



Design and Access Supporting Statement

Cell Name and No.	Jingleby Thorn NYK018
Site Address:	Jingleby Thorn, Dalby Forest Drive, Dalby Forest, near Pickering, North Yorkshire, YO13 0LW
OS Grid Reference:	NGR E488710 N489090
Description of Development:	The removal the existing 25 metre high lattice mast to be replaced by the installation of a 30 metre high lattice mast and retention of existing 3.no antenna, 2.no equipment cabins and ancillary development thereto.

General Introduction

This supporting statement forms part of the planning application, submitted on behalf of Airwave Solutions Limited to the North York Moors National Park Authority as the relevant authority for planning matters. The application relates to the upgrading of the existing Airwave telecommunications installation and the retention of the existing ground based radio equipment cabins at Jingleby Thorn, Dalby Forest.

This supporting statement aims to assist the Local Planning Authority in their evaluation of the telecommunications proposals, stating clearly the facts and issues surrounding this planning application. It takes into account the matters of address relating to a "Design and Access Statement" which is a requirement of s.42 of the Planning and Compulsory Purchase Act 2004. This supporting statement helps to set out the processes that have taken place towards establishing the siting and appearance of the development which now forms part of this planning application.

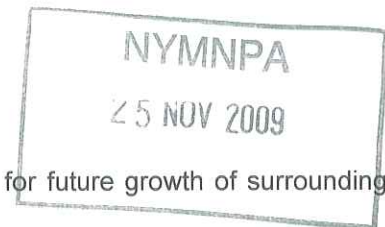
Description of the Proposal Site

The proposal consists of an existing Airwave telecommunications radio base station, consisting of 3.no colinear Airwave antenna and 1.no Forestry Commission antenna mounted to a 25 metre high lattice mast, 2.no transmission dishes, 2.no radio equipment cabin and associated equipment located at Jingleby Thorn, Dalby Forest. The site is enclosed by a 2 metre high chain link fence which forms the Airwave compound. The site is situated of Dalby Forest Drive within Dalby Forest which is located to the east of Lockton Lane (A169), 6.5 miles north-east of Pickering.

Proposed Development

The application stems from the need for Airwave Solutions Ltd's existing radio base station to be upgraded on behalf of due to the degrading and recent failures in the microwave dish link at Jingleby Thorn, Dalby Forest (site ref: NYK018). The microwave signal between Jingleby Thorn, Dalby Forest and an adjacent site at Flyingdales (site ref: NYK081) is being blocked by the height, bulk and massing of the trees on surrounding high land between these two points, preventing the installation connecting to the rest of the network and causing an intermittent loss of coverage to the local area. Airwave Solutions Ltd still have a requirement to provide radio coverage to emergency services and public safety organisations in this area and therefore an installation in this location is necessary for Airwave to meet its coverage requirements as part of its license agreement.

Therefore Airwave Solutions Ltd are seeking to increase the height of the existing mast so that the existing OPCS telecommunications equipment at Jingleby Thorn, Dalby Forest can connect to the rest of the Airwave network via the microwave radio link to the next Airwave site at NYK081 Flyingdales, which is the only feasible method of connecting the site as due to the remote location of this site, the installation could not be connected via underground BT fibre-optic cable. Therefore a dish height of 29.5 metres is required so that the site at Jingleby Thorn, Dalby Forest can 'see' the Airwave mast, giving the installation a clear line of site and therefore connecting it to the rest of the network. It should be noted



that the height increase has been calculated so that it will also allow for future growth of surrounding trees without degrading the microwave link.

The replacement installation will consist of a 30 metre lattice mast with the existing 3no. Airwave antennas, 1.no Forestry Commission antenna and 2.no transmission dishes reinstated upon the upper section of the mast. The replacement lattice tower will maintain the same structure diameter as the existing lattice tower and will be reinstated upon the existing 4.5m² concrete base. The lattice tower will be galvanised steel and the existing equipment cabins are sited alongside the proposed installation, ancillary thereto.

It is noted that the above matters are detailed in the 1APP forms and the plans (Drawing Ref.: - 0180/01, 02, 03) that accompany this full planning application. Nevertheless should the Local Planning Authority be minded to grant planning permission and feel alternative measures of mitigation would help improve the proposed scheme then the applicant would welcome any suggestions during the life of the application so as to prevent any unnecessary condition(s) being attached to a decision.

Reasons for Selecting the Proposal Site and Proposed Design

Airwave Solutions operate a secure digital radio network on behalf of the UK Government. Completed in March 2005 and covering England, Wales and Scotland, it is dedicated to the exclusive use of the UK's emergency and public safety organisations, including the Police, Fire and Rescue Service and the Ambulance Service. As part of the Government's critical National Infrastructure, it is designed to operate even during major incidents when conventional mobile and fixed telephone networks may overload or fail. It also allows the emergency services to communicate directly with each other at the scene of an incident.

The work is of critical importance for national security, but is equally vital for local communities in preventing any loss in coverage and communications for the emergency services. The Jingleby Thorn, Dalby Forest Airwave site is one of the existing sites within the Airwave base station network. The proposed development described is required in order to provide and maintain coverage to the surrounding area and the A169.

The proposals involve the upgrading of an existing telecommunications radio base station which is set well away from the highway and situated within an area of dense vegetation which affords the site excellent screening from surrounding view points and ensures that long range views of the site are limited. However, the surrounding vegetation has begun to impede upon the ability of the installation to communicate with the rest of the Airwave network. Whilst a new 30 metre high ground based structure in a separate location would meet Airwave's technical requirements, it was considered that the upgrading of this site so that it can connect to NYK081, represented the best environmental and technical solution as the installation is an established feature that is accommodated within the surrounding landscape without appearing obtrusive.

Pre-Application Consultations

The proposed development at the Jingleby Thorn, Dalby Forest site was given a **Green** rating when it was assessed against the Traffic Light Rating Model. Further details of the Traffic Light Rating Model can be found in Annex D to the Code of Best Practice on Mobile Phone Network Development. In relation to this rating, it is intended that due to the nature of the site no community consultation shall be required by the guidance of the Traffic Light Rating Model.

Initial pre-application consultation dated 8th September 2009 outlining the planned improvements to the Airwave network, were sent to the Hilary Saunders at the North York Moors National Park Authority. An invitation to a forthcoming design survey was extended to Hilary Saunders, who was unable to attend. Therefore details of the proposed upgrade and site drawings were sent to the North York Moors National Park Authority on 19th October 2009.

Hilary Saunders responded on 5th November 2009 in relation to pre-application letter and indicated that no objections would be expected to the proposed 5 metre height increase as it would be unlikely to be visually intrusive within the immediate locality or wider landscape. Given these comments, it was deemed that the proposals were acceptable to progress to a formal application.

Planning Policy and Material Considerations

Government Policy

National guidance contained within planning policy guidance notes and Governmental circulars have been determined to be material considerations in determining planning appeals. In this instance, it is our opinion that the following advice is material:

PPG 8 – Telecommunications (2001)

Published in August 2001, PPG 8 provides guidance to take account of the developments in telecommunications technology and the growth of the telecommunications industry. It also seeks to provide advice about taking account of health considerations in making planning decisions. It is of note that issues relating to health will be addressed in the latter sections of this statement.

Paragraph 1 of PPG 8 explains that the Government's policy is to facilitate the growth of new and existing telecommunications systems whilst keeping the environmental impact to a minimum. Material considerations include the significance of the proposed development as part of a national network and authorities should not question the need for the telecommunications system, which the proposed development is to support.

Paragraph 5 of PPG 8 relates to material considerations in determining proposals for telecommunications development. It states: "*Material considerations include the significance of the proposed development as part of a national network. In making an application for planning permission or prior approval operators may be expected to provide evidence regarding the need for the proposed development.*"

Paragraph 7, advises that each telecommunications system have different antenna types, siting needs and other characteristics; "*Planning Authorities should have regard to any technical constraints on the location and proposed development.*"

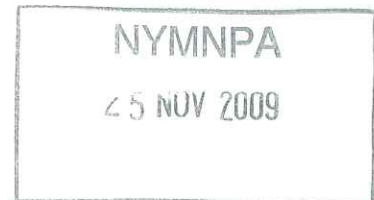
Paragraph 52 provides guidance regarding the factors that the Local Planning Authority should consider when assessing planning applications and states: "*Where development requires an application for planning permission applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Applications should not be refused on the basis of development plan policies which take insufficient account of the growth and characteristics of modern telecommunications.*"

Paragraph 53 advises that LPA's should have regard to any technical constraints and the need for the development in making their decision as the significance of the proposed development as part of the national network can be a material consideration.

Paragraph 64 relates to environmental considerations and comments that masts and antenna often require particular operating heights which allow signals to clear urban clutter and to work effectively. Such is the case at the application site where the proposed v-sat dish antenna can be located close to ground level.

Paragraphs 12 and 13 of Annex 1 provide guidance regarding the siting and appearance of telecommunications facilities. Factors, which the LPA should consider when assessing applications for ground based masts, include:

- The height of the site in relation to surrounding land;
- The existence of topographical features and natural vegetation;
- The effect on the skyline or horizon;
- The site when observed from any site, including from outside the authority's own area;
- The site in relation to designated areas;
- The site in relation to existing masts, structures or buildings; and
- The site in relation to residential property.



Development Plan

Section 54A of the Town and Country Planning Act 1990 (as amended) states that "in making any determination under the planning Acts, regard is to be had to the development plan; the determination is to be made in accordance with the plan unless material considerations indicate otherwise."

It is considered that the following policy of the Adopted Core Strategy and Development Policies Development Plan Document is applicable: -

DEVELOPMENT POLICY 25 - Telecommunications

The provision of infrastructure for telecommunications and information technology will be supported where it is of a scale and design appropriate to the National Park and helps meet the needs of local communities. Proposals for the erection of telecommunications masts and equipment and any associated development will be permitted where:

1. *There are no suitable alternative means of provision.*
2. *There is no unacceptable adverse visual impact upon the character of the locality and the wider landscape.*
3. *The siting of the installation makes use of the least environmentally intrusive option available.*
4. *The proposal is part of a co-ordinated, long term strategy for the provision of telecommunications technology.*
5. *Provision is made for the removal of the equipment when it is redundant.*

The proposal, subject of this application is located within a National Park. It is of note that the replacement lattice tower does not form a solid structure, allowing views through the installation, making it appear less visually obtrusive than a solid monopole design. It is appreciated that the installation will be taller than the existing installation, however the site is surrounded by tall and mature trees which will act to screen the site as well as providing a back drop to which the site will be viewed. Furthermore by replacing an existing telecommunications structure, the proposed development will not appear incongruous, given that the existing mast is an established feature of the landscape and its initial novelty has expired.

The existing antennas are of a discreet nature given their thin diameter. Whilst the ground based equipment cabins are painted Dark Brown so that they better assimilate with the context of the surrounding forest which softens the appearance of the development. The existing installation is set back from the highway and the upgraded installation will be seen in perspective when viewed within the wider locality, meaning that it will not appear unduly prominent and therefore will not detract from the visual amenity of the National Park. It is therefore considered to conform to policy DP25 of the North York Moors Adopted Core Strategy and Development Policies Development Plan Document.

Our client will welcome any recommendation from your department regarding any other impact mitigation measures that you consider suitable such as landscaping or an alternative colouring of the proposed apparatus.

Code of Best Practice on Mobile Phone Network Development

The Code of Best Practice was published in November 2002 and produced jointly by all Mobile Phone Operators, and representatives of Central and Local Government. It provides clear and practical advice to ensure that delivery of significantly better and more effective communication and consultation between operators, local authorities and local residents.

Paragraphs 140 - 145 identify general design principles in which camouflaging or disguising equipment is considered materially appropriate. In reducing the environmental and visual impact of a ground based installation the Code of Best Practice promotes the use of simple and uncomplicated designs.

Health Considerations

Recent court cases have confirmed that the *public perception* of health risks can be a material consideration within the land-use planning system. The weight to be attached to this issue has to be determined accordingly in each case by the decision maker. It has been generally held, and widely established at planning appeal, that health concerns are not a sufficient basis alone for withholding planning permission providing it has been demonstrated that the proposed installation will comply with the ICNIRP guidelines.

The most recent government advice regarding mobile telephone technology and health issues is outlined within the revised PPG8 (2001) which states:

Para 98 "...it is the Government's firm view that the planning system is not the appropriate mechanism for determining health safeguards. It remains central government's responsibility to decide what measures are necessary to protect public health. In the Government's view, if a proposed development meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them."

In response to the recommendations of the report entitled 'Mobile Phones and Health' (2000) prepared by the 'Independent Expert Group on Mobile Phones' (IEGMP) and PPG8 (August 2001) Airwave has confirmed that all base stations, will meet ICNIRP public exposure guidelines as recommended by the IEGMP. The proposed telecommunications apparatus that is subject of this application is designed to be in full compliance with the requirements of the radio frequency (RF) public exposure guidelines of the International Commission on Non-Ionizing Radiation Protection (ICNIRP), as expressed in the EU Council recommendation of 12 July 1999 on the limitation of exposure to the general public to electromagnetic fields (0 Hz to 300 GHz).

The AGNIR report (14 January 2004), the post Stewart review of scientific research into mobile phones, base stations and health, is the most up to date piece of research into this issue. The report is based on a review of all of all of the scientific research into mobile phone safety published over the three years since the Stewart report and it's findings confirms the findings of the Stewart report which concluded that the balance of evidence suggests that mobile phone technologies do not cause adverse health effects. The AGNIR report found that the weight of scientific evidence now available does not suggest that there are adverse health effects from RF fields below guideline levels and concluded that:

"Exposure levels from living near mobile phone base stations are extremely low, and the overall evidence indicates that they are unlikely to pose a risk to human health". (pg 148, AGNIR Report, January 2004)

In the case of the proposed development, we believe that it is not necessary for the North York Moors National Park Authority to consider further the health effects of the proposed equipment, as recommended by PPG 8. Airwave is committed to ensuring that all its installations are ICNIRP compliant. It is therefore considered that there is no basis for this application to be refused on health and safety grounds.

An ICNIRP certificate will follow in due course.

Compliance with Other Regulations

To ensure compliance with other Regulations, the following paragraph is included:

"Please accept this letter and its enclosures as a notification, in accordance with Regulation 5 of The Electronic Communications Code (Conditions and Restrictions) Regulations 2003 as required by the Communications Act 2003, of our proposed intention to install electronic communications apparatus, subject to securing planning permission in respect of the proposed development.

The apparatus to be installed consists of a 30 metre high lattice mast and retention of the existing Airwave and Forestry Commission apparatus which will be reinstated upon the replacement lattice tower.”

Summary

We would conclude that the proposed development is technically necessary in order to address the degrading and recent failures in the microwave dish link at Jingleby Thorn, Dalby Forest (site ref: NYK018). The microwave signal between Jingleby Thorn, Dalby Forest and an adjacent site at Flyingdales (site ref: NYK081) is being blocked by the height, bulk and massing of the trees on surrounding high land between these two points, preventing the installation connecting to the rest of the network and causing an intermittent loss of coverage to the local area. Furthermore, the additional telecommunications equipment, proposed to be installed at an existing radio base station site, will have limited impact on the immediate area and the surrounding locality.

We would request that consideration is given to the merits of the proposed development which balances both the technical and amenity considerations, and that planning permission is granted accordingly.

NYK018 – EXISTING AIRWAVE INSTALLATION AT JINGLEBY THORN, DALBY FORREST



Existing Airwave installation at Jingleby Thorn, Dalby Forrest

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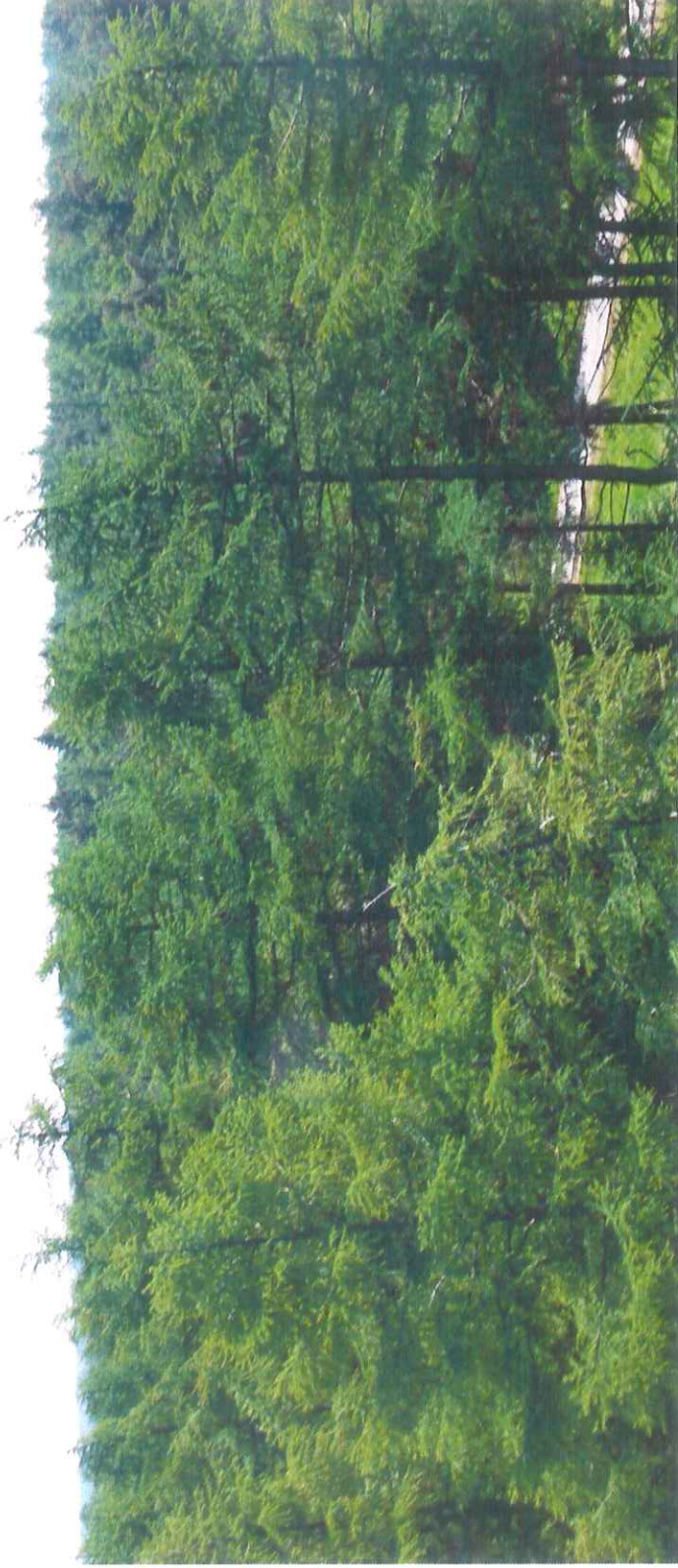
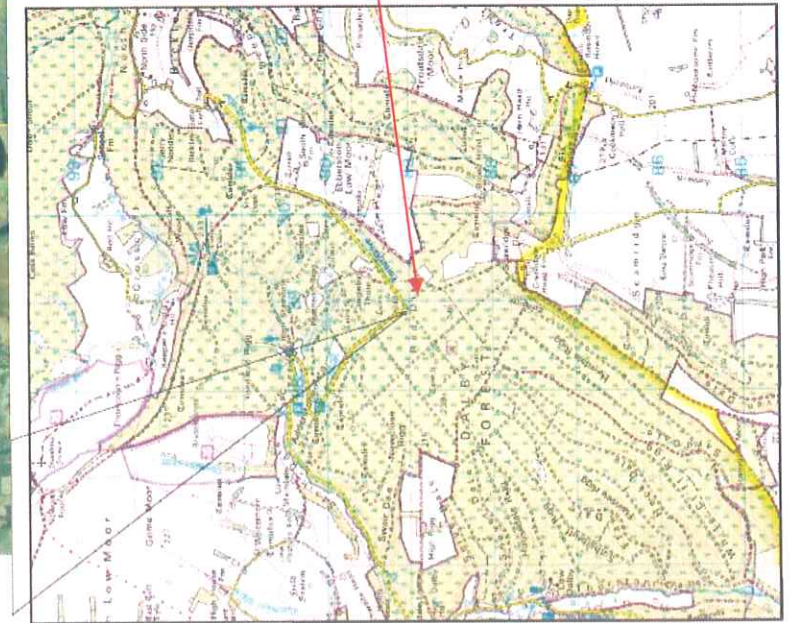
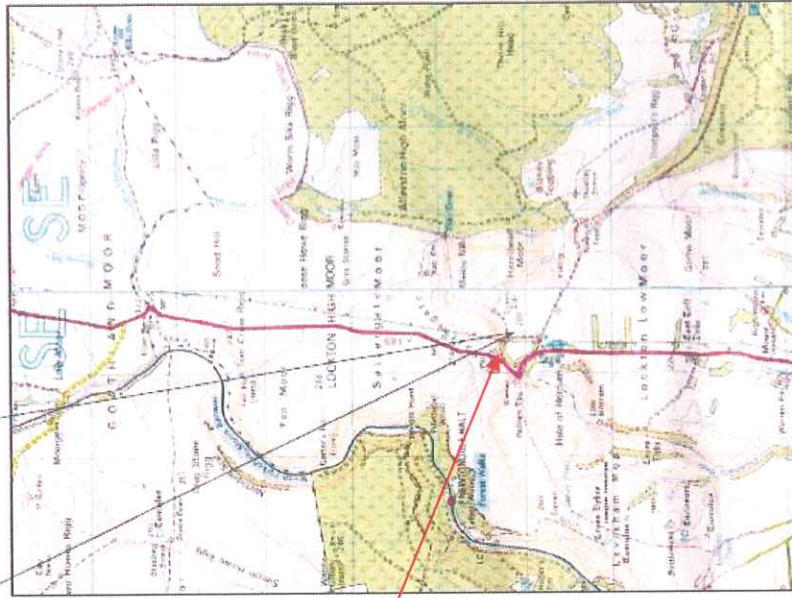
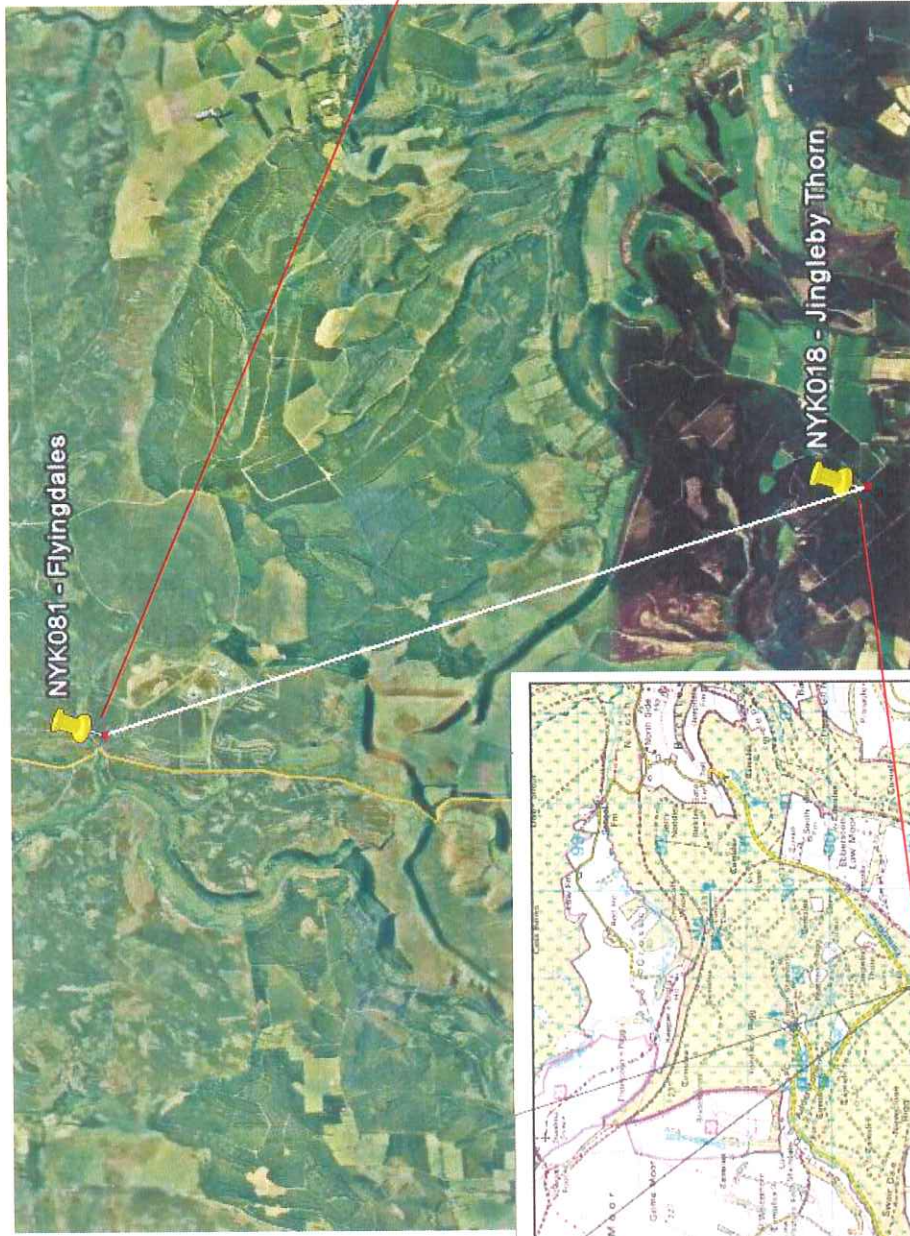


Image taken at the height of existing Airwave transmission located upon the existing installation, which is being blocked by the height, mass and bulk of the adjacent trees and consequently this vegetation is preventing the existing from linking to the adjacent site at NYK081 Flyingdales and the rest of the network.



NYK018 – JINGLEBY THORN, DALBY FORREST



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Line of sight connection (shown in white) that is required between the application site at NYK018 Jingleby Thorn and NYK081 Flyingdales.

