
Appeal Decision

Site visit made on 25 January 2022

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 February 2022

Appeal Ref: APP/R5510/W/21/3283166

West End Road, Hillingdon, London HA4 6LA Easting: 509830 Northing: 186389

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and 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 CK Hutchison Networks (UK) Ltd against the decision of London Borough of Hillingdon.
 - The application Ref 76560/APP/2021/2636, dated 2 July 2021, was refused by notice dated 20 August 2021.
 - The development proposed is the installation of 15 metre Phase Street Pole and GPS module mounted at top of pole, wrap-around cabinet at base, equipment cabinet, transmission cabinet, commscope bowler cabinet and associated ancillary works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO 2015), under Article 3(1) and Schedule 2, Part 16, Class A, Paragraph A.3(4) require 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.
3. The Council has provided correspondence with the appellant which gives their agreement to an amended description of the proposal. I have therefore used this description in the banner header but have omitted reference to the legislation that was included, which is unnecessary in the context of describing what is proposed.

Planning Policy

4. The principle of development is established by the GPDO 2015 and the provisions of Schedule 2, Part 16, Class A of the GPDO 2015 do not require regard to be had to the development plan. I have had regard to the policies of the development plan and the revised National Planning Policy Framework 2021 (The Framework) only in so far as they are a material consideration relevant to matters of siting and appearance.

Main Issue

5. The main issue is the effect of the siting and appearance of the proposed installation on the character and appearance of the area and, if any harm would occur, whether this is outweighed by the need for the installation to be sited as proposed taking into account any suitable alternatives.

Reasons

6. West End Road is a main arterial route into and out of Ruislip. The proposed installation would occupy a prominent position adjacent to this road, and it would also be prominent in views taken along Herlwyn Avenue towards it. The surrounding area is characterised predominantly by the arrangement of residential dwellings along both the main road and those streets that lead from it. Ruislip Nursing Home, which is referred to as a locally listed building, is also close to the appeal site. Typical of a well-established urban area there are items of street furniture present in the locality including a bus shelter, equipment cabinets, telegraph poles and lighting columns, along with mature street trees.
7. The proposed mast would however substantially exceed the height of similar structures such as telegraph poles and streetlights, and it would be much bulkier in appearance. From views both along West End Road and Herlwyn Avenue the proposal would have a dominant visual impact due to its height and overall bulk, and one that would appear at odds with its surrounding environment and the more understated existing street furniture. It would, as a result of its height, appearance and positioning, appear as an incongruous and visually harmful addition to the street scene. The collection of its associated cabinets would further compound its visual impact and would create clutter in comparison to the existing cabinets and other street furniture that is more widely dispersed along the road.
8. I have not been provided with details relating to the local listing of Ruislip Nursing Home such as how the property came to be locally listed and for what reasons. Irrespective of this, it is an attractive period property which contributes positively to the character and appearance of the street scene. The proposal would be seen collectively in certain views of the nursing home taken from West End Road, and due to the visual dominance of the proposed installation it would compromise such views, drawing attention away from the locally listed building. This would cause harm to the setting of the building, and it is a consideration that further weighs against the siting and appearance of the proposed installation.
9. Details of a number of alternative sites that were not considered to be suitable have been provided. These all relate to relatively narrow residential streets nearby to the appeal site. I find no reason to disagree with the appellant's assessments as to why these may not be likely to be suitable for the proposed installation. That said, the information that has been submitted does not provide certainty that a comprehensive assessment of alternative sites has been put forward. In particular, it is apparent that the initial 100m Desired Search Area around the nominal site has been considerably extended. This has allowed some alternative sites, including the appeal site, to be considered, but the submissions are not comprehensive with respect to possible sites elsewhere that would fall similar distances from the nominal site.

10. There is as a result an absence of evidence to show how far the search area could practicably extend, and therefore to demonstrate whether there are other potential options in addition to those which have already been identified and discounted. I also note the consultation response from the Digital Connectivity Team which suggests that there are other alternative locations such as Ruislip Rugby Club, and that the Council's overall position is that alternative locations have not been adequately explored. Taken as a whole, the information submitted does not demonstrate that there are no alternative sites where the proposed installation could be more appropriately located. This limits the weight I can give to the consideration of the alternative sites put forward and means that it does not outweigh the harm I have identified as resulting from the appeal proposal.
11. The proposed siting would place the installation a reasonable distance from the nearest dwellings and not directly in front of their windows. As a result no harm to the living conditions of their occupiers would arise, but this can weigh only as a neutral consideration in terms of siting and appearance. It has been advised that modifications could be made to remove the transmission dishes from the proposed mast, however neither this nor the colouring of the installation would overcome the overall harm arising from the siting and appearance that I have identified.
12. For the above reasons, I conclude that the siting and appearance of the proposed installation would cause harm to the character and appearance of the area. There is insufficient information before me to demonstrate that there are no alternative sites on which the proposal could be located and therefore this consideration does not outweigh the harm that I have identified. Furthermore, a number of development plan policies have been referenced in the reason for refusal, along with The Framework. Where these policies seek to protect character and appearance and non-designated heritage assets they are material to the consideration of this appeal, and there would be a conflict with their overarching aims in these respects.

Other Matters

13. Reference has been made to various social and economic benefits but these have not been taken into account in considering the matters of siting and appearance.

Conclusion

14. For the reasons given above, I conclude that the appeal should be dismissed.

Graham Wraight

INSPECTOR