

WRITTEN REPRESENTATIONS APPEAL STATEMENT OF CASE

GRASS VERGE FRONTING
SWAKELEYS ROAD,
ICKENHAM, UB10 8DP

**APPEAL BY MOBILE BROADBAND NETWORK LTD
(MBNL) FOR AND ON BEHALF OF HUTCHISON 3G
UK LIMITED AGAINST REFUSAL TO GRANT PRIOR
APPROVAL FOR THE INSTALLATION OF A 20M
HIGH TELECOMMUNICATIONS STRUCTURE AND
ASSOCIATED WORKS BY LONDON BOROUGH OF
HILLINGDON**

**WRITTEN REPRESENTATIONS APPEAL
STATEMENT OF CASE**

**GRASS VERGE FRONTING SWAKELEYS ROAD,
ICKENHAM, UB10 8DP**

**TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004
THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
(ENGLAND) (AMENDMENT) (NO. 2) ORDER 2015**

Prepared by: RICHARD MORISON

Pegasus Group

First Floor | South Wing | Equinox North | Great Park Road | Almondsbury | Bristol | BS32 4QL

T 01454 625945 | **F** 01454 618074 | **W** www.pegasuspg.co.uk

Birmingham | Bracknell | Bristol | Cambridge | Cirencester | East Midlands | Leeds | Liverpool | London | Manchester

PLANNING | **DESIGN** | **ENVIRONMENT** | **ECONOMICS**

CONTENTS:

Page No:

1.	INTRODUCTION	1
2.	THE APPEAL SITE AND WIDER CONTEXT	6
3.	PLANNING HISTORY	13
4.	THE PROPOSAL	15
5.	PLANNING POLICY	25
6.	CASE FOR THE APPELLANT	39
7.	CONCLUSIONS	62

APPENDICES:

APPENDIX 1:	SITE LOCATION PLAN
APPENDIX 2:	DECISION NOTICE AND CASE OFFICER'S REPORT
APPENDIX 3:	PHOTOMONTAGES
APPENDIX 4:	LOCAL PLAN PART ONE EXTRACTS
APPENDIX 5:	LOCAL PLAN PART TWO EXTRACTS
APPENDIX 6:	EXPLANATORY MEMORANDUM
APPENDIX 7:	APPEAL DECISION APP/G4240/W/21/3268575 AND APPROVED DRAWINGS
APPENDIX 8:	APPEAL DECISION APP/G5180/W/3151769
APPENDIX 9:	EXAMPLE PHOTOGRAPHS OF ALTERNATIVE STRUCTURES
APPENDIX 10:	ALTERNATIVE SITE ASSESSMENT
APPENDIX 11:	DRAWINGS FOR REFUSED APPLICATION REFERENCE 75687/APP/2020/1948

1. INTRODUCTION

- 1.1 An appeal is made under Section 78 of the Town and Country Planning Act 1990 against London Borough of Hillingdon's (the Council) refusal to grant prior approval for a streetworks installation by an electronic communications code operator¹.
- 1.2 The appeal is lodged by Mobile Broadband Network Limited (MBNL), for and on behalf of Hutchison 3G UK Limited (H3G Ltd) (the appellant). This document is the appellant's full Statement of Case.
- 1.3 The appeal site is known by the appellant as 'Grass Verge fronting Swakeleys Road, Ickenham, UB10 8DP' (the appeal site). It is noted that the Local Planning Authority refer to the site as 'Grass Verge Fronting, 209, Swakeleys Road, Ickenham' and the appellant has no reason to dispute this description. The Site Location Plan is provided at Appendix 1.

APPENDIX 1 – SITE LOCATION PLAN

- 1.4 The Local Planning Authority reference number ascribed to the application for prior approval is 76204/APP/2021/555. The application was submitted via the Planning Portal and was validated on 11th February 2021. The description of development given on the Decision Notice is provided below, this being repeated verbatim from the Planning Application Forms:

'Installation of a new 20m monopole supporting 6 antennas with a wrap-around equipment cabinet at the base of the column, 4 new equipment cabinets and ancillary development thereto.'

- 1.5 Further details of the appeal proposal are provided in Section 4 of this Statement of Case.
- 1.6 The application for prior approval was refused under delegated authority by notice dated 30th March 2021. A single reason for refusal was provided and is set out in full below:

"The proposed development, by reason of the size, design and siting of the proposed monopole and quantity, size, scale and siting of the equipment cabinets, would create an obtrusive form of development

¹ 'Streetworks (sometimes abbreviated to SW) is the telecommunication industry terminology for a telecommunications mast located in the public realm, typically on highways land or immediately adjacent to the road network.

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)."

- 1.7 A copy of the Decision Notice and Case Officer's Report is provided at Appendix 2.

APPENDIX 2 – DECISION NOTICE AND CASE OFFICER'S REPORT

Grounds of Appeal

- 1.8 The application was refused on the grounds that the mast and associated equipment would create an obtrusive form of development which would add visual clutter to the detriment of the area. Policies relating to the Built Environment (Policy BE1), Design of New Development (Policy DMHB 11), Streets and Public Realm (Policy DMHB 12) and Telecommunications (Policy DMHB 21) are referred to. There is no reference within the reason for refusal provided of the proposal being contrary to the National Planning Policy Framework.
- 1.9 Consideration has been given to the reason for refusal, the Case Officer's Report, relevant planning policies, relevant material planning considerations and various site visits conducted by the appellant's specialist team.
- 1.10 The grounds of appeal are as follows:
- The siting and appearance of the proposal are acceptable on the basis that they would not cause substantial harm to the visual amenity of the area. Any harm caused by the proposals would be outweighed by the numerous public benefits associated with the delivery of an advanced, high quality communications network.
 - 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.

- Neither element of the proposal (the mast or cabinets) would create an obtrusive form of development which would unacceptably add visual clutter. The proposal would preserve the character, appearance and visual amenity of the street scene.
- The proposed scheme fully accords with all relevant provisions of the statutory development plan in so far as they are relevant to matters of siting and appearance. The appeal scheme accords with the guiding policy for telecommunications in the Local Plan, Policy DMHB 21.
- The appeal will contribute to Local Plan Strategic Objective SO6 that relates to addressing social and economic inequality gaps in Hillingdon and will help to deliver physical infrastructure within the district as identified within the Hillingdon Infrastructure Delivery Plan as important for facilitating growth during the Local Plan period.
- The proposed height of the mast at 20m is the lowest possible that will enable the operators to provide improved 3G and 4G coverage to the area surrounding the appeal site and will enable the appellant to deliver 5G in an efficient manner that is consistent with the planned deployment of the operator's digital communication network. Improved coverage over the 2G, 3G and 4G network for EE Ltd would also be provided. The Council has not considered the technical constraints of the operator or the careful design of the column which is the only design available that will provide all legacy technologies as well as the latest 5G superfast connectivity to the area. The Council has not considered that this is an essential item of infrastructure which has to carry out a specific task which carries with it certain mandatory design parameters.
- The proposed cabinets can themselves be installed under the operators permitted development rights under Part 16 Class A (a) and the limitations relating to radio equipment housing set down at A.1.(9)(a)(b)(c) even without the proposed column being installed. They have only been included in order for the applicant's proposal to be fully transparent. This was explained in the Site-Specific Supplementary Information document that accompanied the original submission and enclosed as part of the appeal submission.

- The Council has not carried out a full balancing exercise taking all material considerations into account including the significant social and economic benefits of the proposal as set down within national and local policy. Nor has it taken in to account the operators technical constraints, or the legal requirements to provide a high quality service and meet the customers' reasonable demands including access to the latest technology. Insufficient weight has been applied to the support for digital connectivity set down within the recently revised London Plan (March 2021) which fully supports developing and improving infrastructure to promote connectivity and mobility including bringing forward access to the latest superfast mobile broadband technology to support the needs of business and residents. These benefits are strong material considerations which outweigh any perceived loss of visual amenity to the surrounding area.
- The proposal's design will resemble as closely as possible an existing 11.7m monopole and associated equipment cabinets which will be removed eventually when the new column is fully operational and timetabling allows and complies with Policy DMHB21. The proposed development will resemble the other numerous vertical structures in the area including lighting columns, road signage and telegraph poles. The site is also well screened in the streetscene by the existing mature trees near the site as is demonstrated by the photomontages which are provided at Appendix 3 of this appeal statement.
- The social and economic benefits of the appeal proposal are significant particularly when viewed in the context of increasing patterns of working from home during the Covid pandemic.

Main Issues for Consideration

1.11 The main issues identified which require the Inspector's consideration are:

- How the proposal would alter the existing streetscene through siting and appearance and what level of harm would result from the change.
- Whether the public benefits of the proposal outweigh any harm identified in considering siting and appearance.
- Whether the appeal scheme complies with Local Plan Policy DMHB21 (telecommunications).

- Analysis of Case Officer's Report.

Procedural Matter

- 1.12 Prior approval is deliberately designed to be a 'light-touch' process which applies where the principle of development has already been established. Planning Practice Guidance explains how a prior approval application differs from a planning application at paragraph 28 where it states:

"The statutory requirements relating to prior approval are much less prescriptive than those relating to planning applications. This is deliberate, as prior approval is a light-touch process which applies where the principle of the development has already been established. Where no specific procedure is provided in the General Permitted Development Order, local planning authorities have discretion on what processes they put in place. It is important that a local planning authority does not impose unnecessarily onerous requirements on developers, and does not seek to replicate the planning application system (emphasis added)."

- 1.13 The appellant is mindful that Part 16 of the General Permitted Development Order (as amended) allows the local planning authority (LPA) to consider only siting and appearance in the determination of applications for prior approval by electronic communications code operators (Part 16 A.3. (4)).

2. THE APPEAL SITE AND WIDER CONTEXT

- 2.1 Centred at National Grid Reference easting: 506521, northing: 186056, the appeal site is located on an area of grass verge positioned along a section of Swakeleys Road (B467), Ickenham. The appeal site is situated approximately 50m to the west of a roundabout where Havril Road meets Swakeleys Road. Swakeleys Road is a local distributor road connecting the A40 to the south with residential areas to the northeast of the A40.
- 2.2 The grass verge that forms the appeal site serves no specific purpose. It is a flat piece of grass situated adjacent to a footpath that abuts the northern side of Swakeleys Road. There are no benches or other street furniture that would encourage passers-by to stop in the immediate vicinity of the appeal site and there are no amenities in the immediate area that would encourage passers-by to linger on this part of Swakeleys Road.
- 2.3 The northeastern edge of the grass area is formed of a group of deciduous trees that have been recently measured at 13m tall. The southwestern edge of the grass verge is formed of a group of deciduous trees measuring approximately 10m in height, these being 40m to the southwest of the appeal site. The below photograph taken to the southwest of the appeal site shows the immediate context for the site. For ease of reference, the approximate location of the proposed mast is shown by way of red column (not to scale):



Photograph No. 1 – Appeal site from the southwest (Swakaleys Road)

- 2.4 The area forming the context of the appeal site is further characterised by numerous items of existing street furniture including bus stops, lamp posts (measured at 12m), stretch of steel traffic crash barriers, telegraph poles together with overhead cabling, road signage and isolate and mature trees and hedgerows. In addition, an existing telecommunications mast measuring 11.7m tall is situated 27m to the northeast of the appeal site. This mast currently provides 3G and 4G coverage for the appellant and EE Ltd as well as 2G coverage just for EE Ltd. Cabinets abutting the footway measuring up to 1.5m in height are situated at the base of this mast as shown within the below photograph. The existing mast is situated in close proximity to a number of streetlights of comparable height that are shown in the below photograph,



Photograph No. 2 – Existing telecommunications site on Swakeleys Road / Havril Road roundabout

- 2.5 As can be seen in the above photograph, there are a number of trees situated to the immediate west of the existing telecommunications mast which measure approximately 13m (as shown by drawing 150 Rev E). These trees are either taller or of comparable height to the antennas fixed to the top of the existing mast. Radio signal is unable to propagate efficiently through physical barriers such as trees and foliage. Accordingly, the effectiveness of the existing mast, particularly in delivering coverage to areas to the southwest, is severely impeded.

- 2.6 The route of Swakeleys Road within the vicinity of the site is not straight, it gently curves, particularly on the approach to the roundabout, thereby constantly changing the line of sight when travelling east or west along the road. Pedestrian footways line either side of Swakeleys Road.
- 2.7 The nearest residential property to the appeal site is 12 Lodore Green situated approximately 8m to the north. The gable end of this property is approximately 9m tall and orientated toward the appeal site where no windows or habitable rooms will have views of the site. 209 Swakeleys Road is situated 30m to the south where mature trees are situated in the intervening streetscape which serve to partially screen views of the appeal site.
- 2.8 Further observations of the surrounding area include:
- Street lighting extends at regular intervals along Swakeleys Road and Havril Road in the urban areas surrounding the appeal site. A concrete refuge island forms part of the western approach to the nearby roundabout which includes street lighting which means that lighting is situated on both sides and the middle of Swakeleys Road. The roundabout itself is a busy three armed roundabout observed during a recent site visit to be in use by all forms of vehicular traffic including vans and heavy goods vehicles.
 - There is a discernible change in streetscape character when comparing the route of Swakeleys Road to the southwest of the Havril Road/Swakeleys Road roundabout and the routes of Havril Road and Swakeleys Road to the north and east of the roundabout. Havril Road to the north is characterised as more open where there are large residential properties set within substantial front gardens on one side of the road only and open agricultural land to the east. Similarly, Swakeleys Road to the east is formed mostly of residential properties on the south side of the road and open land to the north. This is different from the route of Swakeleys Road to the southwest of the roundabout where development on both sides of the road, and also much closer to the road itself diminishes any sense of openness achieved elsewhere.
 - The routes of Swakeleys Road and Havril Road are lined with mature trees in each direction from the appeal site. This significantly shields the existing mast and equipment cabinets and the proposed installation from appearing prominent in the streetscene. The four-arm roundabout near to the appeal

site is extremely busy with all types of vehicles including lorries, so users of the roads where they join the roundabout are concentrating on negotiating the traffic of the roundabout rather than paying much attention to what is located on the grass verge.

- Equipment cabinets similar to those being proposed are common features in the surrounding street scene, for example 130m to the southwest of the appeal site on Swakeleys Road (adjacent to a bus stop) and on Havril Road, 40m to the north of the nearby roundabout.
- The dominant surrounding land use to the southwest of the roundabout is residential where the majority of properties are detached residential dwellings set within private garden areas. There are no shops, schools or communal areas of any sort within the vicinity of the appeal site. The area is not characterised as having any particular sense of openness.
- Given the dominant land use, there are no tall buildings identified within the surrounds that could be utilised for a rooftop telecommunications installation.
- There are areas of agricultural land to the north of the appeal site, situated to the east of Havril Road. There are no Public Rights of Way that intersect these agricultural fields.

2.9 Given the predominant land use is residential and there is a lack of surrounding amenities (such as shops) or community facilities (such as libraries and schools) as well as no Public Rights of Way extending over agricultural areas, there is no obvious reasons for pedestrians to be moving through the area accept to provide access to housing. There is a lack of a sense of community space or openness associated with the site which must be weighed in account when considering the impact of the proposed development.

Designations and Constraints

2.10 The London Borough of Hillingdon Local Plan is supported by an adopted Policies Map which shows the appeal site to be 'white land' within the urban areas of Hillingdon. The map confirms there are no local or national landscape, townscape or cultural designations that affect the site. The site is not within the setting of any designated heritage asset. It is effectively an unprotected parcel of land which is not allocated for any specific purpose.

Existing Telecommunications Structures in the Surrounds

- 2.11 The appeal scheme is made pursuant to the efficient and effective roll out of the operator's national modern digital 5G communication network, in this case H3G UK Ltd (sometimes known as 'Three UK'). In order for the operator to select any given site as being consistent with these aims, it is necessary to first understand the extent and effectiveness of the existing communication network to avoid cell overlapping which reduces network efficiency, and to ensure that the latest technologies cannot be provided by utilising existing sites and structures. This primarily involves an understanding of the existing communications equipment installed within any given area and effectiveness of this equipment in meeting existing and expected network demand.
- 2.12 It follows that the appellant has such an understanding of their existing network capability where several tools are available to the radio network planner to make their assessment. In this case, industry tools have been consulted to identify the extent of the surrounding network.
- 2.13 The existing mast on the Swakeleys Road/Havril Road roundabout, currently provides 3G and 4G coverage for H3G UK Ltd as well as 2G, 3G and 4G coverage for EE Ltd for the residential areas along the B467 to the north of the A40. The existing mast cannot be utilised for both operators as it is not structurally capable of supporting the latest technologies including 5G. Therefore, a new column is required which resembles as closely as possible the existing mast already in situ albeit at a taller height to clear the mature trees. The additional height is also required because of the poorer propagation of the higher frequency that the latest 4G and 5G technologies operate under and to meet the more stringent ICNIRP requirements for 5G technology.
- 2.14 The appellant does not have any other existing telecommunications apparatus within 500m of the appeal site. A review of industry data bases together with the Council's online planning record shows there are no other installations within 500m being utilised by other network operators.
- 2.15 There are no other masts or suitable buildings or structures within the vicinity of the appeal site given the nature of the surrounding area as a relatively low density residential area. Buildings are typically private residences with pitched roofs which are unsuitable for the installation of telecommunications equipment which requires

a flat roof area atop a building that is structurally capable of accommodating large and often heavy telecommunications apparatus.

Appellant Assessment of Existing Street Scene

- 2.16 The appellant has carefully considered the siting of the proposed development by assessing the character of the area surrounding the appeal site prior to progressing with the original prior approval application.
- 2.17 The appeal site is located in a residential area which benefits from tree screening lining Swakeleys Road which will minimise medium and longer distance views of the site. There are no publicly accessible vantage points in the surrounds that provide uninterrupted long-distance views of the appeal site. Overall, the area does not have an overriding sense of openness and does not serve a purpose as a communal gathering space where people would generally meet, being set adjacent to a busy three-armed roundabout. Consequently, views of the appeal site are likely to be screened by existing vegetation and street furniture or transient, taken either from a vehicle or on foot passing the site whilst moving through the immediate area.
- 2.18 The numerous vertical elements locally would assimilate the proposed mast at a low level and would soften any harm caused to the appearance of the area, particularly from localised short distance views. Longer distance views, where possible, would be taken in the context of the numerous existing items of street furniture which would soften the impact of the proposal and effectively screen the lower half of the mast from view.
- 2.19 The proposal will be positioned 27m southwest of the operator's existing 11.7m high mast. 12m lighting columns can be found within the grass verges alongside Swakeleys Road at regular intervals and existing trees will form the backdrop to the proposed development, particularly when travelling east along Swakeleys Road. The existing 11.7m telecommunications column is part of the established streetscene. Given this context the proposed 20m mast, whilst visible, will not be an alien feature within the streetscene.
- 2.20 The appeal site is also located within the immediate vicinity of existing equipment cabinets, associated with the existing mast. The equipment cabinets proposed are of similar design and dimensions to the existing cabinets, all of which with one

exception (which would be relocated to the appeal site location) would be removed following the implementation of the appeal scheme.

3. PLANNING HISTORY

The Appeal Scheme

- 3.1 The application for prior approval subject of this appeal was refused on 30th March 2021 (LPA Ref. 76204/APP/2021/555). A list of all plans and supporting documents are included within the covering letter to this appeal submission.
- 3.2 Prior to the submission of the prior approval application, a pre-application consultation letter was emailed to the Chief Planning Officer of London Borough of Hillingdon on 21st January 2021 in accordance with the requirements of the Telecommunication Operators Code of Best Practice. The pre-application consultation letter provided details of the context of the proposed development and provided information about the proposal site.
- 3.3 No response to the pre-application consultation letter was received from the Council. Due to time constraints associated with the roll out of the 5G telecommunications network, a decision was taken to prepare and submit a planning application for prior approval.
- 3.4 The application for prior approval was submitted three weeks later, on 11th February 2021. Statutory consultees included the Council's Highways Officer, who raised no objection on the basis that the proposal would not impact on any footpath, pedestrian or highways safety, and the Council's Trees/Landscape Officer who raised no objections on the basis the proposal would not affect any trees. There is no record of any objection from local residents or other third party.
- 3.5 During the determination period for the application there was an email exchange between the applicant and appellant's agent where the officer requested clarification on whether the existing equipment would be removed. The appellant's agent confirmed that, *'In this particular instance the mast proposed will replace the existing installation. It is the operator's intention that, once the new mast is fully operational and integrated into the communications network, the existing mast will be decommissioned and removed. There may be a short period of time where both masts are in place whilst the new mast is configured and the operator is keen that there is no 'down time' across their network whilst the upgrade takes place. The application states that existing equipment will be retained in the sense that it is not part of the submission to remove the existing kit. However, it is the operator's intention that this is removed in the medium term and hence why it's included on the drawings. I would also just draw attention to Condition A2.2 (2) of Part 16 of*

the GPDO that requires equipment to be removed after it is no longer required. This will apply to the existing equipment once the proposed development is fully operational.'

Other Relevant Applications

- 3.6 An application for prior approval for the erection of a 19m monopole supporting 6no. antennas and associated equipment cabinets approximately 25m to the northeast of the appeal site was refused in August 2020 (LPA ref. 75687/APP/2020/1948). This application sought prior approval to install a new mast to provide the same uplift in coverage as the appeal scheme. Three reasons for refusal were provided relating to siting and appearance, impact on surrounding arboricultural features and failure to correctly notify the Civil Aviation Authority, Secretary of State for Defence or the aerodrome operator given the site is within 3km of the perimeter of an aerodrome.
- 3.7 Following this refusal and given the network requirement for a new mast remained, the appellant identified a new site within the immediate surrounds that responded to the reasons for refusal whilst still meeting the technical design brief relating to delivering 5G coverage. Accordingly, the appeal site has been moved to an area which is not constrained by potential impact on established trees and is acceptable in siting and appearance.
- 3.8 In addition, the policy context used to determine prior approval reference 75687/APP/2020/1948 has changed given the adoption of a new version of the London Plan in 2021.

4. THE PROPOSAL

Development Context

- 4.1 H3G UK Ltd and EE Ltd currently host equipment on the existing 11.7m telecommunications mast and within cabinets at the base of the mast to the northeast of the appeal site. This equipment provides 3G and 4G services for both operators as well as 2G for EE Ltd. H3G UK Ltd do not provide a 2G service, as this operator's inception was for 3G coverage initially when this technology was launched. Since then, it is upgrading its infrastructure to provide the later technologies of 4G and more recently 5G service provision. The appeal scheme seeks approval for a new structure that will allow H3G UK Ltd to roll out new 5G technology and retain and improve existing 3G and 4G coverage for this operator in this existing cell area. The proposed works will also retain and enhance 2G, 3G and 4G coverage for EE Ltd from the same site.
- 4.2 Existing coverage for both operators is currently severely affected by trees to the immediate west of the 11.7m mast where foliage is now at the same height as the antenna fixed to the mast which greatly reduces the operational efficiency of signal propagation. Given this constraint, the enhancement provided over the existing 2G, 3G and 4G coverage is a benefit of the proposals particularly given the appeal scheme will continue to be a mast sharing arrangement between two mobile network operators.

New Mast

- 4.3 The appeal scheme proposes a new 20m mast which will upgrade the service provision to the area by enabling 5G coverage for the appellant. The intention is to replace the existing mast with new technology to provide access to the latest digital communications network and to provide an improvement over existing levels of 2G, 3G and 4G network coverage. The requirement therefore is that the mast has to be taller and wider than the existing mast in order to support the additional 5G antennas which are generally larger and heavier than previous technologies as well as feeder cables that run down the centre of the monopole which themselves are significantly heavier and bulkier as well as meeting safety requirements and for antennas to be positioned above the height of existing trees immediately adjacent to the site. The specific design parameters of the mast will enable the operator to bring new 5G to the area and to concentrate on utilising a grass verge area already characterised by telecommunications infrastructure in the general vicinity and

where there are a number of mature trees in the immediate area which will help shield the mast and cabinets from appearing prominent, to deliver this utility as per the NPPF which seeks to minimise the number of new telecommunications sites and for sites to be shared between operators where possible.

- 4.4 This formed the reasoned justification for the prior approval application. In terms of positioning, the appeal scheme is situated within the immediate proximity of the existing column in order to replicate existing coverage as far as possible and ensure that the new installation knits efficiently into the digital communications network.
- 4.5 At present the operators are experiencing an unprecedented demand on the mobile network. More particularly the demand has shifted from city centres and places of work to residential and suburban areas such as the area around the appeal site. Equally the operators are working closely with central Government in order to maintain communication for all including the emergency services. The change in usage has meant that a great many more connections are being made due to home working and deliveries for example but also there has been a variation in the time of day that demand is required. The networks were originally designed in order to support the increased capacity and demand involved in a normal working day. That being commuting traffic, city centres and main transport routes. This has fundamentally changed in 2020 and into 2021 due to the Corona virus pandemic and it is considered that this change may well extend for a considerable period of time, and work practices may well permanently change significantly beyond the pandemic era, as businesses and employees get used to a new way of working and living.
- 4.6 With regards to the proposed new monopole and the existing site, the intention is to replace the existing site with the new monopole and replace existing equipment cabinets with the exception of 1no. equipment cabinet that will be relocated. In accordance with the provisions of the General Permitted Development Order that requires any redundant electronic communications apparatus to be removed after it is no longer required for electronic communications purposes, the existing mast is to be removed and the ground made good once no longer providing coverage (under Part 16 A.2 (2) (a)). This involves decommissioning the existing monopole and integrating the new one. In order to remove the existing structure, the new monopole needs to be fully integrated into the network and become fully operational. During this process there is a short period of time where potentially both antenna systems are switched off. As mentioned above it is paramount at this

- time to ensure that none of the mobile network is affected or involved in any downtime.
- 4.7 EE Ltd has recently taken over all of the emergency services requirements on their network and the operator cannot allow a break in coverage especially at the present time. Consequently, the intention is to retain the existing monopole for a short period, support all the antennas on the new monopole and to remove the existing monopole when it is practicable. The intention is not to have both monopoles in place for an extended period but simply to ensure that the most effective support for the network is provided at the current time.
- 4.8 The operator would not wish to duplicate services and, due to their proximity, it would not be technically viable to have both installations operating on all parts of the network (3G/4G as well as 2G for EE Ltd) just to allow 5G to operate. However, the requirement to retain the existing mast will only be for a short period of time so that there is no break whatsoever in network provision. The timescales involved are dependent upon available teams to complete the works, the integration of the new site and the operational requirement to maintain the network to its fullest capacity during this unprecedented period. The appellant does not anticipate this to be a long period of time where the operators' priority is providing connectivity to all users without any chance of a loss in coverage. To do so will require the existing to be retained for this short period.
- 4.9 The use of the mobile networks is one which goes unnoticed by the majority of the public but if it is lost then all who use the digital communication networks are affected. The expectation is that a mobile signal is functional and reliable in any given urban area but there is a large amount of work that is involved in upgrading and replacing existing infrastructure, testing and finally integrating the new equipment prior to switching it over to ensure this is a reality. As the current situation has placed unexpected demand upon the appellant's network, they consider it appropriate to ensure that this is their priority to support communities, to ensure continued connectivity and to allow communities to operate as normal as far as is practicable.
- 4.10 Further to Part 16 A.2 (2) (a) relating to the removal of redundant equipment, in this instance, to provide a specific timescale at present is not practical due to this overarching need to support communities, the emergency services, and individuals when operating an effective mobile service. Therefore, an application for a new

mast was submitted under Part 16 of the Town and Country (Planning General Permitted Development Order) 2015.

The Appeal Scheme

- 4.11 The existing column is not designed to support the operator's 5G antennas and latest 4G technologies. It is not big enough in width or tall enough in height and a number of trees situated to the immediate west are taller than the mast meaning radio signals to the west are blocked from efficiently propagating. Pruning the trees will not overcome the issue that the existing column cannot support the latest 4G and new 5G antennas which have to carry much more data than the older technologies and are therefore bigger and heavier. The poorer propagation of the higher frequency antennas also drives a requirement for a taller structure to clear the surrounding tree canopy and urban clutter ensuring the antennas reach the target coverage area. Therefore, a new taller, slightly wider column is required to ensure that the latest multi technologies can be provided in this cell area.
- 4.12 The appellant also considered the possibility of removing the existing mast and installing a new mast at the same site which is taller and wider than the existing in order to meet the design parameters. The operator discounted this option since there is a requirement to maintain network coverage at all times and avoid a drop off in coverage during the installation period.
- 4.13 As part of MBNL's continued network improvement program, there is a specific requirement for a new monopole at this location that is taller than the existing, to essentially provide new 5G service whilst improving 3G and 4G service provision whilst providing continuity of the 2G network for EE Ltd. This will ensure that the area surrounding the appeal site has access to the latest technologies. Even, if 5G was not rolled out in this area, the column would still need to be increased in height due to the antennas being blocked by the existing trees nearby.
- 4.14 The 3G and 4G provision allows internet access, video calling, data streaming, accessing social media networks and emailing to name just a few of the benefits. Therefore, to maintain high quality indoor 3G and 4G services in this area would promote activity in line with the general population demand as the ownership of smart devices increases. New 5G service provision will bring faster, more responsive and reliable connections than ever before.

Technical Justification

- 4.15 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 country. So, if a person using a handset is on the move, the network will transfer their calls or data usage from one site to the next. However, in certain areas there will be gaps between these cells, resulting in a loss of coverage (sometimes referred to as network 'not spots'). 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.
- 4.16 Turning to the specific cell area, the operator needs to replicate existing coverage that the existing established site is currently designed to provide to ensure that the current 3G and 4G service provided for the appellant (as well as 2G, 3G and 4G coverage for EE Ltd) is not detrimentally affected and enhanced where possible. There is a requirement for a new column and associated equipment cabinets at this location to allow H3G to improve their 3G and 4G networks and to provide new 5G service provision to this cell. This ensures high quality indoor service provision is provided. Furthermore, due to the joint agreement with the two operators H3G (UK) Ltd and EE Ltd (UK) Ltd the installation will be designed so that EE can continue to utilise the same site to provide 2G, 3G and 4G coverage. This negates the need for further radio base stations in the vicinity for either of these two operators and will result in a site sharing arrangement as required by NPPF paragraph 113 (amend the para number to reflect the recent NPPF changes).
- 4.17 The dynamic nature of technological advances in the telecommunications industry coupled with the ever-increasing demand from subscribers dictates a continual reinvestment programme on the part of the operators. As a result, and in line with their licence requirements, mobile operators are constantly developing their networks as well as refining and modernising their infrastructure.
- 4.18 Mobile connectivity and service is required where customers live, work and play and also the infrastructure used to move around. 5G coverage and superfast mobile broadband data capacity demand will continue to increase exponentially with the introduction of IoT (Internet of Things), machine to machine connectivity, automated transport/industry and other 'smart' applications. To this end the

existing shared infrastructure within the built environment has had to be reviewed and adapted as appropriate.

- 4.19 The location of the new mast is extremely important where the design brief for the development proposal requires the installation to provide effective replacement coverage being provided by any existing mast in the immediate surrounds. For this reason, the proposed installation must be as close to the existing site as possible, this representing the centre of the cell area where the search area for a new mast is essentially as close as possible to the existing installation. In simple terms, as distance from the centre of the cell search areas increases, the efficiency of any given installation in meeting the requirements of the cell will also decrease. An installation located outside of the search area would not allow the operator to provide their desired level of new 5G coverage or replacement 3G and 4G service provision and therefore would not adequately fill the current lack of network coverage. Continuous coverage is also required in order to ensure that calls are not 'dropped' within the operators target coverage area.
- 4.20 It is important to remember that due to the physics of radio signal propagation, each base station can only provide service to a limited geographic area and this is reduced further by topography and population density, amongst other things such as 'clutter' which is a technical term referring to near or distant line of sight obstruction or 'clutter' between the base station and the areas it is trying to provide service to. This 'clutter' can take the form of high trees or buildings in the wider area which obstruct the signal and severely disrupt the service or make a base station redundant entirely. The fact is, these base stations are required where the service is required, where there is a population who demand service provision, placing an installation a distance away from a population means the installation cannot provide the service to where it is needed.

Proposal Detail

- 4.21 The appeal proposal seeks prior approval to erect a 20m high telecommunications mast to support 6no. antennas with a wraparound equipment cabinet at the base of the column and 4no. new cabinets. The proposal will also relocate one existing cabinet from the existing installation to the appeal site to align with the design requirements of the appeal scheme. The proposed design is considered within the telecommunications industry to be a 'street works' type design that is generally deployed within urban areas and is of comparably similar design to mast designs

associated with previous technology roll out such as the existing 11.7m mast close to the appeal site.

4.22 The built form of the development can be broken down into the following components:

- The erection of a 20m tall, galvanised steel telecommunications mast (painted grey) installed on a root foundation to be supporting 6no. panel antennas;
- 1no. Wrap around equipment cabinet measuring 1800mm (w) x 750mm (d) x 1600mm (h);
- Installation of 4no. new equipment cabinets including finished in galvanised steel:
 - 1no. H3G Mk5b Link/AC cabinet measuring 1200mm (w) x 600mm (d) x 1600mm (h)
 - 1no. H3G APM5930 cabinet measuring 640mm (w) x 440mm (d) x 1225mm (h)
 - 1no. H3G Bowler cabinet measuring 1900mm (w) x 660mm (d) x 1827mm (h)
 - 1no. H3G Komodo cabinet measuring 1230mm (w) x 1542mm (d) x 400mm (h)

4.23 In addition, the proposal will relocate 1no. cabinet from the existing installation to the south west of the new monopole, this being a BTS3900A cabinet dimensions 600mm (w) x 600mm (d) x 1900mm (ht). Once the new column and equipment cabinets are fully operational then the existing mast and cabinets not proposed to be relocated will be removed including the Fredo, Pogona and Link AC MK3 cabinets and the ground made good.

4.24 The proposed cabinets are to be positioned in a cluster where 2no. cabinets, the relocated equipment cabinet and the mast will be positioned on the grass verge approximately in alignment with other vertical structures including lighting columns and telegraph poles adjacent to the footpath and 2no. cabinets positioned behind.

4.25 The proposed structure will support 6no. antennas, being arranged from the top of the mast in a stack formation where one set of 3no. antennas sits atop another. This dual stack arrangement is a specific design mechanism to reduce the width of the mast. For instance, other telecommunication structures may situate all 6 antennas at the same height to maximise coverage and antenna height at the

expense of visual impact where such an arrangement would require a headframe design that would be far wider than the proposed dual stack arrangement. The mast and equipment cabinets will be finished in a galvanised grey colour to match the colour of the existing telecommunications and street furniture apparatus in the immediate surrounds. No transmission dishes are proposed.

- 4.26 The total land take of the proposal is approximately 3m², this being the area required for the cabinet and the mast. The cabinets are located within a large grassed area and will not result in any restriction to the footway as a thoroughfare.
- 4.27 Photomontages are provided at Appendix 3 that show the site from three vantage points within the immediate surrounds, to the south west of the site on Swakeleys Road, to the north east of the site on Swakeleys Road on the opposite side of the roundabout and to the north of the site on Havril Road. The appellant's assessment of the photomontages is provided elsewhere, at paragraph 6.7 of this statement.

APPENDIX 3 - PHOTOMONTAGES

- 4.28 The design of the column is the most sensitive design available to the operator to meet the design brief. It is a simple, vertical, functional column designed to resemble other vertical street furniture within the area such as streetlighting and other telecommunications equipment (albeit at a taller height). The existing 11.7m telecommunications column is lower and thus the antennas are unable to provide line of sight over the coverage area required by the latest 4G and new 5G technology. The ability of the latest 4G and 5G signals to pass through materials at close range such as GRP shrouds or tree screening is also significantly reduced for the latest technologies as they have higher attenuation rates and unable to pass through urban clutter and trees as easily which is why the antennas are unable to be shrouded.
- 4.29 The proposed cabinets can be installed under the operators permitted development rights under Part 16 Class A (a) and the limitations relating to radio equipment housing set down at A.1.(9)(a)(b)(c) and A.2 (3) (c) (iii) (bb) even without the proposed column being installed, as the operator has an existing radio base station in this location. They have only been included in order for the applicant's proposal to be fully transparent. The Site Plan drawing (drg. 215) that accompanies the submission shows that the cabinets would be set back at least 1m from the footway.

- 4.30 The required mast height is defined principally by the technologies to be deployed, the geographic area which is identified by network radio planners as suffering deficient levels of coverage, the nearby streetscene, trees and foliage which would effectively combine to restrict radio propagation if the antennas were positioned to be at a lower height as well as the requirement to propose an ICNIRP compliant development. A smaller mast would not provide as effective or efficient coverage because surrounding trees and other built form would prevent the radio signal from propagating in an efficient manner, thereby significantly reducing the area of coverage. In addition, antennas positioned at a lower height have a comparatively poorer line of sight over a target area than antennas positioned at more elevated positions. The decline in line of sight associated with lower antennas effectively reduces the geographic area which any given installation is capable of serving. In turn, this reduces the overall effectiveness and efficiency of the installation and can lead to 'not spots' between coverage cells which then require additional installations to fill resulting in more installations and more potential urban clutter, contrary to the position of the NPPF.
- 4.31 The proposed height at 20m is essential in order to provide equivalent replacement coverage to the target coverage area. The latest 4G and new 5G radio technologies operate in higher frequency bands than older technologies. Since it operates at higher frequencies where attenuation of the radio signal is naturally higher, and the effects of clutter are greater it will normally require a higher structure to achieve the same coverage footprint. To increase capacity and data speeds to the user, the antenna will normally need to be mounted higher than conventional antennae. These factors drive a requirement for an increase in antenna height for 5G.
- 4.32 The new antennas are all unshrouded for technical reasons. However, they have been designed to be as tight as possible and virtually the same width as the main column, to minimise their visual appearance. The higher the radio frequency the more signal attenuation there is. The higher frequency 5G antennas are unable to operate effectively through the Glass Reinforced Plastic that the shroud is made up of and as such if these antennas were to be shielded then they would not be able to provide the necessary coverage to the target coverage area. An additional installation would be needed elsewhere within the cell area, leading to the proliferation of masts.

- 4.33 This is the slimmest design possible which will enable all technologies to be supported from this site. If the column and antenna width were to be any slimmer then the technology would not fit in the one column and another radio base station would be required, which would lead to the proliferation of masts contrary to national Government guidance set out in the NPPF and The Code of Best Practice. Similarly, if the column were to be a uniform width throughout then the overall width would have to increase which would appear more visually prominent in the streetscene, than the proposed design.
- 4.34 The ICNIRP certificate that accompanied the original application demonstrates that the proposal meets the International Commission guidelines for public exposure and is in accordance with the requirements of NPPF paragraph 117.

5. PLANNING POLICY

- 5.1 This section of the Statement of Case sets out the national planning context as well as local policies for London Borough of Hillingdon. Material considerations are also provided within this section.
- 5.2 The statutory development plan relevant to the appeal scheme comprises:
- Hillingdon Local Plan: Part One – Strategic Policies (November 2012); and
 - Hillingdon Local Plan: Part Two – Development Management Policies (January 2020).
- 5.3 Relevant national planning policy is included within the NPPF (July 2021). NPPF paragraphs relating to digital communication networks reiterate and strengthen the government commitment to 5G networks and should be afforded weight accordingly. The London Plan (March 2021), ministerial statements and reports material to the decision-making process are also identified and extracts provided.

i) National Guidance

National Planning Policy Framework (July 2021)

- 5.4 The Government's latest national planning policy iteration continues to strongly support communications infrastructure. Indeed, a whole chapter is dedicated to high quality communications, emphasising the importance that the Government attaches to digital connectivity. Paragraph 114 states that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being.
- 5.5 The importance of high-quality communications for social well-being should be considered alongside Local Plan Strategic Objective 6 which seeks to promote social inclusion through equality of opportunity and equality of access to cultural facilities (as set down in detail in this section at paragraph 5.20). The NPPF identifies the link between communications and social well-being where enhanced communications networks will contribute to achieving social cohesion through improvements in social well-being, a benefit that should weigh in favour of allowing this appeal.
- 5.6 The NPPF continues to support the expansion of electronic communications networks at paragraph 114. It notes that policies should set out how high-quality

digital infrastructure, providing access to services from a range of providers, is expected to be delivered and upgraded over time. As explained within Section 4 of this statement, as various technologies emerge over time, they come with different specific technical requirements in order to deliver the benefits associated with high quality communications networks.

5.7 The economic and social benefits of providing high quality and reliable communications infrastructure are well documented and can be found later in this Statement of Case.

5.8 The NPPF also makes specific reference to 5G:

“Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G).”

5.9 With the above in mind, the Government is already forward thinking the evolution of data networks and seeks planning decisions to take account of this. 5G technology provides increased speed of data and more capacity in the network, to ensure that handheld devices can continue to be used for the purposes in which they were purchased. This will bring greater economic and social benefits to the area.

5.10 Paragraph 115 of the NPPF retains the requirement to minimise the number of installations consistent with the efficient operation of the network but also recognises the needs of consumers and providing reasonable capacity for future expansion.

5.11 Paragraph 117 states that applications for electronic communications development (including applications for prior approval under the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development. This includes, for a new mast, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure and a statement that self-certifies that, when operational, International Commission guidelines will be met.

5.12 Paragraph 118 of the NPPF retains the guidance set out in paragraph 46 of the 2012 version of the NPPF and para 116 of the 2019 version which relates to determining applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic

communications system, or set health safeguards different from the International Commission guidelines for public exposure.

- 5.13 At the heart of the NPPF is the retained presumption in favour of sustainable development (paragraph 11). For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies within the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. The case in relation to this appeal, is that the appeal proposal is acceptable in terms of siting and appearance, accords with the development plan, is sustainable development, and that permission should be granted without delay.
- 5.14 Paragraph 8 sets down the economic and social objectives to help build a strong, response and competitive economy and to support strong, vibrant and healthy communities respectively. The sustainability credentials of the appeal scheme are set down in the following section of this Statement of Case.
- 5.15 Paragraph 38 states that planning authorities should approach decisions on proposed development in a positive and creative way and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- 5.16 The NPPF builds on the aspiration to build a strong, competitive economy. Paragraph 82 states:

"Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking in to account both local business needs and wider opportunities for development. The approach taken, should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation⁴⁰..."

5.17 Footnote 42 of the NPPF states:

“The Government’s Industrial Strategy sets out a vision to drive productivity improvements across the UK, identifies a number of Grand Challenges facing all nations, and sets out a delivery programme to make the UK a leader in four of these: artificial intelligence and big data; clean growth; future mobility and catering for an ageing society. HM Government (2017) Industrial Strategy: Building a Britain fit for the future”.

NPPF Summary

5.18 The NPPF recognises the importance of the establishment of high quality and reliable communications infrastructure, making specific reference to 5G, as being essential to economic growth and social wellbeing. Where new equipment is required, the NPPF requires that it be sympathetically designed and camouflaged where appropriate.

ii) The Development Plan

London Borough of Hillingdon Local Plan Parts One (2012) and Two (2020)

5.19 The single reason for refusal provided by the Council makes specific reference to Policy BE1 of the Hillingdon Local Plan Part One and Policies DMHB 11, 12 and 21 of the Local Plan Part Two. The following paragraphs provide extracts from the relevant Local Plan policies which are either referenced on the Decision Notice or referred to in the Case Officer’s Report with additional relevant Local Plan Strategic Objectives and support text identified by the appellant.

5.20 The Local Plan Part One sets down various strategic objectives which are designed to deliver on the vision for the borough during the plan period up to 2026. Strategic Objective 6 is to promote social inclusion through equal opportunity and equality of access to social, educational, health, employment, recreational, green space and cultural facilities. The NPPF draws the link between access to the communications and social well-being. In this case, providing enhanced access to the communications network will contribute to a more accessible item of physical infrastructure that provides a social benefit, thereby contributing to social cohesion.

5.21 **Policy BE1** relates to the built environment and relates more to traditional forms of development than essential utility infrastructure. It states that the Council will

require all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods. All development should, amongst other things:

- Achieve a high quality of design in all new buildings, alterations, extensions and the public realm which enhances the local distinctiveness of the area, contributing to community cohesion and a sense of place.
- Be designed to be appropriate to the identity and context of Hillingdon's buildings, townscapes, landscapes and views, and make a positive contribution to the local area in terms of layout, form, scale and materials and seek to protect the amenity of surrounding land and buildings, particularly residential properties.

5.22 Policy BE1 is of limited relevance to the appeal proposals on the basis that it relates specifically to all new buildings and not items of infrastructure. The proposed monopole is not a building, it is a supporting structure for mobile network operators apparatus including antennas and akin to lighting columns and telegraph poles which are supporting structures for street lamps and telegraph wires respectively. In terms of community cohesion the structure itself will result in a limited impact on the sense of place around a busy roundabout but the communications network coverage provided will allow people to stay in touch and communicate effectively via the latest forms of technology.

APPENDIX 4 – LOCAL PLAN PART ONE EXTRACTS

5.23 **Policy DMHB 11** of the Local Plan Part 2 also relates to the design of new development stating that all development will be required to be designed to the highest standards and incorporate principles of good design including, amongst other things:

- Taking account the surrounding scale of development considering the height, mass and bulk of adjacent structures; and
- Local topography, views both from and to the site.

5.24 **Policy DMHB 12** relates to streets and the public realm stating that development should be well integrated with the surrounding area. Development should, amongst other things ensure public realm design takes account of the established townscape character and quality of the surrounding area.

5.25 The Case Officer's Report makes reference to **Policy DMHB14** which relates to trees whilst also noting that the Council's Arboricultural Officer was consulted on the proposals and made no objection. Wording of the policy requires all development to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit which the appeal proposals duly achieve.

5.26 **Policy DMHB 21** and amplification text relates specifically to telecommunications development. Supporting text provided at paragraph 5.83 highlights the link within the NPPF between economic growth and development of advanced, high quality communications but does not go on to also link communications with social well-being. Since the policy is of primary importance it is repeated in full below:

Telecommunication development will only be permitted where:

- i) it is sited and designed to minimise their visual impact;*
- ii) it does not have a detrimental effect on the visual amenity, character or appearance of the building or the local area;*
- iii) it has been demonstrated that there is no possibility for use of alternative sites, mast sharing and the use of existing buildings;*
- iv) there is no adverse impact on areas of ecological interest, areas of landscape importance, archaeological sites, Conservation Areas or buildings of architectural or historic interest; and*
- v) it includes a Declaration of Conformity with the International Commission on Non Ionizing Radiation.*

APPENDIX 5 – LOCAL PLAN PART TWO EXTRACTS

iii) London Plan

5.27 Published in March 2021, the new London Plan has been adopted. The Foreword to the London Plan sets down that London will be a pioneering smart city with world-class digital connectivity supporting more digital devices to improve the lives of Londoners and enable business to thrive.

5.28 The London Plan is legally part of each of London's Local Planning Authorities' Development Plan and must be taken into account when planning decisions are taken in any part of Greater London. Planning applications should be determined

in accordance with it, unless there are sound planning reasons (other material considerations) which indicate otherwise

5.29 Policy SI 6 relates to digital connectivity infrastructure where *‘Development Plans should support the delivery of full-fibre or equivalent digital infrastructure, with particular focus on areas with gaps in connectivity and barriers to digital access.’*. Accordingly, Policy SI 6 should weigh in favour of allowing the appeal since it will directly respond to an area where there is currently no 5G coverage and where it will provide the latest 4G service provision and enhanced 3G coverage.

5.30 Other relevant sections of support within the London Plan include:

- Paragraph 1.1.4 which states an aim of the plan is to deliver good quality social, physical and environmental infrastructure that meets London's diverse needs. This links with Strategic Objective 6 (as detailed within paragraph 5.20) relating to growth within the borough which states that good growth is inclusive growth where access to a reliable communications network will reduce social isolation and improve connectivity for all;
- Paragraph 1.5.4 states that the right infrastructure is required to help businesses succeed across London where the digital economy is underpinned by world-class digital connectivity, data and digital services which are of ever increasing importance;
- Paragraph 9.61 states that the provision of digital infrastructure is as important for the proper functioning of development as energy, water and waste management services and should be treated with the same importance. London should be a world-leading tech hub with world-class digital connectivity that can anticipate growing capacity needs and serve hard to reach areas. Fast, reliable digital connectivity is essential in today's economy and especially for digital technology and creative companies. It supports every aspect of how people work and take part in modern society, helps smart innovation and facilitates regeneration; and
- Policy GG5 relates to growing a good economy stating that to conserve and enhance London's global economic competitiveness and ensure that economic success is shared amongst all Londoners, those involved in planning and development must, amongst other things promote the strength and potential of the wider city region and seek to ensure that London's economy diversifies and that the benefits of economic success are shared more equally across London.

Other Material Considerations

London Borough of Hillingdon Strategic Infrastructure Plan (2011)

- 5.31 The provision of telecommunications and broadband infrastructure within the district is noted as forming part of the wider physical infrastructure provision within the borough area. Addressing telecommunications and broadband need, the Strategic Infrastructure Plan states: *“Sufficient mobile network coverage and capacity depends on providers being able to acquire planned new sites and replacement sites where and if necessary for masts of antennas on roofs.”*
- 5.32 Notwithstanding the requirements of other Local Plan policies relating to siting and appearance, there is a clear acknowledgement by the Council that, unless the communications network is continuously planned and upgraded by the operators there will be insufficient mobile network coverage in the area to support infrastructure need, thereby limiting potential for growth and undermining meeting strategic objectives 6 relating to social and economic inequality and 16 relating to economic growth.

Code of Best Practice on Mobile Network Development in England

- 5.33 The appellant makes extensive reference to the Code of Best Practice within the Site Specific Supplementary Information document that accompanied the original submission and is included as part of this appeal submission and not repeated here with the exception of additional relevant paragraphs as provided below. The appellant is fully committed to the requirements of the code and has progressed this appeal proposal in compliance with the requirements of the code.
- 5.34 The Code provides guidance on siting and appearance principles at Appendix A. It sets out a number of design principles in respect of telecommunications development. However, the code acknowledges that the options for design used by an operator will be affected by site conditions including requirement to link the site to the network, landscape features and coverage and capacity requirements. The main options for the operator include:
- Mast and/or site sharing (including redevelopment of a site to enable upgrade or sharing with another operator);
 - Installation on existing buildings and structures;
 - Erecting new ground based masts;

- Camouflaging or disguising equipment where appropriate; and
- Using small scale equipment (although small cells themselves are generally used to address capacity issues as opposed to providing coverage).

5.35 The Code in Appendix A acknowledges that it has been a long standing Government policy objective to support the sharing of masts and sites. Operators also aim to site share wherever viable.

5.36 Concerning the erection of new ground based masts; The Code at Appendix A provides examples of where the environmental and visual impact of the mast can be greatly reduced. These include:

- Placing the mast near similar structures. For example, industrial and commercial premises, road signs and lamp posts;
- Placing a mast within or adjacent to an existing group of trees. This option is more successfully implemented in or near wooded areas. It should also be noted that the top of the mast placed in trees will need to be above the tree-line in order for the equipment to work and for the allowance of future tree growth;
- 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. Masts seen against the sky are best left in their galvanised state or painted pale grey. Against a wooded backdrop, a matt green or brown colour scheme would be more applicable.

5.37 The appellant notes here the specific reference within the code that masts placed near trees will need to be above the tree-line in order for the equipment to work. This is relevant in the context of the appeal site where the existing mast to be replaced is below the height of surrounding trees and therefore provides ineffective coverage. Thus, it needs to be upgraded for a taller structure even if 5G is not rolled out in this area of the borough.

Explanatory Memorandum to changes to the General Permitted Development Order

- 5.38 Government support for improving Britain's communications network is longstanding, consistent and well documented. In November 2016, the Government published an Explanatory Memorandum to changes to the General Permitted Development Order. The document clearly draws a link between economic development and the communications network stating:

"Digital communications are an integral part of modern life... Improving the country's communications infrastructure is integral to our ability to grow the economy and compete on a global scale, particularly as demand for 4G (superfast mobile broadband) continues to rise."

- 5.39 The delivery of the appeal scheme will contribute to realising this economic and social benefit and should weigh heavily in favour of the scheme. A copy of the memorandum is provided at Appendix 6.

APPENDIX 6 – EXPLANATORY MEMORANDUM

Open Government Consultation - Changes to permitted development rights for electronic communications infrastructure: technical consultation (April 2021)

- 5.40 The Government has consulted on changes to the permitted development rights for the installation, alteration and replacement of electronic communications infrastructure. The Ministerial foreword provided to the consultation exercise reiterates strong Government support for extended mobile coverage stating, *'Digital connectivity is – now, more than ever – vital to enable people to stay connected and businesses to grow. The demand for mobile data in the United Kingdom is increasingly rapidly, and the Covid-19 pandemic has highlighted how important it is that we all have access to reliable, high quality mobile connectivity.'*
- 5.41 The foreword continues that *'We intend to be a global leader in 5G, the next generation of wireless connectivity, and for communities and businesses to benefit from investment in this new technology. The case for 5G is compelling: it will provide faster, more responsive and more reliable connections than ever before... We must, however, continue to ensure people have access to fast, reliable digital connectivity and mobile coverage. The planning system plays a key role in delivering the infrastructure that we need as households and businesses become increasingly reliant on mobile connectivity.'*

- 5.42 This material consideration is particularly relevant to the appeal scheme since, being published in April 2021, it represents a very recent and therefore relevant expression of the government's continuing support for 5G. Accordingly, the document adds additional weight to the compelling case that prior approval should be granted and rebukes the officers inference that 'the benefits do not outweigh the harm'.²

Letter from Matt Warman MP – Parliamentary Under Secretary of State for Digital and Broadband (May 2021)

- 5.43 In May 2021 Matt Warman wrote to every Local Authority Chief Executive in England to underline the importance of digital connectivity, mobile connectivity and access to 5G infrastructure, writing: *'The Government is committed to extending mobile network coverage across the UK and providing uninterrupted mobile signal on all major roads, and our ambition is for the majority of the population to have access to a 5G signal by 2027'.*

- 5.44 The minister identifies an increasing reliance on mobile connectivity. It follows that where there is increasing reliance on mobile infrastructure, the operators must respond to ensure that the network is fit for purpose which requires the upgrade of existing sites as proposed under this appeal.

Letter from Matt Warman MP – Parliamentary Under Secretary of State for Digital and Broadband (November 2019)

- 5.45 In November 2019, Matt Warman MP wrote to all CEOs of Council's in England setting out the case for '5G - The Next Mobile Generation'. The letter stated:

"More than any previous generation of mobile networks, 5G has the potential to transform the way we live and improve economic productivity. Networks will have the capacity for millions more devices to be connected at the same time, enabling businesses and communities to operate more efficiently. It will allow cities and communities to manage traffic flow, monitor air quality and control energy usage through real-time management of high volumes of data".

² <https://www.gov.uk/government/consultations/changes-to-permitted-development-rights-for-electronic-communications-infrastructure-technical-consultation/changes-to-permitted-development-rights-for-electronic-communications-infrastructure-technical-consultation>

A recent report estimated that local authorities will share collectively an annual £2.35 billion of efficiency savings, from reduced social care costs for the elderly through 5G monitoring, to savings through smarter street lighting. We want the UK to take early advantage of these benefits, so it is good news that all of the four main mobile network operators - EE, O2, Three and Vodafone - have started to deploy 5G networks. We expect 5G to go live in up to 50 cities and towns by the end of 2020. In order to support the deployment of 5G and extend mobile coverage, particularly in rural areas, the Government recently published a consultation on the principle of proposed reforms to permitted development rights, which closes on 4 November

The National Planning Policy Framework ("the Framework") for England supports the expansion of high-quality communications, including next generation mobile technology, such as 5G. The Framework states that planning applications for mobile base stations should include a statement of compliance with international guidelines on limiting exposure to electromagnetic fields known as the International Commission on Non- Ionizing Radiation Protection guidelines ("the ICNIRP guidelines"). It also states: "Local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure."

- 5.46 An installation in this location will ensure that the expansion of the electronic communications network is facilitated, and that high-quality communications infrastructure is provided to the immediate area. This is in full accordance with the Government's aims and aspirations to have high quality 5G infrastructure, promoting and growing the digital sector and increasing digital inclusion.

Matt Warman Connected Britain Keynote Speech

- 5.47 In September 2020 Matt Warman gave a Keynote Speech at Connected Britain 2020. Mr Warman used his speech to again underline the importance of UK connectivity. Key comments include:

- People in this sector have long referred to the internet as “the fourth utility” - and it's true. For countless people across the country, having fast and reliable broadband and a good mobile connection is as essential and vital to our daily lives as gas, water and electricity.
- This government is ambitious for the UK's digital infrastructure...We want to deliver nationwide gigabit capable broadband connectivity as soon as possible.
- We know how important local authorities are to the delivery of digital infrastructure, which is why I have written to them, together with the Local Government Minister, to outline how they can work more effectively with the industry.
- The world is in the middle of a digital revolution. COVID has accelerated this process, digitising almost every part of our everyday lives and making the infrastructure that connects us more important than ever. That's why it is at the top of the Government's agenda.

Centre for Policy Studies – Upwardly Mobile: How the UK can gain the full benefits of the 5G revolution³

5.48 In October 2020 as part of the Speed up Britain campaign, the Centre of Policy Studies launched a new report: 'Upwardly Mobile: How the UK can gain the full benefits of the 5G revolution.' The report identifies what the 5G opportunities mean for us and what the Government needs to do so we can all benefit from this vital new technology. The report summarises that:

- Delays to the rollout of 5G could cost the country tens of billions of pounds in lost economic output, according to a new report by the Centre for Policy Studies.
- The report highlights that if delays continue at their current rate, by 2027, over 11 million households and businesses could be missing out on vital digital connectivity. Improving digital infrastructure supports the Government's 'levelling up' agenda, by helping local areas to retain and attract businesses and talent as well as by reducing regional inequalities.

³ <https://www.cps.org.uk/research/upwardly-mobile>

However, without reform to existing legislation, millions of households and businesses will suffer.

- Using analysis by the independent consultancy Policy Points, the report estimates that if 5G coverage reaches a quarter more of the population than the Government's current target of 51%, it will produce GDP gains of £41.7 billion by 2027. It highlights that the difference between the UK being a leader and a laggard in 5G adoption could be as much as £173 billion in incremental GDP over the coming decade, as estimated by the Future Communications Challenge Group.

National Infrastructure Strategy (November 2020)

5.49 The National Infrastructure Strategy was presented to Parliament in November 2020 and forms a material consideration to this appeal.⁴ The NIS explains how infrastructure underpins the economy and has a profound impact on people's daily lives. The stated aim of the Government is to deliver an infrastructure revolution where a radical improvement in the quality of the UK's infrastructure will help to 'level up' the country and put the UK on the path to net zero emissions by 2050 and that the Government will 'do whatever it takes to ensure the economy recovers as swiftly as possible' from the Covid-19 pandemic.

5.50 The NIS makes specific reference to 5G and more broadly the benefits that digital infrastructure can bring to the economy as follows:

- New technologies such as 5G have enormous potential to improve the environment and the daily lives of people across the UK;
- The Government wants to deliver high quality, reliable digital infrastructure that works across the UK, so that mobile calls do not drop, video calls don't freeze and people working from home can do their jobs and run their businesses with ease; and
- Fast, reliable digital connectivity can deliver economic, social and well-being benefits for the whole of the UK. Never has this been more important than as the country deals with the impact of Covid-19, when digital infrastructure has enabled home learning and kept families in touch with each other in extraordinary circumstances.

⁴ National Infrastructure Strategy – Fairer, faster, greener – HM Treasury, November 2020

6. CASE FOR THE APPELLANT

6.1 Reflecting on the reasons for refusal cited in the Decision Notice, the contents of the Case Officer's Report, the relevant policy context and material considerations, the appellant considers that the main issues are as follows:

- i. How the proposal would alter the existing streetscene through siting and appearance and what level of harm would result from the change.
- ii. Whether the public benefits of the proposal outweigh any harm identified in considering siting and appearance.
- iii. Whether the appeal scheme complies with Local Plan Policy DMHB21 (telecommunications).
- iv. Analysis of Case Officer's Report.

i) How the proposal would alter the existing streetscene through siting and appearance and what level of harm would result from the change

6.2 The proposed telecommunications mast would be located on a deep grass verge next to a footway adjacent to Swakeleys Road, close to the appellant's existing telecommunications mast and associated equipment cabinets. With the exception of one cabinet that will be relocated to the appeal location, the existing mast and existing equipment cabinets would be removed and ground made good. Overall, there would be no increase in the number of masts in the area and there would be a comparable number of equipment cabinets (4 no. to be removed and 1 no. relocated to the appeal location and 4no. proposed where the proposed mast would feature a 'wrap around' 5th cabinet at the base). However, the existing monopole also has a similar wraparound cabinet at the base albeit slightly smaller.

6.3 The proposal would be sited to the southwest of the existing mast, set back from the adjoining footway area by at least 1m. Due to this setback, the equipment cabinets will not impinge upon the free movement of pedestrians. The grass verge area itself is an undesignated swathe of grassland featuring scattered groups of trees. There are no features of the grass area that make it distinctive in the streetscape and it forms no specific purpose beyond providing a low degree of visual amenity.

6.4 The existing mast is an established part of the street scene and has been in place for several years. Although relatively slimline and only 11.7m tall, it is different

from nearby streetlighting columns since it is designed to deliver a different utility function. As a result of its similar alignment to lighting columns, the location of nearby trees of taller height and its separation from smaller buildings that would emphasize its scale, the existing 11.7m is not a significant feature of the existing streetscene. Moreover, the mast, when viewed from the east would be seen against the backdrop of existing tree screening, some of which would be taller than the mast itself thereby providing significant backdrop screening.

- 6.5 The appellant has explained at paragraphs 2.5, 4.2 and 4.30 that the antennas fixed to the existing mast, particularly where orientated to the southwest, are severely limited in effectiveness by the foliage at the same height as the antennas. It has also been explained that the existing mast cannot simply be increased in height to overcome this constraint and that a new mast in the immediate area is required.
- 6.6 Although taller than the existing mast, the appeal scheme has been sited in a location that benefits from a degree of natural screening such as the mature trees and hedging situated to the sides of Swakeleys Road. The appellant has provided photomontages to demonstrate the visual impact of the proposal that show the equipment will not look stark in the streetscene or overly visible in the wider locality and is not within an area of open character and not a part of the public realm which significantly adds to community vitality.
- 6.7 The photomontages show three view points that include an 'a' and 'b' version of the image where 'a' is the existing view and 'b' shows the existing mast removed and the appeal scheme installed. The appellant's analysis is as follows:
- Image 1a: Existing view along Swakeleys Road (B467) looking North East – the image confirms the appellant's assessment of the streetscene where existing vertical items of street furniture characterise the approach to the roundabout, notably telegraph poles and street lamps. The existing 11.7m mast is not clearly visible since this is hidden behind existing tree coverage.
 - Image 1b: Proposed view along Swakeleys Road (B467) looking North – The proposed mast is visible on the approach to the roundabout but it can be clearly seen that the scale of the mast is generally in keeping with the surrounding items of street furniture and will be partially screened by existing trees. This context reduces visual impact and will allow the appeal scheme to assimilate with the surrounds on Swakeleys Road.

- Image 2a: Existing view along Havril Road looking South – Again, the existing context of the lead up to the roundabout is clear where numerous items of vertical street furniture line the roads. The existing mast and cabinets are visible, being partially screened by vegetation with views being heavily filtered.
- Image 2b: Proposed view along Havril Road looking South – The proposed mast is visible on this image, in between a telegraph pole and street light column on the right-hand side of the image. However, the mast is almost totally hidden from view by existing tree coverage and the visual change from this viewpoint from existing to proposed will be low.
- Image 3a: Existing view along Swakeleys Road (B467) looking South West – In addition to vertical street furniture structures, this view shows that road signage also characterises the lead up to the roundabout. The existing mast is visible but does not form a prominent feature in the streetscene since it is viewed in the context of the existing street furniture. This image also demonstrates that heavy goods vehicles use the roundabout, adding to the generally busy feel of the area.
- Image 3b: Proposed view along Swakeleys Road (B467) looking South West – This image effectively shows how the proposed mast will assimilate with surrounding street furniture whilst not appearing significantly taller or larger than existing structures installed around the roundabout.

6.8 In summary, the photomontages show the appeal site is situated within close proximity to a busy roundabout where street furniture including street lighting, road signs, bus stops and trees are common (as detailed within the appellant's description of the existing streetscene provided at paragraphs 2.16 - 2.20). The presence of other vertical structures and landscape features will allow the proposal to assimilate within the streetscene so as not to appear alien or a stark addition to Swakeleys Road. Although the structure itself may be visible within the streetscene in places, this does not in itself render the appeal unacceptable.

6.9 A recent appeal decision at Town Lane, Dukinfield notes at paragraph 5 that "*The proposal would be taller than the majority of structures and buildings in the area. However, telecommunications structures are common features in built up areas and the proposal, whilst being visible, would not necessarily be highly noticeable as it would blend in with similar structures such as street lighting and the existing*

monopole mast." Whilst the appellant accepts that the context of any given site is specific to that location, there are similarities between the allowed appeal for prior approval for a 17.5m mast at Dukinfield and the current appeal where the context is a site in close proximity to highway junctions set within a predominantly residential area where street furniture forms the immediate setting. The appellant would also note that the appeal site at Swakeleys Road is more shielded by mature trees than at Town Lane where there were no trees to help with shielding. A copy of the appeal decision and approved drawings are provided at Appendix 7.

APPENDIX 7 – APPEAL DECISION APP/G4240/W/21/3268575 AND APPROVED DRAWINGS

- 6.10 Views of the appeal site from medium to long distance along Swakeleys Road to the west and east of the appeal site would be taken in the context of the other street furniture and scattered tree coverage that form the streetscape. Given the approach to the Havril Road/Swakeleys Road roundabout includes a curve to the road and associated footway areas, the road pattern prevents clear longer distance views of the appeal site, particularly from the northeast. Views from Havril Road would be very limited by virtue of existing mature hedgerows situated immediately abutting the footway as shown within images 2a and 2b of the photomontages.
- 6.11 Consequently, the siting and appearance of the appeal scheme will be largely experienced in the public realm by localised views from Swakeleys Road and the environmental change to the public realm at medium to long distances from the appeal site is very low. Change to the streetscene more locally would be greater but would be taken in the context of existing tree screening and other street furniture lining Swakeleys Road where the appeal site is situated on the approach to a busy roundabout used by all forms of vehicular traffic including HGVs (as observed during a recent site visit). Drivers are concentrating on the roundabout and therefore will only have glimpsed views of the monopole and cabinets approaching it, especially as views are filtered significantly by the mature trees and the geography of the road layout.
- 6.12 There would be a visual impact from the proposed cabinets which should be considered in the context of the removal of cabinets associated with the existing mast. Travelling along Swakaleys Road, the cabinets would be seen as a tight cluster alongside the footway and generally aligned to the route of the footway. From further away in the surrounds, taking into account their relatively small scale and seen in the context of the road and associated vehicle movements, the cabinets

would result in a low degree of environmental change and not be unduly discordant. Given the proposal would result in the removal of all but one of the existing cabinets there would be no significant increase in any cluttering effect of the cabinet at ground level.

- 6.13 Overall, the larger scale of the mast and the configuration of proposed cabinets would be more conspicuous than the existing mast and equipment. However, taking into account the existing equipment, context for the site and character of the surrounds, there would not be significantly greater cumulative harm and the overall visual impact of the proposed development would be low, as demonstrated by the photomontages and appellant analysis provided. Just because the mast and cabinets are visible doesn't equate to harm. This is because they will not be highly noticeable given the other vertical structures in the area that it would blend in with and the shielding effects from the surrounding mature trees. The proposed monopole will not be a bulky structure and will assimilate with the other linear structures in the area.
- 6.14 The photomontages provided together with the appellant's assessment of visual impact also demonstrate compliance with design related policies used to refuse prior approval, notably Policy BE1, DMHB 11 and DMHB 12. Policy BE1 requires that the quality of the environment is maintained. The form of development proposed (a telecommunications mast together with cabinets situated around the base) is already an established part of the streetscene where the photomontages show that the new mast will result in a comparably similar level of visual impact to the streetscene than the existing arrangement. In this sense the quality of the environment will not be unacceptably altered.
- 6.15 Policy BE1 further requires that development achieves a high quality of design. There is nothing inherently poor about the design proposed, it is a functional piece of utilities infrastructure that is situated within a part of the public realm that is not particularly noted for its attractiveness or somewhere pedestrians would typically gather. The proposal will provide a valuable utilities service through the provision of a modern communications network. This requirement is repeated in Policy DMHB11. The appellant has proposed a discreet mast design that is the minimum required to achieve the design brief of providing 5G coverage to the area surrounding the existing 11.7m mast.
- 6.16 Policy DMHB 11 required new development to harmonise with local context by taking account the surrounds. As detailed in section 2 of this statement and readily

discernible from the photomontages, the surrounding area is contextualised by existing telecommunications equipment, street furniture and mature trees. The proposal will not introduce any alien feature into the streetscene, there would be no net increase in the number of masts in the immediate vicinity.

- 6.17 The photomontages further show that the proposal will be well integrated into the surrounding area as it would be seen in the context of existing street furniture as required by DMHB12. The design and siting of the proposal will reflect existing townscape character by virtue of siting a telecommunications mast against the backdrop of existing tree screening, an arrangement already evident within close proximity to the appeal site.

ii) Whether the public benefits of the proposal outweigh any harm identified in considering siting and appearance

- 6.18 The proposal would replace the existing 11.7m mast, replacing and improving the 2G coverage (for EE Ltd only), 3G and 4G services currently provided in this location for both operators and additionally provide 5G services for H3G UK Ltd. The proposal would be shared by two major network operators who also share the existing mast. The proposal would contribute to high quality and reliable communications infrastructure, as is essential to support economic growth and social well-being as reiterated in the latest version of the NPPF (July 2021).
- 6.19 The above appellant analysis and the enclosed photomontages demonstrate that the appeal proposal would result in a low degree of environmental harm and that the siting and appearance of the proposal are acceptable. As demonstrated through recent appeal decisions for prior approval applications relating to the development of the communication network, a balancing exercise should be undertaken by the decision maker to weigh identified harm against the benefits of the proposal (see paragraph 6.25 and supporting appeal provided at Appendix 8). Accordingly, the following public benefits are provided for consideration. The proposed development will:
- Provide new 5G service provision for H3G UK Ltd as part of its national network in an area where there is currently no 5G coverage;
 - Significantly enhance the 3G and 4G coverage for H3G UK Ltd and EE Ltd whereby existing antenna orientated to propagate over areas to the south west is severely limited in function as a result of tree growth. This

enhancement of coverage would also apply for 2G coverage provided by EE Ltd;

- Improve the ability of local businesses, home workers and industry to operate and compete effectively through access to modern communications thereby helping to maintain and increase local employment opportunities and sustain economic development;
- Provide coverage to the residential areas and road network that is located in close proximity to the site;
- The proposal would contribute towards the Government's long-standing and well documented commitment to maintaining and improving communications networks across all of Britain and also to the Strategic Objectives of London Borough of Hillingdon in terms of delivering social cohesion. The sustainable objectives that facilitate benefits will be supported in the following ways in accordance with NPPF paragraph 8:
 - i. **An economic role** – modern communications in all of their different and emerging forms, including mobile communications, help maintain high and stable levels of economic growth and employment. Hence, the UK Government's continued commitment to the growth and development of modern electronic communications.
 - ii. **A social role** – modern communications, including mobile communications, aid social progress, which recognises the needs of everyone.
 - iii. **An environmental role** – modern communications, including mobile communications, provide effective protection of the environment by helping reduce the need to travel by enabling modern working practices such as greater home working. Such practices alleviate the pressure for new commercial development such as offices, through more efficient and flexible use of existing accommodation. For the same reasons, modern communications, including mobile communications, help ensure the prudent use of natural resources.
- The appeal proposals would maintain and enhance 2G, 3G and 4G coverage whilst bringing new 5G service provision into this busy area of Hillingdon. The proposal would contribute toward the London Plan's requirement for

world-class digital connectivity across the city to support more digital devices to improve the lives of Londoners and enable businesses to thrive. Improved digital connectivity will contribute to supporting London's culture and creative industries; enhance the competitiveness of industry; and allow for investment into smart technologies.

6.20 Turning specifically to the benefits of 5G, these include:

- Helps local businesses to offer a broader range of services, boosting the local economy;
- Supports local companies by facilitating working from home;
- Promotes economic growth by attracting investment from businesses, which creates jobs and regional prosperity in line with national and local economic strategies;
- Offers social benefits such as being able to connect with vulnerable family and friends or contact the emergency services 24/7;
- Mobile infrastructure underpins Smart City initiatives, opening the door to Government funding for local authorities;
- Helps local councils to offer online services such as paying council tax bills which provides a more efficient service;
- Enables councils to introduce smart refuse collection services which saves costs;
- Councils can introduce technologies such as smart lighting;
- Helps local councils to offer online services such as school admissions and local information for residents;
- Faster mobile broadband and a more consistent experience in congested areas with a very high number of devices;
- Industrial applications, enabling businesses to improve their productivity, for example through predictive maintenance and real-time analytics;

- Internet of Things (IoT) services, many of which will help the Council and businesses deliver greater economic efficiency including:
 - Transport and logistics: connected parcels and fleet tracking.
 - Health and social care.
 - Environmental monitoring.
 - Connected and autonomous cars: allowing cars to communicate with each other, other road users and even road infrastructure.

6.21 This appeal statement, prepared during the time of the COVID-19 pandemic, stresses both national and local benefits of the infrastructure allowing people to stay connected not only when they cannot go to work, school or socialise but also when restrictions are being eased and partially reinstated. It proposes physical infrastructure that over the last 18 months made it possible for people to work from home, children to continue their education and everybody to stay in touch. In times of social isolation, connectivity, including mobile connectivity, became more important than ever as it moved many aspects of everyday life online. When social contact was restricted, people turned to face-time calls using various applications on their mobile phones. For the first time, all the UK's mobile networks sent out a government message to their customers with details of the new shutdown measures. The message from 24 March 2020 read: '[GOV.UK](https://www.gov.uk) CORONAVIRUS ALERT. *New rules in force now: you must stay at home. More info and exemptions at [gov.uk/coronavirus](https://www.gov.uk/coronavirus) Stay at home. Protect the NHS. Save lives*'. The World Health Organisation launched a WhatsApp chatbox allowing people to get instant information about the coronavirus through the smartphone messaging application.

6.22 The UK Government has designated the telecommunications sector as one of the critical sectors in new government regulations and legislation in response to dealing with the COVID-19 outbreak. Despite severe restrictions in other sectors, work to repair and maintain the telecommunications network was allowed to continue at that time. All four operators work hard to provide additional network capacity to allow people uninterrupted connection for whatever reason and whenever they need it. This includes allowing local planning authorities and the Planning Inspectorate to drive the planning process forward ensuring it continues to operate effectively to support economic recovery. Without upgrading the network, users

would not be able to rely on a high-quality communications network when they need it most.

6.23 It is commonly accepted that *'connecting to the Internet via a mobile device allows people to access a wide range of central and local government services, to do research for a school project or apply to university, to manage their bank account and pay bills, to apply for a job; or to buy groceries. Most local authorities' services are now available online, and many councils have recognised the growth of smartphone use and introduced mobile phone applications to provide instant access to services, or to allow residents to report litter, dumped rubbish, pot holes and road repairs, or anti-social behaviour. The health services also benefit from good mobile connectivity. The advantages of being able to summon the emergency services using a mobile phone is obvious, but simply sending text messages to patients means fewer missed appointments, and saves the NHS both time and money.'*^[2] Consequently it is clear that without a reliable mobile connectivity, the perception of living conditions and access to services in this area will not improve significantly. It is therefore crucial for the well-being of the people living, working, studying and visiting the area that a replacement installation which also enables new 5G technology to be provided to this area of Ickenham is allowed.

6.24 To illustrate the impact of the pandemic on demand for mobile connectivity, Online Nation 2020 produced by Ofcom to look at what people in the UK are doing online and industry trends amongst other things, found in relation to the increasing importance of mobile connectivity:

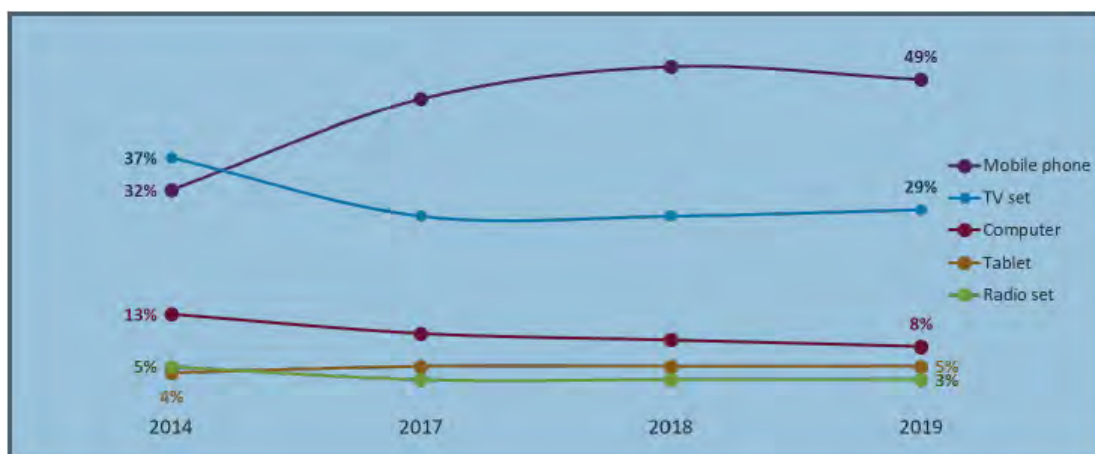
- 71% of all measured time spent online was on smartphones.
- 35% of internet users only accessed the internet on mobile devices (smartphone or tablet).
- In 2020, a fifth (22%) of UK adults have a smart speaker in the home and 11% of all UK households own some kind of 'smart home' technology (including devices such as smart home security, smart lighting and smart heating).

^[2] The Benefits of Mobile Communications by Mobile Operators Association (MOA)
<https://www.adur-worthing.gov.uk/media/media,105521,en.pdf>

- In April 2020, internet users in the UK spent an average of 4 hours 2 minutes online each day, 37 minutes more each day per online adult compared with January 2020.
- In April 2020, the reach of education (+3 percentage points), health (+5pp) and government (+5pp) sites had all grown since January, while UK users of news sites spent more than three minutes more on these sites on average each day, and users of social media sites spent more than 18 minutes more each day on average.
- TikTok increased its reach among adults in the UK from 5.4 million to 12.9 million between January and April 2020; Houseparty increased from 175,000 to 4 million; Zoom reached 13 million adult internet users in April, up from 659,000 in January.
- In early 2020, online video calling was used much less than other online communication services, with 35% of online adults using online video calling at least weekly in the 12 months to February 2020. In May 2020, this had doubled to 71% of online adult consumers using online video calling services at least weekly, with 38% using them at least daily. Our research suggests that 7% of adult internet users used video calling for the first time as a result of the coronavirus pandemic.
- Consumers in the UK continue to decrease their use of landline calls in favour of using mobile calls and mobile data. Between 2012 and 2018, the total volume of outgoing landline calls in the UK more than halved, decreasing by 59 billion minutes, from 103 to 44 billion minutes. Over the same period the volume of outgoing mobile phone calls increased, but only by 29 billion minutes, from 132 to 161 billion minutes. This suggests that consumers are not simply substituting landline calls with mobile networks calls. There are indications that they are substituting at least some landline calls with online voice and video calls. On smartphones, online calling can offer a lower cost alternative to making calls using a voice tariff: 87% of UK adults who have ever used online voice or video calls did so using a smartphone.

6.25 This emphasises even further the significance of the public benefit of this site, further outweighing the limited impact that has already been set out in the appellant's statement. In 2020 60% of the consumer market consider Smartphones are now the most important device for internet access. In September 2019, 81% of all measured time spent online was on a mobile device (both tablet and Smartphone).

- 6.26 The graph below indicates the most-missed device among adults: 2014-2019 were it be taken away from them. As can be seen, nearly half of all adults say that their mobile device is the device they would miss most were it taken away from them.



Source: Ofcom Adults' Media Literacy Tracker 2014-2019

- 6.27 The operator not only has a license requirement to provide a certain level of 3G/4G coverage to the population, the appellants' are obliged to meet the growing consumer demand for 5G coverage, especially as more people are purchasing 5G enabled devices, in line with their license obligations and the operators competitive market driven "requirement" to provide a high quality service. Customers expect to be able to access their portable handheld devices wherever they are, whether that be indoors or outside. There is currently no 5G service provision that is provided by H3G in this cell area. This gap can only be filled by providing a new monopole at this existing established radio base station site.
- 6.28 The Case Officer's Report demonstrates the Council has failed to provide sufficient evidence to support the conclusion that the perceived harm outweighed the benefits of the proposed development. In making an award for costs under appeal reference APP/G5180/W/3151769, paragraph 8, the appointed Inspector stated that cursory references stating that the need outweighed material harm identified is not sufficient evidence to indicate that an appropriate balancing exercise has been undertaken to support the refusal. Since no evidence of a full and considered balancing exercise has been presented in this case the appellant has shown that the decision-making process was deficient and did not weigh the benefits of the proposal against perceived harm.

APPENDIX 8 – APPEAL DECISION APP/G5180/W/3151769

iii) Whether the appeal scheme complies with Local Plan Policy DMHB21 (telecommunications)

6.29 Local Plan Policy DMHB21 relates specifically to telecommunications development and is referred to in the single reason provided by the Council in refusing prior approval. Given the nature of the appeal proposal, this policy is of primary importance where compliance with the policy in so far as it relates to siting and appearance, should weigh in favour of allowing the appeal. The appellants assessment of the proposal against the criterion of the policy is provided below:

Policy DMHB21 Criterion	Appellant Assessment
i) It is sited and designed to minimise their visual impact;	The analysis provided by the appellant in this statement demonstrates that the siting and appearance is acceptable, will result in a low degree of visual change to the streetscene which in turn would result in a low degree of environmental harm. Significant and far reaching public benefits and material considerations have been provided that should be used within any balancing exercise to weigh in favour of granting prior approval. Nevertheless, the appellant acknowledges there is a policy requirement to minimise visual impact through design in order that any given mast and associated equipment does not appear unduly prominent. The appellant has explained, through the technical justification provided within Section 4, that the 20m height proposed together with the width of the mast is the minimum height possible that is required to meet the design brief for the site. A lower mast would not be capable of providing antennas at a height required to provide line of sight over the target area whilst a slimmer mast would not be

	structurally capable of safely accommodating the antennas and would not be able to house the feeder cables which run down the centre of the pole. Further design features have also been proposed by the appellant with a view to minimising overall visual impact. The antennas themselves are arranged in a dual stack arrangement (three atop three) and fixed as tightly to the mast as possible to reduce profile. This slim line profile is similar to other vertical structures in the streetscene and will assist in the proposal assimilating with the existing context. The appellants approach to siting is considered where existing trees will minimise visual impact and screen or camouflage views from the wider surrounds. Before making the original application for prior approval the appellant considered alternative designs which would have been able to deliver on the technical parameters required for the development, but which were discounted for a variety of town planning related reasons. Such designs included lattice tower constructions or more traditional monopoles with large open headframes. Photographs are provided at Appendix 9 to provide examples of these structures. Lattice towers are more generally deployed in greenfield locations, away from residential areas and often in industrial locations. These are typically structures of 25m and above, comprised of a series of interconnected steel
--	---

	beams to provide support for antenna systems and ancillary development. Lattice structures are substantial installations, often requiring large foundation areas in order to safely accommodate the supporting steelwork. Notwithstanding that there is no space on the existing footway for such foundations, the appellant's assessment is that a lattice tower would cause a far greater degree of environmental change to the streetscene than the proposed mast. Alternatively, more conventional monopoles are wider than that proposed, require a compound area at ground level which typically needs to be fenced and secured, exposed antenna fixed to a headframe structure that protrudes from the top of the mast and include ancillary features such as climbing pegs or ladders. Such an installation would cause a greater degree of environmental change to the streetscene than that proposed. The cabinets at ground level are positioned away from the footway by at least 1m and arranged in a cluster around the mast itself so as not to appear unduly dominant. Arguably this set back is an improvement over the existing situation where cabinets are positioned immediately adjacent to the footway.
ii) It does not have a detrimental effect on the visual amenity, character or appearance of the building or the local area;	There is no specific policy requirement that any scheme should completely mitigate the existence of the installation. Given the nature of the installation and the design parameters that the mast must position antennas above

	clutter at street level that would prevent radio signal propagation, it is an unrealistic expectation that any given installation would be totally hidden and therefore result in no detrimental effect, particularly one which is situated on unprotected land. Just because the proposed column is visible does not equate to harm. The photomontages provided at Appendix 3 effectively show how little the streetscene would be affected by the proposed installation and removal of existing mast. Lighting columns, telegraph poles, road signage, vehicle crash barriers and bus shelters are all visible. They are designed to do a specific task. Without lighting columns the roads and footways would be dark in the hours of darkness, no telegraph poles equate to no land lines, no road signage can lead to unsafe roads, no telecommunications masts means no mobile phone coverage, devices we have all come to rely on to go about our daily lives. The MP for Digital Infrastructure, Matt Warman, has acknowledged that mobile telecommunications is considered the fourth utility service as do many others who liken it as being as important as gas or electric. The importance of 5G is not lost on the Government who continually acknowledge the virtues of this latest technology. Indeed, as recently as May 2021 the Government set out the importance of this next generation of 5G services in a letter addressed to all Local Authorities in England as detailed within the material benefits section of this statement.
--	--

iii) It has been demonstrated that there is no possibility for use of alternative sites, mast sharing and the use of existing buildings;	The appellant provided an assessment of alternative sites within the Site-Specific Supplementary Information document that accompanied the original submission as set out at Appendix 10. Alternative sites provided at Appendix 10 are the only sites that the appellants surveying team considered as potentially viable options and were discounted for the reasons stated. In refusing prior approval for the appeal scheme, the Council did not raise consideration of alternative sites as a reason for refusal and the presence of the existing mast demonstrates that there are no existing suitable buildings in the area to accommodate telecommunications equipment. In addition, the proposed mast will continue to be utilised by two operators and therefore is fully policy compliant in this regard.
iv) There is no adverse impact on areas of ecological interest, areas of landscape importance, archaeological sites, Conservation Areas or buildings of architectural or historic interest; and	The appellant acknowledges that the site is located within the Colne Valley Archaeological Priority Area. However, no concerns were raised by the Council in respect of this designation during the determination period. There are no other ecological, landscape or cultural designations that affect the site.
v) It includes a Declaration of Conformity with the International Commission on Non Ionizing Radiation.	The ICNIRP certificate that accompanied the original application demonstrates that the proposal meets the International Commission guidelines for public exposure and is in accordance with the requirements of NPPF paragraph 115.

Table 1: Appellant analysis of Local Plan Policy DMHB 21 (Telecommunications)

APPENDIX 9 – EXAMPLE PHOTOGRAPHS OF ALTERNATIVE STRUCTURES

APPENDIX 10 – ALTERNATIVE SITE ASSESSMENT

iv) Analysis of Case Officer's Report

- 6.30 The appellant would respond to various other matters raised within the Case Officer's Report as detailed in the following table:

Case Officer Comment	Appellant Response
The surrounding area is predominately residential in nature with mainly 2-storey detached housing. Street furniture and soft landscaping is obvious in the area, for instance, street lights are 12 metres and existing trees are estimated to be 13 metres high.	The officer's assessment of the existing character does not comment on the lack of general openness where the pattern of development around the appeal site is not generally open and not one where you would expect people to meet or spend any significant length of time. This reduces the potential for experienced views of the site and accordingly reduces overall visual sensitivity to environmental change. The presence of linear structures including lighting columns and telegraph poles will help the site blend in with its surrounds where telecommunication structures are now common features in most urban environments (as indicated through the appeal decision provided at Appendix 7). The linear items of street furniture and structures provide a context in which the proposals will be viewed and the mature trees will help shield the mast from appearing prominent in the surrounding area. This all prevents the monopole from appearing stark and out of keeping with the streetscene. Even if the proposed mast is taller than the existing other vertical structures does make them unacceptable as each do a different task, and

	therefore cannot be compared in the same way. However, the proposed mast is part of essential infrastructure which has technical reasons as to its height. The cabinets are also not uncommon features in urban environments. Indeed, there are several in the immediate area, such as the existing cabinets associated with the existing monopole to the north east of the appeal site, other statutory undertakers equipment cabinets on the north east side of Harvil Road, and the those near the bus stop (as identified at paragraph 2.8 bullet point 5).
It should be noted that in accordance to public comment, concerns are raised in regards to the history of the site having subsidence issues, however this has not been confirmed.	The appellant is an experienced installer of telecommunications equipment and has undertaken all reasonable due diligence in respect of ground conditions.
The proposed new cabinets range in height from 0.4m to 1.8m.	The cabinets to be installed are comparably similar in height to those already installed, albeit slightly larger in order to accommodate the technical apparatus required to deliver next general mobile technology. As confirmed elsewhere in this statement, the proposal will lead to the removal of all but one of the existing cabinets where the resultant situated is comparably very similar.
It should be noted that the proposed scheme is 1m higher and comprises of more cabinets than the previously refused	The appellant acknowledges the height of a previously refused scheme is 1m lower than proposed (19m compared with 20m). The appeal site is situated approximately 20m to the southwest of the previously refused site

scheme under ref: 75687/APP/2020/1948.	and there are small changes in ground level that must be taken into account by radio network planners. The appellant has proposed a mast which is the lowest height possible to achieve the uplift in coverage required, as detailed within table 1 above. The change in height is also due to the change in location which requires the additional height to ensure the more stringent 5G ICNIRP guidelines are met. The number of cabinets overall at the appeal site will reduced compared to that at previously refused. A copy of the refused plans can be found at appendix 11. The originally refused application under LPA ref: 75687/APP/2020/1948 would have the following cabinets in situ if the proposed works were built out: Electrical Meter cabinet, BTS 3900A cabinet, Portastor cabinet, Bowler cabinet, APM 5930 cabinet and a link cabinet which equates to 6 cabinets and the wraparound at the base of the column. The current appeal proposals propose the following cabinets: BTS3900A cabinet (relocated), Komodo cabinet, Link cabinet, Bowler Cabinet, APM 5930 cabinet which equates to 4 new cabinets, 1 relocated cabinet and the wraparound cabinet. An overall reduction of the number of cabinets by one.
The site is set back from the highway, however it remains fairly exposed similar to the	The appellant does not disagree that there would be a change to the immediate streetscene. However, just because the

existing mast and is therefore highly visible when viewed from the immediate street scene.

proposed equipment will be visible this doesn't necessarily equate to harm. Within the surrounding streetscene lighting columns, telegraph poles, road signage and bus shelters are all visible. These are utilitarian appearing structures designed to do a specific task. The site will not be overly visible, as demonstrated by the photomontages provided at Appendix 3, and the linear structures in the area provide context and help the monopole to assimilate into its surroundings.

The appellant also disagrees that the existing mast is 'fairly exposed' due to the existing nature of the mature trees which surround the site and given the layout of the road network and existing lighting columns and telegraph poles.

For reasons of radio transmission, the operators strong design preference is that the cabinets must be situated as close to the antennas as possible. The appellant has considered alternative designs which place the equipment cabinets to the northern edge of the grass verge area but such a design was discounted by the appellants surveying team on the basis that there were underground services identified in this area which would prevent cable connections between the mast and cabinets.

In any case, the currently proposed arrangement reduces exposure in the general streetscene by way of siting where the trees and the hedgerow to the south effectively screen the cabinets until passers by are almost level with the installation by which time users

	of the highway are focusing on the busy roundabout ahead and the equipment will not be overly noticeable.
Due to its proximity to residential dwellings, when viewed from the adjacent streets, the top section of the mast will remain highly visible.	The officer's assessment is that the top sections of the mast will be highly visible from adjacent streets. The photomontages provided at Appendix 3 show this will not be the case for Harvil Road and Swakeleys Road to the north east of the adjacent roundabout. This limited visibility will also be the case for Lodore Green, this being the only other adjacent street where the orientation of the properties is largely away from the mast and therefore not overly visible which the case officer acknowledges in the delegated report. For the properties to the south west side of Lodore Green there are a number of mature trees and over 75m distance between the mast and these properties which will prevent detrimental loss of amenity for the occupants of these properties. To the south east of the site there are mature trees in front of the residential properties which will help shield the majority of the mast affording just glimpsed/filtered views. The impact on visual amenity will therefore be minimised. The orientation of other properties in the area is such that the proposed mast will not be overly visible). The appellant has demonstrated that medium and longer distance views will not be possible thereby reducing the visual impact of the upper sections of the mast.

The overall of height of the proposed would be 20 metres, which is considered significantly taller and the pole would be much wider than any existing equipment in the area in general (8.3 metre taller than the existing monopole).	It is inappropriate for the Council to compare the height of surrounding vertical structures as each is required to be a certain height to deliver a specific practical function. In any case, the linear structures help the new column to assimilate in to the streetscene. But they cannot be compared on a like for like basis as each do a different role and have different height requirements e.g. lighting columns tend to be taller than telegraph poles and traffic lights can be varying heights depending on the classification of the road. The appeal scheme will provide a service that the existing site is not capable of providing and therefore it is to be expected that there may be different technical requirements.
--	---

Table 2: Appellant analysis of Case Officer Report

**APPENDIX 11 – DRAWINGS FOR REFUSED APPLICATION REFERENCE
75687/APP/2020/1948**

7. CONCLUSIONS

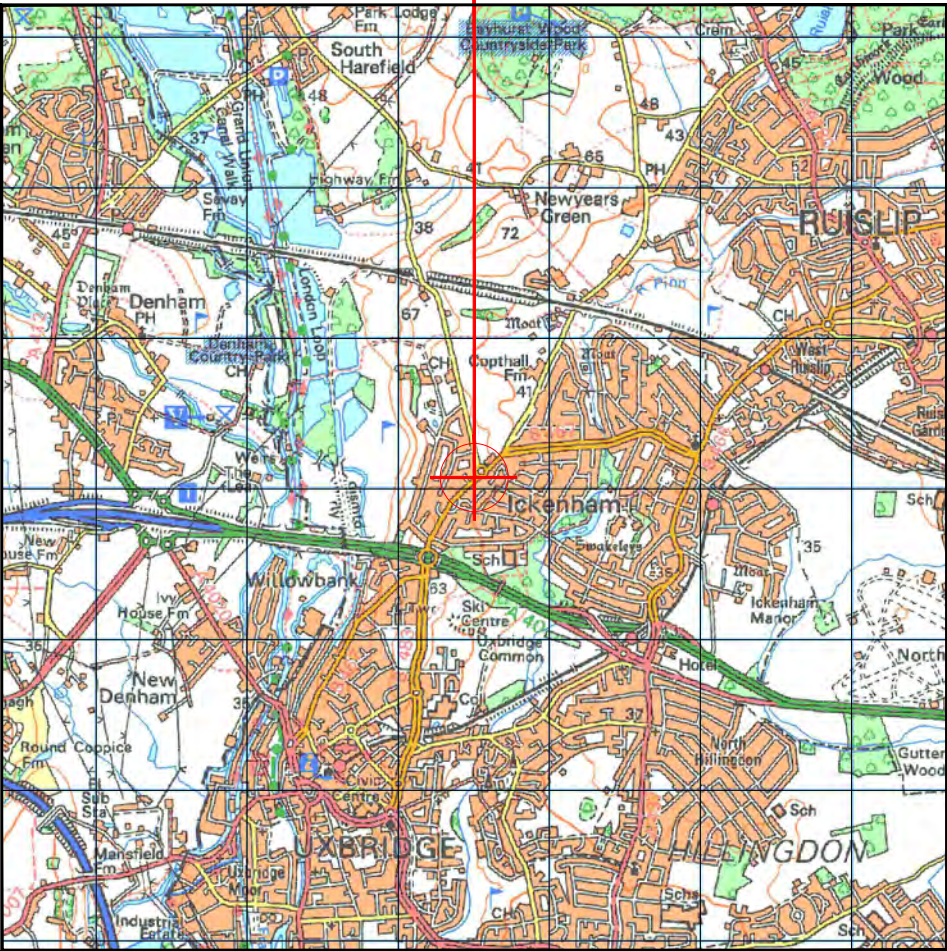
- 7.1 This Statement of Case has addressed the relevant planning policy and material planning considerations as well as the Council's reason for refusal. It is concluded that the reason for refusal is not justified, and that the appeal proposal is acceptable in terms of siting and appearance based on the low degree of environmental change associated with the proposals which is demonstrated through the provision of photomontages from three vantage points surrounding the site. In addition, the appellant has presented numerous public benefits associated with the scheme as well as analysis of Local Plan Policy DMHB 21 that relates specifically to telecommunications development and commentary on the Case Officer's Report as well as design related policies BE1, DMHB11 and DMHB12. The site is also in full conformity with the London Plan providing first class digital connectivity to this cell area.
- 7.2 When the siting and appearance of the proposal and compliance with policy is considered alongside a low degree of environmental change and the numerous and substantial benefits of modern digital communications as set down within the various material considerations presented within this appeal Statement of Case, there are compelling reasons for allowing the appeal.
- 7.3 The appeal proposal constitutes a street works installation designed to replicate the 2G, 3G and 4G network coverage and capacity and deliver new 5G coverage across the H3G UK Ltd network. The effectiveness of the existing mast has been severely compromised due to surrounding tree growth where the appeal proposal will rectify this inefficiency through providing antennas above the height of surrounding trees, such that existing coverage will also be improved for the surrounding area as well as providing the latest 4G and new 5G technology to this busy area of London.
- 7.4 The mast is a functional piece of utilities infrastructure that is well sited to deliver a range of benefits to a wide cross section of surrounding uses. It will eventually replace the existing telecommunications installation which has become an established of street furniture in the streetscene. The proposed height of the mast at 20m is the lowest possible that will enable the operator to provide equivalent 3G and 4G coverage to the area surrounding the appeal site and simultaneously enable new 5G service to be delivered in an efficient manner that is consistent with the planned deployment of the operator's digital communication network.

- 7.5 The delivery of infrastructure, including modern communications networks that improve social well-being, is a Strategic Objective of the Local Plan where a contribution to meeting this objective, against a backdrop of increasing demand for communications coverage as evidenced through the Hillingdon Strategic Infrastructure Plan should weigh in favour of allowing the appeal.
- 7.6 The development has been designed with regard to relevant national and local planning policy as well as the Code of Best Practice for communications networks. This includes the use of a minimum height necessary to ensure sufficient coverage and good quality design. Accordingly, the appeal scheme has been designed to keep environmental impact to a minimum as is the requirement under Local Plan Policy DMHB 21 and be acceptable in terms of siting and appearance. The mast is not obtrusive since it proposes the minimum quantum of development in order to meet the design brief. The proposal will not result in a more cluttered arrangement of equipment than the existing situation given the existing mast and all but one existing cabinet will be removed once the appeal site is fully operational. There will not be an overall increase in the number of cabinets to that which currently exists on site.
- 7.7 With regard to these reasons, considered fully within this Statement of Case and the supporting evidence, the appeal proposal is an acceptable development solution to deliver the much-needed technical coverage requirements through replacement coverage across existing technology and new 5G coverage. As a result, it is respectfully requested that prior approval be allowed.

APPENDIX 1

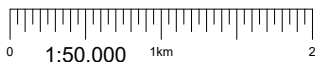
SITE LOCATION PLAN

SITE LOCATION



Reproduced by permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office
All rights reserved. © Crown Copyright licence no. 100022432

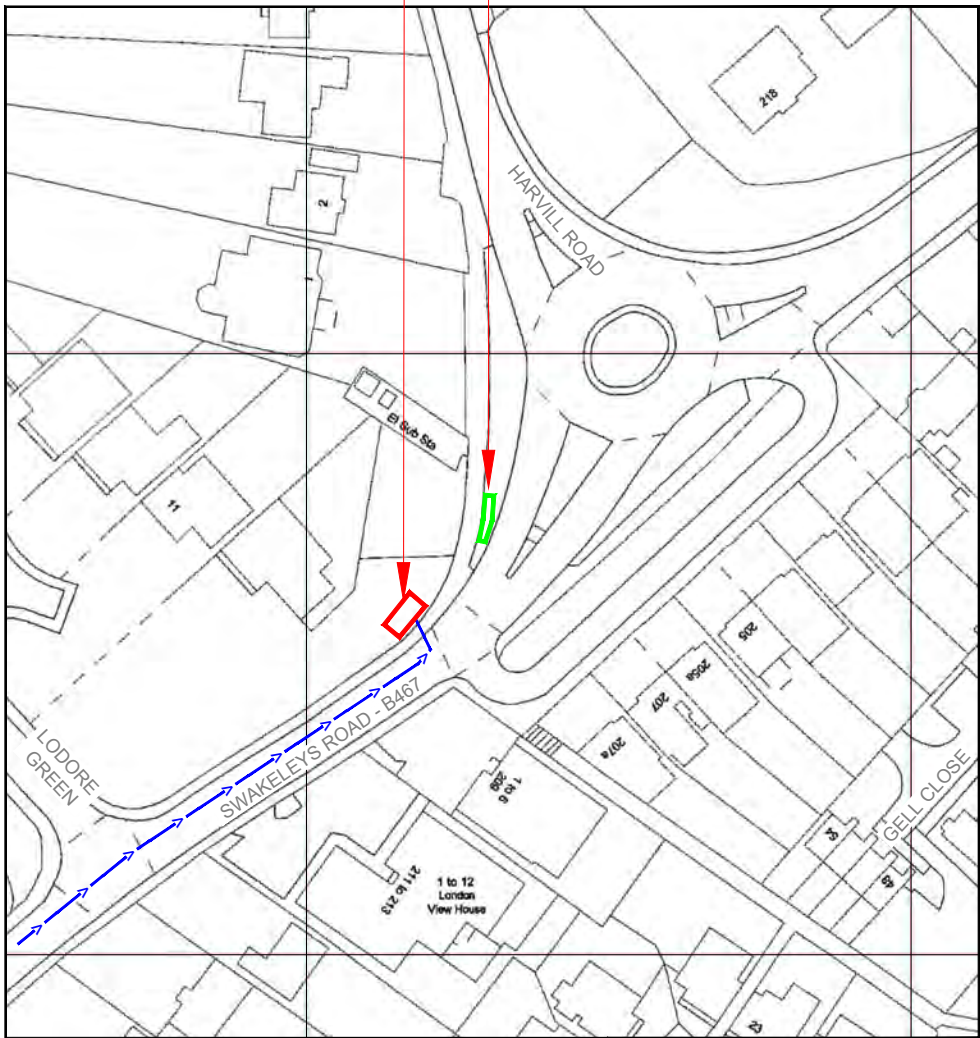
SITE AREA PLAN



SITE PHOTOGRAPH

PROPOSED SITE LOCATION

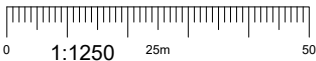
EXISTING SITE LOCATION



Reproduced by permission of Ordnance Survey on behalf of
the Controller of Her Majesty's Stationary Office
All rights reserved. © Crown Copyright licence no. 100022432

NGR E: 506521 N: 186056

SITE LOCATION PLAN



GOOGLE MAPS QR CODE

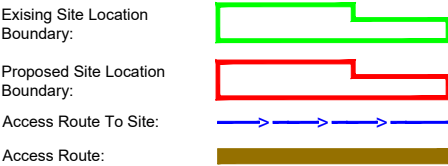
GOOGLE MAPS - <https://goo.gl/maps/FGv2CmeF7T8paR2r9>
STREETVIEW - <https://goo.gl/maps/vrAwEBQwMP32i4xz7>

NOTES:

1. ALL DIMENSIONS IN MM UNLESS OTHERWISE NOTED.

DIRECTIONS TO SITE:

HEAD SOUTH ON THE M25. EXIT AT JUNCTION 16, AND USE THE LEFT 2 LANES TO MERGE ONTO THE M40 TOWARDS LONDON (W). CONTINUE ONTO WESTERN AVENUE/A40, THEN TAKE THE B467 EXIT TOWARDS UXBRIDGE. AT SWAKELEYS ROUNDABOUT, TAKE THE 1ST EXIT ONTO SWAKELEYS ROAD/B467. THE SITE WILL BE ON THE LEFT HAND SIDE



Master:	MBNL / EE / H3G:	Project:	H3G UNILATERAL SW	Purpose of Issue:	Planning	Issue:	E
M005	MBNL	Revision / Upgrade Description: Site Relocated	H3G UNILATERAL SW	Planning			
Date:	11/01/2021						
Drawn:	M. Williams						
Checked:	A. Dobson						
Approved:	A. Dobson						
Master:	MBNL / EE / H3G:	Project:	H3G UNILATERAL SW	Purpose of Issue:	Planning	Issue:	D
M004	MBNL	Revision / Upgrade Description: Step Down Amends	H3G UNILATERAL SW	Planning			
Date:	16/07/2020						
Drawn:	SPD						
Checked:	R. Huber						
Approved:	A. Dobson						
Master:	MBNL / EE / H3G:	Project:	H3G UNILATERAL SW	Purpose of Issue:	Planning	Issue:	C
M003	MBNL	Revision / Upgrade Description: Step Down Amends	H3G UNILATERAL SW	Planning			
Date:	25/06/2020						
Drawn:	SPD						
Checked:	R. Huber						
Approved:	A. Dobson						
Master:	MBNL / EE / H3G:	Project:	H3G UNILATERAL SW	Purpose of Issue:	Planning	Issue:	B
M002	MBNL	Revision / Upgrade Description: First Revisions	H3G UNILATERAL SW	Planning			
Date:	03/06/2020						
Drawn:	SPD						
Checked:	R. Huber						
Approved:	A. Dobson						
Master:	MBNL / EE / H3G:	Project:	H3G UNILATERAL SW	Purpose of Issue:	Planning	Issue:	A
M001	MBNL	Revision / Upgrade Description: First Issue	H3G UNILATERAL SW	Planning			
Date:	27/04/20						
Drawn:	SPD						
Checked:	R. Huber						
Approved:	A. Dobson						



Hutchison 3G UK Limited
Star House, 20 Grenfell Road
Maidenhead, SL6 1EH
Tel: 01628 785 500
Fax: 01628 785 501



Hatfield Business Park
Hatfield
Hertfordshire
AL10 9BW
Tel: 01707 315000
Fax: 01707 319001



Mobile Broadband Network Limited
Sixth Floor, Thames Tower, Station Road, Reading, RG1 1LX

Design Consultant & Principal Contractor:

CLARKE
telecom
Unit E, Madison Place, Northampton Road,
Manchester, M40 5AG
Tel: 0161 785 4500 Fax: 0161 785 4501
Web: www.clarke-telecom.com

Site Name: SWAKELEYS ROAD

Site ID: 789985

Address: SWAKELEYS ROAD
ICKENHAM
UXBRIDGE
LONDON
UB10 8DP

Title: 002 SITE LOCATION PLAN

Project: H3G UNILATERAL SW

Purpose of Issue: PLANNING

EE Cell ID:	MBNL Cell ID:	3UK Cell ID:
70507	HGN039	UB0105

Master Drawing No:	Issue:
789985_HGN039_70507_UB0105_M005	E

APPENDIX 2

DECISION NOTICE AND CASE OFFICER'S REPORT



**THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
(ENGLAND) ORDER 2015 (AS AMENDED)
SCHEDULE 2 PART 16**

Mr Richard Morison
First Floor, South Wing
Equinox North, Great Park Road
Almondsbury
Bristol
BS32 4QL

Application Ref: 76204/APP/2021/555

The Council of the London Borough of Hillingdon as the Local Planning Authority within the meaning of the above Act and Orders made thereunder, hereby give notice that:-

Prior approval is required for the siting and design of the development referred to hereunder and details of the siting and design of the development referred to hereunder are REFUSED:-

Description of development:

Installation of a new 20m monopole supporting 6 antennas with a wrap-around equipment cabinet at the base of the column, 4 new equipment cabinets and ancillary development thereto (Application under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for siting and appearance)

Location of development: Grass Verge Fronting, 209, Swakeleys Road
Ickenham,

Date of application: 11 February 2021

Drawing/plan Numbers: See attached schedule for details

Signed:

Head of Planning, Transportation and Regeneration

Date: 30 March 2021

**THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
(ENGLAND) ORDER 2015 (AS AMENDED)
SCHEDULE 2 PART 16**

Application Ref: 76204/APP/2021/555

SCHEDULE OF REASONS

- 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).

INFORMATIVES

- 1 . The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).
- 2 . The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.
- 3 . In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

END OF SCHEDULE

Address:

Residents Services
London Borough of Hillingdon
3 North Civic Centre, High Street, Uxbridge UB8 1UW
Tel: 01895 250230
www.hillingdon.gov.uk

**THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
(ENGLAND) ORDER 2015 (AS AMENDED)
SCHEDULE 2 PART 16**

Application Ref: 76204/APP/2021/555

SCHEDULE OF PLANS

Permitted development notice - received 15 Feb 2021

Covering Letter - received 15 Feb 2021

Allaying health concerns regarding 5G and exposure to radio waves - received 15 Feb 2021

5G and Future Technology - received 15 Feb 2021

Supplementary Information - received 15 Feb 2021

Agent's Email 25.3.21 - Existing equipment to be decommissioned when no longer required - received 25 Mar 2021

002 Site Location Plan Issue E - received 15 Feb 2021

100 Existing Site Plan Issue E - received 15 Feb 2021

150 Existing Site Elevation A Issue E - received 15 Feb 2021

215 Maximum Configuration Site Plan Issue E - received 15 Feb 2021

265 Maximum Configuration Site Elevation Issue E - received 15 Feb 2021

Declaration of conformity with ICNIRP Public Exposure Guidelines - received 15 Feb 2021

Northolt Jet Centre pre-application consultation - received 15 Feb 2021

LPA pre application consultation letter - received 15 Feb 2021

INT2019/11842/DC November 2019 5G - The Next Mobile Generation - received 15 Feb 2021

A councillor's guide to digital connectivity - received 15 Feb 2021

DELEGATED DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
 - Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL

Select Option

- | | |
|--|--------------------------|
| 1. No valid planning application objection in the form of a petition of 20 or more signatures, has been received | ☐ |
| 2. Application complies with all relevant planning policies and is acceptable on planning grounds | ☐ |
| 3. There is no Committee resolution for the enforcement action | ☐ |
| 4. There is no effect on listed buildings or their settings | ☐ |
| 5. The site is not in the Green Belt (but see 11 below) | ☐ |

REFUSAL RECOMMENDED: GENERAL

- | | |
|--|--------------------------|
| 6. Application is contrary to relevant planning policies/standards | ☐ |
| 7. No petition of 20 or more signatures has been received | ☐ |
| 8. Application has not been supported independently by a person/s | ☐ |
| 9. The site is not in Green Belt (but see 11 below) | ☐ |

RESIDENTIAL DEVELOPMENT

- | | |
|--|--------------------------|
| 10. Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha | ☐ |
| 11. Householder application in the Green Belt | ☐ |

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

- | | |
|--|--------------------------|
| 12. Change of use of retail units on site less than 1 ha or with less than 1000 sq m other than a change involving a loss of A1 uses | ☐ |
| 13. Refusal of change of use from retail class A1 to any other use | ☐ |
| 14. Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use. | ☐ |

CERTIFICATE OF LAWFULNESS

- | | |
|---|--------------------------|
| 15. Certificate of Lawfulness (for proposed use or Development) | ☐ |
| 16. Certificate of Lawfulness (for existing use or Development) | ☐ |
| 17. Certificate of Appropriate Alternative Development | ☐ |

CERTIFICATE OF LAWFULNESS

- | | |
|---|--------------------------|
| 18. ADVERTISEMENT CONSENT (excluding Hoardings) | ☐ |
| 19. PRIOR APPROVAL APPLICATION | ☐ |
| 20. OUT-OF-BOROUGH OBSERVATIONS | ☐ |
| 21. CIRCULAR 18/84 APPLICATION | ☐ |
| 22. CORPSEWOOD COVENANT APPLICATION | ☐ |
| 23. APPROVAL OF DETAILS | ☐ |
| 24. ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where Heads of Terms have already received Committee approval | ☐ |
| 25. WORKS TO TREES | ☐ |
| 26. OTHER (please specify) | ☐ |

The delegation powers schedule has been checked. Director of Residents Services can determine this application.

Case Officer

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informatives are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

Item No. **Report of the Head of Planning, Transportation and Regeneration**

Address GRASS VERGE FRONTING, 209 SWAKELEYS ROAD ICKENHAM

Development: Installation of a new 20m monopole supporting 6 antennas with a wrap-around equipment cabinet at the base of the column, 4 new equipment cabinets and ancillary development thereto (Application under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for siting and appearance)

LBH Ref Nos: **76204/APP/2021/555**

Drawing Nos: Permitted development notice
 Covering Letter
 Allaying health concerns regarding 5G and exposure to radio waves
 5G and Future Technology
 Supplementary Information
 Agent's Email 25.3.21 - Existing equipment to be decommissioned when no longer required
 002 Site Location Plan Issue E
 100 Existing Site Plan Issue E
 150 Existing Site Elevation A Issue E
 215 Maximum Configuration Site Plan Issue E
 265 Maximum Configuration Site Elevation Issue E
 Declaration of conformity with ICNIRP Public Exposure Guidelines
 Northolt Jet Centre pre-application consultation
 LPA pre application consultation letter
 INT2019/11842/DC November 2019 5G - The Next Mobile Generation
 A councillor's guide to digital connectivity

Date Plans received : 11/02/2021

Date(s) of Amendment(s):

Date Application Valid: 11/02/2021

1. SUMMARY

This application seeks prior approval for a telecommunications installation under Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). The proposal is for 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. The new mast is to provide the latest 4G and new 5G coverage for EE and Hutchison 3G UK Limited (H3G) to the Uxbridge area. There is an existing telecommunication street pole located 16m away from the proposed site that is shared by both EE and H3G and provides 2G/3G/4G coverage which has been confirmed will be decommissioned and removed when the equipment is no longer required and once the proposed development is fully operational.

The proposal is considered to be an obtrusive form of development which would add visual clutter to the street scene. As such, it fails to comply with Policies DMHB 11, DMHB and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2019).

This application is recommended for Refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

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).

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 21 Telecommunications

DMHB 14 Trees and Landscaping

LPP SI6 (2021) Digital connectivity infrastructure

NPPF- 10 NPPF-10 2018 - Supporting high quality communications

3 I71 LBH worked applicant in a positive & proactive (Refusing)

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the south-west corner of the round-about and junction of

Swakeleys Road and Harvil Road. The site is a grass verge situated to the side of no. 12 Lodore Green. The property at no. 12 Lodore Green has a Tree Protection Order 588a, however the site is not within the TPO boundary.

The surrounding area is predominately residential in nature with mainly 2-storey detached housing. Street furniture and soft landscaping is obvious in the area, for instance, street lights are 12 metres and existing trees are estimated to be 13 metres high.

The site is located within the Colne Valley Archaeological Priority Area and within 3km from the perimeter of the Northolt RAF safeguarding aerodrome.

The existing telecommunication street pole and 6 cabinets is located immediately east of the application site on the grass verge, directly opposite to the pedestrian footpath. This existing equipment is shared by both EE and H3G to provide 2G/3G/4G coverage and capacity to the local area.

3.2 Proposed Scheme

This application seeks prior approval for 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.

Cabinet Dimensions:

- 1800mm x 750mm x 1600mm (with monopole above)
 - 1200mm x 600mm x 1600mm
 - 640mm x 540mm x 1225mm
 - 1900mm x 660mm x 1827mm
 - 1230mm x 1542mm x 400mm
- (Total Volume of Cabinets = 6.79 cubic metres)

Material and Finishes:

- Mast - Galvanised steel, Grey RAL 7035
- Equipment Housing - All steel - Green RAL6009

The agent has confirmed in an email dated 25.3.21 that the existing equipment and cabinets are to be decommissioned and removed when the equipment is no longer required and once the proposed development is fully operational.

3.3 Relevant Planning History

75687/APP/2020/1948 Verge Adjacent To Swakeleys Road Ickenham

Installation of 19m monopole supporting 6 antennas with proposed equipment cabinets, and ancillary development (Application under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for siting and appearance)

Decision: 14-08-2020 Refused

Comment on Planning History

There are no planning history available in accordance to Council record however there is an existing telecommunication site present on the grass verge of the application site that is located east of the tarmac footpath. The existing site comprises of a 11.7m high monopole and 6 no. cabinets.

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date:- Not applicable

4.2 Site Notice Expiry Date:- Not applicable

6. Local Plan Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 21 Telecommunications

DMHB 14 Trees and Landscaping

LPP SI6 (2021) Digital connectivity infrastructure

NPPF- 10 NPPF-10 2018 - Supporting high quality communications

In addition: Policy DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020) states that telecommunication development will only be permitted where:

- i) it is sited and designed to minimise their visual impact;
- ii) it does not have a detrimental effect on the visual amenity, character or appearance of the building or the local area;
- iii) it has been demonstrated that there is no possibility for use of alternative sites, mast sharing and the use of existing buildings;
- iv) there is no adverse impact on areas of ecological interest, areas of landscape importance, archaeological sites, Conservation Areas or buildings of architectural or historic interest; and
- v) it includes a Declaration of Conformity with the International Commission on Non Ionizing Radiation.

Chapter 10 of the National Planning Policy Framework (2019) stresses the importance of advanced, high quality and reliable communications infrastructure and the role it plays in supporting sustainable economic growth. It goes on to advise that the aim should be to keep the numbers of radio and telecommunications masts and sites to a minimum, consistent with the efficient operation of the network and that existing masts and sites should be used unless there is a demonstrable need for a new site.

The aim of this application is to provide 5G network and improve coverage and to support existing mobile network for two operators, EE and H3G in the area. A cell search has indicated that a total of 4 site has been examined

It is noted that the other sites were discounted due to the following reasons:

- Grass verge on Swakeleys Road - a similar development to the proposed under the current submission was refused by council under ref: 75687/APP/2020/1948.

- Agricultural Land to north east of the site - land is very open with little mature trees to screen any proposal, views from the properties adjacent to Harvil Road would be directly onto the monopole or street furniture
- SW to the west of the site on Swakeley Road - existing landscaping has limited height and no more than 7m tall, the mast would not be as well screened as the proposed site and there is no space to the site the mast away from the root system of the trees, which would cause damage to nearby trees.

A signed Declaration of Conformity has been provided as part of this submission.

Schedule 2, Part 16 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) states:

Permitted development

A. Development by or on behalf of an electronic communications code operator for the purpose of the operator's electronic communications network in, on, over or under land controlled by that operator or in accordance with the electronic communications code, consisting of -

- (a) the installation, alteration or replacement of any electronic communications apparatus,
- (b) the use of land in an emergency for a period not exceeding 6 months to station and operate moveable electronic communications apparatus required for the replacement of unserviceable electronic communications apparatus, including the provision of moveable structures on the land for the purposes of that use, or
- (c) development ancillary to radio equipment housing.

Development not permitted: ground-based apparatus

A.1 - (1) Development consisting of the installation, alteration or replacement of electronic communications apparatus (other than on a building) is not permitted by Class A(a) if:

- (a) in the case of the installation of electronic communications apparatus (other than a mast), the apparatus, excluding any antenna, would exceed a height of 15 metres above ground level;
- (b) in the case of the alteration or replacement of electronic communications apparatus (other than a mast) that is already installed, the apparatus, excluding any antenna, would when altered or replaced exceed the height of the existing apparatus or a height of 15 metres above ground level, whichever is the greater;
- (c) in the case of the installation of a mast, the mast, excluding any antenna, would exceed a height of:
 - (i) 25 metres above ground level on unprotected land; or
 - (ii) 20 metres above ground level on article 2(3) land or land which is on a highway; or
- (d) in the case of the alteration or replacement of a mast, the mast, excluding any antenna, would when altered or replaced;
 - (i) exceed the greater of the height of the existing mast or a height of;
 - (aa) 25 metres above ground level on unprotected land; or
 - (bb) 20 metres above ground level on article 2(3) land or land which is on

a highway; or
(ii) together with any antenna support structures on the mast, exceed the width of the existing mast and any antenna support structures on it by more than one third, at any given height.

Case Officer's Comments:

The proposed new monopole is 20m and is not located within article 2(3) land or land which is on highway. As such, it is in accordance with Condition A.1 - (1)(c)(i) for the installation of a mast and (d)(i)(aa) for a replacement of a mast of Schedule 2, Part 16 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Development not permitted: radio equipment housing
(9) Development consisting of the installation, alteration or replacement of radio equipment housing is not permitted by Class A(a) if:

(a) the development is not ancillary to the use of any other electronic communications apparatus;

(b) the cumulative volume of such development would exceed 90 cubic metres or, if located on the roof of a building, the cumulative volume of such development would exceed 30 cubic metres; or

(c) on any article 2(3) land, or on any land which is, or is within, a site of special scientific interest, any single development would exceed 2.5 cubic metres, unless the development is carried out in an emergency.

Case Officer's Comments:

The total accumulative radio equipment housing would be 6.79 cubic metres, therefore the proposal is in accord with Condition A.1 - (9)(b) of Schedule 2, Part 16 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

7. MAIN PLANNING ISSUES

7.1 Impact on the amenities of the occupiers of neighbouring residential properties

Policy DMHB 11 of The Local Plan: Part 2 - Development Management Policies (2020) seeks to ensure that developments do not adversely impact on the amenity of adjacent properties, and seeks to protect outlook for residents, defined as the visual amenity enjoyed by occupants when looking out of their windows.

The application site is located immediately east to no. 12 Lodore Green. The distance to the nearest residential dwelling is 7.3m, measured from the adjacent boundary line. The site is in close proximity to the neighbouring resident however, when viewed from the closest habitable rooms of the dwelling, the monopole would unlikely be visible, as such, the proposal would be considered acceptable and would not adversely impact on outlook of adjacent properties.

It should be noted that in accordance to public comment, concerns are raised in regards to the history of the site having subsidence issues, however this has not been confirmed.

7.2 Impact on Street Scene

Policy DMHB 11 of the The Local Plan: Part 2 - Development Management Policies

(2020) states that all development, will be required to be designed to the highest quality standards and, incorporate principles of good design including: harmonising with the local context by taking into account the surrounding scale of development, considering the height, mass and bulk of adjacent structures; local topography, views both from and to the site; impact on neighbouring open spaces and their environment; and ensuring the use of high quality building materials and finishes.

Policy DMHB 12 of the The Local Plan: Part 2 - Development Management Policies (2020) states that development should be well integrated with the surrounding area and accessible. It should: i) improve legibility and promote routes and wayfinding between the development and local amenities; ii) ensure public realm design takes account of the established townscape character and quality of the surrounding area; iii) include landscaping treatment that is suitable for the location, serves a purpose, contributes to local green infrastructure, the appearance of the area and ease of movement through the space; iv) provide safe and direct pedestrian and cycle movement through the space; v) incorporate appropriate and robust hard landscaping, using good quality materials, undertaken to a high standard; vi) where appropriate, include the installation of public art; and vii) deliver proposals which incorporate the principles of inclusive design. Proposals for gated developments will be resisted.

Policy DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020) states that Telecommunication development will only be permitted where: i) it is sited and designed to minimise their visual impact; ii) it does not have a detrimental effect on the visual amenity, character or appearance of the building or the local area; iii) it has been demonstrated that there is no possibility for use of alternative sites, mast sharing and the use of existing buildings; iv) there is no adverse impact on areas of ecological interest, areas of landscape importance, archaeological sites, Conservation Areas or buildings of architectural or historic interest; and v) it includes a Declaration of Conformity with the International Commission on Non Ionizing Radiation.

The proposed new mast is 20m high with a wraparound cabinet and an additional 4 cabinets located on the grass area near the corner of a prominent round-about. The proposed new cabinets range in height from 0.4 to 1.8m. it should be noted that the proposed scheme is 1m higher and comprises of more cabinets than the previously refused scheme under ref: 75687/APP/2020/1948.

The site is set back from the highway, however it remains fairly exposed similar to the existing mast and is therefore highly visible when viewed from the immediate street scene. There are a row of hedges to the south-west of the site which will partially screen the telecommunication system and equipment when viewed from the west of Swakeleys Road. Due to its proximity to residential dwellings, when viewed from the adjacent streets, the top section of the mast will remain highly visible.

There is an existing 11.7m mast 16m away from the proposed. The agent has confirmed that the existing 11.7m will be decommissioned following the new mast becoming fully operational. Given that there is an existing monopole in proximity to the new proposed location, it could be argued that the appearance of the mast may be in keeping with the existing vertical features along the public highway. However, the overall of height of the proposed would be 20 metres, which is considered significantly taller and the pole would be much wider than any existing equipment in the area in general (8.3 metre taller than the existing monopole). Furthermore, the size, height, and the number of cabinets would result in visual clutter to the area.

Overall, the proposal would appear much more prominent than any of the existing street

furniture and vertical features in the area in general. The proposal would be considered as an obtrusive form of development which would add visual clutter to the street scene and would not harmonise with the character of the area and would be detrimental to local visual amenities, contrary to Policies DMHB 11, DMHB 12 and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020).

7.3 Traffic Impact / Pedestrian Safety

The Council's Highway's Officer has commented on this application and no objections has been raised. The site is located on the grass verge, therefore will not impact on the footpath, pedestrian or highways safety.

7.4 Carparking & Layout

Not applicable to the consideration of this application.

7.5 Urban Design, Access and Security Considerations

Refer to Section 7.2 of this report.

7.6 Other Issues

TREES, LANDSCAPE AND ECOLOGY:

Policy DMHB 14 of The Local Plan: Part 2 - Development Management Policies (2020) states that all developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.

The application site is not located near any existing trees. The Council's Trees/Landscape Officer has reviewed the application and no objections are raised, the proposal would not affect any trees. As such, the proposal is considered to comply with Policy DMHB 14 of The Local Plan: Part 2 - Development Management Policies (2020).

AIRPORT SAFEGUARDING:

Policy DMAV1 of The Local Plan: Part 2 - Development Management Policies (2020) states that proposals that may be hazard to aircraft safety will not be permitted.

The site is situated 2.4km from RAF Northolt Safeguarding Aerodrome. A consultation was sent to RAF Northolt and no objections are raised to the proposed. The development would therefore be considered not to impose any safeguarding concerns.

HEALTH:

In terms of potential health concerns, the applicant has confirmed that the proposed installation complies with the ICNIRP (International Commission for Non Ionising Radiation Protection) guidelines. Accordingly, in terms of Government policy advice, there is not considered to be any direct health impact. Therefore, further detailed technical information about the proposed installation is not considered relevant to the Council's determination of this application.

8. Reference Documents

The Local Plan: Part 1 - Strategic Policies (2012)

The Local Plan: Part 2 - Development Management Policies (2020)

The London Plan (2021)

National Planning Policy Framework (2019)

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Contact Officer: Rebecca Lo

Telephone No: 01895 250230

APPENDIX 3

PHOTOMONTAGES



PHOTOMONTAGE PACK

Swakeleys Road
Ickenham
Uxbridge
London
UB10 8DP

MBNL HGN039





Image 1a

Existing view along Swakeleys Road (B467) looking North East.



Image 1b

Proposed view along Swakeleys Road (B467) looking North East.



Image 2a
Existing view along Harvil Road looking South.



Image 2b
Proposed view along Harvil Road looking South.



Image 3a
Existing view along Swakeleys Road (B467) looking South West.



Image 3b
Proposed view along Swakeleys Road (B467) looking South West.

APPENDIX 4

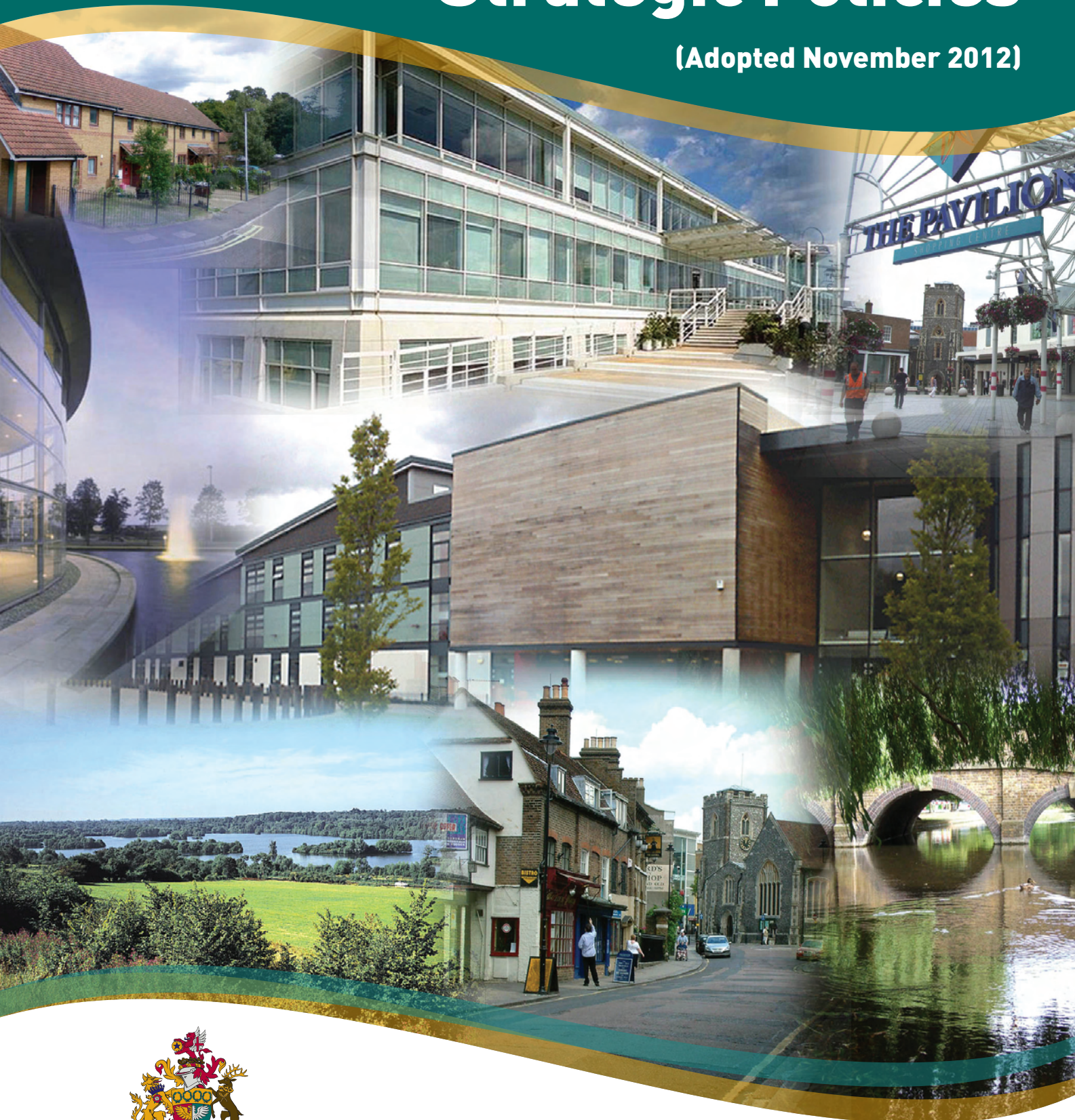
LOCAL PLAN PART ONE EXTRACTS

A VISION FOR 2026

Local Plan: Part 1

Strategic Policies

(Adopted November 2012)



HILLINGDON
LONDON

www.hillingdon.gov.uk

7.24 The Hillingdon Local Plan: Part 2- Development Management Policies Local Development Document (LDD) will address issues in relation to the detailed application of Hillingdon Local Plan: Part 1- Strategic Policies on the quality of the built environment and public realm.

Strategic Objectives:

- SO1: Conserve and enhance the borough's heritage and their settings by ensuring new development, including changes to the public realm, are of high quality design, appropriate to the significance of the heritage asset, and seek to maintain and enhance the contribution of built, landscaped and buried heritage to London's environmental quality, cultural identity and economy as part of managing London's ability to accommodate change and regeneration.
- SO2: Create neighbourhoods that are of a high quality sustainable design, that have regard for their historic context and use sustainability principles which are sensitive and responsive to the significance of the historic environment, are distinctive, safe, functional and accessible and which reinforce the identity and suburban qualities of the borough's streets and public places, introduce public art to celebrate civic pride and serve the long-term needs of all residents.
- SO3: Improve the quality of and accessibility to, the heritage value of the borough's open spaces, including rivers and canals as areas for sports, recreation, visual interest biodiversity, education, health and well being. In addition, address open space needs by providing new spaces identified in Hillingdon's Open Space Strategy.
- SO4: Ensure that development contributes to a reduction in crime and disorder, is resilient to terrorism, and delivers safe and secure buildings, spaces and inclusive communities.
- SO6: Promote social inclusion through equality of opportunity and equality of access to social, educational, health, employment, recreational, green space and cultural facilities for all in the borough, particularly for residents living in areas of identified need.
- SO8: Protect and enhance biodiversity to support the necessary changes to adapt to climate change. Where possible, encourage the development of wildlife corridors.
- SO11: Address the impacts of climate change, minimise emissions of carbon and local air quality pollutants from new development and transport.

Related Policy: BE1

Policy BE1: Built Environment

The Council will require all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods, where people enjoy living and working and that serve the long-term needs of all residents. All new developments should:

1. Achieve a high quality of design in all new buildings, alterations, extensions and the public realm which enhances the local distinctiveness of the area, contributes to community cohesion and a sense of place;
2. Be designed to be appropriate to the identity and context of Hillingdon's buildings, townscapes, landscapes and views, and make a positive contribution to the local area in terms of layout, form, scale and materials and seek to protect the amenity of surrounding land and buildings, particularly residential properties;
3. Be designed to include "Lifetime Homes" principles so that they can be readily adapted to meet the needs of those with disabilities and the elderly, 10% of these should be wheelchair accessible or easily adaptable to wheelchair accessibility encouraging places of work and leisure, streets, neighbourhoods, parks and open spaces to be designed to meet the needs of the community at all stages of people's lives;
4. In the case of 10 dwellings or over, achieve a satisfactory assessment rating in terms of the latest Building for Life standards (as amended or replaced from time to time);
5. Improve areas of poorer environmental quality, including within the areas of relative disadvantage of Hayes, Yiewsley and West Drayton. All regeneration schemes should ensure that they are appropriate to their historic context, make use of heritage assets and reinforce their significance;
6. Incorporate a clear network of routes that are easy to understand, inclusive, safe, secure and connect positively with interchanges, public transport, community facilities and services;
7. Improve the quality of the public realm and provide for public and private spaces that are attractive, safe, functional, diverse, sustainable, accessible to all, respect the local character and landscape, integrate with the development, enhance and protect biodiversity through the inclusion of living walls, roofs and areas for wildlife, encourage physical activity and where appropriate introduce public art;
8. Create safe and secure environments that reduce crime and fear of crime, anti-social behaviour and risks from fire and arson having regard to Secure by Design standards and address resilience to terrorism in major development proposals;
9. Not result in the inappropriate development of gardens and green spaces that erode the character and biodiversity of suburban areas and increase the risk of flooding through the loss of permeable areas;

10. Maximise the opportunities for all new homes to contribute to tackling and adapting to climate change and reducing emissions of local air quality pollutants. The Council will require all new development to achieve reductions in carbon dioxide emission in line with the London Plan targets through energy efficient design and effective use of low and zero carbon technologies. Where the required reduction from on-site renewable energy is not feasible within major developments, contributions off-site will be sought. The Council will seek to merge a suite of sustainable design goals, such as the use of SUDS, water efficiency, lifetime homes, and energy efficiency into a requirement measured against the Code for Sustainable Homes and BREEAM. These will be set out within the Hillingdon Local Plan: Part 2- Development Management Policies Local Development Document (LDD). All developments should be designed to make the most efficient use of natural resources whilst safeguarding historic assets, their settings and local amenity and include sustainable design and construction techniques to increase the re-use and recycling of construction, demolition and excavation waste and reduce the amount disposed to landfill;
11. In the case of tall buildings, not adversely affect their surroundings including the local character, cause harm to the significance of heritage assets or impact on important views. Appropriate locations for tall buildings will be defined on a Character Study and may include parts of Uxbridge and Hayes subject to considering the Obstacle Limitation Surfaces for Heathrow Airport. Outside of Uxbridge and Hayes town centres, tall buildings will not be supported. The height of all buildings should be based upon an understanding of the local character and be appropriate to the positive qualities of the surrounding townscape.

Support will be given for proposals that are consistent with local strategies, guidelines, supplementary planning documents and Hillingdon Local Plan: Part 2- Development Management Policies.

Implementation of Policy BE1: how we will achieve this

This policy will be operated through the Council's and Hillingdon Partners development programmes in relation to both buildings and the public realm. The Council will:

- Identify in the Hillingdon Local Plan: Part 2- Site Specific Allocations LDD, Local Plan sites where redevelopment would provide an opportunity to improve the local environment;
- Adopt the Draft Public Realm SPD to ensure that all works within the public realm contribute to maintaining and improving the quality of the local environment;
- Produce a borough-wide Character Study to inform the parameters for appropriate residential and non-residential densities including defining inappropriate locations for tall buildings.

APPENDIX 5

LOCAL PLAN PART TWO EXTRACTS

LONDON BOROUGH OF HILLINGDON

LOCAL PLAN PART 2

**DEVELOPMENT MANAGEMENT
POLICIES**

**Adopted Version
16 January 2020**

Design of New Development

5.36 Local Plan Part 1 Strategic Objective SO2 sets out the basis for ensuring the creation of neighbourhoods which are of a high quality sustainable design and serve the long term needs of all residents. Policy DMHB 11: Design of New Development provides further design considerations which the Council will take into account when determining all planning applications, from large scale new development to more modest extensions and alterations.

5.37 The Council is seeking to ensure that all new development complements and where possible, improves the character and appearance of the area in which it is proposed. Buildings should be of a high quality design, materials and finish. The Council will encourage developments that include well proportioned and attractive external spaces which are put to a positive public or private use. An integrated multi-functional landscape approach is required to create sustainable and healthy communities.

5.38 The Council will aim to ensure that there is sufficient privacy for residents and it will resist proposals where there is an unreasonable level of overlooking between habitable rooms of adjacent residential properties, schools or onto private open spaces. A minimum of 21 metres separation distance between windows of habitable rooms will be required to maintain levels of privacy and to prevent the possibility of overlooking. In some locations where there is a significant difference in ground levels between dwellings, a greater separation distance may be necessary.

5.39 Design and Access Statements submitted with planning applications should address the criteria in Policy BE1: Built Environment of the Local Plan Part 1 and DMHB 11: Design of New Development. They should demonstrate how relevant elements of these policies and the content of Hillingdon's Townscape Character Study and the Hillingdon Landscape Character Assessment have been taken into account.

5.40 For the purposes of this policy, outlook is defined as the visual amenity enjoyed by occupants when looking out of their windows or from their garden. The Council will expect new development proposals to carefully consider layout and massing in order to ensure development does not result in an increased sense of enclosure and loss of outlook. Single aspect dwellings should be avoided.

5.41 The Council will aim to minimise the impact of the loss of daylight and sunlight and unacceptable overshadowing caused by new development on habitable rooms, amenity space and public open space. The Council will also seek to ensure that the design of new development optimises the levels of

daylight and sunlight. The Council will expect the impact of the development to be assessed following the methodology set out in the most recent version of the Building Research Establishments (BRE) “Site layout planning for daylight and sunlight: A guide to good practice”.

Design of waste storage facilities in new development

5.42 The sustainable management of waste is integral to any development and needs to be factored into its design at the outset. Local authorities have increasing targets to separate out materials for re-use and recycling and to reduce the amount of waste sent to landfill. Waste has the potential to be a nuisance and may cause serious problems if it is not managed properly, therefore all proposals for new development are expected to provide satisfactory arrangements for the internal and external storage and collection of general waste, recycling and organic waste. External bins should be located and screened to avoid adverse visual impacts and nuisance to both occupiers and neighbours.

Policy DMHB 11: Design of New Development

A) All development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including:

- i) harmonising with the local context by taking into account the surrounding:**
 - scale of development, considering the height, mass and bulk of adjacent structures;
 - building plot sizes and widths, plot coverage and established street patterns;
 - building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure;
 - architectural composition and quality of detailing;
 - local topography, views both from and to the site; and
 - impact on neighbouring open spaces and their environment.
- ii) ensuring the use of high quality building materials and finishes;**
- iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities;**
- iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated**

- and un-designated, and their settings; and
- v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.
- B) Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.**
- C) Development will be required to ensure that the design safeguards the satisfactory re-development of any adjoining sites which have development potential. In the case of proposals for major development⁵ sites, the Council will expect developers to prepare master plans and design codes and to agree these with the Council before developing detailed designs.**
- D) Development proposals should make sufficient provision for well designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.**

Streets and Public Realm

5.43 Strategic Objectives SO2 and SO4 seek to create neighbourhoods that are distinctive, safe, functional and accessible, whilst ensuring that due regard is given to achieving high quality design. It is important that new development contributes to the delivery of a safe and secure environment, which includes buildings, spaces and inclusive communities.

5.44 Policy DMHB 12: Streets and Public Realm sets out how we can deliver a well-designed, high quality, durable public realm. Development will be required to be well integrated with the surrounding areas to produce a coordinated and legible public realm. Connectivity and legibility around transport interchanges can be key to the delivery of a successful local environment and neighbourhood centre. It is particularly important to ensure that developments in and around these locations support and improve connections between different transport modes. Improvements to the public realm may also be sought through Planning Obligations, in accordance with the adopted Planning Obligations SPD.

5.45 Development should create streets and spaces with an appropriate degree of enclosure, which can define the boundaries of public areas whilst promoting natural surveillance and self policing to ensure they are well used and safe.

⁵ Major Development: Residential development of 10 dwellings or more; any building with a floor space of 1000 square metres or more; development on a site of 1 hectare or more.

5.46 Policy DMHB 13: Shopfronts also establishes the need to incorporate the principles of inclusive design. Inclusive design principles seek to:

- improve access to, from and within the site and buildings for all users without undue effort, separation or special treatment;
- prevent the creation of barriers to movement;
- improve way-finding legibility, signage, and evacuation routes; and
- ensure layouts create ease of movement and direct pedestrian links.

5.47 Development that restricts public access and movement, for example gated communities, are not considered to contribute to a well-connected and permeable public realm. They may also have a negative impact on sustainable communities and social cohesion and will generally not be supported.

Policy DMHB 12: Streets and Public Realm

A) Development should be well integrated with the surrounding area and accessible. It should:

- i) improve legibility and promote routes and wayfinding between the development and local amenities;**
- ii) ensure public realm design takes account of the established townscape character and quality of the surrounding area;**
- iii) include landscaping treatment that is suitable for the location, serves a purpose, contributes to local green infrastructure, the appearance of the area and ease of movement through the space;**
- iv) provide safe and direct pedestrian and cycle movement through the space;**
- v) incorporate appropriate and robust hard landscaping, using good quality materials, undertaken to a high standard;**
- vi) where appropriate, include the installation of public art; and**
- vii) deliver proposals which incorporate the principles of inclusive design. Proposals for gated developments will be resisted.**

B) Public realm improvements will be sought from developments located close to transport interchanges and community facilities to ensure easy access between different transport modes and into local community facilities.

and the surrounding area during the construction period.

B) Shop signage will generally be limited to the strip above the shop window and below the upper floor, plus where appropriate one projecting sign. Proposals for further advertising additional to the shop name will be resisted.

C) Illumination to shopfronts must be sited and designed to avoid any visual intrusion from light pollution to adjoining or nearby residents. Flashing internal or external lighting and/or internally illuminated box lights will not be permitted.

Trees and Landscaping

5.54 Trees and landscaping are a vital feature of the built environment, adding to a sense of place and bringing many benefits such as: providing visual and other amenity for residents, increasing biodiversity, helping to reduce pollution and flooding and adding to the character of the Borough. Landscaping and tree planting should be considered as an integral part of the overall design of any development, especially in areas where these are lacking, such as high rise buildings.

5.55 It is important to ensure that natural features are retained and additional landscaping and tree planting provided where possible. The Council recognises the importance of Tree Preservation Orders (TPOs) in protecting trees and woodlands in the landscape and will make orders where the possible loss of trees or woodlands would have a significant impact on their surroundings.

5.56 There are a number of ways in which the retention of existing trees or provision of new trees can be secured. TPOs can be made on an individual tree, or on groups or areas of trees. Conditions can be attached to planning permissions to protect trees during building and ensure that tree planting and landscaping will form an integral part of new development. In some instances it may be more appropriate to include replacement trees as part of a development's landscaping scheme. The Council will only permit works to trees in Conservation Areas and those subject to TPOs where the works do not risk compromising the amenity value or survival of the tree.

Policy DMHB 14: Trees and Landscaping

A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.

B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and

amenity particularly in areas deficient in green infrastructure.

C) Where space for ground level planting is limited, such as high rise buildings, the inclusion of living walls and roofs will be expected where feasible.

D) Planning applications for proposals that would affect existing trees will be required to provide an accurate tree survey showing the location, height, spread and species of trees. Where the tree survey identifies trees of merit, tree root protection areas and an arboricultural method statement will be required to show how the trees will be protected. Where trees are to be removed, proposals for replanting of new trees on-site must be provided or include contributions to offsite provision.

Safety and Security

5.57 The Council aims to maintain and enhance the amenity of its town centres to ensure that they continue to attract investment and footfall and are attractive places to meet, shop and work. As part of development proposals in the town centres Council will encourage enhancements to the public realm that encourage regular pedestrian activity and passive surveillance.

Policy DMHB 15: Planning for Safer Places

The Council will require all new development to ensure safe and attractive public and private spaces by referring to the Council's latest guidance on Secured by Design principles. Where relevant, these should be included in the Design and Access Statement.

Development will be required to comprise good design and create inclusive environments whilst improving safety and security by incorporating the following specific measures:

- i) providing entrances in visible, safe and accessible locations;
- ii) maximising natural surveillance;
- iii) ensuring adequate defensible space is provided;
- iv) providing clear delineations between public and private spaces; and
- v) providing appropriate lighting and CCTV.

Housing Standards

5.58 Overcrowding in residential properties can have adverse impacts on the health and well being of occupants. In order to ensure that all new

Policy DMHB 20: Moorings

Planning applications for the establishment of moorings will be assessed in relation to the following criteria:

- i) moorings should generally be located on urban stretches of the canal and not on rural or open stretches where they would be incongruous and out of keeping;**
- ii) Moorings and associated development and servicing should be located so they do not impede other canal and waterside uses, paths or access to the waterway;**
- iii) The number and density of moorings in any one location should be appropriate to their location on the waterway and should not separate people from the waterway or interfere with navigation;**
- iv) provision for service vehicles and car parking must be made in a form which will not adversely affect the amenity of the canal;**
- v) Adequate servicing, including provisions for appropriate utility connections, must be provided; and**
- vi) Development should take account of guidance contained in the relevant publications from the Canal & River Trust.**

Telecommunications

5.83 The NPPF highlights the need to promote and support the development of advanced, high quality communications infrastructure to promote sustainable economic growth. National guidance also advises that masts and associated installations should be kept to a minimum and that existing masts, buildings and other structures should be used unless the need for a new site has been justified.

5.84 Policy DMHB 21: Telecommunications below sets out further guidance about the siting and design of telecommunications development, which includes antennae and cabinets. Taking account of the technical feasibility, it is important to ensure that any telecommunications development shares existing infrastructure and is of a suitable design, taking into consideration heritage assets, height, scale and materials of the site and local area.

Policy DMHB 21: Telecommunications

Telecommunication development will only be permitted where:

- i) it is sited and designed to minimise their visual impact;**
- ii) it does not have a detrimental effect on the visual amenity, character or appearance of the building or the local area;**
- iii) it has been demonstrated that there is no possibility for use of alternative sites, mast sharing and the use of existing buildings;**
- v) there is no adverse impact on areas of ecological interest, areas of landscape importance, archaeological sites, Conservation Areas or buildings of architectural or historic interest; and**
- vi) it includes a Declaration of Conformity with the International Commission on Non Ionizing Radiation.**

APPENDIX 6

EXPLANATORY MEMORANDUM

EXPLANATORY MEMORANDUM TO
THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED
DEVELOPMENT) (ENGLAND) (AMENDMENT) (No. 2) ORDER 2016

2016 No. 1040

1. Introduction

- 1.1 This explanatory memorandum has been prepared by the Department for Communities and Local Government and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

- 2.1 The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2016 amends the Town and Country Planning (General Permitted Development) (England) Order 2015 (“the General Permitted Development Order”) to introduce and extend permitted development rights in relation to electronic communications infrastructure.

3. Matters of special interest to Parliament

Matters of special interest to the Joint Committee on Statutory Instruments

- 3.1 None.

Other matters of interest to the House of Commons

- 3.2 As this instrument is subject to negative resolution procedure and has not been prayed against, consideration as to whether there are other matters of interest to the House of Commons does not arise at this stage.

4. Legislative Context

- 4.1 Section 57 of the Town and Country Planning Act 1990 (“the 1990 Act”) provides that planning permission is normally required for any development of land. “Development” is defined in section 55. Under section 58, planning permission may be granted on application to a local planning authority, or by a development order made under the 1990 Act.
- 4.2 This Order amends the General Permitted Development Order. Both Orders are made under sections 59, 60, 61 and 333(7) of the 1990 Act. These provisions give the Secretary of State the power to grant planning permission for classes of development specified in a development order. The General Permitted Development Order grants planning permission for a range of specific classes of development, subject to certain limitations and conditions. Planning permission granted under the General Permitted Development Order is known as a “permitted development right”. The effect is that an application for planning permission does not need to be made to the local planning authority, although in some cases permitted development rights require the local planning authority to approve certain matters before development can proceed. This is known as “prior approval”.

- 4.3 This Order substitutes Class A of Part 16 of Schedule 2 to the General Permitted Development Order (“Class A”), with amendments. Under Class A, planning permission is granted for electronic communications code operators in relation to electronic communications infrastructure. The amendments made to Class A build on a package of permitted development rights introduced in 2013 by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2013 (S.I 2013/1868) which sought to introduce greater flexibility to facilitate mobile infrastructure roll-out.
- 4.4 The Order makes a number of minor and drafting amendments. In particular, a number of rights use the term ‘building’. This term is defined in article 2 of the General Permitted Development Order and includes ‘any structure or erection’. Hence, where the term ‘building’ is used in Class A, unless otherwise stated, this includes a mast or other structure.
- 4.5 Changes of substance made by this Order are outlined in detail in the Explanatory Note. A summary is set out below. References to “article 2(3) land” are to land defined in article 2(3) of the General Permitted Development Order, which includes National Parks, conservation areas and areas of outstanding natural beauty. References to “unprotected land” are to land which is neither article 2(3) land nor land which is a site of special scientific interest.
- **Installation of masts** - the height of masts which may be installed on unprotected land is increased from 15 metres to 25 metres, or 20 metres on a highway. A new permitted development right to install masts on article 2(3) land is introduced, subject to a height limit of 20 metres. Prior approval is required in both cases.
 - **Alteration or replacement of existing masts** – existing masts may be altered or replaced on unprotected land subject to a height limit which is increased from 20 metres to the greater of the existing height or 25 metres (20 metres on a highway). A new permitted development right to alter or replace masts on article 2(3) land is introduced, subject to a height limit of the greater of the existing height or 20 metres. Prior approval is required for increases in height above 20 metres.
 - **Building-based apparatus** – limitations on small cell systems on buildings (other than dwellinghouses) are removed. Prior approval is no longer required for the installation, alteration or replacement of antenna on buildings on article 2(3) land (within specified limitations), and limitations on the number of antenna on buildings over 30 metres are removed.
 - **Emergency development** – Class A development undertaken in an emergency is subject to a maximum period which is extended from 6 to 18 months, unless the need ceases earlier.

5. Extent and Territorial Application

- 5.1 The extent of this instrument is England and Wales.
- 5.2 The territorial application of this instrument is England.

6. European Convention on Human Rights

- 6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

- 7.1 Permitted development rights serve to reduce bureaucracy and cost, and provide developers with a greater level of speed and certainty by prescribing what types of development can be undertaken without applying for planning permission.
- 7.2 Digital communications are an integral part of modern life. However, not everyone has access to the fastest available broadband speeds, while access to mobile services still varies significantly across the country. Rural interest groups report particularly poor provision in some rural areas which is seen as a major constraint on the competitiveness of rural businesses. Ofcom's Connected Nations Report 2015¹ found that 72% of all premises in rural areas had outdoor coverage for voice (2G and 3G) from mobile operators, compared to 99% in urban areas. This is harming the rural economy, hurting local businesses and stifling home working in rural areas, as well as restricting the ability of people in such areas to access on-line services.
- 7.3 Improving the country's communications infrastructure is integral to our ability to grow the economy and compete on a global scale, particularly as demand for 4G (superfast mobile broadband) continues to rise. For example, there were over 83 million mobile subscriptions in the UK in 2014 with 57% of adults using mobiles to access the internet compared with 32% in 2011 (Ofcom Infrastructure Report 2014²).
- 7.4 Delay and cost in deploying superfast mobile broadband will reduce the social and economic benefits that are emerging from its adoption. Looking to the future, addressing the causes of delay and cost will also help ensure that the benefits of 5G technology, when rolled out, are available to all. For these reasons, the government entered a voluntary binding agreement with mobile operators to ensure that 90% of the UK landmass will have voice and SMS coverage by 2017³.
- 7.5 In order to support increased coverage, it is vital that the planning system facilitates appropriate development, whilst continuing to protect important local and national interests, including visual amenity. Consequently, the government made a manifesto commitment to review the planning system in England for mobile connectivity and, as part of the 2015 Productivity Plan "Fixing the foundations: Creating a more prosperous nation", it announced plans to support market investment and streamline legislation to make it easier to roll out mobile infrastructure.
- 7.6 The government issued a call for evidence in July 2015, seeking evidence of the effectiveness of the telecommunications permitted development rights implemented in 2013 (referred to in paragraph 4.3), and views on the scope for further improvements to support delivery of the government's ambitions for improved mobile coverage.
- 7.7 Following consideration of the responses received, the government announced a package of measures to extend permitted development rights, which were set out in a Written Ministerial Statement on 17 March 2016.
- 7.8 A major part of the reforms package is to allow masts of increased height, subject to appropriate protections. Evidence received as part of the review showed that increasing the height of a mast from 15m to 20m delivers a 10% increase in coverage, while an increase in height from 20m to 25m leads to a 19% increase in coverage, as this generally allows the mast to clear surrounding trees. We have therefore allowed

¹ http://stakeholders.ofcom.org.uk/binaries/research/infrastructure/2015/downloads/connected_nations2015.pdf

² <http://stakeholders.ofcom.org.uk/market-data-research/market-data/infrastructure/infrastructure-2014/>

³ (<https://www.gov.uk/government/news/government-secures-landmark-deal-for-uk-mobile-phone-users>)

new, taller masts to be installed, including on article 2(3) land. Given that impacts on local communities could be significant, however, the siting and appearance of new masts is subject to prior approval from the local authority. This will allow the local authority to engage with local communities and consider, in particular, the visual impact of the mast on the surrounding area.

- 7.9 We have sought to maximise the use of existing sites and minimise the need for new ground-based masts, by extending permitted development rights to allow existing masts to be altered or replaced. On unprotected land the height limit is increased from 20 metres to the greater of the existing height or 25 metres (20 metres on a highway), and a new permitted development right to alter or replace masts on article 2(3) land is introduced. Prior approval is required for the most significant impacts: where height is increased and the mast is above 20 metres. Where prior approval is not required, a new condition requires the siting and appearance of the mast to minimise visual impact so far as practicable.
- 7.10 We have also sought to minimise the number of new ground-based masts needed by removing restrictions on the installation, alteration or replacement of infrastructure where impacts are less significant. In particular, we have removed limitations on small cell systems on buildings (other than dwellinghouses), and have removed certain restrictions relating to small and larger antenna.
- 7.11 Where prior approval is required for the installation, alteration or replacement of a mast within 3 kilometres of the perimeter of an aerodrome, the developer is required to notify the Civil Aviation Authority, the Secretary of State for Defence or the aerodrome operator, as appropriate. This requirement previously applied only to the installation of a new mast. However, as a result of changes introduced by this Order, alteration or replacement works may increase the height of the mast to between 20-25 metres (see paragraph 7.9). We have extended the notification requirement to cover these more significant cases, where prior approval is required.
- 7.12 Finally, to help ensure, in an emergency, that adequate time is available for operators to secure an alternative permanent site, we have extended the period during which development can be undertaken in an emergency from 6 to 18 months, unless the need ceases earlier. The Order continues to allow specified development (excluding the installation, alteration or replacement of a mast) to be undertaken in a SSSI in emergency circumstances. This is subject to the extended 18 month maximum period, and to a new condition which requires Natural England to be notified.
- 7.13 In addition to the in-built protections described above, these measures will operate alongside the Electronic Communications Code (Conditions and Restrictions) Regulations 2003 (S.I. 2003/2553). These are amended by the Electronic Communications Code (Conditions and Restrictions) (Amendment) Regulations 2016 to reflect the measures described above, but will continue to allow the local planning authority to impose reasonable conditions on development. Development involving mobile infrastructure will also be subject to the guidance contained in the Code of Best Practice on Mobile Network Development in England, published in July 2013⁴.

⁴ <http://www.mobilemastinfo.com/2013/new-code-of-best-practice-on-mobile-network-development-in-england-published.html>

Consolidation

- 7.14 The General Permitted Development Order, which came into force on 15 April 2015, consolidates amendments made to the General Permitted Development Order 1995. This is the second Order to amend the General Permitted Development Order 2015. There are no current plans for a consolidation.

8. Consultation outcome

- 8.1 The Department for Communities and Local Government and the Department for Culture Media and Sport published a Call for Evidence on 10 July 2015 seeking views on how the planning system in England can best support mobile connectivity. Forty responses were received from various respondents from the telecommunications industry, local authorities, local amenity groups and private individuals.
- 8.2 The majority of respondents agreed that digital connectivity is now an essential service. The telecommunications industry reported that, while the vast majority of planning applications for mobile infrastructure are approved, the time this takes can vary, and is sometimes longer than 8 weeks. The industry generally favoured increased permitted development rights without a requirement for prior approval.
- 8.3 Local authorities and amenity groups considered that permitted development rights with prior approval generally struck the right balance between allowing appropriate development and protecting local amenity. In article 2(3) land, amenity groups considered that proposals for new masts should be considered through a full planning application process so that local authorities could balance the need for new infrastructure with the need to protect local landscapes and amenity on a case by case basis. There was consensus that permitted development rights should not generally apply in land which is a site of special scientific interest.
- 8.4 Having reviewed these responses, the government decided to adopt the measures described in paragraph 7 above, which it considers balance the need to support increased mobile coverage with the need to control and minimise impacts, maintaining local engagement where impacts are most significant. These measures were announced in a Written Ministerial Statement on 17 March 2016.

9. Guidance

- 9.1 There are no plans to issue specific guidance for this statutory instrument.

10. Impact

- 10.1 These changes are deregulatory and reduce the burden on business and the cost and time for businesses in not having to apply for planning permission or, in some cases, prior approval.
- 10.2 The changes increase permitted development rights for mobile operators to support the swifter roll-out of 4G, whilst providing greater connectivity and capacity for 3G and 2G (voice only). As users of electronic communications, charities and voluntary bodies will benefit from these developments.
- 10.3 A validation impact assessment will be published alongside the Explanatory Memorandum on www.legislation.gov.uk.
- 10.4 This shows that there will be reduced costs of seeking planning approval for mobile telecommunications infrastructure, including 4G (average annual benefit £2.1m) and

reduced costs of emergency works as a result of a longer duration of permitted development (average annual benefit £9.0m). Reduced uncertainty for business and potential increased coverage is shown to lead to improved digital connectivity.

11. Regulating small business

- 11.1 The legislation is deregulatory in effect and whilst mobile operators (which are large businesses) will benefit directly from the changes, small businesses and those working at home, particularly in rural areas, will also benefit from having improved access to 4G superfast broadband or better connectivity through 3G and 2G (voice only). We do not consider there will be any negative impact on small businesses.

12. Monitoring & review

- 12.1 The Small Business, Enterprise and Employment Act 2015 requires that regulatory provisions made after 1 July 2014 are reviewed 5 years after their commencement to consider whether the objectives could be achieved with less regulation. A clause requiring such a review was inserted into the General Permitted Development Order by the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016 (S.I 2016/332). These permitted development rights will be reviewed at the latest by October 2021.

13. Contact

- 13.1 Paul Martin at the Department for Communities and Local Government, telephone: 0303 444 1668 or email: paulg.martin@communities.gov.uk can answer any queries regarding the instrument.

APPENDIX 7

APPEAL DECISION APP/G4240/W/21/3268575 AND APPROVED DRAWINGS



Appeal Decision

Site Visit made on 1 June 2021

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 June 2021

Appeal Ref: APP/G4240/W/21/3268575

Town Lane SW, Dukinfield SK16 5PN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Telefonica UK Ltd against the decision of Tameside Metropolitan Borough Council.
 - The application Ref 20/00859/NCD, dated 28 August 2020, was refused by notice dated 30 October 2020.
 - The development proposed is installation of a 17.5m slim-line column supporting 6 no. antennas, 2 no. transmission dishes, 2 no. equipment cabinets and ancillary development thereto including a GPS module and 3 no. Remote Radio Units (RRUs).
-

Decision

1. The appeal is allowed and approval is granted under the provisions of Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), for installation of a 17.5m slim-line column supporting 6 no. antennas, 2 no. transmission dishes, 2 no. equipment cabinets and ancillary development thereto including a GPS module and 3 no. Remote Radio Units (RRUs) at Town Lane SW, Dukinfield, SK16 5PN in accordance with the terms of the application, Ref 20/00859/NCD, dated 28 August 2020, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Maps; Proposed Site Plan; Proposed Site Elevation.
 - 2) The mast and all equipment housing of the proposed cabinets hereby approved shall be colour coated Burgundy(O4D45) Antique Gold as per street furniture within Dukinfield. The equipment shall be retained in that colour at all times thereafter.

Procedural Matter

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), under Article 3(1) and Schedule 2, Part 16, Class A, requires the local planning authority to assess the proposed development solely on the basis of its siting and appearance, taking into account any representations received. My determination of this appeal has been made on the same basis.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

4. The area surrounding the appeal site is characterised predominantly by residential properties of traditional design and sizes as well as some commercial buildings and a day nursery which is adjacent to the site. The site is located within close proximity to a number of highway junctions including the roads of Town Lane, Bates Street, Foundry Street and Crescent Road. The area has common street furniture paraphernalia including street lighting, road signs, bus stops, trees, bollards and an existing monopole telecommunications mast with associated equipment cabinets.
5. The proposal would be taller than the majority of structures and buildings in the area. However, telecommunication structures are common features in built up areas and the proposal, whilst being visible, would not necessarily be highly noticeable as it would blend in with similar structures such as street lighting and the existing monopole mast.
6. The proposed monopole structure would be taller and thicker, including exposed antennas, dishes and RRUs, compared to the existing street lighting and existing monopole structure in the area. The proposed monopole would not be a bulky structure though and would assimilate well with the existing high structures in the area when viewed against the surrounding skyline. The antennas, dishes and RRUs would be slim line features and not protrude significantly from the main monopole structure. The proposal including the antennas, dishes and RRUs would not have a cluttered appearance or be visually intrusive to the surrounding area.
7. The proposed equipment cabinets, including the monopole structure, would be positioned to the rear of the footpath and there would be minimal opportunity for them to be screened by vegetation. Nevertheless, these types of equipment cabinets are not uncommon features on public footpaths and would be similar in nature to existing cabinets in the area including the cabinets associated with the existing monopole. The scale and design of the equipment cabinets are modest, they would be in keeping with similar structures in the area and would not have a detrimental effect on the appearance of the street scene. Due to positioning of the equipment cabinets and the monopole, there would be sufficient space on the footpath to ensure that they do not become an adverse obstruction to pedestrians.
8. Collectively, the elements of the proposal would be visible in the surrounding area including views from Town Lane, Crescent Road and Foundry Street. Although due to its design, siting and bulk, it would not introduce an incongruous feature that would be at odds with the established character and appearance of the area.
9. Accordingly, the proposal would not have a harmful effect on the character and appearance of the surrounding area. The proposal accords with U2 and C1 of the Tameside Unitary Development Plan Written Statement 2004 and the National Planning Policy Framework which seek development for telecommunications to have no unacceptable impact on appearance of buildings and townscape, and to minimise visual impact.

Other Matters

10. I have had regard to concerns raised from local residents which include matters on health issues, trees, nearby war memorial, pedestrian obstruction, living conditions of neighbouring occupiers including outlook and discrepancies on submitted information. I have given careful consideration to these matters, some of which the Council have not raised any objections to, but they do not lead me to a different conclusion on the main issue nor do they amount to harm in which would justify withholding consent.

Conditions

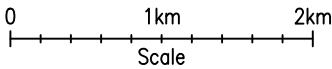
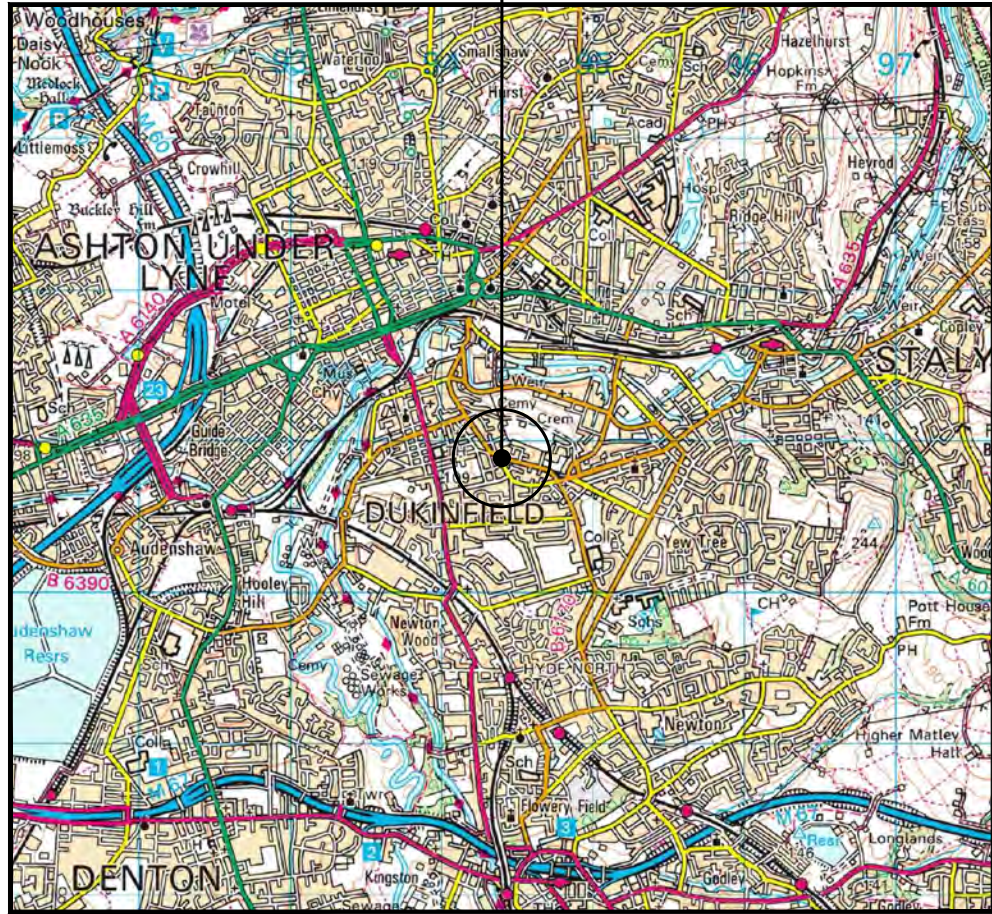
11. Beyond the standard conditions which are imposed by the Town and Country Planning (General Permitted Development) Order 2015, I consider it necessary to add a condition relating to the identification of plans to provide certainty and clarity as well as a condition relating to colour finish in the interests of character and appearance.
12. The Council had suggested a time limit condition of three years however, the standard conditions in the Town and Country Planning (General Permitted Development) Order 2015 refer to a five years time limit condition. I am satisfied that a five year time limit is reasonable and necessary.

Conclusion

13. For the reasons given above, I conclude that the appeal should be allowed and prior approval should be granted.

Chris Baxter

INSPECTOR

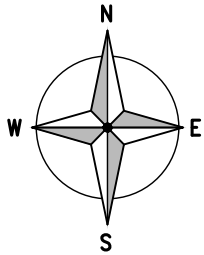


SITE LOCATION
(Scale 1:50000)



SITE PHOTOGRAPH

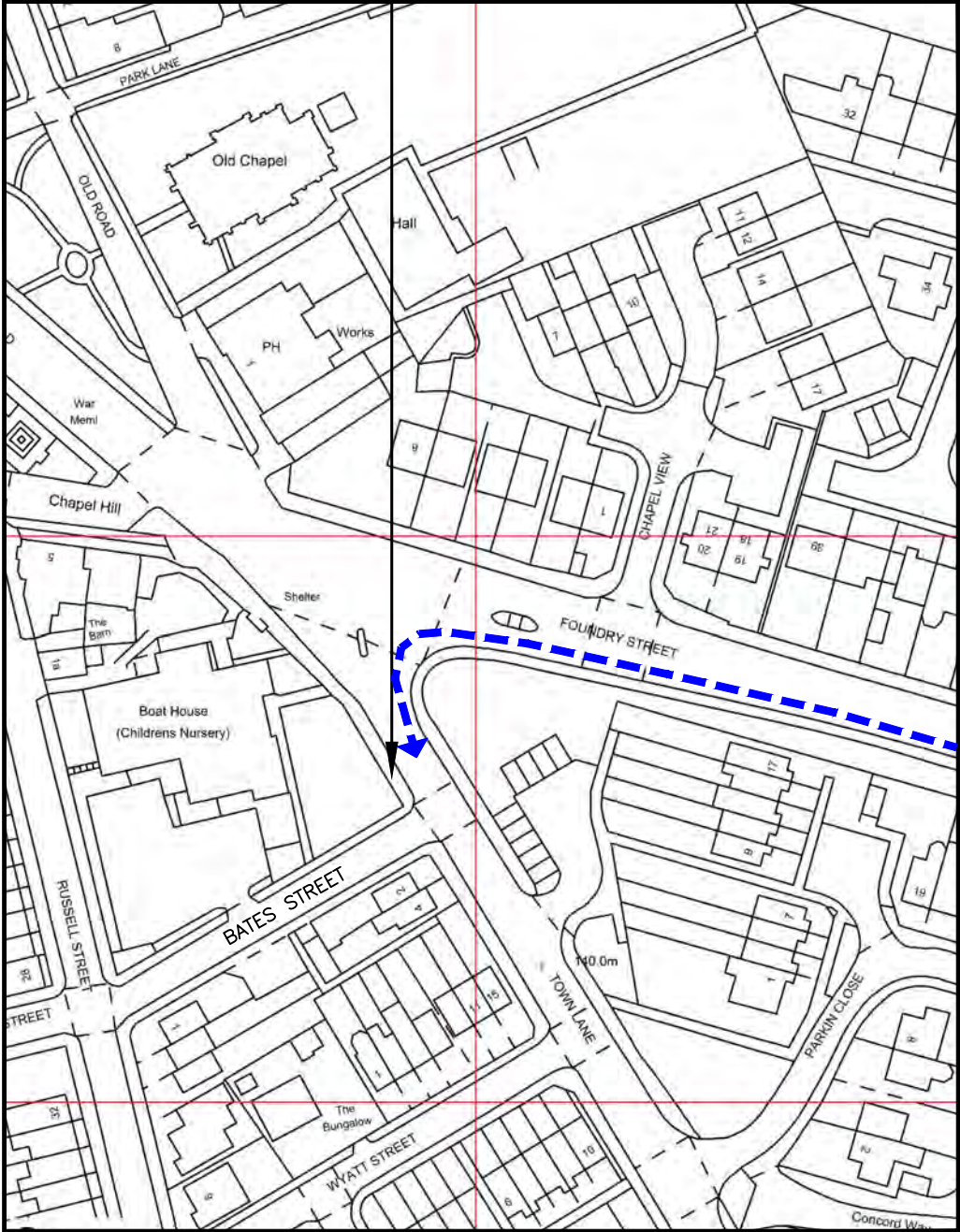
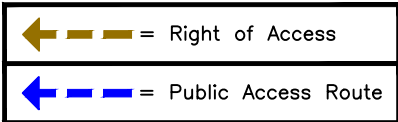
The drawings comply with TEF & Vodafone Standard ICNIRP guidelines.
Designed in accordance with CORNERSTONE document: SDN0008



3979.00

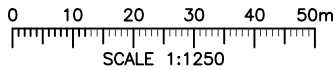
3978.00

3944.00



DETAILED SITE LOCATION
(Scale 1:1250)

Based upon Ordnance Survey map extract
with the permission of the Controller of
Her Majesty's Stationery Office.
Crown copyright.
Licence No. 100022432



SITE LOCATION

ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE

N.G.R | E: 394385 N: 397857

DIRECTIONS TO SITE:
M1 TOWARDS SHEFFIELD/LEEDS. AT JUNCTION 35A, TAKE THE A616 EXIT TO MANCHESTER. AT THE ROUNDABOUT, CONTINUE STRAIGHT ONTO A616. AT WESTWOOD ROUNDABOUT, TAKE THE 2ND EXIT AND STAY ON A616. AT THE ROUNDABOUT, TAKE THE 1ST EXIT ONTO A628. CONTINUE ONTO MOTTRAM MOOR/A57. SLIGHT RIGHT ONTO BACK MOOR/A6018. TURN LEFT ONTO ACRES LN/B6175. CONTINUE TO FOLLOW B6175. TURN RIGHT ONTO FOUNDRY ST/B6170. TURN LEFT ONTO TOWN LN. SITE ON THE RIGHT JUST BEFORE JUNCTION WITH BATES STREET.

NOTES:

A	Issued for Approval	DW	UP	17.02.20
REV	MODIFICATION	BY	CH	DATE



Unit E, Madison Place, Northampton Road,
Manchester, M40 5AG
Tel: 0161 785 4500
Fax: 0161 785 4501
Web: www.clarke-telecom.com



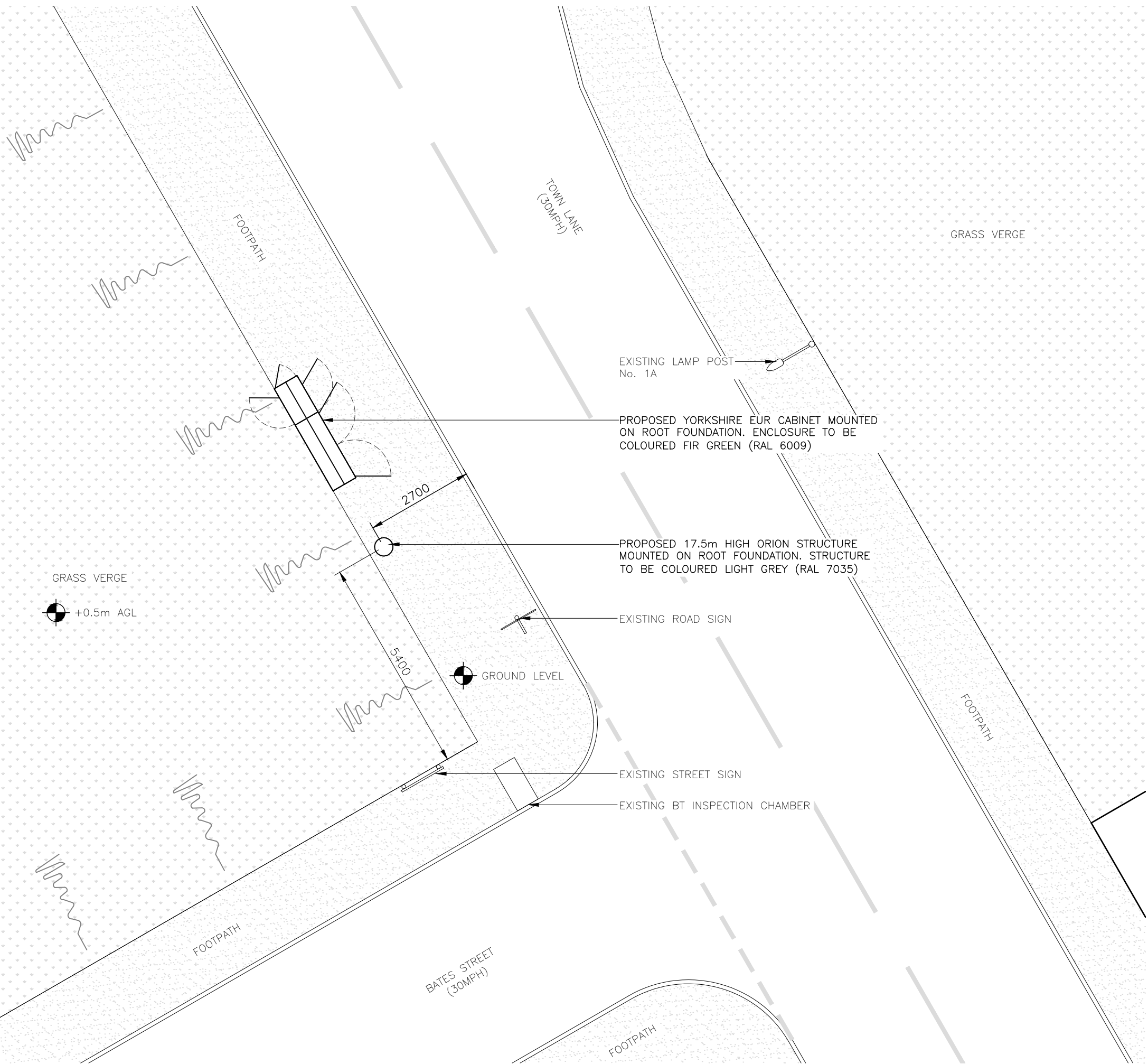
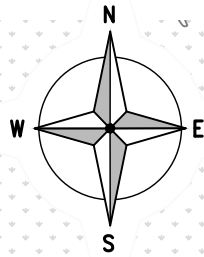
BEACON 3

Cell Name	Opt.
	A

Cell ID No		
CORNERSTONE	TEF	VF
302965	088971	N/A

Site Address / Contact Details		
TOWN LANE DUKINFIELD GREATER MANCHESTER SK16 5PN		

Drawing Title: SITE LOCATION MAPS				
Purpose of issue: PLANNING				Dwg Rev:
Drawing Number: 100				A
Surveyed By: TC		Original Sheet Size: A3		Pack Issue:
Drawn: DW	Date: 17.02.20	Checked: UP	Date: 17.02.20	C



The drawings comply with TEF & Vodafone Standard ICNIRP guidelines.
Designed in accordance with CORNERSTONE document: SDN0008

PROPOSED SITE PLAN
(1:100)

ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE

N.G.R | E: 394385 N: 397857

NOTES:

REV	MODIFICATION	BY	CH	DATE
C	Pole Height amended	SH	UP	25.08.20
B	New Pole position	SH	UP	31.03.20
A	Issued for Approval	DW	UP	17.02.20

Unit E, Madison Place, Northampton Road,
Manchester, M40 5AG
Tel: 0161 785 4500
Fax: 0161 785 4501
Web: www.clarke-telecom.com

BEACON 3

Cell Name	Opt.
	A

Cell ID No		
CORNERSTONE	TEF	VF
302965	088971	N/A

Site Address / Contact Details		
TOWN LANE DUKINFIELD GREATER MANCHESTER SK16 5PN		

Drawing Title: PROPOSED SITE PLAN				
Purpose of issue: PLANNING				Dwg Rev:
Drawing Number: 201				C
Surveyed By: TC		Original Sheet Size: A3		Pack Issue:
Drawn: DW	Date: 17.02.20	Checked: UP	Date: 17.02.20	C

APPENDIX 8

APPEAL DECISION APP/G5180/W/3151769

Appeal Decision

Site visit made on 12 October 2016

by Beverley Doward BSc BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27 October 2016

Appeal Ref: APP/G5180/W/3151769

Land opposite 27-33 Chelsfield Road, Orpington, BR5 4DW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 .
 - The appeal is made by CTIL, Vodafone Ltd and Telefónica UK Ltd against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/15/05646/TELECOM, dated 23 December 2015, was refused by notice dated 7 March 2016.
 - The development proposed is the installation of 10.0m T-Range Replica Telegraph Pole on a new root foundation and ancillary development.
-

Decision

1. The appeal is allowed and approval is granted under the provisions of Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (the GPDO) for the installation of a 10.0m T-Range Replica Telegraph Pole on a new root foundation and ancillary development at land opposite 27-33 Chelsfield Road, Orpington, BR5 4DW in accordance with the terms of application Ref DC/15/05646/TELECOM, dated 23 December 2015 and the plans submitted with it.

Application for costs

2. An application for costs was made by CTIL, Vodafone Ltd and Telefónica UK Ltd against the Council of the London Borough of Bromley. This application will be the subject of a separate Decision.

Procedural Matter

3. The address given in the heading above is taken from the Council's decision notice as this is more accurate than that submitted with the application. I have included the relevant postcode.

Main Issues

4. The main issues in this case are the effect of the siting and appearance of the proposal on the character and appearance of the area and the living conditions of nearby residents with regard to outlook.

Reasons

5. The appeal site forms part of a small grassed area of land at the junction of Chelsfield Road with Northfield Avenue which serves some value in providing
-

an area of open green space in this predominantly built up residential area. Within the grassed area there is an existing telegraph pole, a post box and a bench as well as three trees, one of which is a sapling. There is also a variety of existing street furniture within the wider vicinity of the appeal site including streetlights, telegraph poles, a zebra crossing with illuminated bollards and beacons, road signs and litter bins.

6. The appeal proposal is for a shared electronic communications street furniture radio base station comprising a 10m high replica telegraph pole with a diameter of about 300mm and an equipment cabinet which would be 1.6m high and 1.8m wide. Both pieces of equipment would be sited within the grassed area of land set back from the edge of the footway beside Chelsfield Road. The proposed pole would be sited about 1m in from the footway and about 4.8m in from the north eastern corner of the grassed area. The equipment cabinet would be sited to the west of the pole and about 0.6m in from the footway with doors opening onto an area of concrete paving.
7. The Council's decision notice refers only to the effect of the proposed mast (pole). However, its appeal statement raises concerns in relation to both the pole and associated cabinet. The pole would appear similar to other telegraph poles in the area, the evidence indicating that it would be coloured nut brown with a GPR timber finish. Although it would be taller and wider than other telegraph poles and street lights in the area the pole would be seen in the context of these other vertical structures. The equipment cabinet would be similar in appearance to other utility cabinets within the area. Accordingly, I am satisfied that both the pole and cabinet would appear as items of normal street furniture which would not be out of place in this urban setting. They would not add unduly to the existing collection of street furniture in the area and would not therefore result in the street scene appearing unduly cluttered.
8. The pole and cabinet would be sited in close proximity to an existing tree within the grassed area which, along with the trees in the side garden of 52 Northfield Avenue, would provide some screening from vantage points within the surrounding area and act as a backdrop to the equipment. I appreciate that the trees are deciduous. However, even during the winter months when there are no leaves on the trees, views of the proposed equipment would be filtered by their presence. Accordingly, I am satisfied that the proposed equipment would not appear overly prominent or dominant so as to detract from the street scene. The issue of whether or not the proposed equipment might attract vandalism or graffiti thereby detracting from the street scene is an issue of management. In any event there is no substantive evidence to indicate that this would be the case.
9. The proposed equipment would be sited nearest to the dwellings on the opposite side of Chelsfield Road and to No 52 Northfield Avenue. However, the intervening distance would be sufficient so as to ensure that the proposed equipment would not appear overbearing or visually intrusive when viewed from these properties. Accordingly, it would not materially harm the outlook from these dwellings. The proposed equipment would also be visible from other dwellings in the immediate vicinity. However, the angle of view and the greater distances involved mean that it would not have a material impact on the outlook from these dwellings.

10. Having regard to all of the above therefore, I conclude that the proposal would not cause material harm to the character and appearance of the area or to the living conditions of nearby residents with regard to outlook.
11. The appeal relates to a prior approval application. Therefore, the presumption in favour of the development plan under s38(6) of the Planning and Compulsory Purchase Act 2004 does not apply; rather the development plan policies are material considerations in so far as they relate to siting and appearance. In this case there would be no conflict with policy BE1 of the London Borough of Bromley Unitary Development Plan (UDP) which requires development proposals to be of a high standard of design that does not detract from the street scene. There would also be no conflict with policy BE22 of the UDP which relates to telecommunications apparatus and requires, amongst other things, that proposals demonstrate that the character and appearance of the area and the visual and residential amenity of occupiers of neighbouring properties would not be adversely affected.
12. Although not referred to in its reason for refusal, the Council refers to advice contained within its Supplementary Planning Guidance (SPG) documents (SPG No 1 and SPG No 2) which it indicates supports its development plan policies. However, I have not been provided details of which specific policies the respective guidance supports. Accordingly, the weight I am able to attach to these documents is limited. In any event, given my findings above, the proposal would not conflict with the advice contained in SPG No 1 cited by the Council regarding the quality of the public realm. Furthermore, SPG No 2 referred to by the Council provides residential design guidance and therefore does not appear relevant to the appeal proposal.

Other matters

13. Concerns have been raised about the potential health risk of the proposal particularly with regards to its siting in relation to the nearby primary school. However, a declaration confirming that the proposal has been designed to fully comply with the guidelines of the International Commission on Non-Ionizing Radiation Protection (ICNIRP) for public exposure. The National Planning Policy Framework indicates that in such circumstances health safeguards are not something which a decision maker should determine. There is nothing in the evidence before me to indicate that the ICNIRP guidelines would not be complied with or that a departure from national policy would be justified.
14. The siting of the proposed equipment within the grassed area of land and set back from the edge of the footway beside Chelsfield Road would ensure that it would not impede the safe passage of pedestrians on the footway.
15. In respect of siting the Council does not challenge the appellants discounting of alternative sites or suggest that there is a sequentially preferable, or suitable and available alternative site and there is no substantive evidence to lead me to conclude otherwise in this respect.
16. I appreciate that the Council has refused a previous prior approval application for a telecommunications proposal on the site. However, the appeal proposal is substantially different from that proposal and as, I have found above, would not cause material harm to the character and appearance of the area or to the living conditions of nearby residents.

17. Both parties have referred to other appeal decisions relating to telecommunications development in support of their case. I am not aware of the details of these and cannot therefore be certain that the circumstances are the same as in this case. In any event each case needs to be determined on its own merits taking into account the specific proposal and the context of the site and its surrounding. I have determined the appeal on this basis and the decisions have not therefore been determinative in my consideration of the appeal.
18. I note the concerns raised by the appellant regarding the Council's approach towards telecommunications proposals. However, this is not a matter for me to comment upon or consider as part of this appeal.
19. The Council has not suggested any additional conditions in its appeal documentation although I note that the Council Officer's report recommended that prior approval be granted subject to three conditions. Proposals which are permitted development are subject to the standard conditions set out at Part 16 of Schedule 2 to the GPDO. The GPDO does not provide any specific authority for imposing additional conditions beyond the deemed conditions for electronic communication code operators. In the absence of evidence or justification to the contrary, I find that additional conditions should not be imposed.

Conclusion

12. For the reasons given above I conclude that the appeal should be allowed.

Beverley Doward

INSPECTOR

Costs Decision

Site visit made on 12 October 2016

by Beverley Doward BSc BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 23 November 2016

Costs application in relation to Appeal Ref: APP/G5180/W/16/3151769 Land opposite 27-33 Chelsfield Road, Orpington, BR5 4DW

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by CTIL, Vodafone Ltd and Telefónica UK Ltd for a full award of costs against the Council of the London Borough of Bromley.
 - The appeal was against the refusal of the Council of the London Borough of Bromley to grant approval under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 for the installation of 10.0m T-Range replica Telegraph Pole on a new root foundation and ancillary development.
-

Decision

1. The application for an award of costs is allowed in the terms set out below.

Reasons

2. The Planning Practice Guidance (PPG) advises that, irrespective of the outcome of the appeal, costs may only be awarded against a party who has behaved unreasonably and the unreasonable behaviour has directly caused another party applying for costs to incur unnecessary or wasted expense in the appeal process. It also advises that costs applications may relate to events before the appeal or other proceeding was brought, but costs that are unrelated to the appeal or other proceeding are ineligible.
 3. The application for costs is made on the basis that the Council acted unreasonably in relation to both procedural and substantive matters.
 4. The applicant contends that the Council behaved unreasonably by referring in its Statement of Case to two Supplementary Planning Guidance (SPG) documents which were not referred to in its reason for refusal and that therefore they had no choice but to respond to these documents which in effect introduced a new reason for refusal. The Council indicated that the SPGs supported its development plan policies and, notwithstanding that it did not indicate which specific policies the respective guidance supported or my finding that one of the documents referred to did not appear relevant to the appeal proposal, I am not persuaded that in referring to these documents the Council either introduced substantial new evidence or a new reason for refusal or provided information that is manifestly untrue or inaccurate so as to constitute unreasonable behaviour in a procedural context.
 5. The Council did not accept the recommendation of its Officers that prior approval should be granted. However, planning authorities are not bound to
-

accept the recommendations of their Officers so long as they show reasonable planning grounds for taking a contrary decision and produce relevant evidence on appeal to support the decision.

6. I have found against the Council in relation to the main issues in this case. However, I accept that where planning decisions relate to issues such as the effect of a proposal on the character and appearance of an area and/or the living conditions of nearby residents there is an element of subjectivity in this judgement.
7. Whilst each prior approval case must be considered on its merits. The courts have held that the principle of permission is granted by the Town and Country Planning (General Permitted Development) (England) Order 2015, subject only, in cases such as this, to the siting and appearance of the development. The Council sought in its appeal statement to substantiate its decision by reference to the character and appearance of the area, the living conditions of nearby residents and relevant development plan policies in so far as they relate to siting and appearance. Nevertheless, there is no explicit reference in either the Officer's report or indeed the minutes of the Council's Plans Sub-Committee to indicate that the need for additional telecommunications equipment in the area or the implications of a lack of alternative sites were weighed in the balance in the Council's consideration of the proposal and its subsequent decision to refuse to grant prior approval.
8. The somewhat cursory reference in the Council's appeal statement stating that it was not considered that the need outweighed the material harms identified is not sufficient evidence to indicate that an appropriate balancing exercise had been undertaken to support its decision. Without any evidence to demonstrate that this had been done therefore I consider that for the Council to have refused to grant prior approval and to continue to pursue the appeal amounts to unreasonable behaviour. The applicants' costs in bringing the appeal flow directly from this unreasonable behaviour and a full award of costs is therefore justified. In the light of this conclusion I do not need to consider the contention that the Council acted unreasonably in other ways with respect to the substance of the matter under appeal.

Costs Order

9. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that the Council of the London Borough of Bromley shall pay to CTIL, Vodafone Ltd and Telefónica UK Ltd, the costs of the appeal proceedings described in the heading of this decision.
10. The applicant is now invited to submit to the Council of the London Borough of Bromley, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount. In the event that the parties cannot agree on the amount, a copy of the guidance note on how to apply for a detailed assessment by the Senior Courts Costs Office is enclosed.

Beverley Doward

INSPECTOR

APPENDIX 9

EXAMPLE PHOTOGRAPHS OF ALTERNATIVE STRUCTURES

APPEAL BY MOBILE BROADBAND NETWORK LTD (MBNL) FOR AND ON BEHALF OF HUTCHISON 3G UK LIMITED

GRASS VERGE FRONTING SWAKELEYS ROAD, ICKENHAM, UB10 8DP

APPENDIX 9 - EXAMPLE PHOTOGRAPHS OF ALTERNATIVE STRUCTURES

Lattice Structure

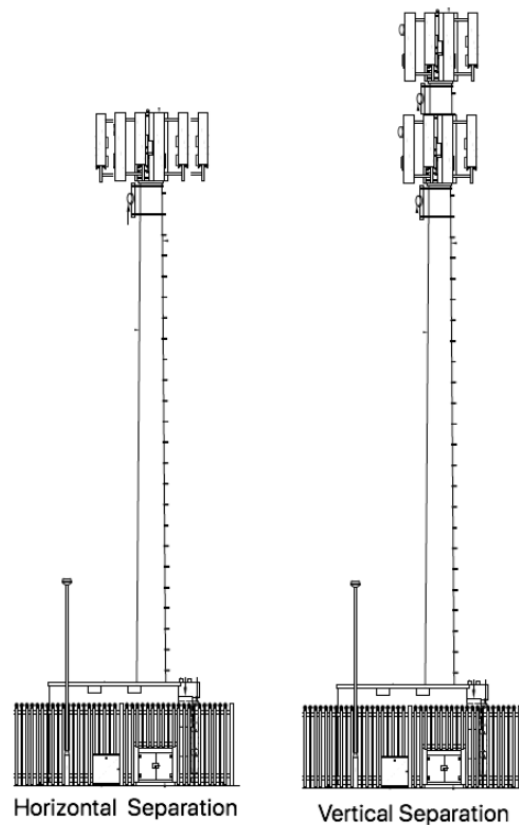


Typically constructed of a series of interconnecting steel beams. Lattice towers require secure compound areas surrounding the base of the tower in order to provide for the foundations, cabinets and ancillary equipment required to facilitate such developments. Compound areas with secure fencing are required to prevent members of the public accessing the site and climbing the tower. Typically, a land take of 6m² would be required for even a modestly sized lattice tower.

The lattice tower shown in the above photograph is 25m in height and shows a multi-operator arrangement of equipment where antennas fixed to the top of the mast are arranged in a stack formation (one set of antennas atop another) in order to prevent signal interference.

Conventional Monopole

The below images show schematic designs for what would be considered as conventional monopoles within the telecommunications sector. Such poles are typically formed of a steel mast structure with a headframe fixed atop where antennas are then fixed to a headframe. Such designs are often preferred by radio network planners given the structural strength of the mast allows for the deployment of more equipment that is able to provide better service to a wider area. However, the mast design is acknowledged to carry more visual impact than the streetworks style pole proposed where antennas are not arrangement in a 'slim-line' formation relative to the mast, masts have climbing pegs which contribute to a higher degree of visual impact and the headframe supporting structure can often appear bulky. As such, conventional monopole designs are generally not proposed in urban settings such as the appeal site.



APPENDIX 10

ALTERNATIVE SITE ASSESSMENT

APPEAL BY MOBILE BROADBAND NETWORK LTD (MBNL) FOR AND ON BEHALF OF HUTCHISON 3G UK LIMITED

GRASS VERGE FRONTING SWAKELEYS ROAD, ICKENHAM, UB10 8DP

APPENDIX 10 – ALTERNATIVE SITE ASSESSMENT

Site Selection Process

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.

The applicant presented alternative sites which were considered and not chosen in support of refused application ref. 75687/APP/2020/1948. It is noted that, in the reasons given for refusing this application, no reference was made to the consideration of alternative sites implying that the Council considered the applicant's previous assessment as acceptable. Alternative sites which were considered and discounted are duly provided below to accompany this fresh application.

Alternative sites considered and not chosen:

Site Type	Site Address	National Grid Reference	Reason for not choosing site
GF	Grass verge on Swakeleys Road, Ickenham, Uxbridge, London, UB10 8DP	E: 506528 N: 186076	An application for prior approval for a very similar development to that proposed under the current submission was refused by the Council at this location under application reference 75687/APP/2020/1948. This site has been discounted from consideration.
GF	Agricultural Land to the north east of the site, Harvil Road, UB10 8AY	E: 506520 N: 186295	The land is very open with little in the way of mature trees to screen any proposal. Views from the properties adjacent to on Harvil Road would be directly on to the monopole with little in the way of screening or other items of street furniture to assimilate the proposals. This site has been appraised as unacceptable from a town planning perspective as a development here would be contrary to Hillingdon Local Plan policies DMHB 11, 12 and 21.
GF	SW to the west of the site on Swakeleys Road, UB10 8DP	E: 506472 N: 186028	The grass verge where Lodore Green meets Swakeleys Road was considered. Whilst there is a degree of existing landscaping here, this is generally of limited height and no more than 7m tall. A mast would not be as well screened as the proposal site and there is no space to site the mast

			away from the root systems of these trees which would cause damage to these trees contrary to policies DMHB14 and DMHB21 of the Hillingdon Local Plan. The site was therefore discounted.
GF	SW to the north of the Swakeley Road/Harvil Road roundabout, UB10 8AY	E: 506586 N: 186124	The grass verge to the immediate north of the Swakeley Road/Harvil Road roundabout was considered. The site was discounted since residential properties at 193 and 218 Swakeleys Road would be orientated directly toward the site at a distance of less than 25m with no visual screening.

The proposed new mast has been sited and designed in order to provide 5G coverage and to support the existing mobile network. As the new pole will be complementary to the existing 2G/3G/4G mast it must be immediately adjacent to the existing pole in order to replicate the coverage.

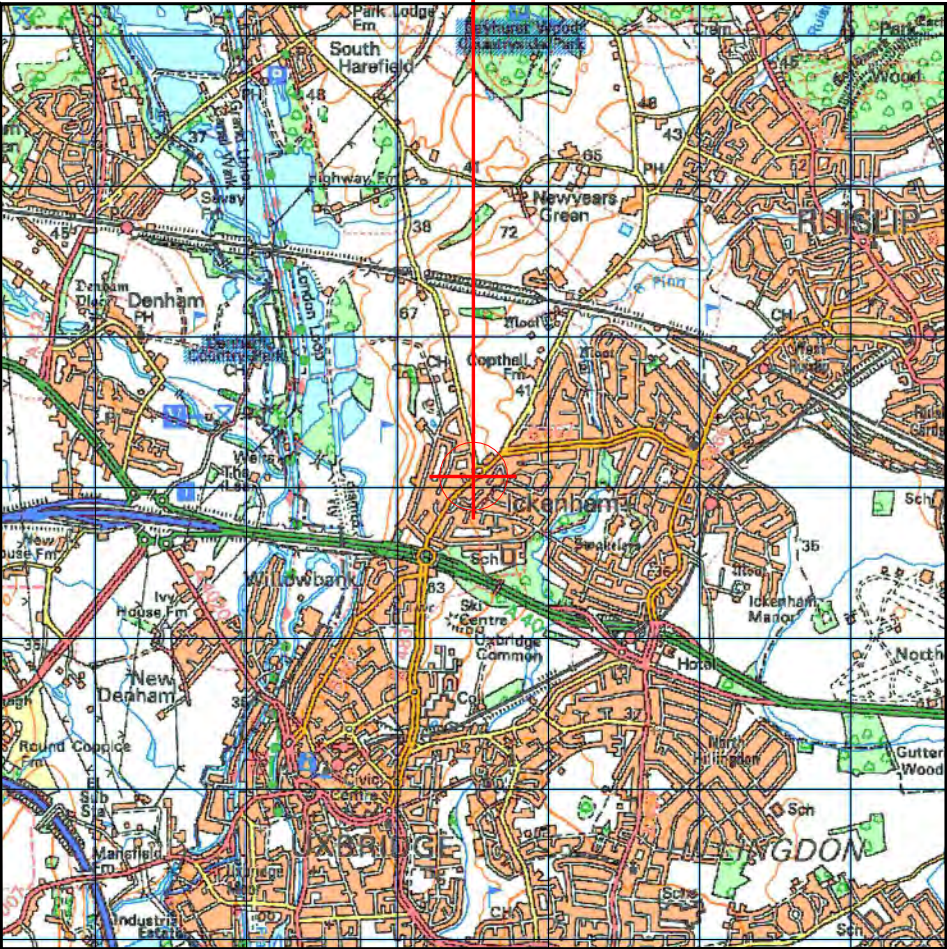
Paragraph 113 of the NPPF states* *‘The number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate’.*

*Application was submitted under February 2019 version of NPPF.

APPENDIX 11

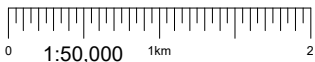
DRAWINGS FOR REFUSED APPLICATION REFERENCE 75687/APP/2020/1948

SITE LOCATION

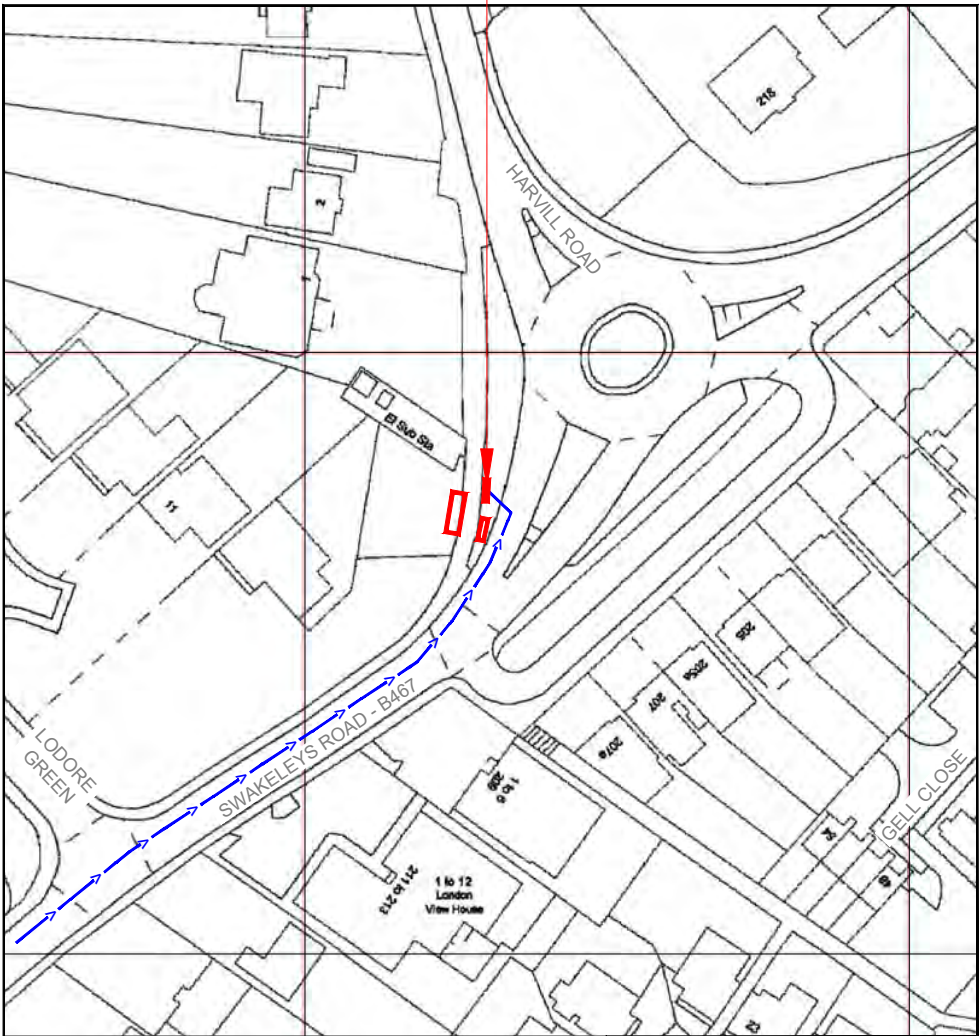


Reproduced by permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office
All rights reserved. © Crown Copyright licence no. 100022432

SITE AREA PLAN



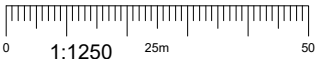
SITE PHOTOGRAPH



Reproduced by permission of Ordnance Survey on behalf of
the Controller of Her Majesty's Stationery Office
All rights reserved. © Crown Copyright licence no. 100022432

NGR E: 506528 N: 186076

SITE LOCATION PLAN



GOOGLE MAPS QR CODE

GOOGLE MAPS - <https://goo.gl/maps/FGv2CmeF7T8paR2r9>
STREETVIEW - <https://goo.gl/maps/vrAwEBQwMP32i4xz7>

NOTES:

1. ALL DIMENSIONS IN MM UNLESS OTHERWISE NOTED.

DIRECTIONS TO SITE:

HEAD SOUTH ON THE M25. EXIT AT JUNCTION 16, AND USE THE LEFT 2 LANES TO MERGE ONTO THE M40 TOWARDS LONDON (W). CONTINUE ONTO WESTERN AVENUE/A40, THEN TAKE THE B467 EXIT TOWARDS UXBRIDGE. AT SWAKELEYS ROUNDABOUT, TAKE THE 1ST EXIT ONTO SWAKELEYS ROAD/B467. THE SITE WILL BE ON THE LEFT HAND SIDE

Site Provider's
Property Boundary:



Access Route To Site:



Access Route:



Master:	MBNL / EE / H3G	Project:	H3G UNILATERAL SW	Purpose of Issue:	Planning	Issue:	B
Date:	03/06/2020	Revision / Upgrade Description:	First Revisions				
Drawn:	SPD						
Checked:	R. Huber						
Approved:	A.Dobson						
Master:	MBNL / EE / H3G	Project:	H3G UNILATERAL SW	Purpose of Issue:	Planning	Issue:	A
Date:	27/04/20	Revision / Upgrade Description:	First Issue				
Drawn:	SPD						
Checked:	R. Huber						
Approved:	A.Dobson						



Hutchison 3G UK Limited
Star House, 20 Greenfield Road
Maidenhead, SL6 1EH
Tel: 01628 765 000
Fax: 01628 765 001



Hatfield Business Park
Hatfield
Hertfordshire
AL10 9BW
Tel: 01707 315000
Fax: 01707 319001



Mobile Broadband Network Limited
Sixth Floor, Thames Tower, Station Road, Reading, RG1 1LX

Design Consultant & Principal Contractor:



Unit E, Madison Place, Northampton Road,
Manchester, M40 5AG
Tel: 0161 785 4500 Fax: 0161 785 4501
Web: www.clarke-telecom.com

Site Name: SWAKELEYS ROAD

Site ID: 789985

Address: SWAKELEYS ROAD
ICKENHAM
UXBRIDGE
LONDON
UB10 8DP

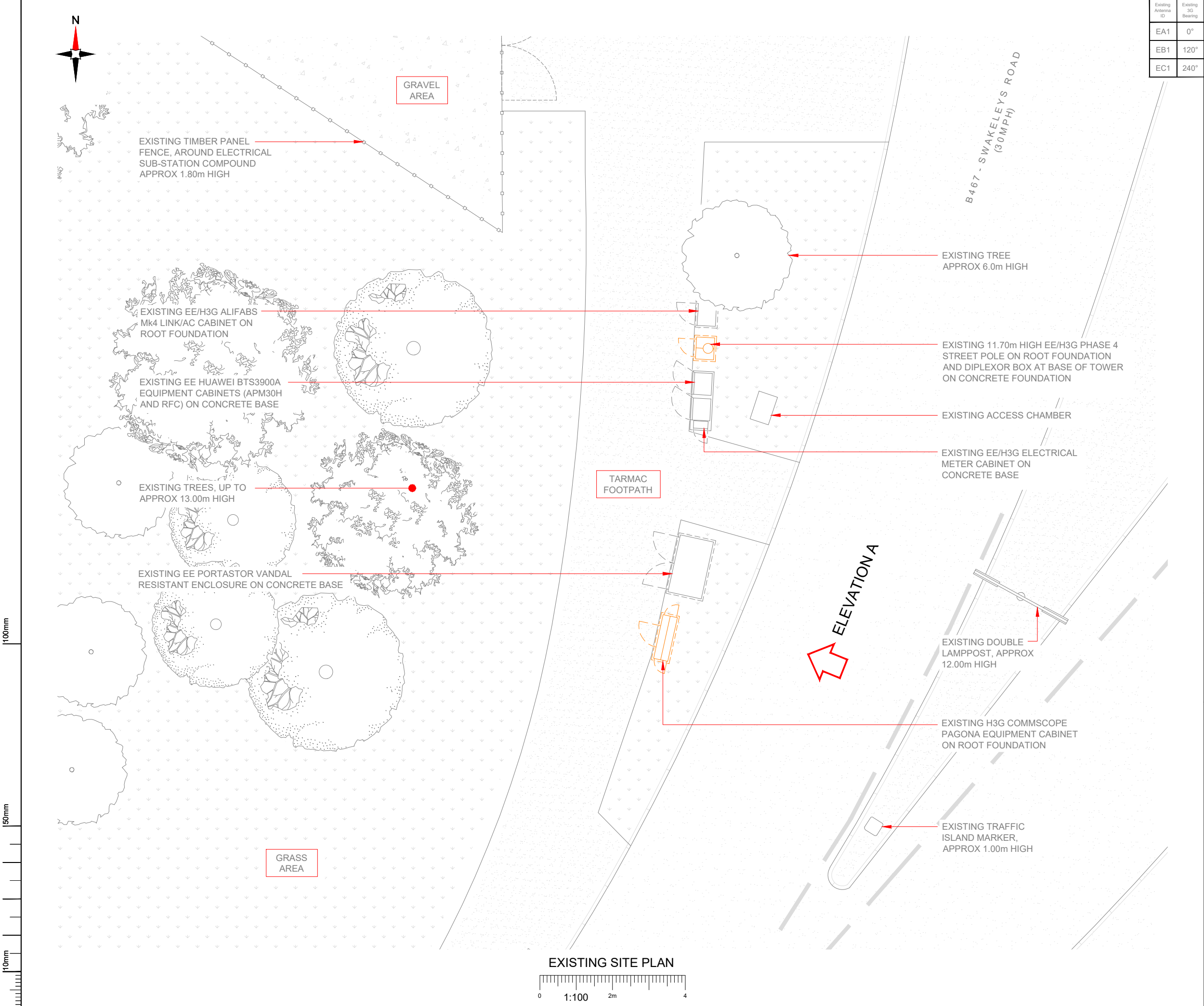
Title: 002 SITE LOCATION PLAN

Project: H3G UNILATERAL SW

Purpose of Issue: PLANNING

EE Cell ID:	MBNL Cell ID:	3UK Cell ID:
70507	HGN039	UB0105

Master Drawing No:	Issue:
789985_HGN039_70507_UB0105_M002	B



Existing Antenna ID	Existing 3G Bearing
EA1	0°
EB1	120°
EC1	240°

NOTES:

1. ALL DIMENSIONS IN MM UNLESS OTHERWISE NOTED.

Master:	MBNL / EE / H3G:	Project:	Purpose of Issue:	Issue:
M002	MBNL	H3G UNILATERAL SW	Planning	B
Date:	03/06/2020	Revision / Upgrade Description:		
Drawn:	SPD	First Revisions		
Checked:	R. Huber			
Approved:	A.Dobson			

Master:	MBNL / EE / H3G:	Project:	Purpose of Issue:	Issue:
M001	MBNL	H3G UNILATERAL SW	Planning	A
Date:	27/04/20	Revision / Upgrade Description:		
Drawn:	SPD	First Issue		
Checked:	R. Huber			
Approved:	A.Dobson			



Hutchison 3G UK Limited
Star House, 20 Grenfell Road
Maidenhead, SL6 1EH
Tel: 01628 785 000
Fax: 01628 785 001

H3G Base Station Information line:
0845 6043000
Available 8am-8pm Monday to Friday



Hatfield Business Park
Hatfield
Hertfordshire
AL10 9BW

Tel: 01707 315000
Fax: 01707 319001



Mobile Broadband Network Limited
Sixth Floor, Thames Tower, Station Road, Reading, RG1 1LX

Design Consultant & Principal Contractor:

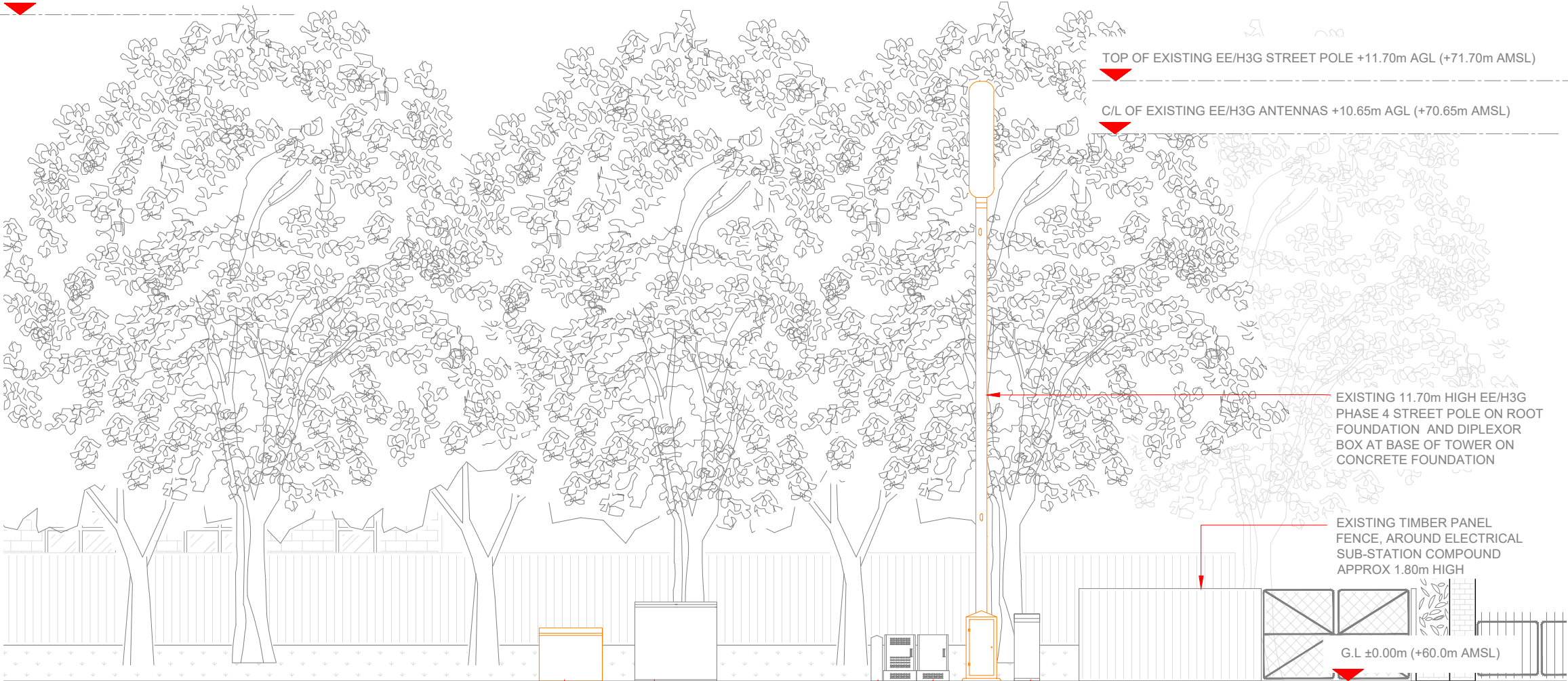


Site Name:	SWAKELEYS ROAD		
Site ID:	789985		
Address:	SWAKELEYS ROAD ICKENHAM UXBRIDGE LONDON UB10 8DP		
Title:	100 EXISTING SITE PLAN		
Project:	H3G UNILATERAL SW		
Purpose of Issue:	PLANNING		
EE Cell ID:	70507	MBNL Cell ID:	HGN039
3UK Cell ID:	UB0105		
Master Drawing No:	789985_HGN039_70507_UB0105_M002		
Issue:	B		

Existing Antenna ID	Existing 3G Bearing
EA1	0°
EB1	120°
EC1	240°

NOTES:
1. ALL DIMENSIONS IN MM UNLESS OTHERWISE NOTED.

EXISTING TREES UP TO APPROX
+13.00m AGL



EXISTING H3G COMMSCOPE
PAGONA EQUIPMENT CABINET
ON ROOT FOUNDATION

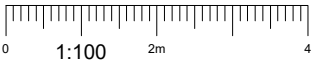
EXISTING EE PORTASTOR VANDAL
RESISTANT ENCLOSURE ON
CONCRETE BASE

EXISTING EE/H3G ELECTRICAL
METER CABINET ON CONCRETE BASE

EXISTING EE/H3G ALIFABS
Mk4 LINK/AC CABINET ON
ROOT FOUNDATION

EXISTING EE HUAWEI BTS3900A
EQUIPMENT CABINETS (APM30H
AND RFC) ON CONCRETE BASE

EXISTING ELEVATION A



Hutchison 3G UK Limited
Star House, 20 Grenfell Road
Maidenhead, SL6 1EH
Tel: 01628 785 000
Fax: 01628 785 001

H3G Base Station Information line:
0845 6043000
Available 8am-8pm Monday to Friday



Hatfield Business Park
Hatfield
Hertfordshire
AL10 9BW

Tel: 01707 315000
Fax: 01707 319001



Mobile Broadband Network Limited
Sixth Floor, Thames Tower, Station Road, Reading, RG1 1LX

Design Consultant & Principal Contractor:



Unit E, Madison Place, Northampton Road,
Manchester, M40 5AG
Tel: 0161 785 4500 Fax: 0161 785 4501
Web: www.clarke-telecom.com

Site Name:
SWAKELEYS ROAD

Site ID:
789985

Address:
SWAKELEYS ROAD
ICKENHAM
UXBRIDGE
LONDON
UB10 8DP

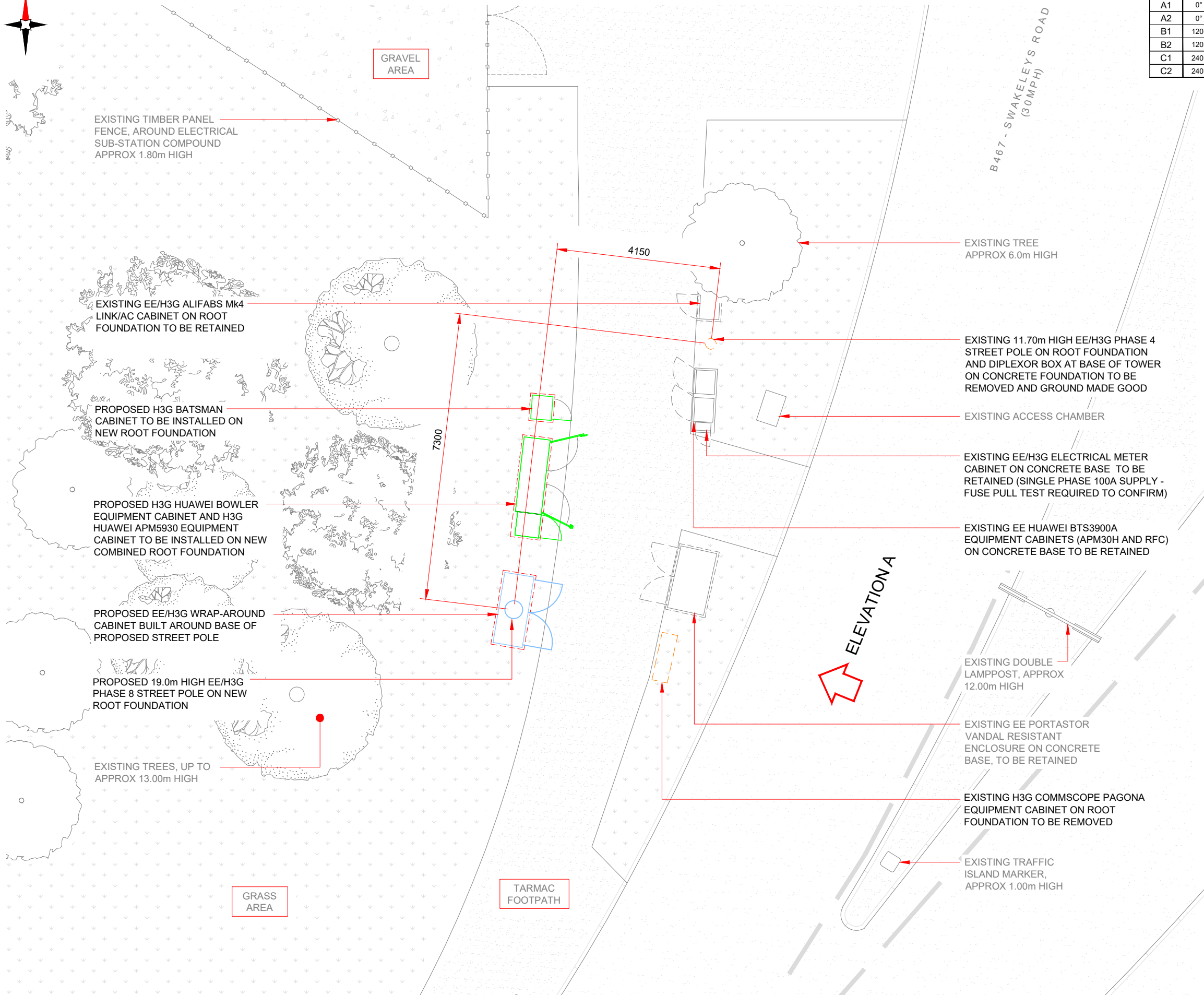
Title:
150 EXISTING SITE ELEVATION

Project:
H3G UNILATERAL SW

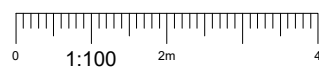
Purpose of Issue:
PLANNING

EE Cell ID: 70507	MBNL Cell ID: HGN039	3UK Cell ID: UB0105
----------------------	-------------------------	------------------------

Master Drawing No: 789985_HGN039_70507_UB0105_M002	Issue: B
---	-------------



PROPOSED SITE PLAN



Antenna Aperture ID	Proposed 4G/5G Bearing	Operator: Shared/ EE/H3G
A1	0°	H3G
A2	0°	EE/H3G
B1	120°	H3G
B2	120°	EE/H3G
C1	240°	H3G
C2	240°	EE/H3G

NOTES:

1. ALL DIMENSIONS IN MM UNLESS OTHERWISE NOTED.

Master:	MBNL / EE / H3G:	Project:	Purpose of Issue:	Issue:
M002	MBNL	H3G UNILATERAL SW	Planning	B
Date:	03/06/2020	Revision / Upgrade Description: First Revisions		
Drawn:	SPD			
Checked:	R. Huber			
Approved:	A.Dobson			

Master:	MBNL / EE / H3G	Project:	Purpose of Issue:	Issue:
M001	MBNL	H3G UNILATERAL SW	Planning	A
Date:	27/04/20	Revision / Upgrade Description: First Issue		
Drawn:	SPD			
Checked:	R. Huber			
Approved:	A.Dobson			



Hutchison 3G UK Limited
Star House, 20 Grenfell Road
Maidenhead, SL6 1EH
Tel: 01628 765 000
Fax: 01628 765 001

H3G Base Station information line:
0845 6043000
Available 8am-8pm Monday to Friday



**Hatfield Business Park
Hatfield
Hertfordshire
AL10 9BW**

**Tel: 01707 315000
Fax: 01707 319001**



Mobile Broadband Network Limited
Sixth Floor, Thames Tower, Station Road, Reading, RG1 1LX

Design Consultant & Principal Contractor:



Unit E, Madison Place, Northampton Road,
Manchester, M40 5AG
Tel: 0161 785 4500 Fax: 0161 785 4501
Web: www.clarke-telecom.com

Site Name:

SWAKELEYS ROAD

Site ID:

789985

Address:

SWAKELEYS ROAD
ICKENHAM
UXBRIDGE
LONDON
UB10 8DP

Title:

215 PROPOSED SITE PLAN

Project:

H3G UNILATERAL SW

Purpose of Issue:	
-------------------	--

PLANNING

EE Cell ID:
70507

MBNL Cell ID:
HGN039

3UK Cell ID:
UB0105

Master Drawing No:

789985_HGN039_70507_UB0105_M002

Issue:

1

TOP OF PROPOSED EE/H3G STREET POLE +19.00m AGL (+79.00m AMSL)

TOP OF PROPOSED H3G ANTENNAS +18.95m AGL (+74.95m AMSL)

C/L OF PROPOSED H3G ANTENNAS +18.55m AGL (+74.55m AMSL)

U/S OF PROPOSED H3G ANTENNAS +18.15m AGL (+74.15m AMSL)

TOP OF PROPOSED EE/H3G ANTENNAS +17.65m AGL (+73.65m AMSL)

C/L OF PROPOSED EE/H3G ANTENNAS +16.65m AGL (+72.65m AMSL)

U/S OF PROPOSED EE/H3G ANTENNAS +15.65m AGL (+71.65m AMSL)

EXISTING TREES UP TO APPROX
+13.00m AGL

PROPOSED 19.0m HIGH EE/H3G
PHASE 8 STREET POLE ON NEW
ROOT FOUNDATION

EXISTING H3G COMMSCOPE PAGONA
EQUIPMENT CABINET ON ROOT
FOUNDATION TO BE REMOVED

PROPOSED EE/H3G WRAP-AROUND
CABINET BUILT AROUND BASE OF
PROPOSED STREET POLE

EXISTING EE PORTASTOR VANDAL
RESISTANT ENCLOSURE ON
CONCRETE BASE, TO BE RETAINED

PROPOSED H3G HUAWEI BOWLER
EQUIPMENT CABINET AND H3G
HUAWEI APM5930 EQUIPMENT
CABINET TO BE INSTALLED ON NEW
COMBINED ROOT FOUNDATION

PROPOSED H3G BATSMAN CABINET TO BE
INSTALLED ON NEW ROOT FOUNDATION

EXISTING 11.70m HIGH EE/H3G
PHASE 4 STREET POLE ON ROOT
FOUNDATION AND DIPLEXOR BOX
AT BASE OF TOWER ON CONCRETE
FOUNDATION TO BE REMOVED AND
GROUND MADE GOOD

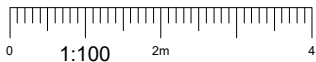
EXISTING EE/H3G ALIFABS Mk4
LINK/AC CABINET ON ROOT
FOUNDATION TO BE RETAINED

EXISTING TIMBER PANEL
FENCE, AROUND ELECTRICAL
SUB-STATION COMPOUND
APPROX 1.80m HIGH

EXISTING EE HUAWEI BTS3900A
EQUIPMENT CABINETS (APM30H
AND RFC) ON CONCRETE BASE
TO BE RETAINED

EXISTING EE/H3G ELECTRICAL
METER CABINET ON CONCRETE
BASE TO BE RETAINED (SINGLE
PHASE 100A SUPPLY - FUSE PULL
TEST REQUIRED TO CONFIRM)

PROPOSED SITE ELEVATION A



Antenna Aperture ID	Proposed 4G/5G Bearing	Operator: Shared/ EE/H3G
A1	0°	H3G
A2	0°	EE/H3G
B1	120°	H3G
B2	120°	EE/H3G
C1	240°	H3G
C2	240°	EE/H3G

- NOTES:
- ALL DIMENSIONS IN MM UNLESS OTHERWISE NOTED.

Master	MBNL / EE / H3G	Project	Purpose of Issue	Issue
M002	MBNL	H3G UNILATERAL SW	Planning	B
Date:	03/06/2020	Revision / Upgrade Description:		
Drawn:	SPD	First Revisions		
Checked:	R. Huber			
Approved:	A.Dobson			

Master	MBNL / EE / H3G	Project	Purpose of Issue	Issue
M001	MBNL	H3G UNILATERAL SW	Planning	A
Date:	27/04/20	Revision / Upgrade Description:		
Drawn:	SPD	First Issue		
Checked:	R. Huber			
Approved:	A.Dobson			



Hutchison 3G UK Limited
Star House, 20 Grenfell Road
Maidenhead, SL6 1EH
Tel: 01628 785 000
Fax: 01628 785 001

H3G Base Station Information line:
0845 6043000
Available 8am-8pm Monday to Friday



Hatfield Business Park
Hatfield
Hertfordshire
AL10 9BW
Tel: 01707 315000
Fax: 01707 319001



Mobile Broadband Network Limited
Sixth Floor, Thames Tower, Station Road, Reading, RG1 1LX

Design Consultant & Principal Contractor:



Unit E, Madison Place, Northampton Road,
Manchester, M40 5AG
Tel: 0161 785 4500 Fax: 0161 785 4501
Web: www.clarke-telecom.com

Site Name: SWAKELEYS ROAD

Site ID: 789985

Address: SWAKELEYS ROAD
ICKENHAM
UXBRIDGE
LONDON
UB10 8DP

Title: 265 PROPOSED SITE ELEVATION

Project: H3G UNILATERAL SW

Purpose of Issue: PLANNING

EE Cell ID: 70507	MBNL Cell ID: HGN039	3UK Cell ID: UB0105
----------------------	-------------------------	------------------------

Master Drawing No: 789985_HGN039_70507_UB0105_M002	Issue: B
---	-------------

pegasusgroup.co.uk

First Floor, South Wing,
Equinox North, Great Park Road,
Almondsbury, Bristol, BS32 4QL

E Bristol@pegasusgroup.co.uk

T 01454 625 945