



Appendix 4 – DECISION NOTICE

**CELL REFERENCE HGN19678– CHARVILLE LANE ESTATE
STREET WORKS**

**PLANNING APPEAL SUBMISSION AGAINST REFUSAL ISSUED
BY THE HILLINGDON LONDON COUNCIL AGAINST
APPLICATION FOR PRIOR APPROVAL REFERENCE
76859/APP/2021/4183**

COPY OF DECISION NOTICE



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

Mr Rory Hollings
4 Bredon Court
Brockridge Road
Twynning
Tewkesbury
GL20 6FF

Application Ref: 76859/APP/2021/4183

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 an 18 metre high, monopole tower, associated radio-equipment cabinets including one that will wrap around the base of the mast, and ancillary development hitherto (Application under Class A, Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for determination as to whether prior approval is required for siting and appearance).

Location of development: Land At Charville Lane Estate, Charville Lane Hayes,

Date of application: 12 November 2021

Drawing/plan Numbers: See attached schedule for details

Signed:

Head of Planning, Transportation and Regeneration

Date: 30 December 2021

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SCHEDULE OF REASONS

- 1 . The proposed telecommunications street pole and associated equipment , by virtue of their siting, size, scale, bulk and height, would represent incongruous, dominant, cluttered and visually intrusive features in the street scene that would cause significant harm to the character and appearance of the street scene and the open character of the green belt and wider area. The development would therefore be contrary to Sections 10, 12 and 13 of the National Planning Policy Framework (2021), Policies SI6 of G2 the London Plan (2021), Policies BE1 and EM2 of the Hillingdon Local Plan: Part One - Strategic Policies (2012) and Policies DMHB 11, DMHB 21 and DMEI 4 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).
- 2 . The Local Planning Authority considers that the applicants have failed to provide robust evidence to demonstrate that other more suitable and less harmful sites do not exist, and that they have actively explored the possibility of erecting the proposed telecommunications equipment on existing buildings, masts or other structures. The development would therefore be contrary to paragraphs 115 and 117 c) of the National Planning Policy Framework (2021), Policy SI6 of the London Plan (2021) and Policy DMHB 21 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

INFORMATIVES

- 1 . On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2021). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.
- 2 . The decision to REFUSE prior approval 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).
- 3 . The decision to REFUSE prior approval 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.
- 4 . 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

SCHEDULE OF REASONS

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:

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

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SCHEDULE OF PLANS

002 - Site Location Plan - received 12 Nov 2021

100 - Existing Site Plan - received 12 Nov 2021

215 - Proposed Site Plan - received 12 Nov 2021

150 - Existing Site Elevation - received 12 Nov 2021

265 - Proposed Site Elevation - received 12 Nov 2021

Permitted Development Notice - received 12 Nov 2021

Supplementary Information Form - received 12 Nov 2021