

RM/P20-1498/ HGN039

14<sup>th</sup> October 2021

Hazel Stanmore-Richards  
The Planning Inspectorate  
Eagle 3D  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

**ISSUED BY EMAIL ONLY**  
[north1@planninginspectorate.gov.uk](mailto:north1@planninginspectorate.gov.uk)

Dear Ms Stanmore-Richards,

**Appeal Reference APP/R5510/W/21/3281152**  
**Appeal against London Borough of Hillingdon's refusal to grant prior approval for development by or on behalf of an electronic communications code operator**  
**Telecommunications Site, Grass Verge on Swakeleys Road, Ickenham, Uxbridge, UB10 8DP**

This letter constitutes the appellant's final comments and follows the receipt of the Local Planning Authority's Statement of Case, together with suggested planning conditions and third party comment relating to the above referenced appeal as provided by the Planning Inspectorate by email and attachments dated 4<sup>th</sup> October 2021. The following final comments are divided into sub-headings to respond to specific material considerations raised.

**Form of Development**

Paragraph 2.2 of the Council's Statement of Case states that the appeal proposal, at 20m is almost double the height of the existing mast which is 11.7m. Double the height of the existing mast would be 23.4m, 3.4m taller than the proposed mast. The appellant would therefore disagree that the appeal scheme is almost double the height of the existing monopole and it is misleading to think of the appeal scheme in these terms. It is far more accurate to refer to the photomontage report provided by the appellant which show the proposed development in situ in order to form a view on what the visual impact of the appeal scheme will be where it is shown from three vantage points in the surrounds that the appeal proposal will result in a low degree of environmental change.

Paragraph 2.2 of the Council's Statement of Case goes on to state that the proposal is an excessive increase in height and thickness when compared to the original pole. This is not the case. The appellant is proposing the minimum form of development required in order to deliver on the design parameters of the proposal, to deliver improved 3G and 4G coverage to two mobile network operators as well as enabling 5G coverage for H3G UK Ltd and improved 2G coverage for EE Ltd. The appeal scheme is no taller or wider than absolutely necessary and in this sense is not excessive. The technical parameters of the appeal scheme are provided within Section 4 of the Appellant's Statement of Case, primarily at paragraphs 4.11-4.13 and 4.30-4.34. In any case, the actual height of the existing installation and the proposed installation is not directly comparable. The proposed

**PLANNING | DESIGN | ENVIRONMENT | ECONOMICS**

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

T 01454 625945 F 01454 618074 [www.pegasuspg.co.uk](http://www.pegasuspg.co.uk)

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

Pegasus Group is a trading name of Pegasus Planning Group Limited (07277000) registered in England and Wales  
Registered Office: Pegasus House, Querns Business Centre, Whitworth Road, Cirencester, Gloucestershire, GL7 1RT

mast serves a different function than the existing mast in providing 5G coverage and the height is required for technical reasons as referenced above.

The visual impact of the proposal is provided within Section 6 of the appellant's Statement of Case and is not repeated here. The appellant would reiterate that the photomontages provided with the appeal, together with the assessment and analysis provided within the Statement of Case 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. 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.

Harvil Road properties are orientated away from the proposed works and there are mature trees and bushes in between which would further significantly filter any oblique angled view of the proposed column from the habitable room windows of the occupiers of dwellings on Harvil Road. Therefore, the occupiers of properties on Harvil Road will not be able to have any significant views of the proposed column due to the orientation of the properties and the intervening trees and bushes.

Users of Harvil Road would not be able to view the mast due to the significant screening effect from the trees in place on the west and south west side of Harvil Road and the north side of Swakeleys Road (to the south west of the roundabout) which screen the majority of the mast. This is demonstrated in the photomontage Image 2b submitted with the appellant's appeal statement which illustrates that the proposed column cannot be seen from Harvil Road due to the intervening trees and bushes.

The LPA statement at paragraph 2.2 also considers that the view for occupiers of dwellings in Lodore Green and users of this road would suffer from an adverse visual impact from the proposed monopole. However, this would not be the case. The majority of the dwellings in Lodore Green are orientated away from the proposed installation. The dwelling with the most direct view would be 1 Lodore Green. There is some 77m between this property and the proposed new column and a number of trees and bushes between this dwelling and the appeal proposals which would significantly filter the views between the two. The trees are taller than this dwelling and therefore any views would be glimpsed at worst. The other properties on Lodore Green are either too far away or orientated in such a way as to ensure there is not a detrimental loss of visual amenity to the occupiers of these dwellings. The users of Lodore Green will have no direct views of the installation due to the presence of the trees and bushes to the east of Lodore Green and that this road is orientated 90 degrees away from the appeal site.

Paragraph 2,2 goes on to state that *'the development would significantly break the areas ridge line, protruding into the sky, where it would form an unsightly and out of scale addition to the area'*. All of the photomontages submitted with the appellant's appeal statement demonstrate this will not be the case. The mast will be viewed in the context of numerous other similar designed linear structures including lighting columns, road signage and telegraph poles and will not protrude detrimentally into the skyline. The existing linear structures will help the column assimilate into the streetscene ensuring it doesn't appear out of place. The photomontages shown by Image 1b demonstrates that the proposed monopole will be set against the backdrop of mature trees and bushes where there are a number of linear structures providing context in which it can assimilate well with and will

not appear obtrusive in the streetscene. Image 3b demonstrates that the proposed column will also be seen in the context of numerous other similar designed items of linear street furniture and the nearby vegetation helps to soften its impact within its local environ. Image 2b demonstrates that far from *'the development breaking the area's ridge line'* it actually will not be visible above the existing tree canopy along Havril Road. As such, the proposed column would not appear out of character nor detrimentally harm the appearance of the area.

Paragraph 2.4 of the Council's Statement of Case states that, in their view, the harm caused to the appearance of the area is considered to outweigh any perceived benefits of the proposed development. Such a view is to assuage the benefits of a high quality communications network where benefits are not 'perceived' they are well documented, understood and established, most notably within the National Planning Policy Framework that provides specific support for 5G networks (paragraph 115) as well as within the numerous, recent statements on the issue such as the MP for Digital Infrastructure Matt Warman's acknowledgement that mobile telecommunications is considered the fourth utility service.

### **Planning Conditions**

Proposals which are permitted development are subject to the standard conditions set out at Part 16 of Schedule 2 of the GPDO. The GPDO does not permit conditions precedent to be attached. There is no mechanism for doing so. If the inspector does not consider a grey finish to be appropriate for the column and equipment cabinets, he/she is welcome to state what colour would be more appropriate, and the appellant will ensure that this colour is used on the equipment. But there is no remit to attach conditions precedent, but the appellant would honour any suggested colouring by the inspector. The cabinets are proposed to be grey to match the existing.

Notwithstanding this, the appellant would respond to the Council's proposed conditions as follow:

- The appellant's Statement of Case confirms the proposed colour of the monopole subject of this appeal to be a galvanised grey colour which will match the colour of the existing telecommunications and street furniture apparatus in the immediate surrounds (paragraph 4.25).
- Condition A.2(2)(a)(ii) of Part 16 of the General Permitted Development Order 2015 (as amended) sets out that Class A development is permitted subject to the condition that any electronic communications apparatus provided in accordance with that permission is removed from the land or building on which it is situated as soon as reasonably practicable after it is no longer required for electronic communications purposes. Therefore, the Statutory Instrument already provides for the removal of redundant equipment being sought by the Local Planning Authority through the suggested condition.

### **Third Party Comment**

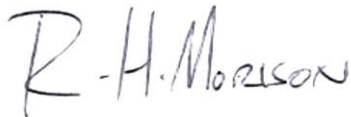
One response has been received from a third party, objecting to the appeal on the basis that it will be an 'eye sore on the surrounding area'. The appellant has gone to significant lengths to describe, demonstrate and assess the visual impact of the proposals, notably through the photomontage report provided in support of the appeal and through the

analysis provided within Section 6 'Case for the Appellant' of the appellants Statement of Case where paragraphs 6.2 – 6.17 provides discussion relating to visual impact, concluding that the proposal will be well integrated into the surrounding area as it would be seen in the context of existing street furniture and that the design and siting of the proposal will reflect existing townscape character by virtue of siting the proposed mast against the backdrop of existing tree screening, an arrangement already evident within close proximity to the appeal site.

As explained in the concluding comments to the Statement of Case at paragraph 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. The appeal scheme is not an eye sore, it will form an essential item of the local utility infrastructure and is well sited to achieve it's design parameters.

I trust the above, read in conjunction with the appellant's Statement of Case, provides useful clarification and assists the Inspector in the decision-making process.

Yours sincerely,

A handwritten signature in black ink that reads 'R-H. Morison'.

**Richard Morison**  
**Principal Planner**  
e-mail: [richard.morison@pegasusgroup.co.uk](mailto:richard.morison@pegasusgroup.co.uk)