

SUPPLEMENTARY INFORMATION

1. Site Details

Site Name:	Kine Rigg Farm – Staintondale	Site Address:	Kine Rigg Farm, Staintondale, Scarborough, North Yorkshire, YO13 0EB
NGR:	E: 498032 N: 498547		
Site Ref Number:	CTIL_110623_VF_6847_TEF_74474	Site Type: ¹	Macro

2. Pre Application Check List

Site Selection (for New Sites only)

(would not generally apply to upgrades/alterations to existing sites)

Was an LPA mast register used to check for suitable sites by the operator or the LPA?	Yes	No
If no explain why: The application is an upgrade to an existing site.		
Was the industry site database checked for suitable sites by the operator:	Yes	No
If no explain why: The application is an upgrade to an existing site.		

-7 OCT 2015

Annual Area Wide information to local planning authority

Date of information submission to local planning authority	6 October 2014
Name of Contact	
Summary of any issues raised:	

Pre-application consultation with local planning authority

Date of written offer of pre-application consultation:	30.09.2015
Was there pre-application contact:	No
Date of pre-application contact:	
Name of contact:	N/A

¹ Macro

Summary of outcome/Main issues raised:

N/A

Ten Commitments Consultation

Rating of Site under Traffic Light Model:	Red	Amber	Green
Outline Consultation carried out: Consultation with local Ward Councillors' for Scalby, Hackness and Staintondale Ward (Cllr's D J Bastiman, H E Lynskey) and the local MP Robert Goodwill. Pre-application consultation letters and drawings of the proposals were sent to these parties on the 01.09.2015.			
Summary of outcome/Main issues raised: No response to date.			

School/College

Location of site in relation to school/college: No Schools within the vicinity of the area.
Outline of consultation carried out with school/college: N/A
Summary of outcome/Main issues raised: N/A

Civil Aviation Authority/Secretary of State for Defence/Aerodrome Operator consultation (only required for an application for prior approval)

Will the structure be within 3km of an aerodrome or airfield?		No
Has the Civil Aviation Authority/Secretary of State for Defence/Aerodrome Operator been notified?		N/A
Details of response: N/A		

10/09/15
-7 OCT 2015

Developer's Notice

Copy of Developer's Notice enclosed?	Yes
Date served:	30.09.15

3. Proposed Development

The proposed site:

Background

Telefónica UK Ltd has entered into an agreement with Vodafone Ltd pursuant to which the two companies plan to jointly operate and manage a single network grid across the UK. These arrangements will be overseen by Cornerstone Telecommunications Infrastructure Ltd (CTIL) which is a joint venture company owned by Telefónica UK Ltd and Vodafone Ltd ("the operators"). Due to the dramatic rise in the use of mobile data, the industry has had to consider new operating models that are efficient at delivering 3G and 4G services to a much larger percentage of the UK population, as well as supporting 2G services. Both companies pledge to close the digital divide between rural and urban areas targeting 98% indoor population coverage across 2G and 3G by 2015. The agreement will also lay the foundations for two competing 4G networks to deliver the capability for a nationwide 4G service faster than could be achieved independently.

The agreement allows both organisations to pool their basic network infrastructure, while running two, independent, nationwide networks allowing consumer choice. By doing this, they will both reach far more of the country far faster than they could achieve on their own. This single network grid will automatically increase each operator's footprint by 40%, adding competition and choice for customers in areas that previously only had one operator's coverage available.

Following agreement with the two operators, some ownership of the equipment will change to allow the commissioning of the proposed Multi-Operator Radio Access Network ("MORAN") required to deliver the single network grid. This will have little impact from a planning standpoint, however, it forms an important part of the agreement between the companies. It will also provide enhanced capacity for both operators' customers in the future, which will be especially important with the recent launch of the 4G networks. Therefore from a customer perspective they won't see any change as customers will continue to use each operator's network. This agreement is about consolidating infrastructure assets, clearing the way for innovation and the creation of new services that customers really want.

CTIL and Vodafone Limited are looking to progress works which will entail the upgrading of their existing radio base station site on land at Kine Rigg Farm. The proposal is to upgrade the site to enable a single network grid supporting modern MORAN technology for both Telefónica UK Limited and Vodafone Limited. The site will be operated by CTIL and Vodafone Limited but the upgrade will enable both operators to provide future MORAN services from the existing site at Kine Rigg Farm, Staintondale, Scarborough, North Yorkshire, YO13 0EB.

The site is located on land at Kine Rigg Farm, positioned next to neighbouring trees and bushes, on private land.

The north of the site is made up of agricultural land.

To the east and west of the site the grassy tree area continues. Beyond which is more agricultural land.

The existing radio base station is already located at Kine Rigg Farm. It comprises a 15m monopole supporting 3 no. antennas on a headframe at the top height of 17.10m of the

- 7 OCT 2015

column. There is also 1no. 300mm dishes fixed to the monopole. There are also equipment cabinets in the equipment room. The existing cabinets are finished in a grey colour.

The area is made up of mostly agricultural areas, trees and bushes.

Enclose map showing the cell centre and adjoining cells:

This is an upgrade to the existing site to fundamentally enable the operators to jointly operate and manage a single network grid across the UK, using MORAN technology, in accordance with the CTIL joint venture arrangements.

- 7 OCT 2015

Type of Structure: 17.5m CU Phosco

Description:

The proposals relate to the removal of the existing 15 metre slim-line column; 3no antennas; and 1no 300mm Transmission Dish. The installation of a replacement 17.5 metre slim-line Column supporting 3no antennas; 3no 300mm Transmission Dishes; 3no. Remote Radio Units (RRU's); alteration within the existing ground based Equipment Cabin; and ancillary development required thereto.

The antennas on the replacement monopole will be located on a lattice headframe at the top of the column. Below the column will be approximately 500mm in width. It is of note that the proposals seek to upgrade the existing base station in this location. The latest proposal accommodates both operators' antennas at a top height of 17.50m and an underside height of 14.90m.

The 3no. Remote Radio Units (RRU's) will be located at an approximate height of 16.2m and will have the dimensions of 431x182x500. It is of note that the RRU's are no larger than the size of a shoebox. The 2no. 300mm transmission dishes will be located at a centre line height of 13.84m and will be fixed to the replacement monopole.

The development at this location also includes the installation of 2 equipment cabinets ancillary to the new column itself. These will be located in the existing equipment cabin and have been included on the plans for transparency as they are classed as permitted development.

Overall Height: Antennas	17.50 Metres
Height of existing building :	N/A
Equipment Housing: N/A Equipment housed within equipment room	
Length:	
Width:	
Height:	
Materials:	
Tower/mast etc – type of material and external colour:	CU Phosco - Galvanised
Equipment housing – external colour:	Grey

Reasons for choice of design:

The operators have occupied this site for a number of years. The site currently comprises a 15m monopole supporting 3 no. antennas on a headframe at the top height of 17.10m of the column. There is also 1no. 300mm dishes fixed to the monopole. There are also equipment cabinets in the equipment room. The existing cabinets are finished in a grey colour. Whilst this column provides 2G Vodafone coverage to the immediate area the upgraded site is needed to allow the two companies to operate and manage a single network grid across the UK, using MORAN technology. As well as allowing each operator to increase their overall footprint by 40% nationally, it will also enable future 4G in to the network.

The use of MORAN technology will allow the operators to increase their national footprint and enable future 4G technology. To achieve this, a new replacement monopole is necessary which will allow the required MORAN technology solution within a single greenfield pole. Therefore the applicant's proposals involve the replacement of the existing 15m greenfield slim line monopole with a new 17.5m greenfield slim-line monopole, which can accommodate all technologies within the same column. It is highlighted that in continuing to utilise an existing telecommunications installation this would ultimately reduce the need to introduce a new installation in to this cell area. This will avoid the need for added proliferation of new masts within the surrounding area whilst allowing the expansion and improvement of the electronic communications networks, including telecommunications and high speed broadband.

It is acknowledged that the dimensions of the column have changed although the monopole height will increase from 15m to 17.5m above ground level. It is also of note the antenna top height will slightly increase from 17.1m on the existing monopole to 17.5m on the proposed replacement monopole, therefore being a slight height increase of 0.4m in the antenna top height. The main diameter of the replacement column will increase to support the required MORAN equipment. The headframe width at the top is essential in order for both operators to be able to fit their MORAN technologies in the same structure allowing the feeders to connect to each antenna and remain hidden from view, negating the need for a new installation elsewhere within this cell area. The design of the replacement monopole and headframe is such that there will not be the need for a new installation in the area. The replacement monopole will be in the exact same position as the existing structure already in-situ. The size of the Remote Radio Units (RRU's) and placement near to the replacement antennas has been chosen to negate any impact they may have from their installation. Although the size will see them have minimal impact.

- 7 OCT 2015

The proposal also includes the erection of new equipment cabinets. These new equipment cabinets will house the operators' MORAN technology equipment. The equipment cabinets are ancillary to the functionality of the proposed column and its antennas, thus the ground based developments are justified items. The equipment cabinets will have an appearance similar to the existing, code system operators' and electrical service boxes. It is considered that the ground based development will not have a detrimental impact on the visual amenity of the area and through appropriate painting will assist in blending effectively with its surroundings. Furthermore, as the equipment cabinets will be located in the equipment room it will not have any detrimental affect to the visual amenity of the area.

It is appreciated that the site may be visible to pedestrians and road users. However, it is considered that the replacement column at an increased height of 17.5m in a similar position, in a break from the residential nature of the area where there are numerous other items of

landscape which are semi-mature trees will ensure that the replacement column will not be seen as detrimental to the visual amenity of the area and character.

It is considered that road users will not have their visibility impaired by the proposed replacement column or additional transmission dishes, equipment cabinets owing to the base stations positioning set back from the highway adjacent to trees and on a large grassy area. The cabinets and pole have been sited on a section of land whereby their presence will not impair the visibility or safety of motorists or pedestrians.

The technical requirements of mobile communication operators such as the applicant are acknowledged in the National Planning Policy Framework which states that local planning authorities should support the expansion of electronic communications networks, including telecommunications and high speed broadband.

In address of the appearance of the proposal, it is believed that the scheme takes a form which is sympathetic within the context of the area which comprises of mainly trees and bushes. Aware that some standard mast designs can appear incongruous, The replacement monopole is relatively slender, similar to the existing monopole in-situ. Furthermore due to the locality and will blend in with the linear items of landscaping which can be found in the immediate area.

Placing masts near similar structures and utilising simple and unfussy designs is acknowledged in the 'Code of Best Practice on Mobile Network Development in England' to be less likely to dominate and be in discord with the landscape and as a result less likely to have a detrimental impact on the visual amenity of the surrounding area. This design is considered to be an appropriate solution and shows the applicants efforts to help mitigate the proposals impact on the visual amenity, whilst also ensuring that proliferation of masts are reduced by the utilisation of existing structures by two operators as outlined within NPPF.

In light of the operators' efforts to design the best solution for this particular site so as to minimise the impact of the development on the environment, it is considered that the appearance of the replacement monopole would not seriously impact on the visual amenity of the area, nor would it form an obtrusive feature within the landscape.

It is therefore considered that the proposal before you strikes a good balance between environmental impact and operational considerations. The proposed height and design represents the best compromise between the visual impact of the proposal on the surrounding area and meeting the MORAN technical requirements for the site. Taking all matters into account it is considered that this proposal to deliver the capability for a MORAN service for two competing operators from a single network installation, would not appear out of place within the landscape.

-7 OCT 2015

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DATE RECD	02 OCT 2015
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4. Technical Information

International Commission on Non-Ionizing Radiation Protection Declaration attached	Yes	
International Commission on Non-Ionizing Radiation Protection public compliance is determined by mathematical calculation and implemented by careful location of antennas, access restrictions and/or barriers and signage as necessary. Members of the public cannot unknowingly enter areas close to the antennas where exposure may exceed the relevant guidelines.		
When determining compliance the emissions from all mobile phone network operators on or near the site are taken into account.		

Frequency:	2G 900MHz, 3G 900Mhz and 4G 800Mhz
Modulation characteristics ²	2G (900) –GMSK 3G (900) – QPSK 4G (800) - QAM
Power output (expressed in EIRP in dBW per carrier)	800 MHz 31dBW 900 MHz 32 dBW
<p>In order to minimise interference within its own network and with other radio networks, Vodafone UK Ltd operates its network in such a way the radio frequency power outputs are kept to the lowest levels commensurate with effective service provision.</p> <p>As part of Vodafone UK Ltd.'s network, the radio base station that is the subject of this application will be configured to operate in this way.</p> <p>All operators of radio transmitters are under a legal obligation to operate those transmitters in accordance with the conditions of their licence. Operation of the transmitter in accordance with the conditions of the licence fulfils the legal obligations in respect of interference to other radio systems, other electrical equipment, instrumentation or air traffic systems. The conditions of the licence are mandated by Ofcom, an agency of national government, who are responsible for the regulation of the civilian radio spectrum. The remit of Ofcom also includes investigation and remedy of any reported significant interference.</p>	<p style="text-align: right; color: red;">-7 OCT 2015</p>

² The modulation method employed in 2G (GSM) is GMSK (Gaussian Minimum Shift Keying) which is a form of Phase modulation

The modulation method employed in 3G (UMTS) is QPSK (Quad Phase Shift Keying) which is another form of Phase Modulation

The modulation method employed in 4G (LTE) is 64 QAM (Quadrature Amplitude Modulation) which is another form of Phase Modulation

The telecommunications infrastructure the subject of this application conforms with all relevant legislation and as such will not cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest.	
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5. Technical Justification

Reason(s) why site required e.g. coverage, upgrade, capacity:

A mobile phone transmitter is designed to cover a specific area and links its coverage to the next site in the network, creating a patchwork of overlapping coverage 'cells' across the county. So, if a person is on the move, the network will transfer their calls from one site to the next. However, in certain areas there will be gaps between these cells, resulting in a loss of coverage. This can be for a variety of reasons, the most common being topography or buildings which block the path of the signal. The operators' network rollout programme is designed to identify and address these gaps within their coverage and ensure that people can use their phones whenever and wherever they are.

The distances between transmitter sites will depend on many factors, including the geography of the mobile services. There is a specific requirement for an upgraded radio base station at this location to allow the two companies to operate and manage a single network grid across the UK using MORAN technology, including the opportunity for future 4G service.

This single network grid will automatically increase each operator's footprint by 40%, adding competition and choice for customers in areas that previously only had one operator's coverage available and is a principal reason for the proposed upgrade.

Additionally, laying the foundations for a 4G system that provides mobile ultra broadband internet access, e.g. to laptops with USB wireless modems, to smartphones and to other mobile devices, is desirable. 4G provides superfast mobile broadband and will provide better, faster and more reliable mobile broadband connection according to Ofcom's Chief Executive. OfCom's Chief Executive also acknowledges that download speeds will initially be at least 5 to 7 times faster than existing 3G networks.

The National Planning Policy Framework states at paragraph 46 that local planning authorities should not question the need for the telecommunications system, which the proposed development is to support. However, for the avoidance of doubt, the proposed installation is needed for both companies, via CTIL to operate and manage a single network grid across the UK using MORAN technology.

The Government has expressed its commitment to the UK having the best superfast broadband network (i.e. those services with a headline speed of 30Mbit/s or more) by 2015. It also wants superfast broadband networks to be available to 90% of homes and businesses.

According to OfCom's Communication Marketing Report 2013 it found that the proportion of homes which accesses the internet or web-based services over a mobile network increased by 8% in the last year to 50% mainly due to the increasing smartphone take-up (i.e. phones which are specifically designed for the consumption of internet-enabled services such as websites and mobile applications). At the same time the use of email, social networking sites and instant messaging services all increased. Ofcom estimates that the number of subscribers

who accessed the internet from mobile phones increased by nearly 9 million in 2012.

In the first quarter of 2013, 49% of UK adults accessed the internet using a mobile phone, a 10% increase on last year. Three quarters of those aged 16-34 said they accessed the internet using a mobile. The report found that people in the UK spent an average of over one day a month using the internet over a mobile network or a fixed internet connection PC in 2012. During 2012, the average time spent using a mobile data connection increased by 8 minutes a day (6%). The report also found that an average household spend on mobile services increased by 3.4% largely as a result of the growing use of mobile data services (i.e. smartphones).

The growth in smartphone take-up has resulted in increasing use of mobile data services. The percentage of mobile users who used their handset to access emails, download applications and send and receive instant messages has at least doubled over the last two years to 36%, 29% and 26% respectively in the first quarter of 2013. It has become so popular that the number of voice calls has been overtaken by such mediums as email, texting and social networking sites. Indeed, 47% of all mobile users accessed their mobile in the first quarter of 2013, up from 28% in 2011.

Ofcom Research 2013 reported that 66% of mobile data users who access the internet do so equally inside and outside the home. The location of most mobile broadband use outside the home is when travelling (25%), at someone else's house (22%) and indoor public spaces (18%).

According to Ofcom research conducted in April 2013, 30% of smartphone users intend to upgrade to 4G at the end of their current contract. The most commonly cited reason for wanting a 4G service is speed. 73% of smartphone owners said they wanted a 4G service for quicker download speeds and 59% said they wanted 4G to enable faster streaming. The second most commonly cited reason for a 4G service was the reliability of the data service to take advantage of 'improved data coverage' and a 'more reliable data connection'.

The Ofcom Report found that it is likely that faster mobile data networks will contribute to further increases in average data consumption and 44% of smartphone users questioned by Ofcom in April 2013 said they would use their handset more if their mobile data connection was faster. The Report stated that data collected by BillMonitor, a company that aims to help subscribers to analyse their mobile bills and find suitable tariffs, showed that consumers' use of mobile data increased at an annual rate of 70%.

As such, the need for indoor 3G coverage is becoming ever more necessary and significant and the new 4G networks will become increasingly relevant in the coming months as the network is rolled out across the country.

The area within which an installation needs to be established in order to meet the coverage requirement is constrained by the location and extent of the coverage provided by existing installations in the surrounding area. The proposed scheme utilises an existing established radio base station installation which will be upgraded to provide a single grid network using MORAN technology. This will enable the operators to meet their efficiency, capacity and ever increasing technical capability requirements within a single grid network.

Further detail regarding the general operation of the network can be found in the accompanying document entitled 'General Background Information for Telecommunications Development'. This information is provided to assist the local authority in understanding any

technical constraints on the location of the proposed development.

- 7 OCT 2015

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6. Site Selection Process – alternative sites considered and not chosen (not generally required for **upgrades/alterations to existing sites** including redevelopment of an existing site to facilitate an upgrade or sharing with another operator)

In accordance with the licence obligations and advice in the National Planning Policy Framework and the Code of Best Practice in England the applicant's network rollout team investigated the following siting and design options using this sequential approach to site selection:

- Upgrading their own existing base stations;
- Using existing telecommunications structures belonging to another communications operator. i.e. Mast and/ or site sharing, co-location;
- Installations on existing high buildings or structures including National Grid pylons;
- Using small scale equipment; and finally
- Erecting a new ground based mast site – (1st) Camouflaging or disguising equipment. (2nd) A conventional installation e.g. a lattice mast and compound.

The applicant's site selection strategy is to keep the overall environmental impact to a minimum. Utilising existing masts is always progressed where it is technically and legally possible and where it is the local planning authority's preferred environmental solution. New sites are only developed where there are no viable or accessible alternatives or it is the local planning authority's preferred approach. The feasibility of the acquisition, build and maintenance of the site also needs to be taken into account.

In accordance with the above sequential approach, and in line with the principles of pooling the two operators existing network infrastructure to create a single network grid, the proposal is to upgrade the existing base station in this location.

- 7 OCT 2015

Site	Site Name and address	NGR	Reason for not choosing
N/A	N/A	N/A	N/A

If no alternative site options have been investigated, please explain why:

As referred to above, the applicant has taken a sequential approach and is seeking to redevelop an existing installation to enable a single grid network using MORAN technology to service to the local surrounding area. It is considered that utilising an existing established radio base station installation is preferable to pursuing a second base station within the immediate vicinity, as it would reduce the visual impact therefore preserving the character and amenity of the area. Given the makeup of the area and the siting of existing telecoms infrastructure on the site, it was established that the upgrading of facilities through the use of existing infrastructure would be the most viable solution. Based on this sequential approach no other sites have been considered.

Land Designations: The site falls within a the North York Moors National Park and the scheme fully meets the policy requirements as shown in the paragraphs below.

Additional relevant information (planning policy and material considerations): N/A

Siting:

The existing site is located within a break from the residential nature of the area, on land containing a number of trees which help to shield the existing installation from appearing prominent in the area which is located in North York Moors National Park. Due to technical reasons the replacement column antenna top height will be 17.5m having a slightly higher antenna top height increase of 0.4m, although the replacement column will be 17.5m, there will be an increase of 2.5m from the existing 15m monopole already in situ. This change in height is minimal and for all intents and purposes will be seen as being the same structure as the existing telecommunications base station due to the antenna top heights, where the siting of this radio base station has previously been considered to be acceptable and become part of the established area off Staintondale.

The column has been sited on land some distance from the highway, whereby its presence will not impair the visibility or safety of passing motorists or pedestrians.

Although the site is located in an agricultural area, this is where the operators need to provide the best MORAN service provision. Utilising an existing established radio base station and installing a replacement column at a similar height and having a similar appearance to the existing installation will reduce the number of base stations required and meets with the requirements for minimising the number of radio base stations as set out in NPPF and the Council's Local Plan. It is therefore beneficial as it will mean that an additional base station will not be required for these two operators within this cell search area.

The proposals will be located on land and with the equipment cabinets in the existing equipment room therefore the development will not be accessible within the public realm. Nevertheless, the additional ground based equipment cabinets have an appearance similar to other communications and electrical service boxes found in typical streetscenes in which similar operations can be likened. It is likely that once built, the site will be visited infrequently for maintenance purposes only, as is currently the case. Access to the site will be by foot in which the applicant would gain access to the equipment housed within the cabinets. In the event of the antennas within the mast needing to be maintained this will be achieved by siting a cherry picker with a hydraulic platform alongside the base station.

-7 OCT 2015

Visual appearance:

The need for additional structures will be kept to a minimum through the removal and replacement of the existing column on the site. However, the operator recognises the need to minimise the visual impact of any new structure on the site. The slim-line column is the thinnest possible in order to house MORAN technology on the same structure, thus allowing both operators to utilise the same apparatus having a similar appearance as the column it replaces.

The height increase, headframe and additional dishes are essential to fit the MORAN technology into the structure, allowing both operators to utilise the same apparatus. If the shroud and column were any slimmer then the multiple MORAN technologies would not be able to fit within the same structure and an additional column would be required, which would lead to the proliferation of masts, contrary to national and local planning policy.

The replacement 17.5m column is required in order to accommodate both operators' antennas

and feeders within the same structure at a height which continues to allow clearance of surrounding natural and built features such as the trees. This will allow the required improvements to network coverage to be provided. As the column is a similar type of column to the one it replaces, the impact on visual amenity within the area will not be detrimental. This is also applicable to the proposed 3no. Remote Radio Units (RRU's) and 3no. additional 300mm transmission dishes.

The proposed cabinets can be painted in an appropriate colour in order to help it merge with its surroundings, grey is suggested to match the replacement column. As previously stated they be located within the existing equipment room.

In light of the operator's efforts to design the best solution for this particular site so as to minimise the impact of development on the environment, it is considered that the appearance of the replacement column would not seriously impact upon the visual amenity of the area, nor would it form an obtrusive feature to the area.

National Planning Guidance

Planning policy is provided at the national level by the National Planning Policy Framework (NPPF). It is a material consideration in planning decisions.

It is not necessary to quote extensively from this document but the following points are highlighted.

National Planning Policy Framework (March 2012)

- 7 OCT 2015

The government's National Planning Policy Framework (NPPF) was published on 27 March 2012 and consolidates the majority of planning policy documents into a single circular (including PPG8, and PPS1). The Government's latest thinking strongly supports communications infrastructure. Paragraph 42 of the framework document sets out the objectives of the Communications Infrastructure. It states that *'advanced, high quality communications infrastructure is essential for sustainable economic growth. The development of high speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services'*.

Paragraph 43 states that *'Local Planning Authorities should support the expansion of electronic communications networks, including telecommunications and high speed broadband'*. It goes on to acknowledge that the numbers of radio and telecommunications masts and the sites for such installations should be kept to the minimum consistent with the efficient operation of the network. The NPPF supports the use of existing masts, buildings and other structures, unless the need for a new site has been justified. It goes on to state that where new sites are required, the equipment should be sympathetically designed and camouflaged where appropriate.

NPPF paragraph 46 sets out a clear message to local planning authorities on health issues and the need for telecommunications systems. It states that *'local planning authorities must determine applications on planning grounds. They should not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards if the proposal meets International Commission guidelines for public exposure'*.

Throughout the NPPF there is strong support for sustainable development which is summed

up in paragraph 14 which states 'At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking. For decision-taking this means:

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless:
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - Specific policies in this Framework indicate development should be restricted.

Section 7 of the NPPF sets out the requirement for good design and states at paragraph 56 that '*the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people*'. Paragraph 65 goes on to state that '*local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design*'.

The NPPF sets out 12 core principles which should underpin plan-making and decision-making these principles include that every effort should be made objectively to identify and meet development needs of an area, and respond positively to wider opportunities for growth (para 17).

-7 OCT 2015

Annex 1 of the NPPF sets out the implementation of the NPPF and advises in paragraph 214 that for 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted since 2004 [in development plan documents adopted in accordance with the Planning and Compulsory Purchase Act 2004]. Paragraph 215 goes on to state that in other cases and following this 12-month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with this Framework (the closer to the policies in the plan to the policies in the Framework, the greater the weight that may be given).

Code of Best Practice on Mobile Phone Network Development in England (July 2013)

The Code of Best Practice provides guidance primarily to mobile network operators, their agents and contractors and to local planning authorities in England. It supersedes the Code of Best Practice on Mobile Phone Network Development (2002).

The principal aim of this Code is to ensure that the Government's objective of supporting high quality communications infrastructure is achieved in a timely manner, but in a way that also minimises the potential impact that can be associated with such development. It provides clear and practical advice to ensure the delivery of significantly better and more effective communication and consultation between operators, local authorities and local residents.

The Code highlights that the mobile telecommunications network is a crucial piece of national infrastructure in both economic and social terms. It acknowledges that the pressure on networks to upgrade and improve networks through changes to existing sites and the development of new sites is constant. With the increasing consumer demand and the

Government's ambitious aspirations it is becoming more important to improve connectivity and capacity. This is due to the ever increasing demand for data hungry applications to be available to a range of connected devices, such as smartphones and tablet computers. However, The Code notes that upgrading and improving mobile networks will not be possible without the necessary infrastructure on which they rely.

The Code acknowledges that the operators anticipate largely using existing network infrastructure for the provision of 4G services and are similarly upgrading their 2G and 3G network infrastructure to improve capacity and coverage. However, the Code goes on to state that this does not mean that there will not be a need for new base stations. More base stations will be needed in areas where there has previously been only limited or no coverage, and where coverage and capacity needs to be enhanced in line with Government Policy and customer demand or where sites have been lost for example due to redevelopment.

Mast and site sharing continues to be supported within both Government policy and the Code of Best Practice. The Code acknowledges that shared sites will tend to be slightly bigger, but fewer sites will be needed overall to improve coverage and capacity. The Code acknowledges that sharing of sites is now the norm, and network operators now share much of their network infrastructure via joint venture commercial arrangements.

Due to the character of the cell area being predominately agricultural in the North York Moors National Park, the applicant has designed a relatively slender mast rather than the use of a more traditional monopole column which would be considered incongruous and it is likely that such a proposal would have an unacceptable visual impact in this area. It is therefore considered that the use of a 17.5m high, slim-line pole would eliminate the large number of bracing components associated with other more prominent installation designs such as 'traditional' lattice tower structures.

The Code provides guidance on siting and design at Appendix B and continues to acknowledge that camouflaging or disguising equipment is considered materially appropriate with more modern masts frequently able to blend into their surroundings far more effectively than some of the older masts. In reducing the environmental and visual impact of the installation the Code of Best Practice promotes the use of simple and uncomplicated designs. *"Masts which have complex designs are more likely to dominate and be in discord with the landscape and have adverse visual impacts."* In this regard, the proposed replacement slim-line column with hidden antennas will ensure that the environmental and visual impact of the equipment remains low as the column itself will appear similar to other vertical structures within the immediate area minimising the environmental and visual impact of the equipment.

Concerning the erection of new ground based masts; The Code provides examples of where the environmental and visual impact of the mast can be greatly reduced.

- *Placing the mast near similar structures. For example, industrial and commercial premises, road signs and lamp posts;*
- *Using simple and unfussy designs. Masts which have complex designs are more likely to dominate and be in discord with the landscape and have adverse visual impacts; and*
- *Appropriate colouring.*

Local Policy

- 7 OCT 2015

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise"

The development plan as defined by the Planning and Compulsory Purchase Act 2004 for Scarborough Borough Council comprises of the North York Moors National Park Authority Core Strategy and Development Policies 2008.

North York Moors National Park Authority, Core Strategy and Development Policies (2008)

The North York Moors National Park Authority, Core Strategy and Development Policies (2008) was adopted on the 13th of November 2008. The policies that would relate to telecommunications development are:

Core Policy C

Natural Environment, Biodiversity and Geodiversity:

The quality and diversity of the natural environment of the North York Moors National Park will be conserved and enhanced. Conditions for biodiversity will be maintained and improved and important geodiversity assets will be protected. Protected sites and species will be afforded the highest level of protection with priority also given to local aims and targets for the natural environment.

All developments, projects and activities will be expected to:

- 1 Provide an appropriate level of protection to legally protected sites and species.
- 2 Maintain, and where appropriate enhance, conditions for priority habitats and species identified in the North York Moors Local Biodiversity Action Plan.
- 3 Maintain and where appropriate enhance recognised geodiversity assets.
- 4 Maintain and where appropriate enhance other sites, features, species or networks of ecological or geological interest and provide for the appropriate management of these.
- 5 Maximise opportunities for enhancement of ecological or geological assets, particularly in line with the North York Moors Local Biodiversity Action Plan, Tees Valley and North East Yorkshire Geodiversity Action Plans and the regional Habitat Enhancement Areas.
- 6 Mitigate against any necessary impacts through appropriate habitat creation, restoration or enhancement on site or elsewhere.

- 7 OCT 2015

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.

Planning assessment

The following paragraphs set out how the application complies with the North York Moors National Park Authority, Core Strategy and Development Policies (2008) Core Policy C and Development Policy 25, NPPF and The Code of Best Practice.

The proposed replacement column with replacement antennas on a headframe, 3no. RRU's, 3no. additional dishes and new equipment cabinets fully comply with the objectives of the NPPF. Government guidance states that in order to limit visual intrusion the number of radio and telecommunication masts and the sites should be kept to a minimum consistent with the efficient operation of the network. Existing masts, buildings and other structures should be used unless the need of a new site has been justified [NPPF para 43].

The application site is an established telecommunications radio base station. Given that the proposal is to replace the existing site with one capable of allowing both operators to operate from a single telecommunications network grid, then this is in accordance with the NPPF and the Code of Best Practice. This offers the best environmental solution, limiting the amount of new sites required whilst allowing two operators to utilise the same site, limiting the visual intrusion in the area. For the avoidance of doubt, the existing column/antennas and their design would not be able to support all the technologies in the apparatus as they are not designed to fit all this equipment within the same structure.

The principle of a telecommunications base station installation in this location has already been accepted by the Council under the existing installation and has also become part of the established landscape. The proposed upgrade to the existing site is sequentially the most preferable option. The operators are looking to upgrade their existing installation to primarily enable two companies to operate and manage a single network grid across the UK, using modern MORAN technology. The design of the replacement column with antennas on a headframe will be as similar as possible to the existing antennas in order to minimise the impact on the surrounding area.

- 7 OCT 2015

The Government fully supports high quality communications infrastructure as does the Local Plan which acknowledges that telecommunications is an essential requirement of modern day living and can help to attract business in to an area. NPPF states at paragraph 43 that local planning authorities should support the expansion of electronic communications networks, including telecommunications and high speed broadband. It acknowledges that high quality communications infrastructure is essential for sustainable economic growth. The NPPF also highlights that the development of high speed broadband technology also plays a vital role in enhancing the provision of local community facilities and services. The minor upgrade to the existing installation will improve the current 2G provision in the cell area whilst providing new 3G/4G services in to this part of Staintondale, this fully meets the aspirations of NPPF. The upgraded site will ensure that the expansion of the electronic communications network is facilitated and that high quality communications infrastructure is provided to the immediate area.

In accordance with the Core Strategy Policies, The proposed development fully supports

these criteria. The design chosen is one of the most sensitive designs available to the operators' that will allow two telecommunication operators' to utilise the same single site and enable the latest multiple technologies to be provided to the cell area. It is also located where there currently is an established telecommunications installation in almost the same location as the existing installation. Indeed, the replacement column will have a slight increase in antenna top height although this will be barely noticeable due to the increase being of only 0.4m. The replacement monopole and replacement antennas will still resemble as closely as possible the existing monopole and antennas already in situ. There are also several other linear structures such as trees in the area to strengthen any visible nature of the proposed replacement monopole. Thus the proposal will not appear out of place in the landscape. This fully complies with the Core Strategy Policies and the NPPF.

Whilst the existing installation is within the North York Moors National Park in open countryside, in an area of landscape, the proposed replacement monopole, antennas, additional dishes and RRU's will not have any detrimental impact on their surroundings in terms of their scale, design and siting. They will resemble as closely as possible the existing monopole and antennas already in situ in almost the same location. The proposed height of the column will be very similar with just a 2.5m increase in height and 0.4m increase in antenna top height.

The replacement monopole and replacement antennas on a headframe at a top height of 17.50m are essential in order to fit all MORAN technologies within the same structure. It is the minimalist solution available to provide the required upgrade and the replacement antennas will be of similar materials to those already in situ. Without the amendments to the column and antennas MORAN technologies for both operators on a single site would not be able to be provided. It is therefore likely that the operators would need to install an additional base station elsewhere within this agricultural cell area to meet their technological requirements. This would lead to the proliferation of masts contrary to local and national planning guidance. Given that the replacement column and antennas will have a similar appearance to the existing in largely the same position and 17.50m above ground level, with only minor amendments to the antenna design, in an area where there are several other linear structures such as trees this will help the replacement antennas blend in with the landscape.

The upgraded installation will meet the aspirations of NPPF which encourages the use of sympathetic design and camouflage to minimise the impact of the development on the environment as well as the utilisation of existing masts. The Code of Best Practice also acknowledges that the visual impact of the mast can be greatly reduced if it is placed near similar structures. The site is located close to a number of trees. Therefore the installation should merge into the existing landscape and not be viewed as an alien feature within its setting. The limited alterations to the existing site will also ensure that the character, appearance and setting are preserved. As a result, the proposed design fully accords with the Core Strategy Policies, Code of Best Practice and the NPPF.

It is acknowledged that there some residential properties in the area. However, given that the proposed monopole and antennas will be of a similar appearance to the existing monopole and antennas already in situ with a slight height increase, together with the distance, orientation and existing landscaping and trees then the proposed upgrade to the existing radio base station will not cause a significant loss to the area's amenity. The proposed upgrade therefore fully complies with the North York Moors National Park Authority, Core Strategy and Development Policies (2008) Core Policy C and Development Policy 25, NPPF and The Code of Best Practice, the Code of Best Practice and the NPPF.

The proposed equipment cabinets will be within the equipment room therefore will have no impact on the surrounding area. Whilst these cabinets do not require planning permission they have been included on the plans and in the description in order to remain fully transparent.

The RRUs are very small and will also be located adjacent to the antennas attached. Their small size means they will be hardly noticeable from any external vantage point due to the size of the 17.5m column. As such they fully comply with the aspirations of the Core Strategy and the NPPF.

The NPPF strongly supports sustainable development. Mobile communication plays a significant role in sustainable development. Being able to access the internet via a mobile device allows people to access a wide range of central and local government services, buy groceries, manage finances, apply for jobs/university, and carry out school projects, send emails, download applications, send and receive instant messages, streaming and downloading data to name just a few of the benefits of being able to use an internet enabled handheld device. It also allows people to work from home or on the move without needing to return to the office. This reduces travel time, carbon emissions and increases the speed in which information is processed/shared. The proposals therefore comply with the NPPF.

A study published in September 2012, by mortgage provider ING DIRECT reveals the non-essential aspects of a property that encourage buyers to sign on the dotted line include strong mobile 3G signal. 20% of the people surveyed said that strong 3G signal is desirable. As connectivity is essential to modern day living, buyers rate consistent 3G access in every room as the bare minimum. Therefore as the 4G network is rolled out across the country, demand for the superfast highspeed data capture will increase significantly and as part of the operators license agreement to provide a quality service to their customers they are obliged to upgrade their systems to ensure that their customers have access to the latest technologies. It is also in line with the Governments aspirations for the UK to have the best superfast broadband and which fully supports the expansion of electronic communications networks, including telecommunications networks, including telecommunications and high speed broadband.

The replacement installation will continue to enable the operator to provide a high quality service to its customers and access to the latest technologies whenever and wherever they are. An installation located outside this area would not allow the operator to provide their desired level of multi technologies coverage and capacity.

Health and Safety

The proposed installation conforms to current government planning guidelines regarding potential health effects arising from telecommunications development. The operator has attached a declaration that the site conforms to ICNIRP guidance. This is in full accordance with NPPF.

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 publication of the National Planning Policy Framework continues to highlight the Governments view that the planning system is not the appropriate mechanism for determining

health safeguards. It sends a clear message to local planning authorities stating that they must *'determine applications on planning grounds. They should not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards if the proposal meets International Commission guidelines for public exposure'*. This is reiterated in the Code of Best Practice.

In this instance, Vodafone believes that it is not necessary to consider health effects further, as recommended by NPPF. The operator is committed to ensuring that all new and existing installations are ICNIRP compliant, and consequently it is considered that there is no basis for this application to be refused on health and safety grounds or for reasons relating to public concerns about health and safety. ICNIRP compliance certificates are enclosed for the operator with this application. If required, additional information regarding the operation of mobile telephone base stations and health and safety considerations can be provided.

Summary

To summarise the case in favour of the proposals the following points are of relevance:

- With specific regard to telecommunications development, the proposal accords fully with Policies stated in the Core Strategy of North York Moors National Park Authority, the NPPF and the Code of Best Practice;
- Site selection was progressed in accordance with the applicants licence obligations, advice in NPPF and the Code of Best Practice and represents the least environmentally intrusive, technically suitable, available option;
- The significance of the proposal in the development of two competing companies to operate and manage a single network grid using modern MORAN technologies across the UK is a material consideration. By pooling the operators' basic network infrastructure, this will:
 - Automatically increase each operator's footprint by 40%, adding competition and choice for customers in areas that previously only had one operator's coverage available.
 - Close the digital divide between rural and urban areas targeting 98% indoor population coverage across 2G and 3G by 2015.
 - Lay the foundations for two competing 4G networks to deliver the capability for a nationwide 4G service faster than could be achieved independently.
- With the advent of smartphones and tablet computers the demand for indoor 3G coverage and high speed data capture is increasing rapidly and the operators are obliged to meet this demand and provide a high quality service in line with the NPPF guidance.
- An existing structure is being upgraded by the applicant with minimal alterations in order to allow the operators to manage a single network grid and which fully accords with NPPF guidelines;
- The operators site selection strategy is to keep the overall environmental impact to a minimum through utilising the same sites wherever possible. The operators are utilising the same site where it is technically and legally possible and is the sequentially preferable environmental solution;
- The proposals would not constitute a proliferation of telecommunications installations as advocated by NPPF;
- The height of the proposed replacement column 17.5m (an antenna top height of 17.5m) will have a slight antenna top height increase of 0.4m. The replacement is required because the existing infrastructure cannot support multiple MORAN technologies for both operators on a single site. The proposed alterations have been kept to the absolute operational minimum to clear the immediate buildings/clutter/trees and provide adequate service coverage and capacity for the operators to the immediate area.