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Branch Chair
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Authority: North York Moors National Park Authority

Type of consultation: Planning Consultation

Full details of application/consultation: NYM/2023/0257 - erection of 30 metre high lattice mast with antennas, dishes and remote radio heads together with associated ground based equipment, siting of generator container and access track

At land: Coate Moor, located north of Bankside Farm, Kildale

Type of response: Objection

Date of Submission: 21st June 2023

All responses or queries relating to this submission should be directed to the Secretary for the Trustees at the contact details shown above on this frontispiece.

All CPRE North and East Yorkshire comments are prepared by the charity using professional planners whose research and recommendations form the basis of this response in line with national CPRE policies.

External planning consultant used in this response:



KVA Planning Consultancy
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Comment

CPRE North and East Yorkshire ('CPRENEY') welcomes the opportunity to comment on this proposed application for the erection of a 30m high mast with antennas, dishes and remote radio heads alongside associated ground equipment, generating container and access track near Kildale. The proposal was submitted to the North York Moors National Park Authority ("the NPA") on behalf of Cornerstone Telecommunications Infrastructure Limited ("the applicants").

It is understood that the proposal is part of the Government backed scheme called Shared Rural Network. It is a collaboration between Mobile Network Operators (VMO2 – trading as O2, Vodafone and Three) and the Government to improve 4G coverage for people living, working and travelling in poorly served rural areas.

The NPA has two statutory purposes: to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park; and, to promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public. In addition, there is a statutory duty for the NPA to seek to foster the economic and social well-being of local communities. Section 62 of the 1995 Environment Act makes clear that if National Park purposes are in conflict then conservation must have priority and reinforces the Sanford Principle in this matter. The exact wording is:

"If it appears that there is a conflict between those purposes, [the National Park Authority] shall attach greater weight to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area."

The NPA Local Plan was adopted in July 2020 and Strategic Policy G sets out clearly that *'great weight will be given to landscape considerations in planning decisions and development will be supported where the location, scale and detailed design of the scheme respects and enhances the local landscape character type as defined in the North York Moors Landscape Assessment. Development which would have an unacceptable impact on the natural beauty, character and special qualities of the areas of moorland, woodland, coast and foreshore [...] will not be permitted.'* This is clearly in line with the Sandford Principle as well as the NPPF which places great weight on conserving and enhancing landscape and scenic beauty in National Parks (para 176).

Policy ENV1 of the Local Plan sets out clearly that there will be a *'presumption in favour of the retention and enhancement of existing trees and woodland'* which are integral to the character of the National Park, forming an important element to the landscape as well as providing habitats for wildlife and benefits such as carbon capture. The applicants are proposing a 30m lattice mast to be positioned within a section of woodland on the Kildale Estate. CPRENEY are aware that Forestry England are undertaking a forestry felling Programme which will impact this area and thus not screen the groundworks and mast as thought by the applicant. Furthermore, the mast is 30m in height with the addition of antennas, dishes and radio heads etc, and as illustrated by the applicants submitted drawings will in fact be much higher than the existing tree canopy. It is considered that the location is particularly prominent in the surrounding landscape and will significantly alter the character of the area to its detriment and consider the proposal will be contrary to Policies G and ENV1.

Furthermore, should the felling take place as planned, there will be no screening of any description which would not only ensure wide ranging views of the mast but significantly impact users of nearby walking trails including the popular Cleveland Way.

CPRENEY are particularly concerned that the visual intrusion of the mast would deter users from walking in the vicinity of the site and thus impede access to the countryside to potential users and would be contrary to the NPA's Policy CO4 which states clearly that *'development which would have an unacceptable harmful*

impact on a Public Right of Way or which would prejudice the future recreational use of linear routes [...] will not be permitted.'

Policy BL10 is of particular importance to the determination of the application in that it deals specifically with communication infrastructure. It provides support for technology which is of a scale and design appropriate for a National Park and help meets the needs of local communities, setting criteria which must be satisfied in order for a proposal to be acceptable including

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

The policy goes on to state that *'where there would be unacceptable harmful impact which cannot be mitigated by alternative siting or design, permission will be refused.'*

CPRENEY are of the opinion that for the issues set out above, the proposal fails to satisfy the criteria in Policy BL10 and as such would form an unacceptable adverse visual intrusion on the character of the locality and wider landscape of the National Park. CPRENEY understands the requirement for residents, business owners and tourists to have access to the most up to date and fastest telecommunication networks as possible, however, this needs to be balanced with the statutory requirement to preserve the landscape and scenic beauty of the nationally designated landscape in line with national policy.

As such, CPRENEY object to the application and respectfully ask that the NPA refuse the applicant's proposal.

CPRENEY reserves the right to comment further should any additional information be submitted in support of the proposal.