

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:

Katherine Mills

Signature:

Date: 3rd April 2019

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 OPPOSITE 102 CHURCH ROAD HAYES
Development:	Installation of a 15m high monopole (Application under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 for determination as to whether prior approval is required for siting and appearance)
LBH Ref Nos:	74600/APP/2019/535
Drawing Nos:	Supplementary Information Photographic Aerial Surveys - Site Panoramic Photographs 100 Rev. A 101 Rev. A 200 Rev. A 201 Rev. C 300 Rev. A 301 Rev. D General Background Information for Telecommunications Development Supporting Technical Information - Coverage Plots ICNIRP Declaration Developer's Notice

Date Plans received : 12/02/2019

Date(s) of Amendment(s):

Date Application Valid: 12/02/2019

1. SUMMARY

The applicant seeks prior approval for a telecommunications installation under Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) Order 2015. The proposed installation would provide improved coverage in the area.

The proposed scheme involves the installation of a 15m high monopole on a grass verge. Two equipment cabinets and an electrical metre cabinet would be provided under Permitted Development Rights.

The proposed telecommunications installation would increase street clutter along this section of Church Road which would result in a detrimental impact on the character and appearance of the immediate street scene, the surrounding area and the neighbouring Hayes Village Conservation Area.

The proposal would reduce the width of the pavement to an extent that would not allow for an adequate footpath clearance for pedestrians (including people with pushchairs and wheelchair users) along this section of Church Road, thereby causing harm to pedestrian safety.

There would not be a detrimental impact on residential amenity given the distances from the neighbouring properties.

The proposed development therefore fails to comply with Policies AM7, BE4, BE13 and BE37 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Chapter 10 of the National Planning Policy Framework (2018).

It is therefore recommended that prior approval be required in this instance and that approval be refused.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed installation would increase street clutter along this section of Church Road, resulting in a detrimental impact on the character and appearance of the immediate street scene, the surrounding area and the neighbouring Hayes Village Conservation Area. The proposal is therefore contrary to Policies BE4, BE13 and BE37 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Chapter 10 of the National Planning Policy Framework (March 2012).

2 NON2 Non Standard reason for refusal

The proposed installation would result in a significant reduction in the overall width of the pavement along this section of Church Road, which would restrict the amount of footpath clearance for pedestrians and cause harm to pedestrian safety, contrary to Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to REFUSE details of siting and design 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 details of siting and design has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) 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.

A6	Development proposals within the public safety zones around Heathrow or likely to affect the operation of Heathrow or Northolt airports
AM7	Consideration of traffic generated by proposed developments.
BE4	New development within or on the fringes of conservation areas
BE13	New development must harmonise with the existing street scene.
BE37	Telecommunications developments - siting and design
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
NPPF- 10	NPPF-10 2018 - Supporting high quality communications

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises a grass verge located on the western side of Church Road. 14 and 15 Hamble Drive are located to the west with 102 Church Road located opposite the site. Hayes Town Chapel is located to the north-east. Hayes Village Conservation Area is located approximately 28m north of the application site.

3.2 Proposed Scheme

The applicant seeks prior approval for a telecommunications installation under Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) Order 2015. The proposed installation would provide improved coverage in the area.

The proposed scheme involves the installation of a 15m high monopole. Two equipment cabinets and an electrical metre cabinet would be installed on the back of the pavement; these would have a volume of less than 2.5sq.m.

3.3 Relevant Planning History Comment on Planning History

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date:- 25th March 2019

4.2 Site Notice Expiry Date:- Not applicable

5. Comments on Public Consultation

EXTERNAL

Consultation letters were sent to 13 local owners/occupiers and a site notice was displayed. No responses were received.

National Air Traffic Services (NATS):

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

Heathrow Aerodrome Safeguarding:

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

However, we would like to make the following observation:

Cranes

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/>)

INTERNAL

Highways:

Whilst there is a 2.2m wide section of pavement between the grass verge and the permitted development cabinets, when the cabinet doors are opened for maintenance, this

is reduced to 1.5m.

In order to maintain adequate footpath clearance when the cabinet doors are open for maintenance purposes, there should be a minimum distance of 1.8m between the edge of the grass verge and the cabinet doors when open.

6. UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

A6	Development proposals within the public safety zones around Heathrow or likely to affect the operation of Heathrow or Northolt airports
AM7	Consideration of traffic generated by proposed developments.
BE4	New development within or on the fringes of conservation areas
BE13	New development must harmonise with the existing street scene.
BE37	Telecommunications developments - siting and design
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
NPPF- 10	NPPF-10 2018 - Supporting high quality communications

In addition:

7. MAIN PLANNING ISSUES

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

The proposed telecommunications monopole would be situated on a grass verge in front of 14 and 15 Hamble Drive and opposite 102 Church Road. The monopole would be located 15.6m from the front of 14 and 15 Hamble Drive, separated from the pavement by an access road, a car parking area and 1.7m high hedging. 102 Church Road would be approximately 21m from the monopole.

It is therefore considered that as the proposed telecommunications monopole would not be located directly outside the neighbouring properties, the proposed monopole would not have a detrimental impact on residential amenity.

7.2 Impact on Street Scene

Policy BE4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to protect conservation areas from inappropriate developments. Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires developments to harmonise with the existing street scene and other features of the area that are considered desirable to retain or enhance.

The proposed installation comprises a 15m high monopole located on a grass verge on the western side of Church Road; two equipment cabinets and an electrical metre cabinet would be located at the back of the pavement behind the grass verge.

The slimline design and the overall height of the monopole are considered to be acceptable. The proposed monopole would be located on the grass verge, in front of the three equipment cabinets. It is considered that the proposed monopole, combined with the

three equipment cabinets, would result in the addition of street clutter in an area with limited existing street furniture. Given the site's location within less than 30m of the Hayes Village Conservation Area, the increase in street clutter and the overall visual impact of the proposed installation would result in a detrimental impact on the character and appearance of the immediate street scene and the wider surrounding area, including the neighbouring Hayes Village Conservation Area.

It is therefore considered that the proposal does not comply with Policies BE4 and BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.3 Traffic Impact / Pedestrian Safety

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

The application site is located on a grass verge on the western side of Church Road. The proposed monopole would be set back 0.7m from the roadside and 0.9m from the edge of the footpath. The associated cabinets (allowed under Permitted Development Rights) would be located at the back of the public footpath.

The Council's Highways Engineer has assessed the application. The proposed monopole would not encroach onto the public footpath and highway. The associated equipment cabinets would reduce the width of the footpath from 3m to 2.2m; when the cabinet doors are opened for maintenance, the width of the footpath is further reduced to 1.5m. In order to maintain adequate footpath clearance for pedestrians (including people with pushchairs and wheelchair users) there should be a minimum distance of 1.8m between the edge of the grass verge and the open cabinet doors.

Given the reduction in the width of the footpath and the proximity of the equipment cabinets to the proposed monopole, it is considered that there would be an insufficient amount of footpath clearance for pedestrians along this section of Church Road. As such, it is considered that the proposed telecommunications installation would cause harm to pedestrian safety, contrary to Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.4 Carparking & Layout

Not applicable to this application.

7.5 Urban Design, Access and Security Considerations

The proposed telecommunications monopole would be 15m high containing antenna within a slimline monopole. The telecommunications monopole would be constructed from steel with a fir green finish. It is considered that the proposed telecommunications monopole would be acceptable in design terms.

The equipment cabinets and the electrical metre cabinet, due to a volume of less than 2.5sq.m, would be permitted development under Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) Order 2015.

7.6 Other Issues

Principle of development:

Policy BE37 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that telecommunications developments will be acceptable in principle provided that any apparatus is sited and designed so as to minimise its effect on the appearance of the surrounding areas. The policy also states that permission for large or prominent structures

will only be granted if:

- (i) there is a need for the development in that location;
- (ii) no satisfactory alternative means of telecommunications is available;
- (iii) there is no reasonable possibility of sharing existing facilities;
- (iv) in the case of radio masts there is no reasonable possibility of erecting antennae on an existing building or other structure; and
- (v) the appearance of the townscape or landscape is not seriously harmed.

The proposed installation is required in order to provide improved coverage in the area. The applicant has provided existing and proposed coverage plots which demonstrate the need for additional coverage, and confirmed that no preferable alternative locations are available or acceptable.

The proposed telecommunications monopole would be 15m high with a slimline design, and would be located on a grass verge. The proposed equipment cabinets (provided under Permitted Development Rights) would be located at the back of the public footpath. It should be noted that the equipment cabinets, whilst being Permitted Development, would not be required without the proposed monopole.

It is considered that the proposed monopole, combined with the three equipment cabinets, would result in the addition of street clutter in an area with limited existing street furniture. Given the site's location within less than 30m of the Hayes Village Conservation Area, the increase in street clutter and the overall visual impact of the proposed installation would result in a detrimental impact on the character and appearance of the immediate street scene and the wider surrounding area, including the neighbouring Hayes Village Conservation Area.

The proposal therefore does not comply with Policies BE4 and BE37 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Airport safeguarding:

Policy A6 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the Local Planning Authority will not grant planning permission for development likely to interfere with the safe and efficient operation of Heathrow or Northolt Airports.

Heathrow Aerodrome Safeguarding and National Air Traffic Services (NATS) were consulted on the application and have confirmed that they have no safeguarding objections to the proposed development. Therefore, the proposed monopole would comply with Policy A6 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Chapter 10 of the National Planning Policy Framework (July 2018).

Health:

In terms of potential health concerns, the applicant has confirmed that the proposed installation complies with the ICNIRP (International Commissions 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

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)

Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

National Planning Policy Framework (July 2018) Chapter 10

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