

North York Moors National Park Authority

07 September 2023 Planning Committee members update sheet

Item 1, NYM/2023/0257

Additional consultation responses received:

Campaign to Protect Rural England: No further comments at this stage and note the Officer's recommendation of approval.

Additional third party response received:

Len Tabner, High Boulby, Easington: Objects. As a landscape painter of 60 years, have painted the moors and coastal landscapes, a mast here would be intrusive and despoil the landscape which has been carefully nurtured by generations of farmers, craftsmen builders and landowners.

Emma & Andrew Sutcliffe of Kildale Estate & Rose Glean of Kildale Parish have submitted several additional comments which are set out in full below, however in brief these are –

- Request that the applicants be required to submit mock up landscape visualisations from key landscape vantage points showing the mast in situ at a correct scale.
- Request consideration be given to a 'tree mast' type installation to reduce visual impact. Costs should not come into it.
- Are concerned that the reduction in height to the permitted development height of 25m may be a backdoor method of coming back for 30m at a later date.
- The operators have not worked with the landowners as advised in Government guidance to find a mutually acceptable site.
- Feel the applicants statements about little landscape impact are understating the impact.
- Consider a replanting management agreement should be imposed to require replanting of trees in the event that Larch disease denudes the hillside in future years.
- Ask that landscape conservation be placed at the forefront of all planning decision making.

Please note comments in full from Rose Glean of Kildale Parish and Andrew Sutcliffe of Kildale Estate received 24 August 2023:

We have discussed the Committee's recent visit to Kildale with members of the Parish and shall be most grateful if we may respectfully make the following comments for your consideration.

It is our understanding that the primary consideration for the Committee is one of protection of our wonderful landscape over social benefit and this has to be weighed in the case of the erection of mobile phone masts.

The purpose of the site visit was for Committee Members to be able to see the height of the mast (which was achieved) and, as importantly, its impact in the wider landscape, which is the crux of the matter, and this was not possible to do because of the thick mist which descended last Friday.

Instead, Committee Members received a forceful representation and PR speech from the Cornerstone's commercial representative assuring them how the mast would have no impact on the landscape. This went on for far longer than the three minutes permitted to anyone else at a planning committee. The speech impressed upon listeners that the mast is government policy, giving a strong impression that there is no choice but to allow the mast and also threatening fines if it is not allowed.

As you might imagine, as residents of Kildale, there is a very strong feeling that this is a David and Goliath situation.

Since landscape impact is to be weighed as a more important consideration than social need, we think it is very important for Committee Members to be aware of the fact that Kildale residents already have access to a choice of provider of excellent broadband coverage through which they use their mobile phones (in their houses, on tractors etc) and have unanimously said they do not want to stare at this mast out of their bedroom windows, from their gardens, when burying their dead in the graveyard or celebrating in the village hall. It is one thing to drive or walk past a mast. It is quite another to have to have a mast blight a beautiful view from your home.

Since it was not possible to see the impact of the mast on the landscape, we would like to ask the Committee to ask the Operator to provide landscape mock ups from the variously requested viewpoints with the mast **properly scaled** with the width of its framework and anticipated number of antennae. A tiny pin as drawn does not give a true impression. The photographs printed out on boards produced on the site visit could not possibly convey to the Committee the visual impact of this mast on the views from and near the village. The top of the mast and radio antennae will change the skyline view of the wooded escarpment and be clearly visible on the skyline to the detriment of this village and beautiful valley.

We would also ask the Committee to give further consideration to the following landscape factors:

- For six-seven months of the year, there will be no leaves on the deciduous trees on this hillside and the larch which predominate on the Coate Moor plantation will lose their needles and be bare.
- Larch disease is a very real threat to this landscape. It has already reached Osmotherley. When (and the experts say it is only a question of time) it reaches this western escarpment, the entire hillside of larch trees will have to be felled. This would

change the basis on which the current application is being made, namely that it is only the section of the mast that protrudes above the treeline which will be visible. For that reason, if (contrary to our request) permission is granted, we in Kildale ask that an exceptional condition of such permission is that if the trees have to be felled, the mast and its surrounding workings must be removed forthwith. This condition may not have been made before but the serious risk of an entire hillside having its trees removed has not arisen before and merits proper safeguarding.

We respectfully ask the Committee to turn this application down. Alternative sites are offered; however, Cornerstone are adopting an aggressive stance and will not want to listen to this community or compromise if they are empowered by the Committee to be permitted what they regard as their ideal situation. We are asking them to compromise. As residents we have the over-riding landscape consideration embedded in our hearts and minds. We understand the needs and benefits of technology only too well since we live and work here and meet the public every day. We appreciate that a mast has some (limited) benefit, but it is important that we get it right. This site is on a flank overlooking the village and we are keen to force the Operator to move it some metres so that it will be less visual to residents. But it will take a refusal of the current application to force a compromise in location so that this is something everyone can live with more comfortably

Please note comments in full from Rose Glean of Kildale Parish and Andrew and Emma Sutcliffe of Kildale Estate received 04 September 2023:

We would like to ask you to consider the following final points at your up-coming committee meeting.

1. We maintain that the proposed mast will have a negative impact on the residents of Kildale and the wider community. The photomontages of the mast submitted by the applicant dated 17 August 2023 and also the images we submitted in Andrew's third-party letter dated 9 June 2023 (pages 15-20) may be helpful to review when members are invited to judge how the lattice mast may look in the landscape. The applicant has submitted 'additional montages' dated 29 August 2023. It is this ugly structure on the hillside which needs to be imagined.
2. We understand that Cornerstone has reduced the requested height of the mast to 25m presumably in order to comply with permitted development. However, we would like to point out that this appears to give them a back door way in to increasing the height of the mast to 30m later and evading the Planning Committee. That increase in height will have a significant impact on the effect of the mast on the landscape and the Committee might have been minded to reject a 30m mast. This likely intent presents as insincere and underhand.
3. The Landscape and Visual Impact Assessment dated June 2023 states that the scheme will introduce 'a new uncharacteristic structure into the landscape'. The report says the greatest impact of the mast will be experienced by Kildale residents and visitors to the village along this section of the Cleveland Way. Cornerstone publicly states that it always aims to work closely with landlords and communities

and to follow best practice principles with local stake holders and elected community representatives. It has not done any of this and had we been consulted, an alternative which has been offered could have been agreed and a lot of time saved. Instead, we strongly object to the current site in preference for one which Cornerstone have not engaged with us or the planning committee about. On top of this, our community will benefit least from this mast because everyone has connectivity including outlying farms.

4. No matter how persuasive Cornerstone are, the proposed lattice mast will also have a detrimental impact on the wider hill top views of Captain Cook's Monument and Roseberry Topping and across the wider moorland views of this part the National Park which are of high importance.
5. If the Committee approve the application, we urge Members to take special steps to mitigate for the arrival of larch disease which, due to felling, will strip this hillside of trees and leave any mast very exposed. Should felling arise, we would like a condition to be placed that the mast and its workings must be removed within six months of felling, prior to what will otherwise be a 20-year term, with the area being re-instated. This is because the trees are the basis on which this application is being made and officers have considered possible. Without them, it will be a real blot on the landscape.
6. If this application is approved by the Committee, we would like to ask for a condition to be made insisting that an alternative to the lattice structure is offered so that the mast could be disguised as a tree. This may result in less impact on the wooded escarpment. If the Committee agree, they could make it a condition that the most sophisticated and least fake looking tree disguise on the market is offered, irrespective of the extra cost to the applicant, and in support of the Sandford Principle. We believe that no matter what it cost Cornerstone, great trouble will be needed to ensure that the design and colour of the mast would be the least worst option available, and all such avenues have not yet been explored.
7. As a parish we agree with the Committee and the National Park Management Plan, that whilst connectivity is very important, ultimately landscape should be at the forefront of planning decisions.

We support the core principles of the Management Plan. Our village and community are already well connected, and so careful thought needs to be given as to the how the landscape can be preserved for its unique beauty.

Please note correspondence in full submitted by E Sutcliffe, A Sutcliffe and R Glean received 05 September 2023:

Images of fake tree masts as opposed to the proposed lattice mast attached for consideration in the Kildale landscape. These are requested for discussion at Planning Committee on Thursday 7 September.

Proposed mast image sent by applicant



Below examples of masts disguised as trees which may be better than lattice mast in this wooded environment, if the most convincing designs currently available can be used, given this is supposed to be a protected landscape. Perhaps further site visits to see examples already in situ can be arranged and options determined?







Item 2, NYM/2023/0279

Please note an amendment to condition 2 to include the amended hard and soft landscaping specification and additional condition as follows:

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Document Description	Drawing No.	Date Received
Proposed GA Site Plan	233.SS.03.101	4 May 2023
Proposed GA Plans	233.AB.03.101	4 May 2023
Proposed GA Elevations	233.AB.03.202	4 May 2023

07 September 2023 Planning Committee members update sheet

Proposed GA Plans & Elevations	233.C.03.121	4 May 2023
Proposed Site Sections	233.SS.03.202	4 May 2023
Hard and Soft Landscaping Specification	MR23-097/101 C	29 August 2023

24. The accommodation hereby permitted shall not be occupied until the first floor window in the north elevation to unit 1 and the rooflights have been fitted with obscured glazing and once installed the obscured glazing shall be retained thereafter.

Main Issues: Trees and Landscaping

A revised Hard and Soft Landscaping Specification has been received. This now proposes that the northern boundary will be a natural stone wall at a height of 1.6 metres to maintain privacy to the neighbouring property. This will replace the existing blockwork wall and extend along the boundary in place of the existing garage (to be demolished) until it meets the existing timber fence. Furthermore, additional tree and shrub planting is proposed, particularly at the entrance to the site to maintain the current level of greenery.

Item 4, NYM/2023/0129

Additional consultation responses received:

Further comments from Parish Council - Object – Council has voiced concerns over the accessibility to the site and proposed new properties, it has also highlighted visibility concerns for drivers and pedestrians. Council feels that this is an over development of the space available and for the village.

Item 5, NYM/2023/0394

Please note reference to the stone sample has been removed from the development description which now reads as follows:

Variation of condition 4 of planning approval NYM/2019/0347/FL to allow the installation of heritage style uPVC windows to the front elevation

Please note amendment to condition 4:

All new window frames and glazing bars to be installed in the front (roadside) elevation of the development hereby approved shall be in accordance with the approved plans, but notwithstanding the details in the approved plans shall be coloured either white or soft cream and maintained in that condition in perpetuity. All windows on the front elevation of the property shall be coloured to match each other.

Additional information has been received to clarify that the windows recently removed from the front elevation of Grove Cottage were in fact PVC, rather than timber as stated in the application.

Additional background information from agent received 04 September 2023:

As requested, we are writing to confirm that the existing windows on the front elevation were UPVC.

Further information has also been provided to request windows to the front elevation are coloured a soft cream colour, rather than white as stipulated by condition 3.

Upon assessment, the soft cream colour as proposed is considered to be in-keeping with the appearance of the property and wider Conservation Area, subject to all windows on the front elevation, including dormer to be replaced in the same colour.

Additional background information from applicant received 04 September 2023:

- Window colour: I understand the Authority's preference for white PVC windows in keeping with the Conservation Area's aesthetics. While the proposed colour is soft heritage green, I would like to propose an alternative for consideration. Would it be possible to consider soft cream that is more in harmony with the Conservation Area's character and compliments the natural sandstone? This way, we can maintain the property's unique charm while also addressing the concerns about colour.
- Window material: I apologise for any confusion regarding the material of the windows recently removed from the property. There has been an error in the application, and I appreciate your diligence in bringing this to our attention. We can confirm that the windows removed were all PVC, not timber as stated in the application.

I would like to reiterate our willingness to find a compromise regarding the proposed PVC windows and their colour, as previously mentioned. We are committed to working collaboratively with the Authority to ensure that our development aligns with the Conservation Area's regulations and maintains its unique character.