

North York Moors National Park Authority

District/Borough: Westworth Ward

Parish: Sneaton/Eskdaleside cum Ugglebarnby

Application No. NYM/2018/0589/NM

Proposal: Non material amendment to planning approval NYM2017/0505/MEIA to allow the installation of telecommunications mast (approx 15m) to be operated by Northern Power Grid

Location: Land at Woodsmith Mine (formerly Doves Nest Farm & Haxby Plantation) Sneatonthorpe (minehead); underneath 252 km² of the NYMNPA (winning & working of minerals); a corridor extending underground from the edge of the NP boundary to Wilton Complex (mineral transport system); Ladycross Plantation near Egton, Lockwood Beck Farm near Moorsholm, Tocketts Lythe near Guisborough (intermediate shaft sites); site within the eastern limits of the Wilton Complex Teeside (tunnel portal)

Decision Date: 01 October 2018

Extended to: 26 October 2018

Consultations

Parish – Sneaton Parish Council – has no objection. Eskdaleside cum Ugglebarnby Parish Council – has no objection but comment that ‘it would be a shame to spoil the view from Blue Bank with a mast on the horizon now that the electricity transmission towers have been removed. This tower would put a marker on the horizon showing the position of the Mine, which once finished should not be in view’.

Natural England – comment that the proposed development will not have significant adverse impacts on protected landscapes and has no objection.

Yorkshire Wildlife Trust – has considered the potential for the development to impact on bats and has objection.

National Park Authority Conservation team - has no objection.

Site Notice/Advertisement Expiry Date – not applicable.

Director of Planning’s Recommendation

Approval subject to the following condition(s):

1.	PLAN03	The development hereby approved shall only be carried out in accordance with the amended plans, which comprise the installation of a telecommunications mast as described in the application details dated 3 September 2018 and as shown on drawing no. 40-GHD-WS-5720-TE-15-00001 Rev B. Otherwise the development shall be carried out completely in accordance with the approved plans and imposed conditions of planning permission NYM/2017/0505/MEIA dated 6 February 2018.
2.	MATS02	Notwithstanding the general provisions of condition 1 above, the telecommunications mast (excluding aerial) hereby permitted shall only be finished in colour RAL 6008.

3.	LNDS03	No trees, shrubs or hedges shall be felled, uprooted, wilfully damaged or destroyed, cut back or removed without the prior written consent of the Local Planning Authority. Any work approved shall be carried out in accordance with British Standard 3998:2010 Tree Work – Recommendations. If any retained tree/hedge is removed, uprooted, destroyed or dies within five years of the completion of the development, it shall be replaced with trees, shrubs or hedge plants of a similar size and species, unless the Local Planning Authority gives written consent to any variation.
5.	MISC00	The development hereby permitted shall be removed from the site and the land reinstated to its former condition within 12 months of the cessation of use of the associated Northern Power Grid substation permitted under reference NYM/2018/0181/nm, or within 12 months of cessation of mineral extraction at the Woodsmith Mine site, whichever is the sooner.

Reason for Condition(s)

1.	PLAN01	For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the National Park.
2.	MATS02	For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 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.
3.	LNDS02	In order to comply with the provisions of NYM Core Policy C which seeks to conserve and enhance the quality and diversity of the natural environment.
4.	MISC00	In order to comply with the provisions of NYM Core Policy C which seeks to conserve and enhance the quality and diversity of the natural environment.

Background

Planning permission for development of Woodsmith Mine was initially granted in 2015, with minor material amendments subsequently permitted in February 2018 under reference NYM/2017/0505/meia. Following the 2018 permission, two further approvals for non-material amendments to the permission have been approved. These include the installation of a substation building (to be operated by Northern Power Grid) to facilitate provision of an 11kv power supply to the Mine site, and; the re-introduction into the mine development scheme of a separate mine ventilation shaft. Development activity at the mine head site is in progress and installation of the Northern Power Grid substation is complete. Construction of the ventilation shaft has not yet commenced.

The current proposal seeks approval for installation of a telecommunications mast, which will be operated by Northern Power Grid in conjunction with the substation building to allow remote diversion of electrical power to other off-site locations when there is a drop in power demand at the site. The mast (excluding aerial) would be 14 metres in height and of self-supported metal matrix construction, with a cross section of approximately 0.8m x 0.8m. The main mast structure would be coloured dark green (RAL6008), consistent with the majority of other construction stage buildings and structures on site. An unpainted aluminium aerial 3 metres in horizontal length and 1 metre in height would be located on top of the mast. The mast would be connected to the substation via an underground duct and

via a narrow (0.6m wide) gravel surfaced pedestrian footpath along the line of the existing screen fencing.

The location of the mast is determined by the need for proximity to the substation building, to ensure that it is accessible to Northern Power Grid staff for maintenance purposes (the mast would remain the property of Northern Power Grid), as well as the need for a clear line of site to the Northern Power Grid repeater mast at Whitby. To meet these requirements the mast would be located approximately 30 metres to the north east of the substation building and to the rear (ie western side) of the 3 metre high acoustic screen fence, which runs parallel to part of the western mine site boundary. A woodland shelter belt (to be retained and enhanced through further planting) surrounds the immediate location of the mast to the north, west and south and contains established trees of similar height to the proposed mast. The applicant has confirmed that no trees or substantial shrubs would need to be removed to accommodate the mast.

Main Issues

Applications for non-material amendments are not subject to the statutory requirement that they be determined in accordance with the development plan unless material considerations indicate otherwise. Planning guidance indicates that, in determining an application for a non-material amendment, the planning authority must have regard to the effect of the change, together with any previous changes made under section 96a of the Town and Country Planning Act 1990, as well as take into account any representations received.

The main issue for consideration is the potential for the mast to give rise to visual impact, individually or in conjunction with other elements of the Woodsmith Mine development, including the substation building and ventilation shaft structure already approved as non-material amendments to the 2018 permission for the Mine. The potential for impact on bats is also a relevant consideration.

With regard to visual impact, the mast itself would be a relatively slender lattice structure and largely obscured from view by surrounding vegetation, a screen fence and existing temporary structures associated with the mine development. The dark green colouring of the mast would reduce the extent to which it would be visible in any filtered views, through existing shelterbelt vegetation, from users of the nearby B1416, approximately 50 metres to the west of the proposed mast location. There is potential for the upper part of the mast and aerial to be visible to users of the B1416 in transient glimpsed views through vegetation, although in isolation this is not expected to give rise to an unacceptable degree of impact. To the extent that the upper part of the mast may be visible in glimpsed views, it would add to the cumulative visual impact from existing and future construction stage structures. However, the overall magnitude of such additional impact is expected to be very low.

In the longer term, during the operational stage of the development, additional screen planting within the shelterbelts on the western side of the main site boundary would serve to provide improved screening of the mast structure, although the potential for the structure to remain partially visible in glimpsed views through screening vegetation cannot be ruled out, particularly in winter months. The principal planning permission for the mine development already requires submission and implementation of a scheme of planting and management for the shelterbelts, in order to enhance their longer term resilience and screening benefit, and a scheme is expected to be submitted for approval shortly, with the intention that planting be carried out during the forthcoming planting season. The applicant has confirmed in writing that such scheme will include provision for enhanced landscaping measures, specifically to address the requirement for further screening of the proposed mast. It is considered that this would provide an appropriate mechanism for addressing this matter and in reducing the potential for any longer term visual impact to an acceptable level.

With regard to the potential for impact on bats, the Conservation team has advised that, subject to the views of the Yorkshire Wildlife Trust, there are no objections. YWT has subsequently confirmed that, due to the large separation distance between the proposed mast and the former Doves Nest Farm building, which was a known pipistrelle maternity roost, they are satisfied that the mast would not have an impact on bat populations.

Contribution to Management Plan Objectives

Approval on the limited basis proposed is considered likely to help meet Policy E3 which seeks to ensure that new development will not have a detrimental impact on the landscape of the National Park.

Explanation of how the Authority has Worked Positively with the Applicant/Agent

Officers have held pre-application discussions with the developer to discuss requirements relating to the submission and the issues that arise.