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## Appeal Decision

Site visit made on 20 March 2025

by **M Aqbal BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 04 June 2025

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**Appeal Ref: APP/R5510/W/24/3349408**

**Land at Iron Bridge Road North, West Drayton, Middlesex UB11 1BF**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) 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 Cornerstone against the decision of the Council of the London Borough of Hillingdon.
  - The application Ref is 77919/APP/2023/3683.
  - The development proposed is installation of a telecommunications base station comprising a 20m monopole, supporting 6 no antennas, 2 no 300mm dishes, together with 2 no ground based cabinets and ancillary development thereto.
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### Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 16, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for installation of a telecommunications base station comprising a 20m monopole, supporting 6 no antennas, 2 no 300mm dishes, together with 2 no ground based cabinets and ancillary development thereto at Land at Iron Bridge Road North, West Drayton, Middlesex UB11 1BF, in accordance with the terms of the application Ref: 77919/APP/2023/3683, and the plans and drawings submitted with it, including: Site Location Plan – Drawing number 100, Rev B; Proposed Site Plan – Drawing number 201, Rev B; Proposed Elevation – Drawing number 301, Rev B and Arboricultural Layout/Tree Protection – ACS Reference number ARB/4986/Y/100.

### Preliminary Matters

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO), under Article 3(1) and Schedule 2, Part 16, Class A, Paragraph A.3(4) require the local planning authority ('LPA') to assess the proposal 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. There is no dispute between the parties that the proposal satisfies the limits to permitted development set at Paragraph A.1 (2) to Class A, Part 16, Schedule 2 of the GPDO, and I have not been given any clear reason to disagree.
4. The LPA has referred to a number of development plan policies. Irrespective, the principle of development is established by the GPDO and the provisions of Schedule 2, Part 16, Class A of the GPDO do not require regard be had to the

development plan. I have nevertheless had regard to Policies D8 and SI6 of the London Plan (2021), Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012) and Policies DMHB 1, DMHB 8, DMHB 11, DMHB 12 and DMHB 21 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), insofar as these are relevant to matters of siting and appearance.

### **Main Issue**

5. The main issue is the effect of the siting and appearance of the proposal on the character and appearance of the area, including the setting of the Grade II Listed Park (Stockley Park Registered Park and Garden) ('Stockley Park').

### **Reasons**

6. The proposal is to meet a specific technical requirement for new 3G, 4G and 5G coverage and capacity in the area. The proposed telecommunications installation is to be sited on land along Iron Bridge Road North, next to the parking area associated with a children's nursery, on the southwest side of this road ('the appeal site'). The surrounding area is predominantly commercial.
7. The land where the proposal is to be located comprises part of a larger landscaped area incorporating a number of trees. This area forms a green and attractive buffer between the road and nearby commercial building, which is set back from the road. As such, this landscaping positively contributes to the appearance of the area.
8. On the information before me, the proposal would only result in the loss of a limited grassed part of the landscaped area and the remainder of this, including trees would be retained. Also, the installation of the proposal would not impact on the longevity of any nearby trees. Therefore, the proposal would not undermine the overall quality of this landscaped area.
9. Furthermore, measures have been taken to keep the proposed monopole and associated equipment as inconspicuous as possible. The proposed ground base cabinets are to be painted fir green and sited behind the monopole, so as to minimise their visual effect from nearby views. The light grey finish of the monopole would reflect the finishes of the surrounding built environment.
10. The height of the monopole at about 20m, would be taller than the adjacent nursery building, recently coppiced line of trees and nearby street lighting columns. This includes the top of the monopole which features dishes and antennas attached to this, which make this bulkier. Even so, the proposed monopole and associated equipment would be located on the periphery but amongst the landscaped area. As such, to some extent the impact of the monopole and equipment cabinets would be absorbed by the nearby landscaping and the vertical forms of the adjacent trees and nearby street lighting columns. Moreover, in the context of the appreciable scale of nearby commercial buildings, the size of the proposed telecommunication would not appear excessive.
11. The appeal site is opposite Stockley Park. This comprises a business park with additional natural areas including a golf course and public park. As well as a high level of contrasting architecture, the Park and Garden features extensive designed landscaping, including ponds, lakes and tree planting.

12. Stockley Road cuts through the business park in a north to south direction, dividing the Registered Park and Garden into two areas. The business park element in the western area has been redeveloped since its designation which involved the demolition and clearing of the site to allow for the development of two large commercial units.
13. The significance of Stockley Park is mainly due to its historical design and survival as a fine example of the early phases of business park development in England, which was based around the vision and technical skills of several prominent late 20th-century designers, engineers and landscape architects.
14. Paragraph 212 of the National Planning Policy Framework ('The Framework') says that: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
15. The proposed telecommunications apparatus would be visible from within and at the edges of Stockley Park. However, the western extent of Stockley Park, in which the appeal site lies opposite, has a modern and commercial character. This has been reinforced by the re-development and construction of the two large commercial units opposite the appeal site, and the development of further commercial units to the west. The area also includes other street paraphernalia and signage. As such, the proposed telecommunications equipment would not be an inappropriate feature in context to the designed function of the area.
16. From within the landscaped parts of Stockley Park, views of the monopole would be filtered by intervening landscaping and buildings and where this is visible, this would be at a distance and its light grey finish against the background of the skyline would provide further mitigation of its form and appearance.
17. Therefore, based on my observations and the submitted Heritage Statement, the installation of the proposed telecommunications equipment would cause no unacceptable change to the principal elements of interest in Stockley Park or its setting. As such, the proposal would result in 'no harm' to the heritage significance of Stockley Park, through a change in setting.
18. For the above reasons, the siting and appearance of the proposal would not harm the character and appearance of the area, including the setting of Stockley Park.

### **Other Matters**

19. A third party has referred me to a dismissed appeal at Fountayne Road, Hackney in respect of an application for telecommunications equipment within a Conservation Area. Whilst the Inspector found that the mast would fail to preserve or enhance the character or appearance of the Conservation Area, I do not have the full details and evidence in respect of this to draw any meaningful comparisons and conclusions. I, therefore, attach limited weight to the dismissed appeal.
20. Paragraph 123 of the Framework establishes that LPAs should not question the need for an electronic communications system. The same applies to my determination of this appeal. Also, I am satisfied that based on the evidence before

me there is a need for the proposal to be sited in the appeal site and less favourable alternative sites have been considered and discounted.

21. The application is supported with a certificate to confirm that the proposal has been designed to comply with the guidelines published by the International Commission on Non-Ionizing Radiation Protection ('ICNIRP'). In these circumstances, the Framework advises that health safeguards are not something which a decision-maker should determine. No sufficiently authoritative evidence has been provided to indicate that the ICNIRP guidelines would not be complied with or that a departure from national policy would be justified.

### **Conditions**

22. Any planning permission granted for the development under Article 3(1) and Schedule 2, Part 16, Class A is subject to conditions set out in Paragraphs A.3(9), A.3(11) and A.2(2), which specify that the development must, except to the extent that the LPA otherwise agree in writing, be carried out in accordance with the details submitted with the application, must begin not later than the expiration of 5 years beginning with the date on which the LPA received the application, and must be removed as soon as reasonably practicable after it is no longer required for electronic communications purposes and the land restored to its condition before the development took place.

### **Conclusion**

23. For the reasons given above, I conclude that the appeal should be allowed and prior approval should be granted.

*M Aqbal*

INSPECTOR