

North York Moors National Park Authority

District/Borough: Scarborough Borough Council
(North)
Parish: Hinderwell

Application No. NYM/2018/0364/TN

Proposal: erection of 8.3 metre mast with antennas and associated metering equipment

**Location: verge on approach to Staithes Car Park
off Whitegate Close
Saltburn by the Sea**

**Decision Date: 27 July 2018
Extended to:**

Consultations

Parish – Object. It will be visible from and is immediately adjacent to the Conservation Area of the village. The “Gateway” to the village will be significantly harmed visually.

Highways – No objections

Site Notice Expiry Date – 10 July 2018

Others - Vanessa Ditchburn, 93 Staithes Lane, Staithes - I wish to express my concern at the placement of this mast, aesthetically, environmentally and also with a regard to public health. I realise that the Government is fully in favour of such masts, however I do feel that a better location away from houses and also the public could be found. The National Park has just spent a considerable amount of money on Staithes Car Park to make it more pleasing for both residents and visitors to the village. Surely a mast would be an ugly addition to such a nice area and defeat the object?

Also, the site is very close to houses and local residents have not been consulted (apart from a letter that has slipped down the pole in the car park). Upon speaking to neighbours, they have expressed their concerns regarding the siting of any mast in local proximity.

Sally Cook, 66 Staithes Lane, Staithes - Concerned about this application. Residents weren't informed and the site notice had slipped down the post into the bushes - could the consultation period be extended? Also concerned that the mast is too near the playground and houses and although the height has been reduced it will still be higher and more conspicuous than other nearby street furniture. A lot of money has been spent in Staithes to make it more attractive and this would detract from it. Surely a better site could be found.

Kenneth Smith, 99 Staithes Lane, Staithes - Object. As a resident of Staithes, and chairman of Staithes Communities Ltd, I am disappointed that this site was even considered by SBC. NYMNP have done a great job of transforming the old grass bank in front of the car park into a beautiful naturally themed planted area and a 12 meter pole would ruin this aspect, totally dominate the corner and be the first thing visitors notice on arrival. I know nothing about siting and area coverage of radio antenna but couldn't sites be sought that are less obtrusive, for instance on the same field as the present water works by the Whitby road on the outskirts of Staithes, or say in one of the lay byes on the bouldy bank road towards

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Easington, or even strapped onto the Boulby Mines chimney, anywhere in fact but in what is virtually Staithes Village centre.

Director of Planning's Recommendation

Refuse for the following reasons:

1. The proposed 8.3m high mast and additional 1.5m antenna would by reason of its siting and height in this widely visible location, detract from the appearance of this part of the National Park contrary to Core Policy A and Development Policy 25 of the North York Moors Local Development Plan Policies which seek to conserve and enhance the landscape and ensure that the development does not have an adverse visual impact upon the character of the locality.

Background

The proposed site is a grass bank adjacent at the top of Staithes Bank Top, Junction of Staithes Lane and Whitegate Close. It is in a adjacent the residents and public car park and near the roundabout which restricts access down to the lower section of Staithes and directs general traffic into the carpark and the Staithes Gateway Centre.


The site is visible from the main road, and the main thoroughfare which is crossed on foot from the car parks to the main road. A public play area also borders the site.

Earlier this year planning permission was granted for the North York Moors National Park to site a lobster sculpture on the roundabout adjacent this site, through funding obtained in order to provide a stimulating and attractive entrance to the village providing a strong sense of identity with Staithes and its close links with the sea.

This current notification relates to the siting of an 8.3m micro pole (measuring 10cm in diameter) with one 1.7m smart metre antenna attached at the top. The equipment is required to provide coverage in the area for smart metre coverage. The pole would be located adjacent the road, away from other development although there are a number of 5m high lighting columns serving the car park.

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. The only factors that can be considered under such a notification are those concerning the final 'siting' and 'appearance' of the proposed development.

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.

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The mast is required to provide improved transmission links to safeguard the operational integrity of the airwave emergency services network. The height for the new dish is required in order to "see" the receiving transmission link on another network site in the emergency services network.

In support of the proposal it is stated that this application is part of the Smart Metre initiative which is part of the Governments programme to cut greenhouse gas emissions. Smart metres are the "next generation" of gas and electricity metres.

Main Issues

The main issue is whether this mast would have an adverse impact on the character of the National Park landscape, specifically at this gateway point at the top of Staithes.

Development Policy 25 (Telecommunications) of the North York Moors Local Development Framework relates to telecommunication provision within the Park and states that the erection of radio and telecommunication masts will be permitted where the proposal does not have an unacceptable impact on the character of the locality and 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.

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

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


The proposed mast would be sited in an extremely prominent position at the important approach into the Staithe Conservation Area, in a popular tourist location, where proactive work has been undertaken to improve the appearance of this area. Alternative locations have been suggested to the applicant, adjacent to the industrial buildings to the east of this site. However an amended location has not been forthcoming.

Whilst there are existing lighting columns in the car park, these are at a significantly lower height than the proposed mast, which mast would be visually intrusive in this open location and would introduce additional clutter to the streetscape, to the detriment of the character of the area and this part of the National Park.

In view of the above considerations, it is recommended that this Prior Approval be refused due to the inappropriate siting of the pole.

Explanation of how the Authority has Worked Positively with the Applicant/Agent Refusal (Amendments Requested and Declined)

Negotiations have taken place with the aim of making changes to ensure the proposal complies with the relevant policies of the Development Plan/delivers a sustainable form of development as set out in the National Planning Policy Framework, though unfortunately such changes were not implemented.

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