



Town and Country Planning Act 1990
Section 78 Planning Appeal

London Borough of Hillingdon Appeal Statement

Appeal By:

Richard Morison – MBNL for and on behalf of H3G UK LTD

Proposal:

The installation of a new 20m monopole supporting 6 no. antennas with a wraparound equipment cabinet at the base of the column, installation of 4 no. new equipment cabinets and ancillary development thereto.

Appeal Site:

Grass Verge Fronting Swakeleys Road
Ickenham
London

Our Ref:
Your Ref:

76204/APP/2021/555
APP/R5510/W/21/3281152

1. Introduction

- 1.1 This appeal statement is submitted by the London Borough of Hillingdon, as the Local Planning Authority (LPA), in respect of the appeal against its refusal of prior approval application 76204/APP/2021/555.
- 1.2 The LPA refused the application on 30.03.2021 for the following reason (as stated on the decision notice):
 1. The proposed development, by reason of the size, design and siting of the proposed monopole and the quantity, size, scale and siting of the equipment cabinets, would create an obtrusive form of development which would add visual clutter to the detriment of the character, appearance and visual amenities of the street scene. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11, DMHB 12 and DMHB 21 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).
- 1.3 The LPA's case is set out in the Planning Officer's delegated report, which should be read in conjunction with this statement. A copy of the delegated report is provided at Appendix 1 and 1.1. Copies of relevant policies and material considerations are in Appendix 2, Copies of relevant legislation are in Appendix 3, and a list of recommended conditions (should the inspector be minded to allow this appeal) are in Appendix 4.
- 1.4 This statement will not repeat the delegated report and will focus on addressing matters raised in the Appellant's statement of case.

2. LPA Comments on Appellant's Statement of Case

- 2.1 In paragraph 1.10 of the report the appellant states the following:

'The proposal is not an overly obtrusive form of development on the basis that there is an existing 11.7m mast and associated equipment cabinets within 27m of the appeal site that will be removed following the implementation of the proposals. This means that there would be no net increase in the number of masts in the area and the siting of equipment would be comparably similar where the resultant situation is no more obtrusive to the existing street scene'.
- 2.2 The proposed monopole and antenna is 20m high, it is therefore almost double the height of the existing pole. It is also much thicker (from top to bottom) and is therefore more visually discernible. Taking into consideration its excessive increase in height and thickness the two poles are not considered to be visually comparable and the visual impact of the proposed pole is considered to have a significantly worse

impact on the appearance of the area. Furthermore, due to its height, the visual harm caused by the monopole would not be limited to users and occupiers of Swakeleys Road, it would also have an adverse visual impact on the occupiers and users of Lodore Green and Harvil Road. As the development would significantly break the areas ridge line, protruding into the sky, where it would form an unsightly and out of scale addition to the area.

- 2.3 It should also be noted that the new monopole would be located further away from the roundabout (where at present it is mainly be viewed by pedestrian and vehicle users) to a position where it closer to the residential properties and would therefore be more visually prominent to householders. The siting of the development is therefore considered to be unacceptable, especially when considering its height.
- 2.4 Overall (an as mentioned in the officers report and decision notice) it is considered that due to its excessive height, thickness, more visually prominent location and associated cabinet clutter, the proposed development would form an oversized, out of scale and visually obtrusive addition to the area, which would cause significant harm to its character and appearance (as well as the appearance of other areas). The siting and appearance of the development is therefore considered to be unacceptable warranting refusal of the application. The harm caused to the appearance of the area is considered to outweigh any perceived benefits of the proposed development and it is therefore considered that when considered against the planning balance the proposal would be unacceptable.

3. Other Matters

- 3.1 It should be noted that NPPF and Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) have been updated since the application was determined. This appeal statement has been assessed against the legislation in place at the time of the determination.

4. Conclusion

- 4.1 For the reasons set out in the delegated report, the decision notice and this statement it is considered that the proposed development would be detrimental to the character, appearance and visual amenities of the street scene and the wider area. The developments siting and appearance is therefore considered to be unacceptable warranting refusal of the original prior approval application and the dismissal of this appeal. Any perceived benefits of the scheme would not outweigh the harm caused to the visual amenities of the area.
- 4.2 In the event that the Inspector considers the appeal should be allowed, and without prejudice to the Council's case, a list of recommended planning conditions is included at Appendix 4.

Appendices

Appendix 1 – Planning Officer's Delegated Report

Appendix 1.1 – Section 5 of the officers Delegated report – Consultation responses

Appendix 2 – Copies of Relevant policies and material considerations

Appendix 3 – General Permitted Development Order 2015 (as amended).
Relevant section Article 3, Schedule 2, Part 16

Appendix 4 – The LPA's Recommended Conditions