

**Town and Country Planning Act 1990
North York Moors National Park Authority**

**Notice of Decision of Planning Authority on Application for
Permission to Carry out Development**

To: Arqiva Ltd on behalf of CTIL & EE
c/o Harlequin Group
Rutland House
5 Allen Road
Livingston
EH54 6TQ

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The above named Authority being the Planning Authority for the purposes of your application validated 03 April 2017, in respect of proposed development for the purposes of **erection of replacement 17.5 metre mast with antennas and dishes together with siting of ground based cabinets and ancillary equipment at Arqiva Site, The Howe, Danby Low Moor, Castleton**, has considered your said application and has **granted** permission for the proposed development subject to the following conditions:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.
3. The mast tower and any new or replacement equipment on the tower hereby approved shall be maintained in a non-reflective mid- grey colour or any other such colour as agreed in writing by the Local Planning Authority.
4. Within three months of the mast hereby approved being first brought into use, the existing mast shall be removed from the site unless the Local Planning Authority has otherwise agreed in writing.
5. If the use of the equipment for the purposes of telecommunications permanently ceases, the equipment shall be removed from the site unless the Local Planning Authority has otherwise agreed in writing.
6. No development for any phase of the development shall take place until a Construction Method Statement for that phase has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Local Highway Authority. The approved Statement shall be adhered to throughout the construction period for the phase. The statement shall provide for the following in respect of the phase:
 - a) Construction vehicles routing to avoid turning right off Howe Bank.
7. No development shall take place on site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Continued/Reasons for Conditions



Mr C M France
Director of Planning

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26 MAY 2017
Date

Town and Country Planning Act 1990

Continuation of Decision No. NYM/2017/0233/FL

Reasons for Conditions

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1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
 2. 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 NYM National Park.
 3. 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.
 - 4 & 5. In order to comply with the provisions of NYM Development Policy 25 which seeks to ensure that there is a functional requirement for such equipment and reduce any unnecessary landscape impact.
 6. In accordance with policy Development Policy 23 of the Local Development Plan and to provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.
 7. In order that any remains of archaeological importance can be adequately investigated and recorded before any development takes place on the site and to comply with NYM Core Policy G which seeks to conserve and enhance the historic assets and cultural heritage of the National Park.

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

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against the Development Plan and all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The development is likely to maintain the economic, social and environmental conditions of the area.



Mr C M France
Director of Planning

Date **26 MAY 2017**

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