



City Boundary : York City Boundary 0001

DC Area Teams : East Area (2) 0005

## 2.2 Policies:

CYGP20

Telecommunication developments

CYGB1

Development within the Green Belt

## 3.0 CONSULTATIONS

### INTERNAL

3.1 Highway Network Management - Concerns raised over the potential vehicular damage to the Public Right of Way during its construction and maintenance. The distance from the access to the site is approximately 1km. They recommend the mast is relocated or alternative access routes are considered.

3.2 Environmental Protection Unit - No objections.

### EXTERNAL

3.3 Huntington Parish Council - No comments received at the time of writing the report. Verbal update to be given at committee.

3.4 New Earswick Parish Council

Object. The proposed mast would violate a Green Belt area. The height and design of the mast would create a hideous blot on the rural, scenic environment enjoyed by many residents. The well known and enjoyed view of All Saints Church would be completely ruined for New Earswick residents and the many walkers enjoying one of the most attractive riverside public footpaths around the city of York.

3.5 Local Residents and General Public

35 letters of objection received from local residents, and 1 letter of objection was received from The River Foss Society. The following points were raised:

- the mast is tall and will be widely visible from surrounding areas;
- the application site is part of an unspoiled landscape at present, this would be eroded by the telecommunications mast;
- there must be a better, less visually intrusive, possible location for the mast;
- phone reception is already good in the area, there is no need for an additional mast;
- the mast will detract from views into Huntington Conservation Area;

- there are public footpaths in the area which are currently enjoyed by local people, the mast will alter the existing natural landscape;
- health concern, there are schools and houses in the area;
- the mast may set a precedent for similar developments in this area;
- the proposed mast would harm local property values;
- the proposed development is in the Green Belt and there is no justification for this kind of development in the Green Belt;
- the proposed mast is too tall;
- the phone mast would be an eyesore in what is a very attractive green area of York;
- the proposed development is contrary to Planning Policy Guidance Note 8 and Local Plan Policy GP20;
- the area currently has a high amenity and environmental value, this will be eroded particularly by the paved road to the site which would cause direct environmental damage;
- the proposed mast is not shielded by trees or buildings.

## **4.0 APPRAISAL**

### 4.1 The key issues are:

- impact on the openness of the Green Belt; and
- the visual impact of the development

## POLICY CONTEXT

4.2 Both Draft Local Plan Policy GB1 and national guidance contained within Planning Policy Guidance Note 2 'Green Belts' highlight the type of development which may be appropriate in the Green Belt. A telecommunications mast and associated equipment would not fall within any of these categories.

4.3 Paragraph 65 of Planning Policy Guidance Note 8 'Telecommunications' (PPG8) offers specific advice on telecommunication mast development in the Green Belt. It states that in Green Belts, telecommunications development is likely to be inappropriate unless it maintains openness. Protection of openness is the primary aim of Green belt designation, as explained in PPG2. Inappropriate development may proceed only if very special circumstances are demonstrated which outweigh the degree of harm to the Green Belt. It goes on to state that a lack of alternative sites outside of the Green Belt which meet operational requirements might be considered to be very special circumstances.

4.4 Draft Local Plan Policy GP20 sets out the criteria by which telecommunication masts should be assessed. This states that planning permission will be granted for telecommunications developments, including tall masts, provided:

- a) options for putting the masts on buildings or mast sharing have been explored; and
- b) visual intrusion has been minimised and as such there would be no significant harm to the character of the area; and
- c) there would be no adverse impact on the historic character of the city or its skyline; and

d) the apparatus meets government guidelines for telecommunications equipment.

## PRINCIPLE OF DEVELOPMENT

4.5 It is considered that the proposal would constitute inappropriate development within the Green Belt. Inappropriate development may only proceed if very special circumstances are demonstrated which outweigh the degree of harm to the Green Belt. Central Government within PPG8 states that a lack of alternative sites outside of the Green Belt which meet operational requirements might be considered to be very special circumstances. The applicants have considered sixteen alternative sites, the majority of which are not within the Green Belt, and these have been eliminated for a variety of reasons. It is difficult for the Local Planning authority to conclude that other sites are available but not explored. It is noted that ten of the sixteen alternatives explored were outside of the identified operational area, which were not considered acceptable due to operational requirements. The six remaining alternative site options considered were discounted for reasons including the site being within a conservation area, the site being in a heavily populated area, or the site owner not wishing to lease land to the applicant. If it is accepted that the applicant has made reasonable but unsuccessful attempts to establish a potential site outside the Green Belt, then the principle of siting the mast within this Green Belt location would not necessarily constitute inappropriate development. It is necessary, however, to consider the impact of the proposal on the openness of the Green belt and the visual amenity of the area, in accordance with Central government guidance within PPG2 and Draft Local Plan Policy GP20.

## VISUAL IMPACT OF THE DEVELOPMENT

4.6 It is not considered that the proposed development significantly harms the openness of the Green Belt. The mast is of a relatively slim, lightweight, lattice design, and whilst its height would make it visible from a number of vantage points it is not considered to significantly affect openness. The landscape would still be open in terms of outlook from surrounding areas.

4.7 PPG2 states that one of the purposes of including land within the Green Belt is 'to retain attractive landscapes, and enhance landscapes near to where people live.' Paragraph 3.15 of PPG2 expands on this by stating 'The visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt, which although they would not prejudice the purposes of including land in Green Belts, might be visually detrimental by reason of their siting, materials or design.' The proposed mast is located within an attractive landscape which is visible from a number of dwellings and vantage points in the area. The site and its surroundings are undeveloped and relatively flat, and the proposed mast would therefore be visually prominent. Whilst there are some trees within the general area, these are not considered close enough or of sufficient number or scale to visually screen the proposal from the surrounding area. In addition to the potential impact on views from surrounding dwellings, the area is well used by the community with the nearby public footpaths being used for a variety of leisure pursuits. The proposed mast would stand out and appear as an alien feature in an otherwise undeveloped part of the city.

4.8 PPG2 seeks to preserve the setting and special character of historic towns. Draft Local Plan Policy GP20 seeks to protect the city from any adverse impact on the historic character of the city or its skyline from telecommunication mast development. It is not considered that the proposed mast would be detrimental to the overall skyline of York given the separation distance between the application site and the city centre. It is also considered that the telecommunications mast would not have a significant impact on the historic character of the city. The proposed mast is approximately 175m south of Church Lane and 270m west of Paddock Court, the proposed mast is therefore a significant distance from Huntington Conservation Area. It is not considered that an objection can be sustained in terms of the impact of the mast on Huntington Conservation Area.

## Highways

4.9 Concerns have been raised by Highway Network Management regarding the length of the access track and the physical impact on the Public Right of Way. These concerns have been passed on to the applicants. No response has been received at present and an update on this issue will be given at Planning Committee.

## Concerns of local residents

4.10 A number of objections from local residents referred to the health implications of locating a telecommunications mast on this site. The applicant has submitted a Certificate confirming that the proposed equipment and installation is designed to be in full compliance with the requirements of the ICNIRP Public Exposure Guidelines on radio frequency. Therefore, in accordance with advice within PPG8, and in the absence of any special indication otherwise, it is not necessary to consider further the health aspects of the proposed development. Paragraph 98 of PPG8 states: "... it is the Government's firm view that the planning system is not the place 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 mobile phone base station 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." It is not considered, therefore, that objections can be sustained on health grounds.

4.11 The issue of property value and sales are outside the consideration of this planning application, this is confirmed in PPG8.

4.12 With regard to 'need' the applicant has submitted a supporting statement that refers to the operational requirement for the base station in this locality. PPG8 clearly states that it is not for the Local Planning Authority to question the need for the equipment and therefore this is not a material consideration in the determination of this application.

## **5.0 CONCLUSION**

5.1 It is considered that the siting of the proposed mast within this location would cause significant visual harm to the character and appearance of this attractive green landscape.

## **COMMITTEE TO VISIT**

**6.0 RECOMMENDATION:** Refuse

1 The site is within an area of Green Belt. It is considered that the location, design, and height of the proposed development would be harmful the character, appearance and visual amenity of the area. It is considered that the proposed development would introduce a visually intrusive structure into a landscape which is attractive, open and undeveloped and is enjoyed by both local residents and visitors to the area. As such the proposed development is considered contrary to Policies GB1 and GP20 of the City of York Council Draft Local Plan, and Central Government advice contained within Planning Policy Guidance 2: "Green Belts" and Planning Policy Guidance 8: "Telecommunications".

## **7.0 INFORMATIVES:**

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