proposed development may therefore be likely to have significant effects on the interest features for which these sites are notified or the purposes of designation and

we advise you to consider further whether an Environmental Impact Assessment (EIA) is required.

Should you decide that an EIA is not required, Natural England advises that sufficient information on the potential impacts of this proposal upon these designated sites/areas is submitted with any subsequent planning application. We would be pleased to discuss this further with the applicant through our [Discretionary Advice Service](#).

Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this proposal is likely to affect protected species to such an extent as to require an Environmental Impact Assessment (EIA). The developer must provide sufficient information for your authority to assess whether protected species are likely to be affected and, if so, whether appropriate avoidance, mitigation or compensation measures can be put in place. Further information is included in Natural England's [standing advice](#) on protected species.

Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. This development proposal may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land or on local landscape character that may be sufficient to warrant an EIA. Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission [standing advice](#).

We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the proposed development before determining whether an EIA is necessary.

Should you determine that an EIA is not required in this case, you should ensure that the application is supported by sufficient biodiversity, landscape and other environmental information in order for you to assess the weight to give these material considerations when determining the planning application.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

Please note that this response relates only to the EIA screening consultation. Natural England may wish to provide advice should your authority consult us on any subsequent planning application and associated environmental assessments. Guidance on when to consult Natural England is [here](#).

Please send any new consultations, or any further information on this consultation to: consultations@naturalengland.org.uk.

Yours sincerely,

Ben Jones
Consultations Team

From:
To:
Subject: RE: NYM/2021/1004/EIA
Date: 23 December 2021 14:54:25

Hello,

Thanks for consultation letter however, you'll need to consult Northumbrian Water as this site is within their operational boundary.

Kind regards

Jim McGlade
Development Control Agent
Developer Services
Pre Development Team



NORTH YORKSHIRE FIRE & RESCUE SERVICE

NYFRS Reference:

Premises: 00320094
Job: 1236652

Harrogate Fire Station
Skipton Road
Harrogate
North Yorkshire
HG1 4LE

When telephoning please ask for: A Tipling

21 December 2021

Dear Sir or Madam

Bilsdale Transmitting Station, Chop Gate, Middlesbrough, TS9 7JU

FIRE SAFETY - COMMUNICATION WITH THE PLANNING AUTHORITY

Receipt is acknowledged of your planning communication:

Dated: 16th December 2021
Plans No: ref: NYM/2021/1004/EIA

Your communication has been dealt with as follows:

At this stage in the planning approval process the North Yorkshire Police, Fire and Crime Commissioner Fire and Rescue Authority have no objection/observation to the proposed development. The North Yorkshire Police, Fire and Crime Commissioner Fire and Rescue Authority will make further comment in relation to the suitability of proposed fire safety measures at the time when the building control body submit a statutory Building Regulations consultation to the Fire Authority.

The majority of information we collect regarding business fire safety is non-personalised information, however any personal data we collect will be managed in accordance with our Privacy Notice which can be viewed on our website, www.northyorksfire.gov.uk/about-us/data/privacy-policies/.

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

Sprinklers Save Lives, Sprinklers Save Lives, Sprinklers Save Lives, Sprinklers Save Lives, Sprinklers Save Lives

www.northyorksfire.gov.uk

Under the Regulatory Reform Order 2005 we are obliged to publish a public register of enforcement action which can be viewed via our website, www.northyorksfire.gov.uk/about-us/financial/lists-and-registers/.

Should you require further information please contact the officer whose name appears at the head of the letter.

Yours faithfully

A Tipling

From:
To:
Subject: RE: NYM/2021/1004/EIA
Date: 20 December 2021 11:14:49

Thanks Cat

Can you return a No comments response please.

Thanks
Gary

From: Development Management
Sent: 20 December 2021 11:10
To:
Subject: FW: NYM/2021/1004/EIA
Importance: High

Hi,

Do you have any comments you would like me to send for the Bilsdale Transmitting Station?
Please see attached.

Many thanks
Cat

From:
To: [Planning](#)
Subject: Re: NYM/2021/1004/EIA
Date: 19 December 2021 14:19:20

Thank you for the opportunity to comment on this application of behalf of the Ramblers' Association.

We do not wish to comment, other than to note that we expect the NPA will require the applicant to ensure that safe access to rights of way is maintained at all times.

Colin Monson, Ramblers' Association

From:
To: [Planning](#)
Subject: RE: NYM/2021/1004/EIA [SG21704]
Date: 17 December 2021 13:53:53

Our Ref: SG21704

Dear Sir/Madam

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours faithfully

NATS

NATS Safeguarding

4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL
www.nats.co.uk



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