

North York Moors National Park Authority

District/Borough: Scarborough Borough Council
(South)
Parish: Darncombe-Cum-Langdale End

Application No. NYM/2018/0191/FL

Proposal: erection of 30 metre lattice mast with antennas and dishes together with siting of ground based equipment cabinets, generator, associated fencing and access track

**Location: land north west of Birch Hall
Langdale End
Scarborough**

Decision Date: 23 May 2018

Consultations

Parish – A 15m mast has recently been erected in another part of the parish and we have received complaints about the visibility of the mast and the sunlight reflecting from it. Council would prefer the mast to be dark green colour so as to render it less visible or likely to reflect light.

Highways – No objections

Advertisement Expiry Date – 10 May 2018

Director of Planning's Recommendation

Approval subject to the following condition(s):

1.	TIME01	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2.	PLAN02	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.	RSU00	In the event of the mast and associated equipment not being required for telecommunication use, the mast and equipment shall be removed from the site within 6 months of the cessation of the use.
4	LNDS00 (as14)	The development hereby permitted shall be carried out in accordance with the Tree Protection Measures set out in page 3 of the Arboricultural Impact Assessment received on 21 May 2018, prepared by The Environment Partnership.
5.	MATS00	The mast tower hereby approved shall be maintained in a non-reflective metal finish, coloured dark grey or dark green or any other such colour as agreed in writing by the Local Planning Authority.

Signature: 	Date: 23/5/18
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Informative(s)

1.	<p>MISC INF 12 Birds</p> <p>Under Section 1 of the Wildlife and Countryside Act 1981 (as amended), wild birds are protected from being killed, injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. In addition, certain species such as the Barn Owl are included in Schedule 1 of the Act and are protected against disturbance while nesting and when they have dependent young. Offences against birds listed in Schedule 1 of the Wildlife and Countryside Act are subject to special penalties. An up-to-date list of the species in Schedule 1 is available from Natural England http://www.naturalengland.org.uk/ourwork/regulation/wildlife/species/speciallyprotectedbirds.aspx. Further information on wildlife legislation relating to birds can be found at www.rspb.org.uk/images/WBATL_tcm9-132998.pdf.</p> <p>If advice is needed please contact the National Park Authority's Conservation Department on 01439 772700 or conservation@northyorkmoors.org.uk.</p>
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Reason for Condition(s)

1.	TIME01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2.	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 NYM National Park.
3.	RSU00	In order to minimise the impact of the equipment on the character and appearance of the locality and to conform to the provision of Development Policy 25 of the NYM Local Development Framework
4.	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.
5.	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.

Signature:



Date:



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The cable route would be open trenched and would utilise the existing track where the likelihood of tree roots is low. A small area of dense trees close to Birch Hall would require removal to facilitate the trench where the cable cuts through from the campsite to the cottage. The crown lifting of the eastern canopy of one tree would be required to accommodate tree protective fencing and vehicle access.

Tree protective fencing will need to be installed around trees and a Construction Exclusion Zone (CEZ) created.

Main Issues

The relevant policy is Development Policy 25 which seeks to support the provision of telecommunications infrastructure where it is of a scale and design appropriate to the National Park and helps meet the needs of local communities. It sets out that proposals will be permitted where there are no suitable alternative means of provision, no unacceptable adverse visual impact upon the character of the locality and the wider landscape, the siting makes use of the least environmentally intrusive option available, and is part of a co-ordinated, long term strategy.

The work is considered vital for local communities in providing essential emergency services communications. However, this needs to be balanced against the site location within the National Park where the highest level of landscape protection is afforded by National Planning Policy.

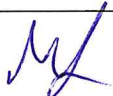
However, having considered the proposed location within Langdale Forest, and taking into account the height of the surrounding tree cover, and small number of trees that would need to be removed in this wider forest context, an application for a mast of a height of 30m would be unlikely to have a detrimental impact on the immediate or wider landscape, and would be in accordance with Development Policy 25 of the Local Development Plan.

In view of the above, approval is recommended.

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

Approval (No Amendments Required)

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and confirmed to the applicant/agent that the development is likely to improve the economic, social and environmental conditions of the area.

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Background

This application relates to a site within Langdale Forest in Langdale End, beyond the access to the Birch Hall scout campsite. The site is set in just off a forest track. The site itself is surrounded by dense woodland comprising mainly birch and spruce.

This application seeks permission for the siting of a 30m lattice mast on a concrete base with 3 pole mounted antennas, two 0.6m transmission dishes, one, 1.2m satellite dish and ground based equipment comprising a foul weather enclosure, a generator and meter cabinet all within a 2.4m close boarded fenced compound.

In support of the application, the following supporting information has been submitted:

“The Emergency Services currently use a mobile radio system (Airwave) to communicate but this needs replacement as the technology cannot deliver broadband data services. The Emergency Services Mobile Communications Programme (ESMCP) is the Home Office led programme responsible for replacing Airwave. It aims to provide an integrated voice and broadband data communications service for the Emergency Services. This Emergency Services Network has initially been deployed by enhancing an existing commercial network configured to give the 3ES priority over other users. This proposal, as a component of the ESN, is for the Extended Area Services (EAS) which is to provide additional infrastructure to extend the ESN into primarily remote and commercially unviable areas where little or no mobile network coverage exists. This proposal forms part of the nation’s Critical National Infrastructure.

This application is identified as being the most suitable option and design that balances the Applicant’s operational need with local and national planning policy and guidance”

The application has been accompanied by a safety compliance certificate.

In terms of impacts on trees, an arboricultural impact assessment has been submitted which states that:

the proposals include excavation for ducting for cables which will connect the site to the existing Birch Hall Cottage approximately 270m to the south east of the mast compound. Construction and maintenance access is proposed from the existing gated entry point off an un-named forestry track which lies to the north of Birch Hall Scout Campsite.

In order to facilitate the proposed mast construction, the removal of 3 trees at the southern end of a group of trees within the woodland and some shrubby tree cover at the edge of a larger woodland area, immediately east of the proposed mast site.

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