



HILLINGDON
LONDON



Central & South Planning Committee

Date: THURSDAY, 2 MARCH 2017

Time: 7.00 PM

Venue: COMMITTEE ROOM 5 -
CIVIC CENTRE, HIGH
STREET, UXBRIDGE UB8
1UW

**Meeting
Details:** Members of the Public and
Press are welcome to attend
this meeting

To Councillors on the Committee

Councillor Ian Edwards (Chairman)
Councillor David Yarrow (Vice-Chairman)
Councillor Shehryar Ahmad-Wallana
Councillor Roy Chamdal
Councillor Alan Chapman
Councillor Jazz Dhillon
Councillor Janet Duncan
Councillor Manjit Khatra
Councillor Brian Stead

Published: Tuesday, 28 February 2017

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Putting our residents first

Lloyd White

Head of Democratic Services

London Borough of Hillingdon,

3E/05, Civic Centre, High Street, Uxbridge, UB8 1UW

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Useful information for residents and visitors

Watching & recording this meeting

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Watch a **LIVE** broadcast of this meeting on the Council's YouTube Channel: *Hillingdon London*

Those attending should be aware that the Council will film and record proceedings for both official record and resident digital engagement in democracy.



It is recommended to give advance notice of filming to ensure any particular requirements can be met. The Council will provide seating areas for residents/public, high speed WiFi access to all attending and an area for the media to report. The officer shown on the front of this agenda should be contacted for further information and will be available to assist.

When present in the room, silent mode should be enabled for all mobile devices.

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A useful guide for those attending Planning Committee meetings

Security and Safety information

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Mobile telephones - Please switch off any mobile telephones before the meeting.

Petitions and Councillors

Petitions - Those who have organised a petition of 20 or more people who live, work or study in the borough, can speak at a Planning Committee in support of or against an application. Petitions must be submitted in writing to the Council in advance of the meeting. Where there is a petition opposing a planning application there is also the right for the applicant or their agent to address the meeting for up to 5 minutes.

Ward Councillors - There is a right for local councillors to speak at Planning Committees about applications in their Ward.

Committee Members - The planning committee is made up of the experienced Councillors who meet in public every three weeks to make decisions on applications.

How the Committee meeting works

The Planning Committees consider the most complex and controversial proposals for development or enforcement action.

Applications for smaller developments such as householder extensions are generally dealt with by the Council's planning officers under delegated powers.

An agenda is prepared for each meeting, which comprises reports on each application

Reports with petitions will normally be taken at the beginning of the meeting.

The procedure will be as follows:-

1. The Chairman will announce the report;
2. The Planning Officer will introduce it; with a presentation of plans and photographs;
3. If there is a petition(s), the petition organiser will speak, followed by the agent/applicant followed by any Ward Councillors;

4. The Committee may ask questions of the petition organiser or of the agent/applicant;
5. The Committee debate the item and may seek clarification from officers;
6. The Committee will vote on the recommendation in the report, or on an alternative recommendation put forward by a Member of the Committee, which has been seconded.

About the Committee's decision

The Committee must make its decisions by having regard to legislation, policies laid down by National Government, by the Greater London Authority - under 'The London Plan' and Hillingdon's own planning policies as contained in the 'Unitary Development Plan 1998' and supporting guidance. The Committee must also make its decision based on material planning considerations and case law and material presented to it at the meeting in the officer's report and any representations received.

Guidance on how Members of the Committee must conduct themselves when dealing with planning matters and when making their decisions is contained in the 'Planning Code of Conduct', which is part of the Council's Constitution.

When making their decision, the Committee cannot take into account issues which are not planning considerations such as the effect of a development upon the value of surrounding properties, nor the loss of a view (which in itself is not sufficient ground for refusal of permission), nor a subjective opinion relating to the design of the property. When making a decision to refuse an application, the Committee will be asked to provide detailed reasons for refusal based on material planning considerations.

If a decision is made to refuse an application, the applicant has the right of appeal against the decision. A Planning Inspector appointed by the Government will then consider the appeal. There is no third party right of appeal, although a third party can apply to the High Court for Judicial Review, which must be done within 3 months of the date of the decision.

Agenda

7 Highways Verge, Fronting 247 Station Road - 72544/APP/2017/295

Installation of a 15m high streetworks style telecommunications monopole and ancillary works (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)

Plans: Page 78 - 82 of Agenda A

Recommendation: Refusal

Agenda Item 7

Report of the Head of Planning, Sport and Green Spaces

Address HIGHWAYS VERGE FRONTING 247 STATION ROAD HAYES

Development: Installation of a 15m high streetworks style telecommunications monopole and ancillary works (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: 72544/APP/2017/295

Drawing Nos: 100 Issue A
Supplementary Information
Supporting Technical Information - Coverage Plots
Developer's Notice
ICNIRP Declaration
General Background Information for Telecommunications Development
Radio Planning and Propagation
Developer's Notice Letter to Highways
ICNIRP Declaration Letter
200 Issue D
300 Issue E
Notification Letter to Heathrow Airport Limited

Date Plans Received: 25/01/2017 **Date(s) of Amendment(s):** 25/01/2017
Date Application Valid: 25/01/2017 30/01/2017
03/02/2017

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 enhanced 2G, 3G and 4G coverage for Telefonica and Vodafone.

The proposed telecommunications installation, on a wide central reservation that runs down Station Road, is considered to result in an increase in street clutter which would have a detrimental impact on the character and appearance of the street scene and surrounding area, thereby failing to comply with Policies BE13 and BE37 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Chapter 5 of the National Planning Policy Framework (March 2012).

It is also considered that the proposal has not fully investigated alternative sites within the immediate and surrounding area, contrary to BE37 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Chapter 5 of the National Planning Policy Framework (March 2012).

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

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed installation would increase street clutter on a wide central reservation that runs down Station Road, resulting in a detrimental impact on the character and appearance of the street scene and surrounding area. The proposal is therefore contrary to Policies BE13 and BE37 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Chapter 5 of the National Planning Policy Framework (March 2012)

2 NON2 Non Standard reason for refusal

The proposal fails to adequately investigate alternative solutions for a monopole location, contrary to Policy BE37 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Chapter 5 of the National Planning Policy Framework (March 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.

AM7	Consideration of traffic generated by proposed developments.
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE37	Telecommunications developments - siting and design
NPPF5	NPPF - Supporting high quality communication infrastructure

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the eastern side of a wide central reservation that runs down Station Road and comprises a section of pavement and grass verge, opposite 247 Station Road. Nippon Express (UK) Ltd, Unit 2, Millington Road, located within the Millington Road Industrial and Business Area (IBA), is located on the opposite side of Station Road.

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 enhanced 2G, 3G and 4G coverage for Telefonica and Vodafone.

The scheme would comprise of a 15m high streetworks style telecommunications monopole with six internally shrouded antennas located at the back of the pavement next to the grass verge. Two equipment cabinets would be provided on the grass verge under Permitted Development Rights. It should be noted that the equipment cabinets, whilst being Permitted Development, would not be required without the proposed monopole.

3.3 Relevant Planning History

70604/APP/2015/360 Land Opposite 247 And 249 Station Road Hayes

Installation of a 15 metre high telecommunications monopole with internally shrouded antennas (Application under Part 24 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order for determination as to whether prior approval is required for siting and appearance)

Decision: 11-03-2015 Refused

Comment on Planning History

4. Planning Policies and Standards

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:

AM7 Consideration of traffic generated by proposed developments.

BE13 New development must harmonise with the existing street scene.

BE19 New development must improve or complement the character of the area.

BE37 Telecommunications developments - siting and design

NPPF5 NPPF - Supporting high quality communication infrastructure

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Consultation letters were sent to 11 local owners/occupiers and a site notice was displayed. One response was received:

i) Proposed mast is likely to distract drivers along Station Road

ii) Height and appearance of mast and associated cabinets will have a detrimental impact on the character and appearance of the street scene and add more street clutter to the area.

iii) The applicants have not carried out a full site selection of the local area; Millington Road is a more

suitable location

iv) The applicants have not fully considered sharing of masts

v) Inadequate consideration of potential impact on trees along the grass verge which provide a visual screen and enhance the street scene.

A petition of 23 signatures has been received objecting to the proposal.

Internal Consultees

Highways Officer:

The monopole could be installed on the grass verge together with the other ancillary equipment, in order not to cause any obstruction along the footway.

I note that a number of underground services run along the grass verge, one of which is a gas mains. Considering that the monopole would have a substantial foundation, this is probably the reason why the applicant would be reluctant to excavate in proximity of a gas mains.

If the submitted site plan shows the real dimensions of the proposed monopole, than the obstruction to the movement of pedestrians would not be severe, also in consideration of the fact that that section of footway does not appear to be heavily used.

7. MAIN PLANNING ISSUES

7.01 The principle of the 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 enhanced 2G, 3G and 4G coverage for Telefonica and Vodafone. The applicant has provided existing and proposed coverage plots which demonstrate the need for the proposed installation.

The applicant has carried out a study of alternative sites within the area; whilst a number of individual and shared sites within the surrounding and wider area have been investigated, it is considered that there could be other possible sites within the area that may be suitable for a telecommunications installation that would provide the required coverage, for example the nearby Millington Road Industrial and Business Area (IBA), which have not been investigated.

The 15m high telecommunications monopole is a slim line street furniture style column designed to appear in keeping with surrounding street light columns. Although there is no objection to the design of the monopole, it is considered that the proposed monopole and

the associated equipment cabinets would add to the existing street furniture and trees located on the central reservation; as such it is considered that the increase in street clutter would have a detrimental impact on the character and appearance of the street scene and surrounding area.

The two equipment cabinets would be provided under Permitted Development Rights as they would have a volume of less than 2.5 cubic metres. However, it should be noted that the equipment cabinets, whilst being Permitted Development, would only be required if the proposed mast is granted permission and would thus add to the clutter to the detriment of the street scene and the surrounding area.

It is therefore considered that the proposal would not comply with Policy BE37 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.02 Density of the proposed development

Not applicable to this application.

7.03 Impact on archaeology/CAs/LBs or Areas of Special Character

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

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 application site is located on a grass verge on the eastern side of Station Road, opposite 247 Station Road. The grass verge comprises four trees along with a speed camera and associated cabinets. The proposed monopole would be located at the back of the pavement with two equipment cabinets, provided under Permitted Development Rights, located on the grass verge behind.

Although the design of the proposed telecommunications monopole would be in keeping with surrounding street light columns, the monopole, in addition to the two proposed equipment cabinets, would add to existing street furniture and trees within the surrounding area. This would increase street clutter on the grass verge which would impact on the character and appearance of the immediate street scene and surrounding area.

The proposal therefore does not comply with Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

The application site is located on the western side of a grass verge opposite a number of residential dwellings on the eastern side of Station Road. The proposed monopole would be located on the opposite side of the grass verge and existing trees would provide some screening; as such it is considered that the proposed development would not significantly impact on residential amenity in terms of loss of light, or overdominance.

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, Car/cycle parking, 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 eastern side of Station Road, opposite 247 Station Road. The proposed telecommunications monopole would be located at the back of the pavement with two equipment cabinets, provided under Permitted Development Rights, located on the grass verge behind.

Concern was raised during the public consultation that the proposed monopole could distract drivers along Station Road. Due to its position at the back of the footpath the proposed monopole would be seen in context with existing street columns and so it is considered that the proposed monopole would not distract users of the public highway.

The Council's Highways Engineer raises no objection in principle to the proposed monopole and equipment cabinets. It is noted that whilst there would be space to install the monopole on the grass verge, there are a number of underground services that run along the grass verge, one of which is a gas mains; considering the proximity of the services it is considered that the proposed position of the monopole on the back of the footpath would be acceptable and would not cause a severe obstruction to the movement of pedestrians. It is also noted that this section of footpath along the central reservation does not appear to be heavily used.

The proposed equipment cabinets would be located on the grass verge and would not open out onto the pavement; as such, the equipment cabinets would not cause harm to users of the public footpath.

It is therefore considered that the proposed scheme does comply with Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.11 Urban design, access and security

The telecommunications mast would be 15m high and would hold six antennae at the top within a 0.5m diameter shroud. The mast would be constructed from steel and coloured grey, and is considered to be acceptable in design terms.

7.12 Disabled access

Not applicable to this application.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

Concern was raised during the public consultation over the impact of the proposed monopole and equipment cabinets on the existing trees located on the grass verge. Whilst no information has been received in regards to how the telecommunications equipment will be installed without causing harm to the trees, it is considered that this can be dealt with by way of a condition should permission be granted.

7.15 Sustainable waste management

Not applicable to this application.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

The issues raised have been addressed elsewhere in this report.

7.20 Planning obligations

Not applicable to this application.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

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. Observations of the Borough Solicitor

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning

applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

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 enhanced 2G, 3G and 4G coverage for Telefonica and Vodafone.

The proposed telecommunications installation, on a wide central reservation that runs down Station Road, is considered to result in an increase in street clutter which would have a detrimental impact on the character and appearance of the street scene and surrounding area, thereby failing to comply with Policies BE13 and BE37 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Chapter 5 of the National Planning Policy Framework (March 2012).

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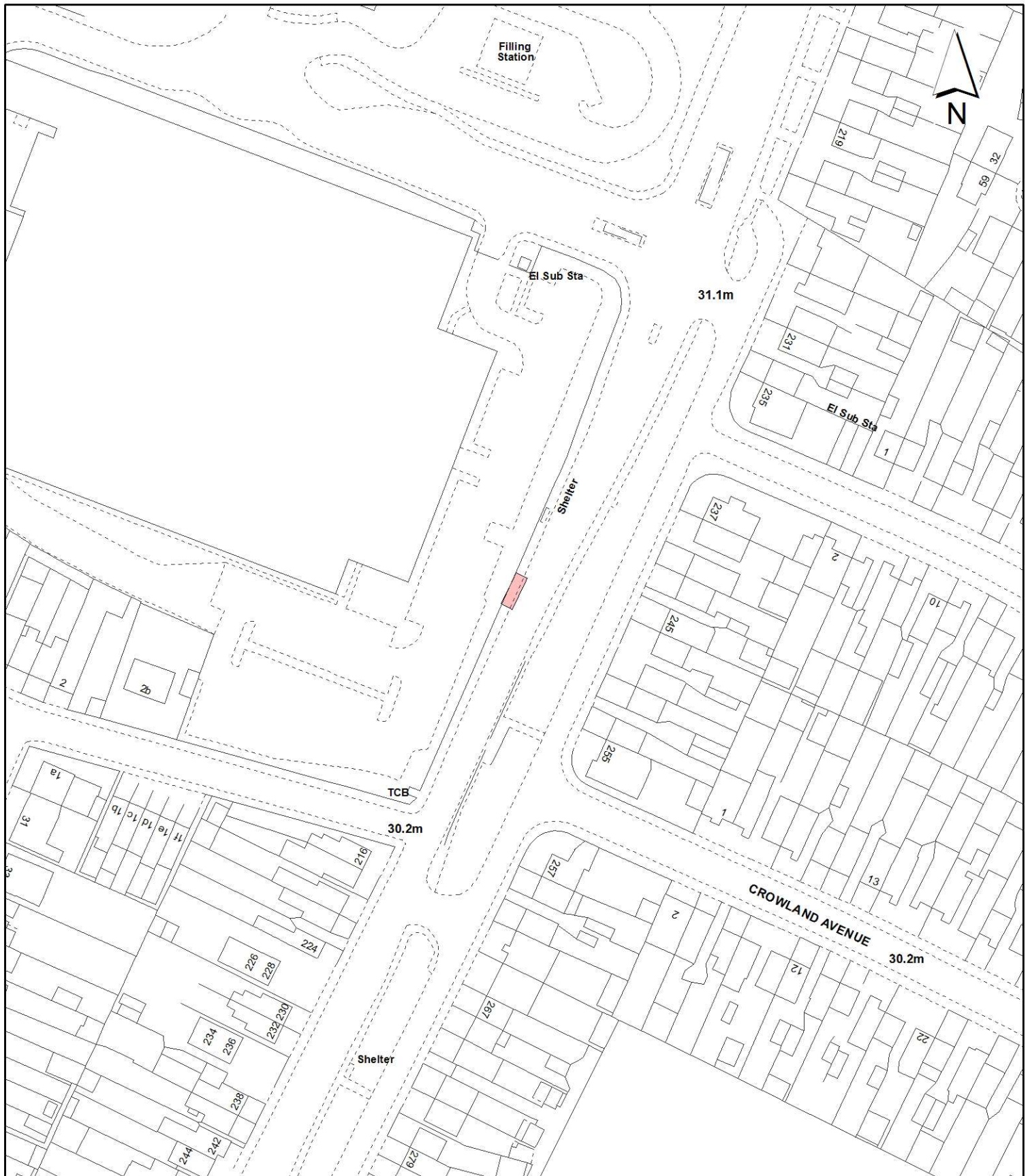
It is therefore recommended that prior approval be required in this instance and that permission is refused.

11. 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 (March 2012) Chapter 5

Contact Officer: Katherine Mills

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

**Highways Verge
 Fronting 247 Station Road**

**LONDON BOROUGH
 OF HILLINGDON**
 Residents Services
 Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 250111

Planning Application Ref:
72544/APP/2017/295

Scale:
1:1,250

Planning Committee:
Central & South

Date:
March 2017



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