

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 LAND AT CHARVILLE LANE ESTATE CHARVILLE LANE HAYES

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).

LBH Ref Nos: **76859/APP/2021/4183**

Drawing Nos: 002 - Site Location Plan
 100 - Existing Site Plan
 215 - Proposed Site Plan
 150 - Existing Site Elevation
 265 - Proposed Site Elevation
 Permitted Development Notice
 Supplementary Information Form

Date Plans received : 12/11/2021

Date(s) of Amendment(s):

Date Application Valid: 12/11/2021

1. SUMMARY

It is acknowledged that the proposal would result in some public benefit from the installation of 4G and 5G coverage. However, it is considered that the proposal would be significantly harmful to the character and appearance of the area, including the site designation as Green Belt. This is by virtue of the application site's prominent position, coupled with the siting, height, scale, size and bulk of the proposed monopole and associated equipment.

Furthermore 'very special circumstances' have not been demonstrated to show that the harm caused to the Green Belt by this inappropriate development, is clearly outweighed by other considerations. Therefore, due to the significant harm to the character and appearance, in respect to the openness of the Greenbelt, the prior approval of the Local Planning Authority is therefore required and is refused.

It is considered that insufficient evidence has been provided to demonstrate that other more suitable and less harmful sites do not exist. Also, the applicant has not fully engaged with the Council with respect to discussing possible, alternative sites, through the Council's chargeable pre-application advice service.

It is considered that the public benefits of the proposal would not outweigh its significant harm to the character and appearance of the area, and its detrimental impact to the visual amenity of the area, including detrimental impact to the openness of the designated green belt land.

The prior approval of the Local Planning Authority is therefore required and is refused.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

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 NON2 Non Standard reason for refusal

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 I59 Councils Local Plan : Part 1 - Strategic Policies

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 I52 Compulsory Informative (1)

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 I53 Compulsory Informative (2)

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.

DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
LPP G7	(2021) Trees and woodlands
DMHB 18	Private Outdoor Amenity Space
LPP D4	(2021) Delivering good design
LPP D8	(2021) Public realm
DMT 6	Vehicle Parking
LPP SI6	(2021) Digital connectivity infrastructure

DMEI 4	Development on the Green Belt or Metropolitan Open Land
DMEI 9	Management of Flood Risk
BE37	Telecommunications developments - siting and design
DMHB 21	Telecommunications
LPP SI12	(2021) Flood risk management
NPPF15	NPPF 2021 - Conserving and enhancing the natural environment
LPP SI13	(2021) Sustainable drainage
LPP G2	(2021) London's Green Belt
LPP D1	(2021) London's form, character and capacity for growth
LPP D5	(2021) Inclusive design
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF13	NPPF 2021 - Protecting Green Belt Land
NPPF10	NPPF 2021 - Supporting high quality communications

4 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 comprises a bank of soft landscaping - grass verge. This area is to the south of the Charville Lane Highway of which the immediate stretch of grass verge/soft landscaping is narrow although there is a 'dip' of larger soft landscaping to which the proposal seeks to construct an 18m high monopole with associated equipment.

The subject area is located within a very prominent location given the proximity of Charville Lane and Hoppner Road - T Junction. The subject site is effectively in between two lamp posts with small hedgerow and trees to the rear (south), and is very visually open given its location on the edge of, but within a designated Green Belt.

The site is within a critical drainage area with the subject parcel and land to the rear forming designated green belt land.

3.2 Proposed Scheme

This application seeks prior approval under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for a

- Installation of an 18 metre high monopole tower;

- Associated radio-equipment cabinets including one that will wrap around the base of the mast;
- Ancillary development hitherto.

3.3 Relevant Planning History

Comment on Planning History

There is no relevant planning history attached to this site.

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date:- 22nd December 2021

4.2 Site Notice Expiry Date:- 22nd December 2021

5. **Comments on Public Consultation**

15 neighbouring properties were consulted by letter dated 23/11/2021 alongside a site notice placed.

The consultation period expired on 14/12/2021.

One comment was received and summarised as following:

1. Not good for environment
2. Not good for young generation

Officer Comments: The above points are discussed in the main body of the report.

Internal and External Consultation:

Tree/Landscape Officer -

This site is occupied by a wide grass verge located on the south side of Charville Lane, opposite the junction with Hoppner Road and the Charville Lane Housing Estate.

The grass verge is backed by a trees and hedging beyond which lies open Green Belt land.

No trees or other landscape features will be affected by the development.

The bulky 18 metre high monopole and the associated wrap-around cabinets will introduce urban-looking street furniture which will appear as 'clutter' against an otherwise open landscape.

Due to the height and bulk of these structures, it will be impossible to 'lose' in the landscape and will be visually detrimental to the area.

A number of residential properties face this site, albeit the closest house is some 40 metres away.

If you are minded to approve this scheme the mast and inspection cabinets should be a suitably neutral colour which is recessive against the typical (grey) British sky.

Highways Officer - No objection

Digital Connectivity Team -

This is part of the Three road-map and should be considered.

Location seems acceptable but if site is moved 20m near the front of the t-junction believe would be more comfortable for residents.

Airside Operations Team -

We have now assessed the above application against safeguarding criteria and can confirm that we have no safeguarding objections to the proposed development.

However, if a crane is needed for installation purposes, we would like to draw your attention to the following:

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)

All crane applications should be sent to Heathrow's Works Approval Team via the following address:

Airside_Works_Approvals@heathrow.com

Officer Comments: The above points are discussed in the main body of the report.

6. Local Plan Designation and London Plan

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

Part 1 Policies:

PT1.EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains

Part 2 Policies:

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

LPP G7 (2021) Trees and woodlands

DMHB 18 Private Outdoor Amenity Space

LPP D4 (2021) Delivering good design

LPP D8 (2021) Public realm

DMT 6 Vehicle Parking

LPP SI6 (2021) Digital connectivity infrastructure

DMEI 4 Development on the Green Belt or Metropolitan Open Land

DMEI 9 Management of Flood Risk

BE37 Telecommunications developments - siting and design

DMHB 21 Telecommunications

LPP SI12 (2021) Flood risk management

NPPF15 NPPF 2021 - Conserving and enhancing the natural environment

LPP SI13 (2021) Sustainable drainage

LPP G2 (2021) London's Green Belt

LPP D1 (2021) London's form, character and capacity for growth

LPP D5 (2021) Inclusive design

NPPF12 NPPF 2021 - Achieving well-designed places

NPPF13 NPPF 2021 - Protecting Green Belt Land

NPPF10 NPPF 2021 - Supporting high quality communications

In addition: Development Plan

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

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

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

The Local Plan: Part 2 - Site Allocations and Designations (2020)

The West London Waste Plan (2015)

The London Plan (2021)

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

- 1) it is sited and designed to minimise their visual impact;
- 2) it does not have a detrimental effect on the visual amenity, character or appearance of the building or the local area;
- 3) it has been demonstrated that there is no possibility for use of alternative sites, mast sharing and the use of existing buildings;
- 4) 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
- 5) it includes a Declaration of Conformity with the International Commission on Non Ionizing Radiation.

Paragraph 114 of the NPPF (2021) states 'Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections. 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; and should prioritise full fibre connections to existing and new developments (as these connections will, in almost all cases, provide the optimum solution'.

Paragraph 115 of the NPPF (2021) 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.'

Paragraph 147 and 148 of the NPPF (2021) states:

147. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

148. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm

resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 149 of the NPPF provides a list of 'exceptions', where development is not considered inappropriate. However, given that the proposed telecommunications infrastructure would be on undeveloped land, there are no exceptions considered applicable.

Policy DMEI 4 Development in the Green Belt or on Metropolitan Open Land of Hillingdon's Local Plan supports these policies in the NPPF, stating that inappropriate development will not be permitted unless there are very special circumstances, and that there would be no greater impact on the openness of the Green Belt than the existing development. This is further supported by green belt policies EM2 Part 1 of Hillingdon's Local Plan and policy G2 of the London Plan (2021).

These are considered to have significant weight, given the proposal lies within the Greenbelt.

The aim of this application is to provide additional coverage for H3G in the area.

It should also be noted that a signed Declaration of Conformity with International Commission on Non-Ionizing Radiation Protection Public Exposure Guidelines has been submitted as part of the application.

7. MAIN PLANNING ISSUES

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

Policy DMHB 11 of the Hillingdon Local Plan: Part Two states that buildings should be laid out so that adequate daylight and sunlight can penetrate into and between them, and the amenities of existing houses are safeguarded. Furthermore the policy stresses the importance of new buildings and extensions providing adequate amount of external amenity space, that not only protects the amenity of the occupants of the proposed development, but also of those of the surrounding buildings, as well as protecting both parties privacy.

The closest residential occupiers to the proposed 18m monopole would be no.57 Charville Lane. However, there would be an approx. 42m separation from the front building line to the monopole. Whilst the proposal would be detrimental from a character and appearance perspective (as mentioned in the previous section), the separation distance, whilst visible from neighbouring occupiers would mitigate the harm from being directly detrimental to the nearby residential occupiers.

As such, on balance, the proposal would not be detrimental to the immediate occupiers in terms of outlook, overdominance, overbearing impact, loss of daylight/sunlight and visual intrusion.

7.2 Impact on Street Scene

Paragraph 115 of the NPPF (2021) states that 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. Paragraph 130 c) of the NPPF (2021) seeks to ensure development proposals are sympathetic to local character and history, including the surrounding built environment and landscape setting. Paragraph 195 of the NPPF (2021) states that local planning authorities should identify and assess the particular significant of any heritage asset that may be affected by the proposal. This is consistent with Policies D1, D4, D8, HC1 and SI6 of the London Plan

(2021) which seeks high quality development, and for development proposals affecting heritage assets, and their settings, should conserve their significance.

Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) seeks a quality of design in all new development that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character. Policy HE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) states that the Council will conserve and enhance Hillingdon's distinct and varied environment, its settings and the wider historic landscape.

Policy DMHB 3 of the Local Plan: Part 2 - Development Management Policies (2020) states that the Council will take into account the effect of a proposal on the locally listed buildings. Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires all development to be designed to the highest quality standards, harmonising with the local context by taking into account the surrounding scale of development, height, mass and bulk of adjacent structures, views both from and to the site, and impact on open spaces and environment.

Policy DMHB 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires development to be well integrated with the surrounding area and accessible.

With regards to telecommunications, Policy DMHB 21 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states development will only be permitted where it is sited and designed to minimise visual impact and does not have a detrimental effect on the visual amenity, character or appearance the building or the local area. It also requires that there is no possibility for use of alternative sites, mast sharing and the use of existing buildings.

Paragraph 147 of the NPPF (2021) sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'. Paragraph 148 continues, stating:

"When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations."

With a height of 18 metres, the proposed monopole would be significantly taller than the current street furniture (including 6m high street light poles) which are small in scale, spaced out and blend into the wider setting. There would also be 4 cabinets at ground level, including one that wraps around the proposed monopole.

The base of the monopole would be approx. 2m metres wide and 1.3m deep, and its top apparatus would have a diameter of approx. 0.6 metres. This again, would be considerably greater than the nearby lamppost poles. This would be a significantly bulky and dominating addition within the subject parcel of land.

As mentioned in the site description section, the subject parcel of land is occupied by a wide grass verge located on the south side of Charville Lane, opposite the junction with Hoppner Road and the Charville Lane Housing Estate. The grass verge is backed by a hedgerow and some trees set within an open, spacious and green setting. While there is residential development to the north of the site, these are set back from the application

site with wide grass verges, including some planted with wildflowers. Overall, the area is spacious, open and verdant which is characteristic of this setting and the designated Green Belt.

Due to the spaciousness of the setting, and the location of the site adjacent a junction, the proposed monopole would be clearly visible from multiple vantage points and for a significant distance. This would clearly have a greater impact on the open character of the Green Belt than the existing non-developed land, contrary to policy DMEI 4 of the Local Plan. At ground level the expanse and scale of the proposed cabinets would appear cluttered and harmful to the green belt setting.

The site is within a very prominent location to which the proposed monopole, by reason of its general siting (as proposed), combined height, width and depth alongside its scale, bulk and overall design would result in an imposing, dominating, incongruous, overbearing and visually intrusive addition that would negatively impact the character and appearance of the area.

It would introduce, by reason of its prominent siting and massing a significant clutter and mess to the streetscene which would not be hidden or blended into the existing landscaping. The proposed street pole would be readily visible from various public vantage points, including from nearby residential properties and where it would appear as an incongruous and visually obtrusive form of development. Furthermore, long views of the proposed street pole would be available by various road users on Charville Lane and also Hoppner Road. It is therefore considered that the siting and appearance of the proposed street pole would have a detrimental impact on the character and appearance of the area.

In terms of the materials, it is proposed to have a steel colour grey finish to replicate similar lamp posts of the context. The cabinets would be finished in a green colour. The materials and colours to be similar of nearby street furniture (which are smaller) would not mitigate the impact the proposal would have to the character and appearance of the surrounding area, in terms of its height, scale, siting, size and bulk.

Furthermore, the proposal is by definition, Inappropriate Development, of which the applicant has not submitted a clear justification for 'very special circumstances', and which the harm caused is not clearly outweighed by other considerations.

A Supplementary Information Form (reference - HGN19678) was submitted as part of the application. The form states that 'The Site has been chosen as the most viable option to provide reliable coverage for both operators. The proposed development will ensure continued mobile network coverage in the area, also providing improved quality, faster and more reliable connectivity for local residents and businesses.' The applicant goes on to say that 'Alternative sites were considered, and details are provided below. However, the chosen site was considered to be the most appropriate as the Site is not a sensitive environment and is not likely to be significantly adversely impacted by the proposed works.' Whilst this to some degree would be in close proximity to nearby residential properties, with the monopole approx. 40m away from the closest neighbouring occupiers, the proposal would be formed on designated green belt land to which the proposed siting, combined height, width and depth including design would be very harmful to openness of the designation alongside visually overbearing and intrusive to the surrounding context. Whilst the applicant claims that the site is not to be in a sensitive area, it is clear that the green belt designation is 'sensitive' to which the proposal would be damaging to its openness. The submitted document lists 5 other alternative sites and whilst some consideration has been made on other areas of the borough, it is not considered that the

application site, at the massing currently being proposed alongside design would be appropriate.

Furthermore, it is unclear as to whether the option of mast sharing, or the use of existing buildings had been fully explored by the applicant which is a requirement of Policy DMHB 21 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020). It is therefore considered that the submitted evidence fails to demonstrate that other more suitable and less harmful sites do not exist (noting the 5 listed sites provided). The submitted form mentions that 'existing sites were not suitable to support the requires apparatus' and that new masts were needed. However, this is not backed up by any evidence and the application fails to provide any clear or precise details on whether these alternative options were actively explored.

It is questioned why the applicant has not fully engaged with the Council with respect to discussing possible, alternative sites, through pre-application advice. Whilst an email was sent to the planning mailbox to inform the Council that an application would be submitted and for any comments to be provided within 14 days of the email, it did not include a completed 'request for pre-application advice' form. Neither was any pre-application fee paid.

The proposal also involves the installation cabinets of various sizes. Cumulatively, the proposed cabinets, in conjunction with the proposed street pole would result in cluttered street paraphernalia which would be detrimental to the character and appearance of the area.

In light of the above, it is considered that the proposed development would cause significant harm to the character and appearance of the area, openness of the designated green belt land and adversely impact on the visual amenities of the area. It would therefore be contrary to paragraphs 115, 130 c) and 195 of the NPPF (2021), Policies D1, D4, D8, SI6 and G2 of the London Plan (2021), Policies BE1, BE37 and EM2 of the Hillingdon Local Plan: Part One- Strategic Policies (2012) and Policies DMEI 4, DMHB 11, DMHB 12 and DMHB 21 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

7.3 Traffic Impact / Pedestrian Safety

The proposed street pole and associated equipment would be sited on a stretch of the grass verge on Charville Lane. Given the width of the verge and nearby unrestricted roads, it is considered that the proposed monopole and associated equipment would not detrimentally obstruct passing pedestrians or cyclists from general usage. Concerns are raised of how construction would take place in terms of deliveries and servicing and how this could impact vehicular movement. However, officers consider this to not be of enough ground to refuse and that appropriate pre-commencement conditions could have been attached to ensure highway and pedestrian safety during installation.

7.4 Carparking & Layout

Not applicable to this application.

7.5 Urban Design, Access and Security Considerations

Not applicable to this application.

7.6 Other Issues

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.

Officer Comments:

The proposed monopole would be 18 metres in height and is not located within article 2(3) land or exceed 20 metres on highway land. As such, it is in accordance with Condition A.1 - (1)(c)(i) 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.

Officer Comments:

The total accumulative radio equipment housing would not exceed 90 cubic metres, therefore the proposal is in accordance 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).

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 to be necessary.

Conclusion:

The application is recommended for refusal on character and appearance grounds.

8. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)
The London Plan (2021)
National Planning Policy Framework (2021)
The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Contact Officer: Jimill Patel

Telephone No: 01895 250230