

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 | <input type="checkbox"/> |
| 2. Application complies with all relevant planning policies and is acceptable on planning grounds | <input type="checkbox"/> |
| 3. There is no Committee resolution for the enforcement action | <input type="checkbox"/> |
| 4. There is no effect on listed buildings or their settings | <input type="checkbox"/> |
| 5. The site is not in the Green Belt (but see 11 below) | <input type="checkbox"/> |

REFUSAL RECOMMENDED: GENERAL

- | | |
|--|--------------------------|
| 6. Application is contrary to relevant planning policies/standards | <input type="checkbox"/> |
| 7. No petition of 20 or more signatures has been received | <input type="checkbox"/> |
| 8. Application has not been supported independently by a person/s | <input type="checkbox"/> |
| 9. The site is not in Green Belt (but see 11 below) | <input type="checkbox"/> |

RESIDENTIAL DEVELOPMENT

- | | |
|--|--------------------------|
| 10. Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha | <input type="checkbox"/> |
| 11. Householder application in the Green Belt | <input type="checkbox"/> |

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 | <input type="checkbox"/> |
| 13. Refusal of change of use from retail class A1 to any other use | <input type="checkbox"/> |
| 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. | <input type="checkbox"/> |

CERTIFICATE OF LAWFULNESS

- | | |
|---|--------------------------|
| 15. Certificate of Lawfulness (for proposed use or Development) | <input type="checkbox"/> |
| 16. Certificate of Lawfulness (for existing use or Development) | <input type="checkbox"/> |
| 17. Certificate of Appropriate Alternative Development | <input type="checkbox"/> |

CERTIFICATE OF LAWFULNESS

- | | |
|---|--------------------------|
| 18. ADVERTISEMENT CONSENT (excluding Hoardings) | <input type="checkbox"/> |
| 19. PRIOR APPROVAL APPLICATION | <input type="checkbox"/> |
| 20. OUT-OF-BOROUGH OBSERVATIONS | <input type="checkbox"/> |
| 21. CIRCULAR 18/84 APPLICATION | <input type="checkbox"/> |
| 22. CORPSEWOOD COVENANT APPLICATION | <input type="checkbox"/> |
| 23. APPROVAL OF DETAILS | <input type="checkbox"/> |
| 24. ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where Heads of Terms have already received Committee approval | <input type="checkbox"/> |
| 25. WORKS TO TREES | <input type="checkbox"/> |
| 26. OTHER (please specify) | <input type="checkbox"/> |

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 ADJACENT TO WOOD LANE WOOD LANE RUISLIP

Development: The installation of a 15 metre high, monopole tower, associated radio-equipment housing including one cabinet 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: **76889/APP/2021/4322**

Drawing Nos: 265 Proposed Site Elevation Rev A
 215 Proposed Site Plan Rev A
 002 Site Location Plan Rev A
 100 Existing Site Plan Rev A
 150 Existing Site Elevation Rev A
 PD Notice and supporting information

Date Plans received : 24/11/2021

Date(s) of Amendment(s):

Date Application Valid: 24/11/2021

1. SUMMARY

This application seeks prior approval for the installation of a 15 metre high monopole tower, associated radio-equipment housing including one cabinet that will wrap around the base of the mast and ancillary development. Under Class A, Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) the prior approval of the council is required regarding the developments siting and appearance.

The purpose of the proposal is to provide improved telecommunications coverage and capacity to the surrounding area.

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 wider area. The proposal will also have a detrimental impact upon the character and appearance of the nearby Ruislip Village Conservation Area.

Furthermore, the proposed telecommunications street pole and associated equipment, by virtue of the general siting, combined height, width and depth would be detrimental to the immediate amenities of the occupiers of nearby residential properties by reason of overdominance, visual intrusion, overbearing impact and loss of outlook.

In addition, the application fails to satisfactorily demonstrate that the development would not adversely affect air safety and furthermore it has not been robustly demonstrated that other more suitable sites do not exist.

Taking into consideration the above, the siting and appearance of the proposed development are considered to be unacceptable and any benefits of the scheme are not considered to outweigh the identified harm.

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 wider area. The proposal will also have a detrimental impact upon the character and appearance of the nearby Ruislip Village Conservation Area. The development would therefore be contrary to paragraphs 115, 130 c) and 195 of the National Planning Policy Framework (2021), Policies D1, D3, D8, HC1 and SI6 of the London Plan (2021), Policy BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012) and Policies DMHB 1, DMHB 4, DMHB 11, DMHB 12 and DMHB 21 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).

3 NON2 Non Standard reason for refusal

The proposed telecommunications street pole and associated equipment, by virtue of the general siting, combined height, width and depth would be detrimental to the immediate amenities of the occupiers of nearby residential properties by reason of overdominance, visual intrusion, overbearing impact and loss of outlook. Therefore the development would be contrary to Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

4 NON2 Non Standard reason for refusal

The application fails to demonstrate that the development would not result in a risk to the safe and efficient operations of air traffic services, as the site is located within 3km of an aerodrome and the applicant has not consulted the Civil Aviation Authority/Secretary of State for Defence/Aerodrome Operator (as confirmed in the application) contrary to Part 16, Class A, A.3(3) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and also contrary to Policy DMAV 1 and DMHB 21 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and NPPF Section 10 'supporting high quality communications'.

INFORMATIVES

1 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).

2 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 (2021) and national guidance.

DMHB 1	Heritage Assets
DMHB 4	Conservation Areas
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 21	Telecommunications
LPP HC1	(2021) Heritage conservation and growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D8	(2021) Public realm
LPP SI6	(2021) Digital connectivity infrastructure
NPPF10	NPPF 2021 - Supporting high quality communications
NPPF16	NPPF 2021 - Conserving & enhancing the historic environment

3 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 is located on the south side of Wood Lane. The proposed monopole and equipment would be on the grass lawn in front of 22 and 24 Wood Lane and to the rear of 2 Helford Close.

The immediate area surrounding the site is residential, predominantly comprising of two storey dwellings. The site is within a critical drainage area and is located just outside of Ruislip Conservation Area. A zonal tree protection order exists to the rear of the site.

3.2 Proposed Scheme

This application seeks prior approval for a 15 metre high monopole tower, associated radio-equipment housing including one cabinet that will wrap around the base of the mast and ancillary development. Under Class A, Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) the prior approval of the council is required regarding the developments siting and appearance.

The dimensions of the proposed cabinets are as follows (in mm):

Wrap around - 1400x 500x 1100
AC - 600x500x1585
6130 - 650x700x950
Bowler - 1900x600x1752

The equipment cabinets would be finished in green (RAL 6009) and the monopole would be finished in light grey (RAL 7035).

3.3 Relevant Planning History

Comment on Planning History

There is no relevant planning history for the development site and thus no comment to make.

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date:- 8th January 2022

4.2 Site Notice Expiry Date:- 8th January 2022

5. Comments on Public Consultation

13 neighbouring properties were directly notified of the proposed development. Site notices were placed at the site on 07/12/21. In response to consultation on the application, objections were received from 18 addresses. Their comments have been summarised below.

- 1) The development is out of scale with surrounding buildings and features of the area
- 2) Radiation emitted from the equipment will be harmful to nearby residents and commuters
- 3) The proposed development will be an eyesore and is too close to residential properties
- 4) The proposed development would cause harm to visual amenities of the Conservation Area and Wood Lane street scene
- 5) Alternative sites have not been appropriately considered, there are better places for this development
- 6) The development would be a distraction to drivers and would subsequently reduce highway and pedestrian safety
- 7) The site is within 3km of an airfield (RAF Northolt) and is therefore unacceptable

A petition against the proposed development (with 48 signatures) has also been received on the grounds that the proposal would be out of scale and harmful to the character and appearance of Wood Lane and the Ruislip Village Conservation Area.

An objection has also been received from a Ward Cllr and can be summarised as follows:

- Were it to be approved, it would be incongruous in its surrounding area and be of significant detriment to visual amenity for local residents, and diminish the integrity of the Conservation Area.
- Site is not a suitable location.
- Would wish the application to be reported to Committee in the event of a positive recommendation.

Officer response: This application is for prior approval and the only matters which the LPA is allowed to consider under such applications relate to the siting and appearance of the development. Those matters have been addressed later on in the report. Notwithstanding this point an ICNIRP certificate has been submitted to declare that the levels of radiation which would be emitted from the proposed monopole are acceptable. The development site is set back from the main road and is away from the adjacent public footpath. Due to its location it would not impede the free flow of traffic, nor cause nuisance to pedestrian mobility. Issues relating to the consideration of alternative sites have also been addressed further on in the report.

EXTERNAL CONSULTEE COMMENTS

Ruislip Residents Association:

We object to the scheme and believe that it should be refused for the following summarised reasons:

- 1) By reason of the siting in an open prominent position, size, scale and design of the proposed monopole and the size, scale and siting of the equipment cabinets, would create an obtrusive form of development which would add visual clutter to the detriment of the character, appearance and visual amenities of the street scene.

2) Detrimental to the character of the Ruislip Village Conservation Area and does not comply with Policy DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020).

3) Detrimental impact upon living conditions of residents living to the south of the proposed mast, in particular at 2 Helford Close and 4 Whitstable Close.

4) In the absence of an appropriate appraisal of the surrounding area, the submission fails to adequately assess whether there are other more appropriate sites available for the development, in accordance with Paragraph 115 of the NPPF (February 2019) and Policy DMHB 21 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Office response: The above comments are noted and matters raised are discussed in the main body of this report.

INTERNAL CONSULTEE COMMENTS

Digital connectivity Team:

This site is part of the 3 roll out plan and should be considered. However as this is a residential area it is better to place the mast by the zebra crossing closer to the supermarket.

Highways Officer: No objection.

Trees and Landscaping Officer:

This site is occupied by a roadside verge, with occasional trees located on the south side of Wood Lane. There are some existing telecoms inspection chambers (below ground) within the verge. Otherwise the only street furniture comprises slim 8.0metre high street lighting columns. The site lies opposite 22 Wood Lane and to the rear of 2 Helford Close. The verge lies immediately adjacent to the southern boundary of Ruislip Village Conservation Area. COMMENT No trees will be affected by the proposed siting of the 15 metre high column and associated cabinets. The height of the column, together with its bulk and that of the wrap around cabinets will have a detrimental impact on the street scene, introducing urban clutter into an otherwise attractive verge. The installation will fail to enhance the character and appearance of the adjacent Conservation Area. Furthermore, the installation will be visually intrusive to residents of both Wood Lane and Helford Close (and beyond). RECOMMENDATION This submission fails to satisfy policies DMHB4 and DMHB12 - and should be refused.

Officer response: The internal consultation comments have been noted and comments regarding the siting and appearance of the works have been taken into consideration later on in this report.

6. Local Plan Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.HE1 (2012) Heritage

Part 2 Policies:

DMHB 1	Heritage Assets
DMHB 4	Conservation Areas
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 21	Telecommunications
LPP HC1	(2021) Heritage conservation and growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D8	(2021) Public realm
LPP SI6	(2021) Digital connectivity infrastructure
NPPF10	NPPF 2021 - Supporting high quality communications
NPPF16	NPPF 2021 - Conserving & enhancing the historic environment

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

- i) it is sited and designed to minimise their visual impact;
- ii) it does not have a detrimental effect on the visual amenity, character or appearance of the building or the local area;
- iii) it has been demonstrated that there is no possibility for use of alternative sites, mast sharing and the use of existing buildings;
- iv) 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
- v) 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'.

The aim of this application is to provide 5G network coverage and to improve existing coverage for H3G.

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

The proposed development would be located on the grass verge in front of 22 and 24 Wood Lane and to the rear of 2 Helford Close. Numbers 3 Helford Close and 4 Whitstable Close would also be situated in close proximity with rear gardens oriented towards the proposed development.

The proposed telecommunications street pole and associated equipment, by virtue of the general siting, combined height, width and depth would be considered detrimental to the immediate amenities of these nearby occupiers of residential properties by reason of overdominance, visual intrusion, overbearing impact and loss of outlook. The proposal would appear as a dominant and imposing feature from front facing windows at 22 and 24 Wood Lane (circa 26m away) and similarly would impact on outlook from rear windows of no.s 2 and 3 Helford Close and 4 Whitestable Close (circa 18m to closest dwelling 2 Helford Close). Given the proximity to the rear gardens of these properties, the monopole would appear as an overbearing and dominant feature which would adversely affect the enjoyment of these garden spaces, to the detriment of the occupiers. For these reasons, the development would be contrary to Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) which seeks to protect the amenity of adjacent properties.

7.2 Impact on Street Scene

Policy DMHB 11 of the The Local Plan: Part 2 - Development Management Policies (2020) states that all development, will be required to be designed to the highest quality standards and, incorporate principles of good design including: harmonising with the local context by taking into account the surrounding scale of development, considering the height, mass and bulk of adjacent structures; local topography, views both from and to the site; impact on neighbouring open spaces and their environment; and ensuring the use of high quality building materials and finishes.

Policy DMHB 12 of the The Local Plan: Part 2 - Development Management Policies (2020) states that development should be well integrated with the surrounding area and accessible. It should: i) improve legibility and promote routes and wayfinding between the development and local amenities; ii) ensure public realm design takes account of the established townscape character and quality of the surrounding area; iii) include landscaping treatment that is suitable for the location, serves a purpose, contributes to local green infrastructure, the appearance of the area and ease of movement through the space; iv) provide safe and direct pedestrian and cycle movement through the space; v) incorporate appropriate and robust hard landscaping, using good quality materials, undertaken to a high standard; vi) where appropriate, include the installation of public art; and vii) deliver proposals which incorporate the principles of inclusive design. Proposals for gated developments will be resisted.

Policy DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020) states that Telecommunication development will only be permitted where: i) it is sited and designed to minimise their visual impact; ii) it does not have a detrimental effect on the visual amenity, character or appearance of the building or the local area; iii) it has been demonstrated that there is no possibility for use of alternative sites, mast sharing and the use of existing buildings; iv) 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 v) it includes a Declaration of Conformity with the International Commission on Non Ionizing Radiation.

Policy DMHB 1 and DMHB 4 seek to preserve or enhance heritage assets, their settings and significance. Policy HE1 of the Local Plan Part 1 (2012) and Section 16 of NPPF (2021) also seek to ensure the preservation of heritage assets.

Policy HC1 of the London Plan (2021) states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The

cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.

The proposed development is of considerable size and is located approximately 5m from the Ruislip Village Conservation Area, it is therefore considered to impact adversely upon its setting and significance, as it would be readily visible in views towards and from the Conservation Area and would be seen as an incongruous, alien and dominant feature.

There are no similar sized objects, trees or linear structures in close proximity to the proposed monopole to lessen its visual impact. The monopole would be 7m higher than the nearest building (2 Helford Close) and would be significantly taller than all properties on Wood Lane. The pole would also be between 6m - 7m higher than surrounding trees and lampposts. Taking into consideration these points, the proposal would be out of scale with the surrounding natural and built environment. Overall it is therefore considered that due to its excessive height and location (in a residential area on the edge of a conservation area), the proposed monopole would form an unsightly, out of scale, and unduly prominent addition to the appearance of Wood Lane, which would harm its appearance. The monopole would also physically intrude into the setting of the conservation area, harming its character, appearance and significance due to its obtrusive size.

Long distance views from Whitsable Close and Helford Close would also be adversely affected by the oversized, stand alone structure, which would extend into sky, above all surrounding roof lines.

The installation of proposed cabinets and ancillary equipment would clutter the appearance of the mostly green and open verge, exacerbating the visual harm caused by the monopole.

For these reasons mentioned above the proposed development would fail to preserve the setting of the Ruislip Village Conservation Area and would harm the visual amenities of the street scene, contrary to Policy HE1 and BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 1, DMHB 4, DMHB 11, DMHB 12 and DMHB 21 Hillingdon Local Plan: Part Two - Development Management Policies (2020), as well as relevant guidance contained within the London Plan (2021) and NPPF (2021).

The siting and appearance of the development is therefore considered to be unacceptable and the benefits of providing improved telecommunications services to the area are not considered to outweigh the developments visual harm.

7.3 Traffic Impact / Pedestrian Safety

The prior approval of the local authority is required regarding the siting and appearance of the development only. Nevertheless, the proposed development would be located on a grass verge, which is set back from the pedestrian footpath and highway, in its location it unlikely to harm pedestrian or highway safety, nor hinder people or vehicle movements.

It is noted that the Highway Officer has confirmed no objection to the proposal.

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.

Case Officer's Comments:

The proposed monopole is 15m high and is located on unprotected land. As such, it is in accordance with Condition A.1 - (1)(c) 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.

Case Officer's 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).

Consideration of Alternative sites:

Paragraph 117 of the NPPF (2021) states:

'Applications for electronic communications development (including applications for prior approval under the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development. This should include:

- a) the outcome of consultations with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed near a school or college, or within a statutory safeguarding zone surrounding an aerodrome, technical site or military explosives storage area; and
- b) for an addition to an existing mast or base station, a statement that self-certifies that the cumulative exposure, when operational, will not exceed International Commission guidelines on non-ionising radiation protection; or
- c) for a new mast or base station, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure and a statement that self-certifies that, when operational, International Commission guidelines will be met.'

Policy DMHB 21 of the Local Plan states that telecommunications equipment will only be permitted where 'it has been demonstrated that there is no possibility for use of alternative sites, mast sharing and the use of existing buildings.

The grid references for 6 alternative sites (which were considered prior to the submission of this application) have been provided by the applicant in the Dalcour Maclaren Supplementary Information Form.

Minimal information is given as to why these sites were discounted, no information has been provided regarding the upgrading of existing equipment (i.e new antennas on existing masts). No information has been provided which demonstrates that the positioning of telecoms equipment could not be provided on a building or structure within the area. As only grid references have been provided it is not entirely clear where the alternative sites are and if they are indeed less appropriate for the proposed development.

Overall it is considered that an appropriate assessment of alternative locations and sites for the proposed development has not been carried out and that no robust evidence has been provided to demonstrate that other more suitable and less harmful sites do not exist. The proposal is therefore considered to 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).

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 relevant to the Council's determination of this application.

AIRPORT SAFEGUARDING:

Policy DMAV 1 of The Local Plan: Part 2 - Development Management Policies (2020) states that proposals that may be a hazard to aircraft safety will not be permitted.

It is noted that the application site is located within 3km of Northolt Aerodrome, however the supporting information provided with the application incorrectly states that the development would not be within 3km of an aerodrome. As such the application confirms that the relevant bodies were not consulted by the applicant contrary to the requirements of Part 16, Class A, A.3(3) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). It is therefore not considered that the application has satisfactorily demonstrated it will not harm the safe and efficient operation of airports contrary to policy DMAV 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies.

CONCLUSION

The siting and appearance of the proposed development is considered to be unacceptable for reasons outlined in this report. As such the prior approval of the council is required and refused.

8. Reference Documents

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

Contact Officer: Haydon Richardson

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