

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2023/0107

Development description: prior notification for erection of 17.5 metre high mast with antennas and remote radio heads together with associated ground based equipment under Part 16 (revised scheme following refusal of NYM/2022/0453)

Site address: Gateway Centre Garages, Whitegate Close, Staithes,

Parish: Hinderwell

Case officer: Mrs Hilary Saunders

Applicant: Cornerstone
c/o agent

Agent: Clarke Telecom

fao: Mr Jamaal Hafiz, Unit E Madison Place, Northampton Road, Manchester, M40 5AG,

Director of Planning's Recommendation

Refusal for the following reason

Reason(s) for refusal

Refusal reason code	Refusal reason text
1	The proposed single 17.5m mast, would, by reason of its height towering above nearby buildings and trees, constitute a dominating and unduly obtrusive feature in the wider townscape and have an adverse impact on the landscape and character of this part of the National Park contrary to Strategic Policy A and Policy BL10 of the Authority's Adopted Policies as set out in the Local Plan, which seek to conserve and enhance the landscape and ensure that the development does not have an unacceptable adverse visual impact upon the character of the locality and the wider landscape.

Consultation responses

Parish

Continue to object using the same grounds as we have with previous applications:

- 1 - We consider the location is wrong for the village of Staithes
- 2 - The visual impact on the village will be a negative one.
- 3 - The mast is sited too close to residential developments

Highways

No objections

Third party responses

Name

M Porritt, Village resident, 11, Cliff Road, Staithes - Strongly object to this proposal as it is not required, it will spoil the view, it's in a National Park area. Would be better located somewhere up high to allow for better coverage like the top of Boulby where there is already existing aerial infrastructure.

S Cook, 66 Staithes Lane, Staithes - Concerns -

The mast is higher and more conspicuous than other street furniture. A lot of money has been spent on this area of Staithes to develop it and make it more attractive to locals and visitors and placing a mast here will certainly detract from that. A 17.5 metre high mast is certainly not going to be hidden by the "screening provided by the surrounding built form and local topography" and will be visible from a great distance.

The proximity of the mast to houses, the children's playground and the Gateway Centre.

This application singles out Staithes Caravan Park (which is not a touring site) in particular as being in need of better reception - is there any specific reason for this? This appears to be a development specifically aimed at smartphone reception for visitors. Surely NYMNP should try to balance the needs and wishes of locals and visitors.

Publicity expiry

Site notice expiry date – 29 March 2023

View of site from public car park/bank top – to left of lamp post



View up to site from bank top – to left of top lamp post



Background

This application seeks prior approval for the erection of a 17.5m telecoms mast between two garage/storage units at the southern end of the Staithes Pay and Display Car Park. The proposed development is not within the Staithes Conservation Area.

This prior notification follows the refusal of a recent notification for a 20m mast in the same location.

Cornerstone is a mobile infrastructure services company. They seek approval for works which will comprise the installation of a 17.5 metre high monopole mast supporting antennas and remote radio heads together with associated ground based equipment.

The purpose of the development is to improve and enhance 2G, 3G and 4G coverage and capacity to the surrounding area as well as provide new 5G service provision for Telefónica as demands on the network increase and technologies change.

The proposed development would sit adjacent to some mature trees, storage units, domestic garages, industrial buildings and residential properties. The development would be prominent and clearly visible from the Staithes Car Park and a public footpath which links to the coastal path.

The company have explained that the height is needed to provide coverage in the bottom of the Staithes Beck gorge to a caravan site, they have declined in pre-application engagement to provide a much lower mast for the village and a repeater on the caravan site.

Main issues

Local Plan

Strategic Policy A relates to Achieving National Park Purposes and Sustainable Development. Within the North York Moors National Park, a positive approach to new development will be taken, in line with the presumption in favour of sustainable development set out in the National Planning Policy Framework and where decisions are consistent with National Park statutory purposes. New development should conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park and also promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public. Where there is an irreconcilable conflict between the statutory purposes the Sandford Principle will be applied and greater weight will be attached to the first purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park.

Policy BL10 relates specifically to Communications Infrastructure. The policy states that the provision of infrastructure for radio, broadband and other telecommunications and information technology will only be permitted where it is of a scale and design appropriate to the National Park and helps meet the needs of local communities. There

should be no unacceptable adverse visual impact upon the character of the locality and the wider landscape and should make use of the least environmentally intrusive option available.

Material Considerations

Modern communications are increasingly vital to those living in, working in or visiting the National Park. They provide online access for residents to services that otherwise can be physically located miles away, they are essential for businesses that are located or would wish to locate in the National Park – especially in the tourism sector. They can also help visitors in their understanding of and navigation around the North York Moors. However, the remoteness and terrain of much of the National Park imposes limitations on services and deficiencies continue to exist.

Policy BL10 of the Authority's adopted policies facilitates this expansion of broadband and mobile infrastructure for the benefit of all, whilst at the same time minimising any environmental and landscape impacts. The Authority can support development that does not result in an unacceptable adverse visual impact upon the character of the locality and the wider landscape. It is also important that the siting of the installation makes use of the least environmentally intrusive option available.

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."

However, it is important to consider whether the proposed mast would have a detrimental impact on the character of the locality and the wider landscape.

Whilst it is appreciated that the surrounding context of the development site is varied, with a mixture of domestic garages, storage units, industrial buildings, a car park and residential properties, it is considered that the height of the proposed mast is inappropriate and would have a detrimental impact on the character of the surrounding area. At 17.5m tall, the exceptional height of the proposed mast would sit more than twice the height of the adjacent streetlamps and would significantly exceed the height of nearby dwellings, therefore failing to relate well to the surrounding context. The surrounding structures and buildings do not provide a sufficient backdrop to minimise the wider visual impact of the proposed development.

For clarity, the Authority does not object to the principle of development or the location of the proposed mast; it is the overall height of the mast that the Authority is unable to support. The proposal to erect a single 17.5m mast does not represent an acceptable environmental and communications balance due to the wider visual impact from the height and impact on the character and appearance of the surrounding area. A much shorter mast in the proposed location could be acceptable, however the applicants state in their supporting information that a mast of any lower height would not be a viable single mast solution in this particular location and have declined to adopt a two site solution .

In view of the above, it is considered that the proposed development is contrary to Strategic Policy A and Policy BL10 of the Authority's Adopted Policies, as set out within the Local Plan. As such, the prior-notification application is recommended for refusal.

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.