



## VIRTUAL Central & South Planning Committee

Date: THURSDAY, 3 SEPTEMBER 2020 Time: 7.00 PM

- Location: VIRTUAL MEETING
- Watch Live Watch a live broadcast of this meeting on the Council's YouTube channel: <u>Hillingdon London</u>

Important Meeting Advice: Following UK Government advice to avoid all but essential travel and to practice social distancing, the usual physical public speaking rights at Planning Committee will be suspended temporarily during the coronavirus pandemic. Instead, written representations will be considered as part of Hillingdon's established Petitions Scheme.

## To Councillors on the Committee

Councillor Steve Tuckwell (Chairman) Councillor Alan Chapman (Vice-Chairman) Councillor Shehryar Ahmad-Wallana Councillor Mohinder Birah Councillor Nicola Brightman Councillor Nicola Brightman Councillor Roy Chamdal Councillor Farhad Choubedar Councillor Jazz Dhillon Councillor Janet Duncan (Opposition Lead)

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## Agenda

## **Chairman's Announcements**

- 1 Apologies for Absence
- 2 Declarations of Interest in matters coming before this meeting
- 3 To sign and receive the minutes of the previous meeting

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- 4 Matters that have been notified in advance or urgent
- 5 To confirm that the items of business marked Part I will be considered in Public and that the items marked Part 2 will be considered in private

## PART I - Members, Public and the Press

Items are normally marked in the order that they will be considered, though the Chairman may vary this. The name of the local ward area is also given in addition to the address of the premises or land concerned.

## Applications with a Petition

	Address	Ward	Description & Recommendation	Page
6	Land Opposite 237 Station Road, Hayes - 75743/APP/2020/2277	Pinkwell	Proposed 18m Phase 8 Monopole C/W wraparound cabinet at base and associated 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).	9 – 20 194-202
			<b>Recommendation: Refusal</b>	
7	3 Cedars Court, Vine Lane - 75470/TRE/2020/59	Uxbridge North	Fell one Indian Bean tree (T69 on TPO 78a)	21 – 24
			Recommendation: Refusal	

## Applications without a Petition

	Address	Ward	Description & Recommendation	Page
8	Land At Clayton Road Junction With Trevor Road, Clayton Road, Hayes - 75722/APP/2020/2187	Botwell	Proposed 20m Phase 8 Monopole C/W wraparound cabinet at base, 3 cabinets and associated 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)	25 – 36 203-211
			Recommendation: Approval	
9	Land At Judge Heath Lane, Hayes - 75731/APP/2020/2220	Botwell	Proposed 18m Phase 8 Monopole C/W wraparound Cabinet at base, 3 cabinets and associated ancillary works (Application under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for siting and appearance)	37 – 48 212-220
			Recommendation: Refusal	
10	Land Opposite 41 Morgans Lane, Hayes - 75721/APP/2020/2183	Botwell	Proposed 15m Phase 8 monopole C/W wraparound cabinet at base, 3 equipment cabinets and associated ancillary works (Application under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for siting and appearance)	49 – 60 221-228
			Recommendation: Refusal	

12Land at Holloway Lane, Junction with Sipson Road, Harmondsworth - 75742/APP/2020/2278Heathrow VillagesInstallation of 20m monopole and 3 equipment cabinets, and associated ancillary works (Application under Part 16 of schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for siting and appearance).71 - 8 243-251316 The Dingle, Hillingdon - 52360/APP/2020/2254Hillingdon EastFirst floor rear extension. East83 - 9 253-2514Bayliss TelecommunicationsHillingdon EastInstallation of a 20m monopole, 12 antenna apertures, 6 equipment93 - 10	11	Balmoral Drive, Hayes - 75795/APP/2020/2519	Charville	Installation of 18m Phase 8 Monopole with a wraparound Cabinet at base, 4 equipment cabinets and associated ancillary works (Application under Part 16 of schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for siting and appearance).	61 – 70 229-242
Hillingdon - 52360/APP/2020/2254EastRecommendation: Approval253-2514Bayliss Telecommunications Site, Long Lane, Hillingdon - 75608/APP/2020/2424Hillingdon EastInstallation of a 20m monopole, 12 antenna apertures, 6 equipment cabinets and development ancillary thereto (Application under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for siting and93 – 10 259-26	12	Lane, Junction with Sipson Road, Harmondsworth -		Installation of 20m monopole and 3 equipment cabinets, and associated ancillary works (Application under Part 16 of schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for siting and appearance).	71 – 82 243-252
Telecommunications Site, Long Lane, Hillingdon - 75608/APP/2020/2424Eastantenna apertures, 6 equipment cabinets and development ancillary thereto (Application under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for siting and259-26 2012	13	Hillingdon -	•		83 – 92 253-258
Recommendation: Refusal	14	Telecommunications Site, Long Lane, Hillingdon -	•	antenna apertures, 6 equipment cabinets and development ancillary thereto (Application under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for siting and appearance).	93 – 106 259-265

15	36 Pole Hill Road,	Hillingdon	Single storey outbuilding for use	107-116
	Hillingdon - 56575/APP/2020/1700	East	as a gym/study/game room.	266-271
			Recommendation: Approval	
16	64 Regent Avenue, Hillingdon - 58575/APP/2018/3682	Hillingdon East	Conversion of two storey dwelling with habitable roof space into 2 x 1 bed flats with associated parking and amenity space.	117-126 272-276
			Recommendation: Approval	
17	Land At Pump Lane, Hayes - 75730/APP/2020/2219	Townfield	Proposed 20m Phase 8 Monopole C/W wraparound Cabinet at base, 3 cabinets and associated ancillary works (Application under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for siting and appearance).	127-140 277-285
18	Scottish Southern Energy Depot, Springfield Road, Hayes - 6084/APP/2020/920	Townfield	Recommendation: Refusal Removal of the existing 22m tower and the erection of a replacement 30m lattice tower with a total of 18 antenna, installed on headframes at a mean height of between 20.95m and 29.2m AGL, 4 dishes, 6 equipment cabinets, along with ancillary equipment, together with development ancillary thereto. Recommendation: Approval	141-152 286-291

19	Land Adj To The Cat And Fiddle Ph, 162 Rowan Road, West Drayton - 75761/APP/2020/2362	West Drayton	Proposed 18m Phase 8 Monopole C/W wraparound cabinet at base, 3 equipment cabinets and associated ancillary works (Application under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for siting and appearance). <b>Recommendation: Refusal</b>	153-164 292-300
20	Land Rear Of Almond Avenue, Porters Way, West Drayton - 75751/APP/2020/2304	West Drayton	Installation of 18m monopole C/W wraparound cabinet at base, 3 equipment cabinets and associated ancillary works (Application under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for siting and appearance) <b>Recommendation: Refusal</b>	165-176 301-308

## **PART II - MEMBERS ONLY**

That the reports in Part 2 of this agenda be declared not for publication because they involve the disclosure of information in accordance with Section 100(A) and Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended), in that they contain exempt information and that the public interest in withholding the information outweighs the public interest in disclosing it.

21	ENFORCEMENT REPORT	177-182
22	ENFORCEMENT REPORT	183-192

# PART I - Plans for Central and South Planning Committee – pages 193 - 308

## Agenda Item 3



## **CENTRAL** & South Planning Committee

## 5 August 2020

## Meeting held at VIRTUAL - Live on the Council's YouTube channel: Hillingdon London

	<b>Committee Members Present</b> : Councillors Steve Tuckwell (Chairman), Alan Chapman (Vice-Chairman), Shehryar Ahmad-Wallana, Mohinder Birah, Nicola Brightman, Roy Chamdal, Farhad Choubedar, Jazz Dhillon and Janet Duncan (Opposition Lead)
	LBH Officers Present: James Rodger (Head of Planning, Transportation and Regeneration), Neil Fraser (Democratic Services Officer), Meghji Hirani (Planning Contracts & Planning Information) and Kerrie Munro (Legal Advisor)
58.	APOLOGIES FOR ABSENCE (Agenda Item 1)
	None.
59.	<b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (Agenda Item 2)
	None.
60.	<b>TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETING</b> (Agenda <i>Item 3</i> )
	On Minute 46, 3 Newlyn Close, Members queried whether the application site was in a parking management scheme. Officers confirmed that the site was in such a scheme, and advised that the minutes should be amended to reflect this.
	RESOLVED – That the minutes of the meeting held on 01 July 2020 be approved as a correct record, subject to the above amendment.
61.	MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (Agenda Item 4)
	None.
62.	TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART I WILL BE CONSIDERED IN PUBLIC AND THAT THE ITEMS MARKED PART 2 WILL BE CONSIDERED IN PRIVATE (Agenda Item 5)
	It was confirmed that items 1-15 would be considered in public, with items 16-18 considered in private.
63.	39 STATION ROAD, WEST DRAYTON - 24730/APP/2019/3531 (Agenda Item 6)
	Dage 1

Officers introduced the report, highlighting that the application had been deferred from the Committee meeting in March 2020 to allow for a Member site visit to be held. Since then, a virtual site visit had been carried out on 17 July, which had shown that, despite a requirement for corrective structural and cosmetic works, the 1<sup>st</sup> floor would provide a reasonable standard of living for future occupiers. Officers advised that the application was recommended for refusal, as its approval would lead to the loss of residential units, contrary to Local Plan policy.

The Committee was reminded that, if Members were minded to overturn the officer's recommendation and approve the application, then sufficient supporting arguments would need to be made as to the economic benefits and importance of the restaurant to West Drayton High Street, and whether these benefits outweighed the loss of the residential unit.

By way of written submission, Councillor Stuart Mathers addressed the Committee as Ward Councillor for West Drayton in support of the application. Key points highlighted were:

- Over recent years, West Drayton has contributed significantly to the Council's housing target, with developments such as the old RAF site, Police Station, British Legion, and the replacement of a number of public houses.
- In contrast, West Drayton High Street had struggled to keep its retail and business units occupied and remain a vibrant offer to local residents.
- In an area with an abundance of fast food outlets and estate agents, the restaurant at 39 Station Road provides a positive alternative and popular choice for local residents.
- In what were increasingly difficult times for high streets, with restauranteurs struggling to survive due to the current pandemic and needing more space to serve customers whilst remaining financially viable, Councils need to do all they can to support businesses for a strong recovery.
- The proposed change of use provides much needed support for this business and the High Street, with relatively minimal impact on the overall number of residential units in the Borough.

By way of written submission, Councillor Jan Sweeting addressed the Committee as Ward Councillor for West Drayton in support of the application. Key points highlighted were:

- The officer's recommendation to refuse the application will not aid the future financial viability of this well regarded restaurant, nor will it mean that the owner of the building will be undertaking the extensive refurbishment works necessary to enable the flat to be resurrected from its current poor state.
- Businesses on the High Street in West Drayton already face challenges to remain financially viable. With the current pandemic, this has gotten worse, and it is likely that many local businesses will be forced to close, especially businesses in the hospitality sector.
- Positano restaurant has a small interior where tables are situated close together. With social distancing measures imposed, the capacity of the restaurant will be significantly reduced if it is to keep to Government strictures.
- Allowing the restaurant to occupy the first floor may mean that it will be possible for it to continue to operate and remain financially viable.

Members discussed the application in detail, and referenced planning policy DMH1, which recommended that 'exceptional circumstances' should be taken into

consideration. Members felt that, in light of the current pandemic, such consideration was applicable in this instance. Members were minded to approve the application, on the basis that the restaurant provided clear and long lasting benefits to the Borough. It was highlighted that the restaurant was not part of a chain or a fast food outlet, but was instead a family-run business which acted as an anchor tenant, promoting further businesses to operate within the High Street. The restaurant also incentivised additional public footfall, and therefore an increased commercial spend within the area, and was therefore of benefit to the wider business community

Members highlighted that the restaurant was popular and well regarded, which could be seen in the petition of support received. It was felt that the restaurant required the first floor space to serve enough customers to remain financially viable while complying with the government's guidelines on social distancing during the pandemic.

However, Members sought additional conditions to mitigate any potential adverse impact on adjoining occupiers, such as additional noise and smell. Officers advised that the application could be conditioned to include additional noise attenuation, including a restriction on the hours of operation, while smells would not be an issue due to the proposed structural layout and use of existing flues/extractors, etc.

It was proposed that the application be approved, subject to additional conditions on noise and hours of use, with the wording of those conditions delegated to the Head of Planning in consultation with the Chairman and Opposition Lead. This was moved, seconded, and when put to a vote, unanimously approved.

### **RESOLVED**:

- 1. That the application be approved, subject to conditions relating to hours of use and noise mitigation; and
- 2. That delegated authority be given to the Head of Planning to determine the wording for the above conditions, in consultation with the Chairman and Opposition Lead.

## 64. BANNERMAN CENTRE, KINGSTON LANE - 532/APP/2020/1431 (Agenda Item 7)

Officers introduced the application, confirming that the proposal was recommended for approval for the reasons set out in the report.

Members supported the officer's recommendation, which was moved, seconded, and when put to a vote, unanimously agreed.

## **RESOLVED:** That the application be approved.

65. QUAD NORTH BUILDING, BRUNEL UNIVERSITY, KINGSTON LANE -532/APP/2020/1852 (Agenda Item 8)

Officers introduced the application, confirming that the proposal was recommended for approval for the reasons set out in the report.

Members supported the officer's recommendation, which was moved, seconded, and when put to a vote, unanimously agreed.

## **RESOLVED:** That the application be approved.

66.	GROSVENOR PLAYING FIELDS, KINGSHILL AVENUE - 7129/APP/2020/424 (Agenda Item 9)				
	Officers introduced the application, confirming that the proposal was recommended for approval for the reasons set out in the report. It was highlighted that, as per condition 3, the colour of paint to be used was still to be agreed.				
	Members discussed the application, and suggested an additional condition to prohibit advertisements on the site. It was suggested that the Head of Planning be delegated authority to agree the wording of this condition.				
	The officer's recommendation, subject to the additional condition relating to advertisements, was moved, seconded, and when put to a vote, unanimously agreed.				
	RESOLVED:				
	<ol> <li>That the application be approved, subject to a condition prohibiting advertisements on site; and</li> <li>That delegated authority be given to the Head of Planning to determine the wording of the above condition.</li> </ol>				
67.	CRIMSON COURT, 1390 UXBRIDGE ROAD - 11982/APP/2020/1576 (Agenda Item 10)				
	Officers introduced the application, confirming that the proposal was recommended for approval for the reasons set out in the report.				
	Members discussed the application, and suggested an additional condition relating to the use and maintenance of the gate to the bin store, to ensure it was kept in good condition and was closed when not in use. It was proposed that the Head of Planning be delegated authority to agree the wording of this condition.				
	The officer's recommendation, with the additional condition relating to the bin store gates as above, was moved, seconded, and when put to a vote, unanimously agreed.				
	RESOLVED:				
	<ol> <li>That the application be approved, subject to a condition relating to the use and maintenance of the gate to the bin store; and</li> <li>That delegated authority be given to the Head of Planning to determine the wording of the above condition.</li> </ol>				
68.	TELECOMMUNICATIONS STREETWORKS MAST, LOMBARDY RETAIL PARK, UXBRIDGE ROAD - 60086/APP/2020/374 (Agenda Item 11)				
	Officers introduced the application and highlighted the addendum, which corrected the contents page of the agenda papers that erroneously listed the application as recommended for refusal. Officers confirmed that the application was recommended for approval, for the reasons set out in the report.				
	Members discussed the application, and expressed concerns over the visual impact of the proposed mast and cabinets on the amenity of nearby residential units. Members felt that the application had not demonstrated a clear need for the equipment to be moved to a new site, and suggested that any such equipment should be sited near the commercial properties to the south.				

	Members moved that the application be refused. This was seconded, and when put to a vote, unanimously agreed.				
	RESOLVED:				
	<ol> <li>That the application be refused; and</li> <li>That the Head of Planning include detailed reasons for refusal within the decision notice.</li> </ol>				
69.	1-3 BAKERS ROAD - 72219/APP/2019/3340 (Agenda Item 12)				
	Officers introduced the application, confirming that the proposal was recommended for approval for the reasons set out in the report.				
	Members supported the application, and particularly the additional affordable housing to be provided. In response to a query from the Committee, officers confirmed that a S106 payment had previously been received in lieu of amenity space on site, and there was no requirement for an additional payment due to this application.				
	The officer's recommendation, was moved, seconded, and when put to a vote, unanimously agreed.				
	RESOLVED: That the application be approved.				
70.	1 VINE STREET - 66021/APP/2020/1422 (Agenda Item 13)				
	Officers introduced the application and addendum, confirming that the proposal was recommended for approval for the reasons set out in the report.				
	Members supported the officer's recommendation, which was moved, seconded, and when put to a vote, unanimously agreed.				
	RESOLVED: That the application be approved.				
71.	1 CROFT CLOSE - 8901/APP/2020/581 (Agenda Item 14)				
	Officers introduced the application, confirming that the proposal was recommended for approval for the reasons set out in the report.				
	Members discussed the application, and suggested an additional condition relating to the protection of nearby trees. Officers confirmed that the trees were on Council owned land, and therefore welcomed such a condition.				
	The officer's recommendation, with the additional condition relating to the protection of nearby trees, was moved, seconded, and when put to a vote, unanimously agreed.				
	RESOLVED: That the application be approved, subject to a condition relating to the protection of nearby trees.				
72.	S106 QUARTERLY MONITORING REPORT (Agenda Item 15)				
	Officers introduced the report, and requested that Members note the contents.				
	Members noted the contents of the report, and requested that a further report detailing Page 5				

	the Community Infrastructure Levy (CIL) be brought to a future meeting of the Committee.
	Officers confirmed that a report on CIL would be scheduled for a future meeting.
	RESOLVED:
	<ol> <li>That the report be noted; and</li> <li>That a report on the Community Infrastructure Levy (CIL) be brought to a future meeting of the Committee.</li> </ol>
73.	ENFORCEMENT REPORT (Agenda Item 16)
	RESOLVED:
	1. That the enforcement action, as recommended in the officer's report, was agreed; and,
	2. That the Committee resolved to release their decision, and the reasons for it outlined in the report, into the public domain, solely for the purposes of it issuing the formal breach of condition notice to the individual concerned.
	This item is declared as exempt from publication as it involves the disclosure of information in accordance with Section 100(A) and <b>paragraphs 1, 2 &amp; 7</b> of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended), in that the report contains <b>information relating to any individual</b> , <b>information likely to reveal the identity of an individual and information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime and that the public interest in withholding the information outweighs the public interest in disclosing it.</b>
74.	ENFORCEMENT REPORT (Agenda Item 17)
	RESOLVED:
	1. That the enforcement action, as recommended in the officer's report, was agreed; and,
	2. That the Committee resolved to release their decision, and the reasons for it outlined in the report, into the public domain, solely for the purposes of it issuing the formal breach of condition notice to the individual concerned.
	This item is declared as exempt from publication as it involves the disclosure of information in accordance with Section 100(A) and <b>paragraphs 1, 2 &amp; 7</b> of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended), in that the report contains <b>information relating to any individual, information likely to reveal the identity of an individual and information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime and that the public interest in withholding the information outweighs the public interest in disclosing it.</b>
75.	ENFORCEMENT REPORT (Agenda Item 18)
	Page 6

**RESOLVED**:

- 1. That the enforcement action, as recommended in the officer's report, was agreed; and,
- 2. That the Committee resolved to release their decision, and the reasons for it outlined in the report, into the public domain, solely for the purposes of it issuing the formal breach of condition notice to the individual concerned.

This item is declared as exempt from publication as it involves the disclosure of information in accordance with Section 100(A) and **paragraphs 1, 2 & 7** of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended), in that the report contains information relating to any individual, information likely to reveal the identity of an individual and information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime and that the public interest in withholding the information outweighs the public interest in disclosing it.

The meeting, which commenced at 7.00 pm, closed at 9.23 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Democratic Services on Telephone 01895 250636 - email (recommended) democratic@hillingdon.gov.uk. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

The public part of this meeting was filmed live on the Council's YouTube Channel to increase transparency in decision-making, however these minutes remain the official and definitive record of proceedings. This page is intentionally left blank

## Agenda Item 6

Α

Item No.	Report of the Head of Planning, Transportation and Regeneration
Address	LAND OPPOSITE 237 STATION ROAD HAYES
Development:	Proposed 18m Phase 8 Monopole C/W wraparound cabinet at base and associated 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:	75743/APP/2020/2277
Drawing Nos:	Covering letter Site Specific Supplementary Information Heathrow Pre Planning Consultation comment Heathrow Consultation 18.7.20 Declaration of Conformity with ICNIRP Public Exposure Guidelines Permitted development notice - Hillingdon Developers Notice 002 - Site Location Plan Issue A 100 - Existing Site Plan Issue A 150 - Existing Elevation A Issue A 210 - Proposed H3G Site Plan Issue A 260 - Proposed H3G Elevation Issue A 303 - Proposed H3G Antenna Schedule & Line Configuration Issue A 305 - Equipment Schedule & Support Structure Details Issue A

Date Plans Recieved:	22/07/2020	Date(s) of Amendment(s):
Date Application Valid:	22/07/2020	

#### 1. SUMMARY

This application seeks prior approval for a telecommunication installation under Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). The proposal is for the installation of a 18m Phase 8 Monopole C/W wraparound cabinet at base, 3 cabinets and associated ancillary works. The purpose of the proposal is to provide 5G network and improve coverage and capacity for Hutchison 3G UK Limited (H3G) in the area.

The proposal is considered to be an obtrusive form of development which would add visual clutter to the street scene and the wide central reservation that runs down Station Road. The proposal would not harmonise with the character of the area and would be detrimental to local visual amenities. It is also considered that the proposal has not fully investigated alternative sites within the immediate and surrounding area. As such, it fails to comply with Policies DMHB 11 and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2019).

This application is recommended for Refusal.

#### 2. **RECOMMENDATION**

#### **REFUSAL** for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development, by reason of the siting in this 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. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11, DMHB 12 and DMHB 21 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and the National Planning Policy Framework (February 2019).

#### 2 NON2 Non Standard reason for refusal

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).

#### **INFORMATIVES**

#### 1 I52 Compulsory Informative (1)

The decision to REFUSE planning permission 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).

#### 2 153 Compulsory Informative (2)

The decision to REFUSE planning permission 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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 21 Telecommunications
- DMHB 14 Trees and Landscaping
- LPP 4.11 (2016) Encouraging a connected economy
- NPPF- 10 NPPF-10 2018 Supporting high quality communications

#### 3 171 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 west of Station Road, in front of Nippon Express, an office/industrial unit and directly across from Monmouth Road and no. 237 Station Road. The application site is located on the side of the pedestrian footpath adjacent to the existing fence of the neighbouring property. There is a bus stop just south-west to the proposed location of the equipment.

North of the site, is commercial/industrial in nature comprising large warehouse units that are approximately 14m in height. On the south and east of the site, it mainly consists of 2-storeys high semi-detached residential dwellings. It should be noted that there is an existing wide strip of grass verge with trees along the east side of Station Road that provides separation from the highway to the residential area.

#### 3.2 Proposed Scheme

This application seeks to install a new 18m Phase 8 Monopole C/W wrapround cabinet at base and associated ancillary works. The proposal includes 3 housing cabinets.

The proposed cabinet dimensions:

- 600mm (W) x 520mm (D) x 1585mm (H)
- 600mm (W) x 480mm (D) x 1200mm (H)
- 1900mm (W) x 600mm (D) x 1752mm (H)

- 1800mm (W) x 750mm (D) x 1600mm (H) cabinet with 18m monopole

(Total volume of housing equipment = 4.99 cubic metres)

#### Material:

Monopole - Phase 8 galvanised pole with wraparound steel grey cabinet Equipment Housing - Steel, Grey

#### 3.3 Relevant Planning History

#### Comment on Relevant Planning History

No planning history relevant to the application.

It should be noted that a similar application under planning reference 72544/APP/2017/295 was refused 03-03-17 for the installation of a 15m high streetworks style telecommunications monopole and ancillary works. This site is 34.5m from the application site and was refused on grounds that the proposal would increase street clutter resulting in a detrimental impact on the character and appearance of the street scene and surrounding area, and fails to adequately investigate alternative locations.

#### 4. Planning Policies and Standards

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.

Chapter 10 of the National Planning Policy Framework (2019) stresses the importance of advanced, high quality and reliable communications infrastructure and the role it plays in supporting sustainable economic growth. It goes on to advise that the aim should be to keep the numbers of radio and telecommunications masts and sites to a minimum, consistent with the efficient operation of the network and that existing masts and sites should be used unless there is a demonstrable need for a new site.

The aim of this application is to provide 5G network and improve coverage and capacity for one operator, Hutchison 3G UK Limited (H3G) in the area. The supplementary information has indicated that a total of 8 sites has been examined with 3 potential sites and the remaining 5 sites being discounted for the following reasons:

- Close proximity to an existing H3G cell and options closer to the nominal available
- Options being available closer to the nominal
- Potential "clipping" and coverage blockage from the Asda building to the rear
- Better sites available which do not impact on residential areas

- Better sites available which do not impact on residential areas and limited space to house the H3G equipment.

It should be noted that the site search undertaken is along Station Road, Redmead Road and Dawley Road which borders around the existing commercial/industrial area. However, there is no evidence that the area within the commercial/industrial area of Millington Road has been investigated by the applicant which is considered to have less impact on residential dwellings than the application site. As such, the proposal has failed to adequately investigate alternative solutions for a monopole location.

A signed Declaration of Conformity has been provided as part of this submission.

#### 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

#### Part 2 Policies:

- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 21 Telecommunications
- DMHB 14 Trees and Landscaping
- LPP 4.11 (2016) Encouraging a connected economy
- NPPF- 10 NPPF-10 2018 Supporting high quality communications

#### 5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- 18th August 2020
- **5.2** Site Notice Expiry Date:- Not applicable

#### 6. Consultations

#### External Consultees

A site notice was displayed adjacent to the application site. All consultation expires on 24th August 2020. A total of 52 neighbouring owners/occupiers have been consulted.

One objection has been received objecting on the grounds of radiation emission and the fact that there must be more suitable sites than that proposed.

Two ward councillor objection have been received and raised the following concerns:

- We have no evidence placing this mast in this location achieves the policy of minimising the number of masts under NPPF Section 113.

- At present there is no mast in this location and these masts are unsightly so adding a mast does not seem to comply with the above policy.

- We have 4G masts already covering the area so why is one of these locations not being used ?

- I have received objections from residents in the Ward and they draw attention to the loss of visual amenity if you live near this proposed location.

- The residents also suggest that in the event we need an extra mast, and as I have pointed out that needs justification, then the Mast should be located in the Industrial estate or even near Bourne roundabout where a mast I believe is in use. This is using the principal we minimise the number of masts and utilise the current locations.

- We also have to be more concerned at the distance between residents' homes and the new 5G radiation. 5G radiation although not at an energy level that would cause ionisation is significantly higher than 4G.

- We wish to protect the already highly polluted area from any more health hazards

A petition with 20 signatures have been received stating that the application should be refused for the following reasons:

- The applicants site search has not considered any of the industrial/business area of Millington Road which is less visually obtrusive and a better location for such a mast. Land ownership should not preclude the search of this area to find a more preferable site;

- As per 70604/APP/2015/360 which was refused on multiple grounds, this site is equally restricted and should therefore be refused on the same grounds.

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/

CADENT GAS:

Searches based on your enquiry have identified that there is no record of apparatus in the immediate vicinity of your enquiry.

Cadent and National Grid therefore have no objection to these proposed activities.

NATS:

No comments have been received at the time this report was written.

#### Internal Consultees

HIGHWAYS OFFICER:

This is an application for a monopole and related equipment on footway along Station Road, Hayes. The proposed location is near the signalised junction with Millington Road where double yellow line parking restrictions are in place. The equipment is to be located at the back of the footway in line with other other street furniture including a bus shelter, leaving adequate footway space for pedestrians. The limited service and maintenance requirements would not be able to be undertaken directly by the equipment but there are other parking opportunities in the surrounding area such as Bedwell Gardens opposite the proposed site. There are no highway objections to this proposal.

#### 7. MAIN PLANNING ISSUES

#### 7.01 The principle of the development

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 18m and is not located within article 2(3) land or land which is on highway. As such, it is in accordance with Condition A.1 - (1)(c)(i) 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 be 4.99 cubic metres, therefore the proposal is in accord 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).

#### 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

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

The application site is located within 2km of Heathrow airfield. Heathrow Aerodrome Safeguarding Airside Operations have been consult and no objections has been raised subject to an informative. No response from NATS have been received at the time this report was written.

#### 7.05 Impact on the green belt

Not applicable to this application.

#### 7.07 Impact on the character & appearance of the area

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.

The application site is located on the fringe of an area with mainly commercial/industrial units, including ASDA, commercial warehouse units as well as 5 storeys high office buildings and car parking on the north. On the south and the east side, it mainly comprises of 2-storeys high residential dwellings. As noted previously, no investigation of a site search within the existing commercial/industrial area has been undertaken.

The site is set back from the highway, however it remains fairly exposed and is therefore highly visible when viewed from the immediate street scene and the surrounding area. The proposed 18m high telecommunications mast would appear as a prominent feature on Station Road and would have a detrimental impact on the openness, character and appearance of the street scene. In addition, due to the open nature and high visibility of the site, the proposed telecommunications installation would appear as an incongruous addition to the neighbourhood.

There is currently no street furniture of this size and height. When compared to the adjacent roof levels, light pole and the streetscene, the 18m high monopole will appear unduly dominant and intrusive. The overall height would be significantly over and above the surrounding area.

Whilst the mast is to provide 5G services and to improve capacity and coverage of existing services, the proposal will add undue clutter to the streetscene which will have a significant negative impact on the visual amenity of adjacent residents and to the area in general. It would harm the character and appearance of the street scene and as such, the proposal is contrary to Policy BE1 of The Local Plan: Part 1 - Strategic Policies (2012) and Policies DMHB 11, DMHB 12 and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020).

#### 7.08 Impact on neighbours

Policy DMHB 11 of The Local Plan: Part 2 - Development Management Policies (2020) seeks to ensure that developments do not adversely impact on the amenity of adjacent properties, and seeks to protect outlook for residents, defined as the visual amenity enjoyed by occupants when looking out of their windows.

The closest residential dwellings is 29m located on the opposite side of Station Road. Due to its proximity, size and overall height of the equipment, the proposal would be highly visible and intrusive to the immediate adjacent residents and surrounding area in general. The location of the site is fairly exposed, therefore would appear unduly dominant and intrusive. As such, the proposal would severely impact the outlook of the existing residents and therefore fails to accord with Policy DMHB 11 of The Local Plan: Part 2 - Development Management Policies (2020).

#### 7.09 Living conditions for future occupiers

Not applicable to this application.

#### 7.10 Traffic impact, Car/cycle parking, pedestrian safety

The Council's Highway's Officer has commented on this application and no objections has been raised. The site is located on the side of an existing pedestrian footpath therefore will not impact on the pedestrian or highways safety.

#### 7.11 Urban design, access and security

Refer to Section 7.07 of this report.

#### 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

The site is located on existing public footpath and therefore, would unlikely to impact trees, landscaping and ecology in the area.

#### 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

Refer to Section 6.1 of 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 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.

#### 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

This application seeks prior approval for a telecommunication installation under Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). The proposal is for the installation of a 18m Phase 8 Monopole C/W wraparound cabinet at base, 3 cabinets and associated ancillary works. The purpose of the proposal is to provide 5G network and improve coverage and capacity for Hutchison 3G UK Limited (H3G) in the area.

The proposal is considered to be an obtrusive form of development which would add visual clutter to the street scene and the wide central reservation that runs down Station Road. The proposal would not harmonise with the character of the area and would be detrimental to local visual amenities. It is also considered that the proposal has not fully investigated alternative sites within the immediate and surrounding area. As such, it fails to comply with Policies DMHB 11 and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2019).

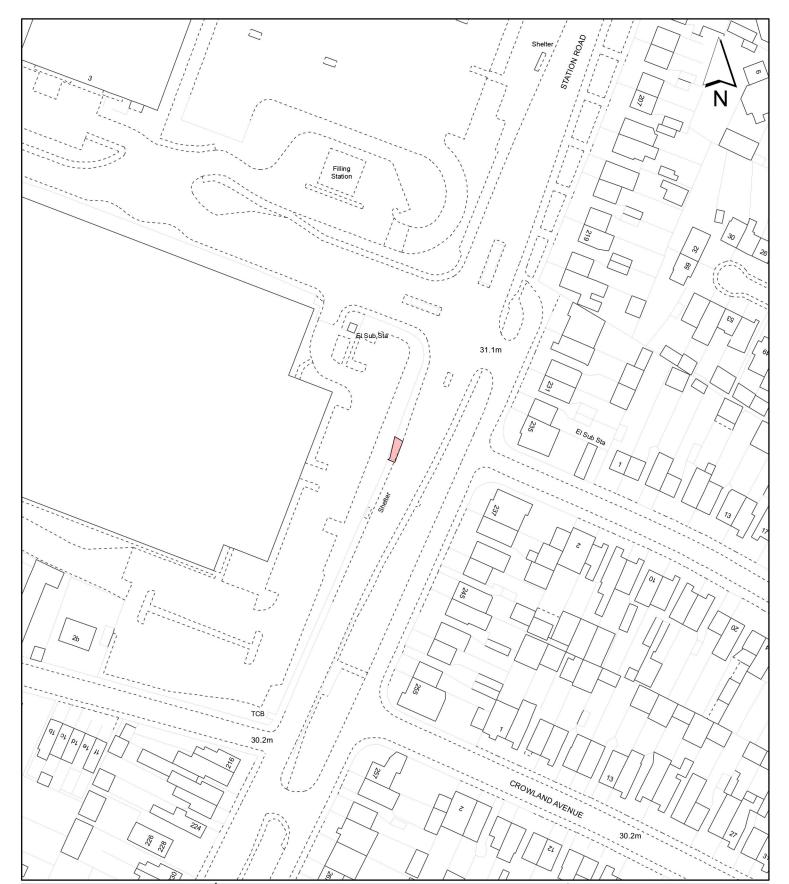
It is recommended that prior approval be required and that permission be refused.

#### **11. Reference Documents**

Hillingdon Local Plan: Part One - Strategic Policies (November 2012) Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) The London Plan (2016) National Planning Policy Framework (2019) The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Contact Officer: Rebecca Lo

Telephone No: 01895 250230



#### Notes:

#### Site boundary

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#### Site Address:

## Land Opposite 237 Station Road

#### LONDON BOROUGH OF HILLINGDON Residents Services

Planning Section Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 01895 250111

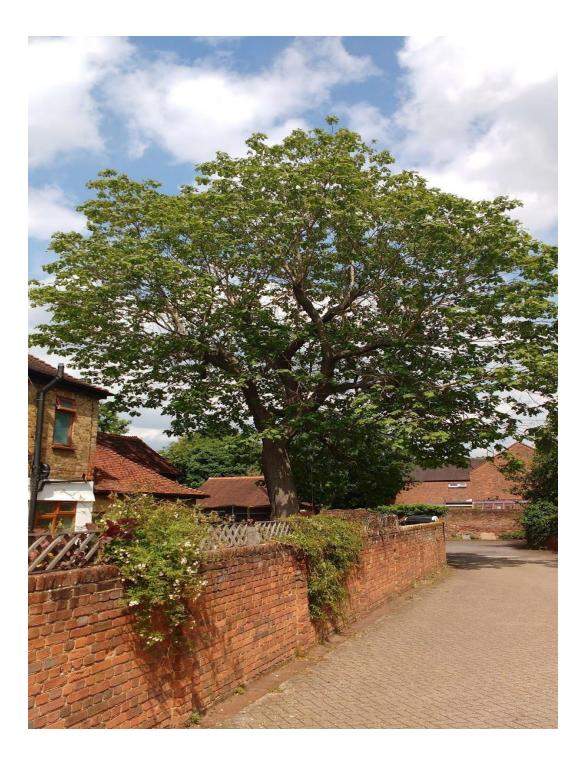
Planning Application Ref: 75743/APP/2020/2277	Scale: <b>1:1,250</b>
Planning Committee:	Date:
Central & Southinge 20	Sept 2020



## Agenda Item 7

### Report of Head of Planning & Enforcement TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED), SECTIONS 198-201 AND 203

## TREE PRESERVATION TREE WORKS APPLICATION 3 CEDARS COURT VINE LANE UXBRIDGE 75470/TRE/2020/59



### 1.0 Summary

1.1 To consider whether or not to approve works application **75470/TRE/2020/59** 

### 2.0 Recommendations

2.1 That tree works application 75470/TRE/2020/59 be refused.

#### 3.0 Information

3.1 The above application for tree works was received in March 2020 to fell this large mature Indian Bean tree due to decay in the trunk.

### 4.0 The Objections

4.1 Two formal objections (summarised verbatim below) to App 75470/TRE/2020/59 were received from a number of residents and a petition comprising 27 signatures was received objecting to the removal of this tree.

- **1.** This tree is a feature tree One of the main objections outlined in the petition is that this tree is a prominent landscape feature in a historical and conservation area.
- **2.** Loss of other mature Horse Chestnut causes concern Another concern outlined in the petition is that another mature and prominent Horse Chestnut tree has also been felled nearby which was another prominent feature tree.

**3. Very rare beautiful tree with wildlife value -** One of the online comments received stated that the tree stated that the tree is very beautiful in the spring and is full of parakeets in the autumn feeding on the seed pods.

## 5.0 Observations on the objections to App 75470/TRE/2020/59 :

**5.1** This Indian Bean tree is a prominent landscape feature which enhances the historical location and also the Hillingdon Village conservation area. This tree has a moderate amenity value and makes a good contribution to the visual amenity and arboreal character of the local area. It can clearly be seen from all angles.

**5.2** The mature Horse Chestnut which was removed nearby was also a prominent landscape feature, so the removal of another large mature tree nearby would be regrettable and would have a negative long term impact on the visual amenity and arboreal character of this conservation area.

**5.3** This tree is known to be a rare species and is only one of a handful of trees in the borough which are protected by a Tree Preservation Order. One of its main features is the white blossom it produces in the spring making it aesthetically pleasing. Another unique feature of this tree are the drooping seed pods produced in the autumn.

### 6.0 Reasons given in application 75470/TRE/2020/59 to remove tree

An application to remove this tree was received in March 2020 (summarised verbatim below) to App 75470/TRE/2020/59 were received in respect of this application

### 1 Tree is completely hollow and has bad decay

The main reason given for removal of this Indian Bean tree in application 75470/TRE/2020/59 is that it is "hollow and has bad decay" Other reports provided claim that it is dangerous.

#### **Observations on reasons for removal on application 75470/TRE/2020/59**

**6.1** Photos provided show that there is an area of decay present in the trunk of this tree. In section 8.1 of the tree works application, the applicant has selected yes in relation to having fears that the tree might break or fall, however, the only information provided from three different tree companies is that the tree is hollow and or potentially dangerous. No detailed diagnostic information or evidence has been provided which shows the extent of decay or proves that the tree is in a dangerous condition.

This tree has previously been heavily reduced and the applicant also has the option of applying for pruning works to be carried out on this tree.

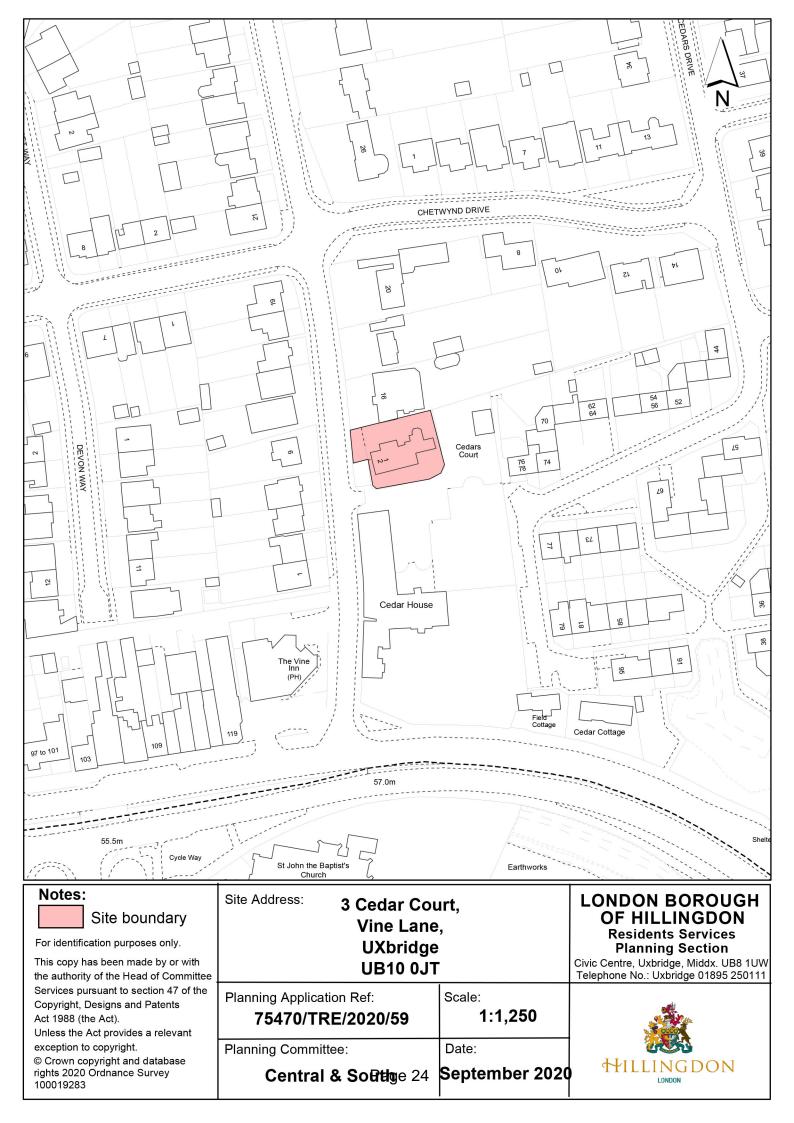
#### 7.0 Conclusion

This Indian Bean tree is a prominent local landscape feature and has a moderate amenity value - making a significant contribution to the historical and arboreal character of the Hillingdon Village Conservation area. The reasons given are not considered to be justifiable in the absence of detailed evidence and diagnostic information which proves that this tree is dangerous.

It is therefore recommended that the tree works application App 75470/TRE/2020/59 is refused.

The following background documents were used in the preparation of this report:

- Petition in objection of tree works App 75470/TRE/2020/59
- Online and e-mail objections received to App 75470/TRE/2020/59
- Tree Works Application 75470/TRE/2020/59 and Tree contractor reports.



## Agenda Item 8

## Α

Item No.	Report of the Head of Planning, Transportation and Regeneration		
Address	LAND AT CLAYTON R ROAD HAYES	OAD JUNCTION WITH TREVOR ROAD CLAYTON	
Development:	cabinets and associate Schedule 2 to the Town	3 Monopole C/W wraparound cabinet at base, 3 d ancillary works (Application under Part 16 of n and Country Planning (General Permitted 015 for determination as to whether prior approval is appearance)	
LBH Ref Nos:	75722/APP/2020/2187		
Drawing Nos:	Covering Letter Site Specific Supplementary Information Declaration of Conformity with ICNIRP Public Exposure Guidelines Permitted development notice to Site Provider Developers Notice 002 - Site Location Plan Issue A 100 - Existing Site Plan Issue A 150 - Existing Elevation A Issue A 210 - Proposed H3G Site Plan Issue A 260 - Proposed H3G Elevation Issue A 303 - Proposed H3G Antenna Schedule & Line Configuration Issue A 305 - Equipment Schedule & Support Structure Details Issue A Aerodrome Developer's Notice		
Date Plans Reci	eved: 15/07/2020	Date(s) of Amendment(s):	

Date Application V	alid:	15/07/2020

#### 1. SUMMARY

This planning application seeks Prior Approval for the installation of a 20m Phase 8 Monopole C/W wraparound cabinet at base, 3 cabinets and associated ancillary works under under Part 16 of schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015. The purpose of the proposal is to upgrade the Hutchison 3G UK Limited (H3G) network to improve existing coverage and capacity of 3G/4G as well as providing 5G to the surrounding area.

Given the location of the site is on the fringe of an industrial area, it is considered to have limited impact on the adjacent residential properties, the setting of the conservation area and list buildings nearby. The proposal is in accordance with Policies DMHB 4, DMHB 11 and DMHB 21 of the The Local Plan: Part 2 - Development Management Policies (2020).

This application is recommended for Approval.

#### 2. **RECOMMENDATION**

#### APPROVAL subject to the following:

#### 1 COM3 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

#### 2 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 210 - Proposed H3G Site Plan Issue A, 260 - Proposed H3G Elevation Issue A, 303 - Proposed H3G Antenna Schedule & Line Configuration Issue A and 305 - Equipment Schedule & Support Structure Details Issue A and shall thereafter be retained/maintained for as long as the development remains in existence.

#### REASON

To ensure the development complies with the provisions Hillingdon Local Plan Parts 1 (November 2012) and 2 (January 2020) and the London Plan (2016).

#### 3 NONSC Non Standard Condition

Any apparatus or structure provided in accordance with this permission shall be removed from the land, as soon as reasonably practicable after it is no longer required for electronic communications purposes, and such land, shall be restored to its condition before the development took place, or to any other condition as may be agreed in writing with the Local Planning Authority.

#### REASON

To ensure that the development is removed as soon as it is no longer required in order to protect the character and appearance of the area in accordance with Policies DMHB 11 and DMHB 21 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

#### **INFORMATIVES**

#### 1 I52 Compulsory Informative (1)

The decision to GRANT planning permission 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 GRANT planning permission 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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

- DMHB 2 Listed Buildings
- DMHB 3 Locally Listed Buildings
- DMHB 4 Conservation Areas
- DMHB 11 Design of New Development
- DMHB 14 Trees and Landscaping
- DMHB 12 Streets and Public Realm
- DMHB 21 Telecommunications
- LPP 4.11 (2016) Encouraging a connected economy
- NPPF- 10 NPPF-10 2018 Supporting high quality communications
- 3 170 LBH worked applicant in a positive & proactive (Granting)

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 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, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

4

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/

#### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application site is located on the north of Clayton Road close to its junction of Trevor Road. The proposed equipment is to be located on the pedestrian footpath to the rear of Unit 1 Clayton Business Centre. Adjacent to the site, are vertical street furniture including street signs and 8.2m high light poles. Backing onto the site is a warehouse unit that has an overall roof level of 9m.

The site is located on the fringe of a Strategic Industrial Location and is 31m away from the Botwell: Thorn EMI Conservation area, the locally listed Former HMV offices/Jupiter House to the south and approximately 81m away from the Grade II listed Enterprise House. The site is located in Hayes Housing Zone.

The surrounding area mainly comprises of industrial warehouse units on the north and west, and residential flats to the south.

#### 3.2 **Proposed Scheme**

This application seeks prior approval for the installation of a 20m Phase 8 Monopole C/W wrapround cabinet at base, 3 cabinets and associated ancillary works.

The proposed cabinet dimensions:

- 1900mm (W) x 600mm (D) x 1752mm (H)

- 640mm (W) x 480mm (D) x 1200mm (H)
- 600mm (W) x 520mm (D) x 1585mm (H)

- 1800mm (W) x 750mm (D) x 1600mm (H) with 20m high Phase 8 monopole

(Total Volume of housing equipment = 5.02 cubic metres)

Material: Monopole - Phase 8 pole, Galvanised with wraparound cabinet Equipment Housing - Steel, Grey

#### 3.3 Relevant Planning History

#### **Comment on Relevant Planning History**

No planning history relevant to the application.

#### 4. Planning Policies and Standards

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.

Chapter 10 of the National Planning Policy Framework (2019) stresses the importance of advanced, high quality and reliable communications infrastructure and the role it plays in supporting sustainable economic growth. It goes on to advise that the aim should be to keep the numbers of radio and telecommunications masts and sites to a minimum, consistent with the efficient operation of the network and that existing masts and sites should be used unless there is a demonstrable need for a new site.

The applicant seeks to upgrade the network for one operator, Hutchinson 3G UK Limited (H3G) in the area including 3G/4G and 5G. There were a total of 10 sites examined in the cell search process including the site selected along Clayton Road, Trevor Road, Blyth Road and Clarendon Road.

It is noted that the other sites were discounted due to the following reasons:

- Discounted due to private land
- Discounted due to insufficient pavement width to house equipment
- Discounted as proposed option more robust from a planning perspective

A signed Declaration of Conformity has been provided as part of this submission.

#### 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

Part 2 Policies:

- DMHB 2 Listed Buildings
- DMHB 3 Locally Listed Buildings
- DMHB 4 Conservation Areas
- DMHB 11 Design of New Development
- DMHB 14 Trees and Landscaping
- DMHB 12 Streets and Public Realm
- DMHB 21 Telecommunications
- LPP 4.11 (2016) Encouraging a connected economy
- NPPF- 10 NPPF-10 2018 Supporting high quality communications

#### 5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- Not applicable
- 5.2 Site Notice Expiry Date:- 17th September 2020

#### 6. Consultations

#### External Consultees

A site notice was displayed adjacent to the site and expires on 20th August 2020. A total of 87 neighbouring owners/occupiers have been consulted. No comments have been received.

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/

#### 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.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

#### Internal Consultees

#### HIGHWAYS OFFICER:

This is an application for the installation of a monopole and related equipment on the highway. The site is located at the junction of Clayton road with Trevor Road, there is a single yellow line, Monday to Saturday 8am to 6.30pm parking restrictions at the junction but no parking restrictions after these which allow parking opportunities for the limited servicing and maintenance requirements. The equipment will be at the back of the footway inline with other existing street furniture and will not impact on space for pedestrians. There are no highway objections to this application.

#### CONSERVATION AND URBAN DESIGN OFFICER:

Setting of Botwell: Thorn EMI Conservation Area Setting of Locally Listed Building, Former HMV offices/Jupiter House (Non-designated heritage asset), Setting of Grade II Listed Building, Enterprise House The proposed development in this instance is likely to result in little to no harm to the setting of the designated and non-designated heritage assets, taking into account the location of the application site, nature of the development and industrial character of the surrounding environment. Some consideration may need to be given towards the proposed residential developments directly north-east of the site and the impact a mast may have on future occupiers.

#### ACCESS OFFICER:

I have reviewed drawing number HGN13149\_001 in respect of street works on the North side of Clayton Road. This proposal is for a communication mast and wrap around cabinet.

It is unclear from the drawing exactly where the cabinet would be sited, and that level of detail is crucial in terms of ensuring that the safety and ease of movement of blind and visually impaired people is not compromised.

At this junction, there is a kerb buildout that effectively widens the footway to some 2.5m. On the proviso that the cabinet would be positioned within this widened zone, no objection is raised from an accessibility point of view.

#### 7. MAIN PLANNING ISSUES

#### 7.01 The principle of the development

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 20m and is not located within article 2(3) land or land which is on highway. As such, it is in accordance with Condition A.1 - (1)(c)(i) 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 be 5.02 cubic metres, therefore the proposal is in accord 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).

# 7.02 Density of the proposed development

Not applicable to this application.

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

The application site is located directly across from the locally listed Former HMV officers/Jupiter house, Listed Grade II Enterprise House and the Botwell: Thorn EMI Conservation Area. Due the location and overall height, when viewed from the adjacent street, Blyth Road, the top of the telecommunication monopole will be visible. However on the basis that the location of the monopole is on Clayton Road, to the rear of the locally Listed building and there is car parking with existing soft landscaping along the boundary line, it is considered that there would be limited impact on the setting of the listed building and conservation area.

The Council's Conservation Officer has commented on this application and no objections have been raised. The proposed development is likely to result in little to no harm to the

setting of the designated and non-designated heritage assets.

### 7.04 Airport safeguarding

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

The application site is located within the NATS height restriction of 15m and is 2.8km from Heathrow Airport. Heathrow Aerodrome Safeguarding was consulted and no objections raised. No objections have been received from NATS.

#### 7.05 Impact on the green belt

Not applicable to this application.

#### 7.07 Impact on the character & appearance of the area

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.

The site is located on the fringe of a industrial area adjacent to the residential area across the public highway to the south. Therefore, the surrounding site consists of a mixture of warehouse units/industrial units and multistory high flats with car parking that were formerly office buildings. It is noted that there are existing vertical features within the immediate area, including road signage, totem signage and street lighting columns.

The proposed monopole is located on the pedestrian footpath backing onto an industrial site. Facing directly south of the highways is the car park to the residential flats at the corner of Trevor Road and Blyth Road. The car parking area is bordered with mature trees especially at the junction of Trevor and Clayton Road, hence provides some separation and natural screening between the residential dwellings to the proposal site.

When viewed from the surrounding area, the telecommunication equipment will be visible, particularly the top section due to its height.

The Council's Conservation and Urban Design Officer has commented on this application. No objections have been raised. The proposed development is likely to result in little to no harm to the setting of the heritage assets.

Given the above, the proposal would have limited impact on the character and appearance of the area as well as the setting of the Listed Building and conservation area in general.

Therefore, the proposal is in accordance with Policies DMHB 2, DMHB 3, DMHB 11 and DMHB 21 of the The Local Plan: Part 2 - Development Management Policies (2020).

# 7.08 Impact on neighbours

Policy DMHB 11 of The Local Plan: Part 2 - Development Management Policies (2020) seeks to ensure that developments do not adversely impact on the amenity of adjacent properties, and seeks to protect outlook for residents, defined as the visual amenity enjoyed by occupants when looking out of their windows.

The closest residential property, when measured from the application site to the rear elevation of the residential flats (Jupiter House) across Clayton Road, is 31m in distance. The rear of Jupiter House comprises of on-site car parking with soft landscaping bordering the perimeter of the premise. The existing soft landscaping and car park is considered to provide appropriate separation and screening as such, there would be limited impact on the amenity to the adjacent properties.

## 7.09 Living conditions for future occupiers

Not applicable to this application.

# 7.10 Traffic impact, Car/cycle parking, pedestrian safety

The Council's Highway's Officer has commented on this application and no objections has been raised. The application site is located on the pedestrian footpath set back from the highway and in line with existing street furniture, therefore, it would not impact on the highways or pedestrian safety.

7.11 Urban design, access and security

Refer to Section 7.07 of this report.

# 7.12 Disabled access

The Council's Access Officer has comment on this application. No objections is raised subject to a condition to ensure that the remaining footway remains 1.5 metres wide to ensure accessibility.

# 7.13 Provision of affordable & special needs housing

Not applicable to this application.

#### 7.14 Trees, landscaping and Ecology

The application site is located on the side of the pedestrian footpath. It is unlikely that the proposal will impact on any nearby trees or landscaping.

# 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

- None received.
- 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 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.

# 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 application seeks prior approval for the installation of a 20m Phase 8 Monopole C/W wraapround cabinet at base, 3 cabinets and associated ancillary works under under Part 16 of schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015.

The proposal is considered acceptable and would have limited impact on the amenity of the adjacent properties and the setting of the listed building and conservation area. As such, this application complies with policies DMHB 2, DMHB 3, DMHB 4, DMHB 11, and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020).

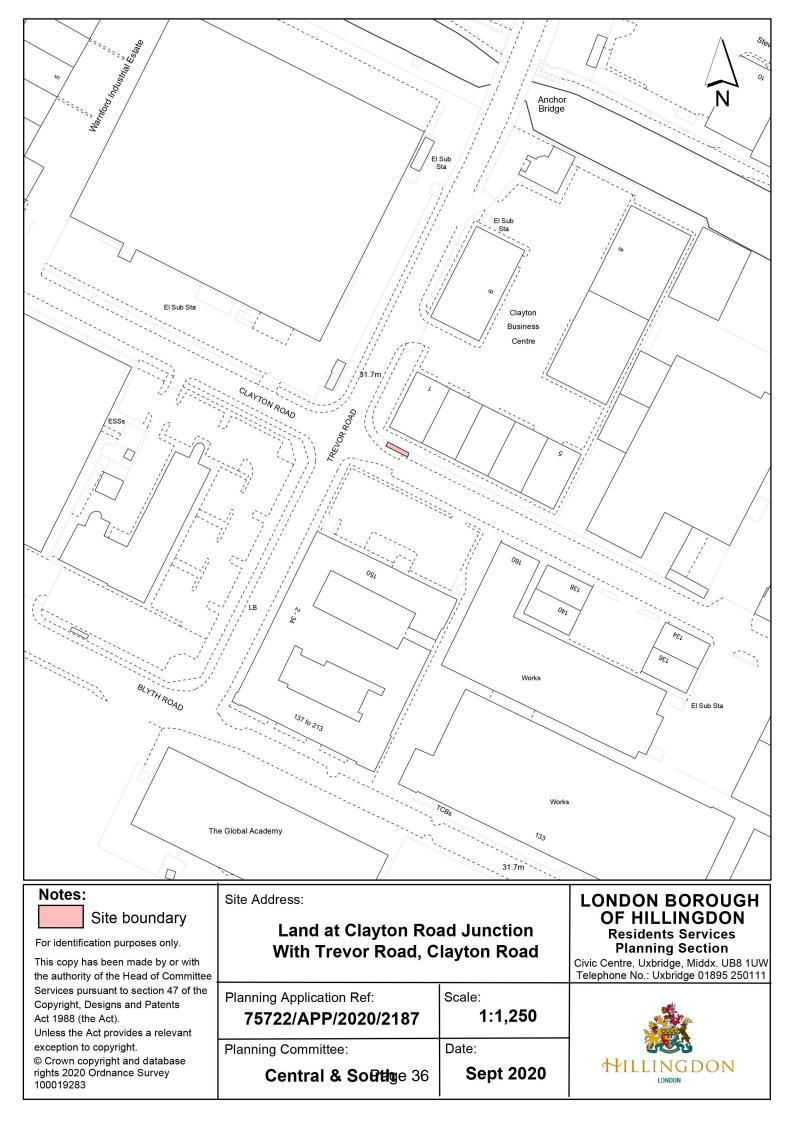
It is recommended that prior approval be required and that permission is granted.

#### 11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012) Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) The London Plan (2016) National Planning Policy Framework (2019) The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Contact Officer: Rebecca Lo

**Telephone No:** 01895 250230



# Agenda Item 9

Α

Item No.	Report of the Head of Planning, Transportation and Regeneration
Address	LAND AT JUDGE HEATH LANE HAYES
Development:	Proposed 18m Phase 8 Monopole C/W wraparound Cabinet at base, 3 cabinets and associated ancillary works (Application under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for siting and appearance)
LBH Ref Nos:	75731/APP/2020/2220
Drawing Nos:	Declaration of Conformity with ICNIRP Public Exposure Guidelines Letter to Site Provider Developers Notice 002 - Site Location Plan Issue A 100 - Existing Site Plan Issue A 150 - Existing Elevation A Issue A 210 - Proposed H3G Site Plan Issue A 260 - Proposed H3G Elevation Issue A 303 - Proposed H3G Antenna Schedule & Line Configuration Issue A 305 - Equipment Schedule & Support Structure Details Issue A Covering letter Site Specific Supplementary Information

Date Plans Recieved:	16/07/2020	Date(s) of Amendment(s):
Date Application Valid:	16/07/2020	

# 1. SUMMARY

This application seeks prior approval for a telecommunications installation under Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). The proposal is for the installation of a 18m Phase 8 Monopole C/W wraparound Cabinet at base, 3 cabinets and associated ancillary works. The new mast is to improve existing coverage and capacity and to provide 5G coverage for Hutchison 3G UK Limited (H3G).

The proposal is considered to be an obtrusive form of development which would add visual clutter to the street scene. As such, it fails to comply with Policies DMHB 11, DMHB and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2019).

The proposal is recommended for Refusal.

# 2. **RECOMMENDATION**

# **REFUSAL** for the following reasons:

# 1 NON2 Non Standard reason for refusal

The proposed development, by reason of the siting in this 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. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local

Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11, DMHB 12 and DMHB 21 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and the National Planning Policy Framework (February 2019).

# **INFORMATIVES**

# 1 152 Compulsory Informative (1)

The decision to REFUSE planning permission 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).

# 2 153 Compulsory Informative (2)

The decision to REFUSE planning permission 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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 14 Trees and Landscaping
- DMHB 21 Telecommunications
- LPP 4.11 (2016) Encouraging a connected economy
- NPPF- 10 NPPF-10 2018 Supporting high quality communications

# 3 171 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 north side of Judge Heath Lane in front of Hayes Amateur Boxing Club. The site is located on the pedestrian footpath backing onto a 2-storeys high boxing club. The surrounding area is mainly residential in nature comprising of 2-storeys semi detached housing and 4 storeys high block of flats along Varcoe Gardens on the north and east of Judge Heath Lane.

# 3.2 Proposed Scheme

The proposed scheme is to install a new 18m Phase 8 Monopole C/W wrapround Cabinet at base, 3 cabinets and associated ancillary works.

The proposed cabinets dimensions:

- 1900mm (W) x 600mm (D) x 1752mm (H)
- 640mm (W) x 480mm (D) x 1200mm (H)
- 600mm (W) x 520mm(D) x 1585mm (H)

- 1800mm (W) x 750mm (D) x 1600mm (H) with 18m Phase 8 monopole

(Total volume of housing equipment = 5.02 cubic metres)

Materials: Monopole - Phase 8 pole, Galvanised with wraparound cabinet Equipment Housing - Steel, Grey

# 3.3 Relevant Planning History

# **Comment on Relevant Planning History**

No planning history relevant to the application.

# 4. Planning Policies and Standards

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.

Chapter 10 of the National Planning Policy Framework (2019) stresses the importance of advanced, high quality and reliable communications infrastructure and the role it plays in supporting sustainable economic growth. It goes on to advise that the aim should be to keep the numbers of radio and telecommunications masts and sites to a minimum, consistent with the efficient operation of the network and that existing masts and sites should be used unless there is a demonstrable need for a new site.

The aim of this application is to provide 5G network and improve coverage and capacity for one operator, Hutchison 3G UK Limited (H3G) in the area. A cell search has indicated that a total of 8 site has been examined including the site selected.

It is noted that the other sites were discounted due to the following reasons:

- discounted due to private land.

- discounted due to pavement not wide enough to house telecoms equipment.

- discounted in favour of proposed option as this was deemed more robust from a planning perspective.

A signed Declaration of Conformity has been provided as part of this submission.

#### 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

Part 2 Policies:

- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 14 Trees and Landscaping

DMHB 21 Telecommunications

LPP 4.11 (2016) Encouraging a connected economy

NPPF- 10 NPPF-10 2018 - Supporting high quality communications

# 5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- Not applicable
- **5.2** Site Notice Expiry Date:- Not applicable

# 6. Consultations

# External Consultees

A site notice was displayed adjacent to the site and expired on 20th August 2020. A total of 183 neighbouring owners/occupiers have been consult and 4 objections have been received.

Summary of comments:

- Height of pole and position is too close to residential dwelling. It is a major eyesore.

- Not a necessary development to be proceeded with within Judge Heath.

- Dangerously close to a large housing development..with people with children walking past them frequently. There is already numerous masts in this immediate area. There are at least 4 in a densely populated area and I am very worried about the health risk should this proceed.

- I am against the building of this mast as it will create great disruption for me due to my house being directly opposite the construction site. I feel this development will be an unnecessary disruption for me and later become an eyesore. This may also reduce my house value.

- This would be a hideous eyesore I would have to look out at each day.

- It goes against council policies: PT1.BE1, BE13 and BE19 - 1.New development must harmonise with the existing street scene. This will not harmonise the street scene 2.New development must improve or complement the character of the area. This will not improve or complement the character of the area and will just stick out like a sore thumb.

# HEATHROW AERODROME SAFEGUARDING:

No comments were received at the time this report was written.

MOD:

No comments were received at the time this report was written.

#### Internal Consultees

#### HIGHWAYS OFFICER:

This is an application for a monopole and related cabinets on public footpath. The equipment will be located at the back on the footway. There will be able space for pedestrians to continue to pass as they footpath is wide in this location. The minimal servicing and maintenance requirements could be undertaken, from unrestricted parking a short way from the proposed location. There are no highway objections to this proposal.

# 7. MAIN PLANNING ISSUES

# 7.01 The principle of the development

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 18m and is not located within article 2(3) land or land which is on highway. As such, it is in accordance with Condition A.1 - (1)(c)(i) 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 be 5.02 cubic metres, therefore the proposal is in accord 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).

# 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

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.

The site is not located within 3km of any airport. However, it is within a height restriction area. Heathrow Aerodrome Safeguarding and MOD have been consulted however no comments have been received at the time this report was written.

## 7.05 Impact on the green belt

Not applicable to this application.

#### 7.07 Impact on the character & appearance of the area

Policy DMHB 4 of the The Local Plan: Part 2 - Development Management Policies (2020) states that new development, including alterations and extensions to existing buildings, within a Conservation Area or on its fringes, will be expected to preserve or enhance the character or appearance of the area. It should sustain and enhance its significance and make a positive contribution to local character and distinctiveness. In order to achieve this, the Council will: A) Require proposals for new development, including any signage or advertisement, to be of a high quality contextual design. Proposals should exploit opportunities to restore any lost features and/or introduce new ones that would enhance the character and appearance of the Conservation Area. B) Resist the loss of buildings, historic street patterns, important views, trees, landscape and open spaces or other features that make a positive contribution to the character or appearance of the Conservation Area; any such loss will need to be supported with a robust justification. C) Require planning applications to include a Design and Access Statement. This should demonstrate a clear understanding of the impact of the proposals on the significance of any heritage assets that are affected. Proposals will be required to support the implementation of improvement actions set out in relevant Conservation Area Appraisals and Management Plans.

Policy DMHB 11 of the The Local Plan: Part 2 - Development Management Policies (2020) states that A) All development, including extensions, alterations and new buildings will be required to be designed to the highest quality standards and, incorporate principles of good design including: i) harmonising with the local context by taking into account the surrounding scale of development, considering the height, mass and bulk of adjacent

structures; building plot sizes and widths, plot coverage and established street patterns; building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure; architectural composition and quality of detailing; local topography, views both from and to the site; and impact on neighbouring open spaces and their environment. ii) ensuring the use of high quality building materials and finishes; iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities; iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and un-designated, and their settings; and v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure. B) Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space. C) Development will be required to ensure that the design safeguards the satisfactory re-development of any adjoining sites which have development potential. In the case of proposals for major development sites, the Council will expect developers to prepare master plans and design codes and to agree these with the Council before developing detailed designs. D) Development proposals should make sufficient provision for well designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.

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.

The site is set slightly back from the footpath to the north. The application site is fairly exposed and is therefore highly visible when viewed from the immediate street scene and the surrounding area. The proposed 18m high telecommunications mast would appear as a prominent feature along Judge Heath Lane and would have a detrimental impact on the openness, character and appearance of the street scene. In addition, due to the open nature and high visibility of the site, the proposed telecommunications installation would appear as an incongruous addition to the neighbourhood.

There is currently no street furniture of this size and height. When compared to the adjacent 8m high light pole, overhead telegraph poles and the streetscene, the 18m high monopole will appear unduly dominant and intrusive. The overall height would be significantly over and above the surrounding area that consists generally of 2 storey high residential dwellings.

Whilst the mast is to provide 5G services and to improve coverage and capacity of existing services, the proposal will add undue clutter to the streetscene which will have a significant negative impact on the visual amenity of adjacent residents and to the area in general. It would harm the character and appearance of the street scene and as such, the proposal is contrary to Policy BE1 of The Local Plan: Part 1 - Strategic Policies (2012) and Policies DMHB 11, DMHB 12 and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020).

# 7.08 Impact on neighbours

Policy DMHB 11 of The Local Plan: Part 2 - Development Management Policies (2020)

seeks to ensure that developments do not adversely impact on the amenity of adjacent properties, and seeks to protect outlook for residents, defined as the visual amenity enjoyed by occupants when looking out of their windows.

The closest neighbouring residential dwelling is 18.5m away from the application site. The corner dwellings, no. 63 and 65 Judge Heath Lane are positioned on an angle, which would have a direct line of sight to the proposed equipment to the ground floor and upper floor habitable room windows. Furthermore, the residents with habitable room windows to the rear, particularly on the second and third floor of Constantine House on Varcoe Gardens would have a directly view onto the proposed mast. Therefore the proposal would impact on the outlook of the existing residents in the immediate surrounding area.

#### 7.09 Living conditions for future occupiers

Not applicable to this application.

# 7.10 Traffic impact, Car/cycle parking, pedestrian safety

The Council's Highway's Officer has commented on this application and no objections has been raised. The site is located on the side of the public footpath therefore will not impact on the pedestrian or highways safety.

7.11 Urban design, access and security

Refer to Section 7.07 of this report.

# 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

Policy DMHB 14 of The Local Plan: Part 2 - Development Management Policies (2020) states that all developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.

There is an existing tree 5.7m west of the application site behind the existing fence with hedges. However based on the equipment's location, it is unlikely that it will impact on this tree.

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

Refer to Section 6.1 of 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 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.

#### 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 application seeks prior approval for the installation of a ground-based apparatus consisting of a new 18m Phase 8 Monopole C/W wraparound cabinet at base, 3 cabinets and associated ancillary works under Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

The siting of the proposal would result in an unacceptable impact on visual amenity particularly to the adjacent residential dwellings, and the character and appearance of the area. Therefore, it is contrary to Policy BE1 of The Local Plan: Part 1 - Strategic Policies (2012) and Policies DMHB 11, DMHB 12 and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020).

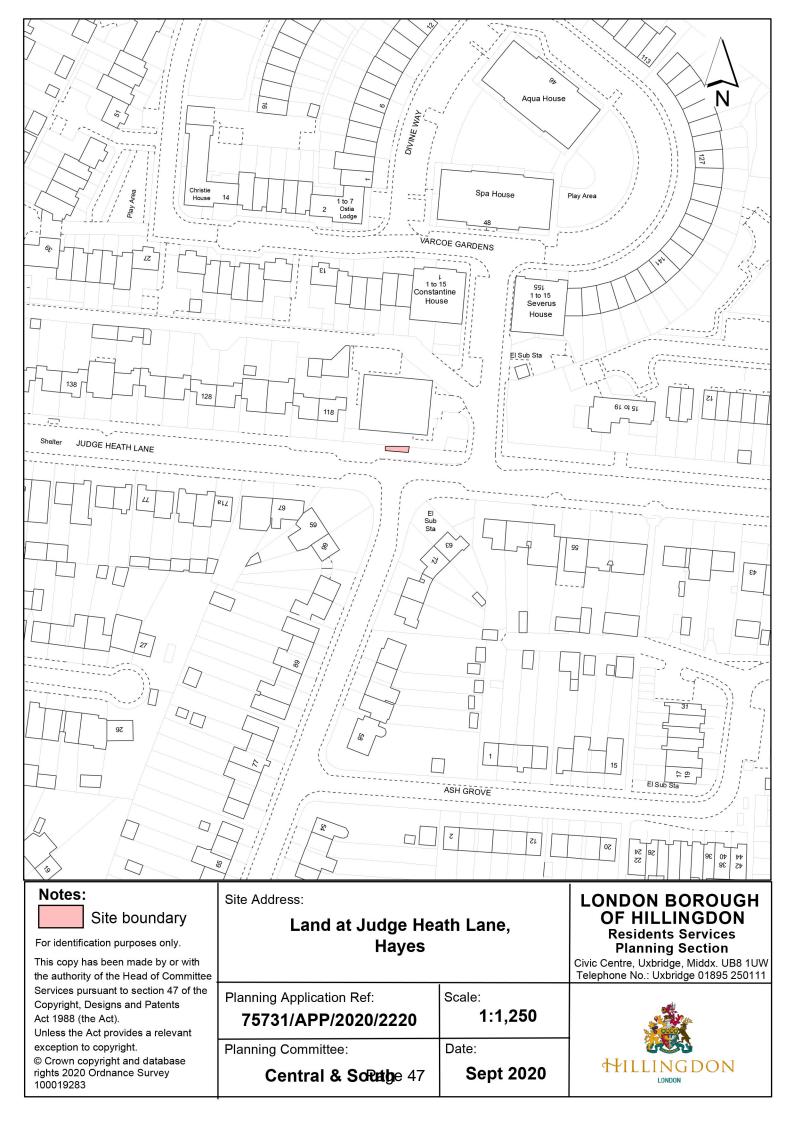
It is recommended that prior approval be required and that permission be refused.

# 11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012) Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) The London Plan (2016) National Planning Policy Framework (2019) The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Contact Officer: Rebecca Lo

**Telephone No:** 01895 250230



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# Agenda Item 10

Α

Item No.	Report of the Head of Planning, Transportation and Regeneration
Address	LAND OPPOSITE 41 MORGANS LANE HAYES
Development:	Proposed 15m Phase 8 monopole C/W wraparound cabinet at base, 3 equipment cabinets and associated ancillary works (Application under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for siting and appearance)
LBH Ref Nos:	75721/APP/2020/2183
Drawing Nos:	Covering Letter Site Specific Supplementary Information Declaration of Conformity with ICNIRP Public Exposure Guidelines Letter to Site Provider Developers Notice 002 - Site Location Plan Issue A 100 - Existing Site Plan Issue A 150 - Existing Elevation A Issue A 210 - Proposed H3G Site Plan Issue A 260 - Proposed H3G Elevation Issue A 303 - Proposed H3G Antenna Schedule & Line Configuration Issue A 305 - Equipment Schedule & Support Structure Details Issue A

Date Plans Recieved:	15/07/2020	Date(s) of Amendment(s):
Date Application Valid:	15/07/2020	

1. SUMMARY

This application seeks prior approval for a telecommunications installation under Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). The proposal is for the installation of a 15m Phase 8 monopole C/W wraparound cabinet at base, 3 cabinets and associated ancillary works. The new mast is to provide improved coverage and capacity, most notably in relation to 5G services for Hutchison 3G UK Limited (H3G).

The proposal is considered to be an obtrusive form of development which would add visual clutter to the street scene. The proposal would not harmonise with the character of the area and would be detrimental to local visual amenities. As such, it fails to comply with Policies DMHB 11 and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2019).

This application is recommended for Refusal.

# 2. RECOMMENDATION

#### **REFUSAL** for the following reasons:

# 1 NON2 Non Standard reason for refusal

The proposed development, by reason of the siting in this 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. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11, DMHB 12 and DMHB 21 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and the National Planning Policy Framework (February 2019).

# INFORMATIVES

# 1 152 Compulsory Informative (1)

The decision to REFUSE planning permission 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).

# 2 153 Compulsory Informative (2)

The decision to REFUSE planning permission 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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 21 Telecommunications
- DMHB 14 Trees and Landscaping
- LPP 4.11 (2016) Encouraging a connected economy
- NPPF- 10 NPPF-10 2018 Supporting high quality communications

# 3 171 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 northern corner of a triangular area of open space at the junction of Kingsway and Morgan's Lane. The equipment is proposed to be located adjacent to the pedestrian footpath and adjacent to the entrance to Hayes End Recreation Ground/Hayes End Community Centre.

The surrounding area is predominately residential in nature with mainly one to two storeys high semi-detached dwellings and terrace housing.

#### 3.2 Proposed Scheme

The application seeks to install a 15m Phase 8 monopole C/W wrapround cabinet at base

and associated ancillary works. An additional 3 cabinets will be installed alongside the proposed monopole. The dimensions are as follows:

- 1900mm (W) x 600mm (D) x 1752mm (H)
- 640mm (W) x 480mm (D) x 1200mm (H)
- 600mm (W) x 520mm (D) x 1585mm (H)
- 1800mm (W) x 750mm (D) x 1600mm(H) cabinet with 15m monopole

Materials:

Monopole - Phase 8 galvanised pole with wraparound steel grey cabinet Equipment Housing - Steel Grey

#### 3.3 Relevant Planning History

#### **Comment on Relevant Planning History**

No planning history relevant to the application.

## 4. Planning Policies and Standards

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.

Chapter 10 of the National Planning Policy Framework (2019) stresses the importance of advanced, high quality and reliable communications infrastructure and the role it plays in supporting sustainable economic growth. It goes on to advise that the aim should be to keep the numbers of radio and telecommunications masts and sites to a minimum, consistent with the efficient operation of the network and that existing masts and sites should be used unless there is a demonstrable need for a new site.

The aim of this application is to provide 5G network and improve coverage and capacity for one operator, Hutchison 3G UK Limited (H3G) in the area. The supplementary information has indicated that a total of 8 sites has been examined with 3 potential sites and the remaining 5 sites being discounted for the following reasons:

- situated on private land
- due to being surrounded by very tall trees and lack of space for equipment
- in favour of proposed option as this was deemed more robust from a planning perspective
- due to distance from Nominal point.

A signed Declaration of Conformity has been provided as part of this submission.

#### 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

Part 2 Policies:

- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 21 Telecommunications
- DMHB 14 Trees and Landscaping
- LPP 4.11 (2016) Encouraging a connected economy
- NPPF- 10 NPPF-10 2018 Supporting high quality communications

# 5. Advertisement and Site Notice

- **5.1** Advertisement Expiry Date:- Not applicable
- 5.2 Site Notice Expiry Date:- Not applicable

# 6. Consultations

# External Consultees

A site notice was displayed adjacent to the site. A total of 121 neighbouring owners/occupiers have been consulted. 11 objections and one from the Ward councillor have been received.

Summary of comments:

Siting/Appearance:

- Impact to street scene.

- The proposed location has the pole and associated cabinet boxes standing out like a sore thumb against the open green space with nothing to disguise or offset their presence which is to the detriment of the street scene.

- I am not happy at the location of this monopole and cabinet as it is too near my house for my liking, it would be better somewhere less obvious or at least further down near to the roundabout where there are more trees. It should be somewhere that people do not have to walk right past it everyday as the entrance to the park is near there.

- A more suitable location would be on Kingsway Road near the H98 Wood End Green bus stop.

There are no residential homes nearby there. This would be an ideal location for this monopole. - Better situated at the end of the green near the roundabout by the trees to disguise it.

- The location of this pole will be visible from the front of my house.

- The location of this pole will be visible from the front of my house.

- The appropriate location for the pole and cabinets would be the land next to No 41 Morgan's Lane or near the mini roundabout junction The Angel and The Parkway where there are tall trees and the pole will not be that visible.

- It will be in an open space. The cabinets will also be visible.

- Too close to residential area and children's park

- It will spoil the look of the area (green park). Find another location preferably near taller trees out of sight.

- Should not be in public view and reach.

Case Officer's Comments:

Concerns in relations to appearance and impact of the neighbours is addressed in the main body of

### this report.

Health/Safety:

- I strongly believe this cellular tower should not be placed on the streets near residential homes. It poses a risk to residents and vehicles. Radiation from the cellular tower could affect the health of residents and families like me with multiple health conditions.

- There is insufficient evidence to confirm that continuing long-term exposure to radio frequency radiation has no impact on one's health. This planning proposal has been drafted based on EU council recommendation on limitation of exposure to radiation, dated 12 July 1999 (1999/519/EDC), which is concerning. This guideline is now over 20 years old and it appears that there has been no review or revision since the advent of 3rd or 4th generation wireless technology. Furthermore the following sections of the 1999/519/EDC state: Point (10) The Community framework, which draws on the large body of scientific documentation that already exists, must be based on the best available scientific data and advice in this area and should comprise basic restrictions and reference levels on exposure to electromagnetic fields; recalling that only established effects have been used as the basis for the recommended limitation of exposure; advice on this matter has been given by the International Commission on Non-Ionising Radiation Protection (ICNIRP) and has been endorsed by the Commission's Scientific Steering Committee; the framework should be regularly reviewed and reassessed in the light of new knowledge and developments in technology and applications of sources and practices giving rise to exposure to electromagnetic fields; Recommendation (VI): Member States, in order to enhance knowledge about the health effects of electromagnetic fields, should promote and review research relevant to electromagnetic fields and human health in the context of their national research programmes, taking into account Community and international research recommendations and efforts from the widest possible range of sources. In May 2011, an International Agency for Research on Cancer (IARC) expert committee classified radio frequency radiation as a possible human carcinogen. In April 2019 an advisory committee recommended that the IARC reassess the cancer risks associated with radio frequency radiation, as a "high priority" and suggested that the new evaluation take place within the next 5 years. In addition to the health concerns this proposal presents, it is has not been explained why this location has been selected, if the cell search can only be sustained over a 50 metre radius. This coverage will not reach residents living further away i.e. residents that live nearer to the junction where Morgans Lane joins Uxbridge Road.

- Concerns about radiation issues coming from it.

- Potential rubbish dumping and graffiti which raise hygiene concerns, which will lead to bad community image.

#### Case Officer's Comments:

The applicant has submitted a signed Declaration of Conformity with ICNIRP Public Exposure Guidelines therefore acknowledging the proposal would be in full compliance with the requirement of the Radio Frequency (RF) Public Exposure.

#### Others:

- No. 2 Morgans Lane along with others in Morgans Lane and nearby, we should have been advised of the matter as it is likely to affect us. Very poor communication indeed. So what does it all mean? A telephone mast it seems but 1) what does it really mean?, 2) How big will it be in total, 3) what will it look like? How will it affect us in actuality?, Hayes End Community Park land is protected in laws dating back to the 1920s - is the green similarly protected? Have you looked at this fact?

#### Case Officer's Comment:

Surrounding owners/occupiers to the site has been notified by mail and a site notice has been displayed in accordance to the GDPO requirements. All plans were made available for public viewing.

MOD SAFEGUARDING - RAF NORTHOLT:

I can confirm the MOD has no safeguarding objections to this proposal.

HEATHROW SAFEGUARDING:

No comments were received at the time this report was written.

#### **Internal Consultees**

**HIGHWAYS OFFICER:** 

This is an application for the installation of a monopole and related equipment on an area of highway green space. The proposed location of the equipment would not impact upon footways or hamper pedestrian desire lines. There are no parking restrictions on this section of Morgans Lane, meaning that the limited servicing and maintenance needs could be accommodated. There are no highway objections to this proposal.

# TREES/LANDSCAPE OFFICER:

This site is occupied by a public open space situated behind a highway footpath, located on the south side of Morgans Lane. There is a mature tree a few metres to the west of the proposed installation and a columnar street light to the north and approximately halfway across the installation. There are no TPO's or Conservation Area designations affecting the site, however, the existing tree is an asset of public amenity and environmental value, which is worthy of protection. While the root protection area and precise canopy spread of the tree is unknown, the photographic evidence indicates that the monopole will be sited to the east of the lamp column - well away from the tree. The westernmost of the array of surface mounted cabinets will be closest to the tree but will not have a significant impact (if any) on the RPA of the tree.

RECOMMENDATION: No objection and no need for landscape conditions.

#### 7. MAIN PLANNING ISSUES

# 7.01 The principle of the development

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 and is not located within article 2(3) land or land which is on highway. As such, it is in accordance with Condition A.1 - (1)(c)(i) 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 be 5.02 cubic metres, therefore the proposal is in accord 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).

#### 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

Policy DMAV1 of The Local Plan: Part 2 - Development Management Policies (2020) states that proposals that may be hazard to aircraft safety will not be permitted.

The site is located in an area with a 15m height restriction by Heathrow. Heathrow Aerodrome Safeguarding and MOD Safeguarding - RAF Northolt have been consulted. RAF Northolt raised no objection to the proposed however no response have been received by Heathrow at the time this report was written.

#### 7.05 Impact on the green belt

Not applicable to this application.

#### 7.07 Impact on the character & appearance of the area

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.

The proposed new mast is 15 metres high with 3 cabinets located in the corner of an open space. The cabinets range in height from 1.2 to 1.75 metres and has an overall footprint of 5.02 cubic metres.

The site is set back from the highway, however it remains exposed as it backs onto an open green space and is therefore highly visible when viewed from the immediate street scene and the surrounding area. The proposed 15m high telecommunications mast would appear as a prominent feature on Morgan's Lane and would have a detrimental impact on the openness, character and appearance of the street scene. In addition, due to the open nature and high visibility of the site, the proposed telecommunications installation would appear as an incongruous addition to the neighbourhood.

There is currently no street furniture of this size and height in the area. When compared to the adjacent 8.3m high light pole, the 15m high monopole will appear unduly dominant and intrusive and it will be exacerbated against the open space backdrop. The overall height would be significantly over and above the surrounding area that consists generally

of single to two storeys high residential dwellings.

Whilst the mast is to provide 5G services and to improve the coverage and capacity of the area, the proposal, by reason of its siting in this open prominent position and the overall size and height of the monopole, would result in an incongruous and visually obtrusive form of development, which would be detrimental to the character and appearance of the street scene, the adjacent Metropolitan Open Land and Yeading Brook Open Space which is a Nature Conservation Site of Borough Grade II Importance. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11, DMHB 12 and DMHB 21 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and the National Planning Policy Framework (February 2019).

# 7.08 Impact on neighbours

Policy DMHB 11 of The Local Plan: Part 2 - Development Management Policies (2020) seeks to ensure that developments do not adversely impact on the amenity of adjacent properties, and seeks to protect outlook for residents, defined as the visual amenity enjoyed by occupants when looking out of their windows.

The application site is located 17.5m from the nearest residential dwelling, no. 12 Kingsway, to the south-west. Due to its proximity, size and overall height of the equipment, the proposal would be highly visible and intrusive to the immediate adjacent residents and surrounding area in general. As such, the proposal would severely impact the outlook of the existing residents and therefore fails to accord with Policy DMHB 11 of The Local Plan: Part 2 - Development Management Policies (2020).

# 7.09 Living conditions for future occupiers

Not applicable to this application.

## 7.10 Traffic impact, Car/cycle parking, pedestrian safety

The Council's Highway's Officer has commented on this application and no objections has been raised. The site is located on the green space adjacent to the highway therefore will not impact on the footpath, pedestrian or highways safety.

# 7.11 Urban design, access and security

Refer to Section 7.07 of this report.

# 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

Policy DMHB 14 of The Local Plan: Part 2 - Development Management Policies (2020) states that all developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.

The Council's Trees/Landscape Officer has commented on this application and no objection has been raised. To the west of the site is an existing tree, however based on the location, it is unlikely there will be significant impact to the RPA of the tree. As such, the proposal complies with DMHB 14 of The Local Plan: Part 2 - Development Management Policies (2020).

# 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** Refer to Section 6.1 of 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 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.

#### 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 application seeks prior approval for the installation installation of a 15m Phase 8 monopole C/W wraparound cabinet at base, 3 cabinets and associated ancillary works under Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

The siting of the proposal would result in an unacceptable impact on visual amenity and the character and appearance of the area. Therefore, it is contrary to Policy BE1 of the Local Plan: Part 1 - Strategic Policies (2012) and Policies DMHB 11, DMHB 12 and DMHB 21 of the Local Plan: Part 2 - Development Management Policies (2020).

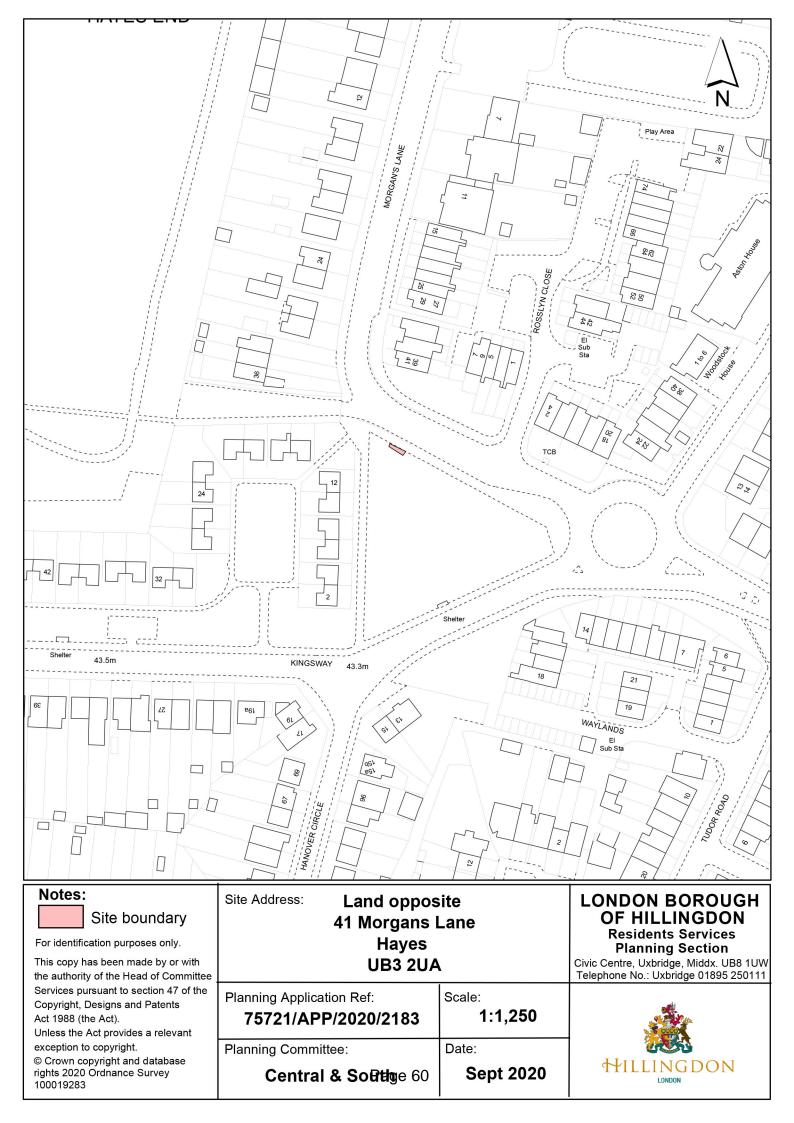
It is recommended that prior approval be required and that permission be refused.

# 11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012) Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) The London Plan (2016) National Planning Policy Framework The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Contact Officer: Rebecca Lo

**Telephone No:** 01895 250230



# Agenda Item 11

Α

# Item No. Report of the Head of Planning, Transportation and Regeneration

Address BALMORAL DRIVE HAYES

**Development:** Installation of 18m Phase 8 Monopole with a wraparound Cabinet at base, 4 equipment cabinets and associated ancillary works (Application under Part 16 of schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for siting and appearance).

LBH Ref Nos: 75795/APP/2020/2519

Drawing Nos: ICNIRP Certificate Covering Letter dated 7th August 2020 Developers Notice dated 6 August 2020 002 - Site Location Plan Issue A 100 - Existing Site Plan Issue A 150 - Existing Elevation A Issue A 210 - Proposed H3G Site Plan Issue A 260 - Proposed H3G Elevation Issue A 303 - Proposed H3G Antenna Schedule & Line Configuration Issue A 305 - Equipment Schedule & Support Structure Details Issue A Site Specific Supplementary Information

Date Plans Recieved:	11/08/2020	Date(s) of Amendment(s):
Date Application Valid:	11/08/2020	

#### 1. SUMMARY

This application seeks prior approval under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 for the installation of 18m monopole with associated ground based equipment. The proposed development would not harmonise with the streetscene and open aesthetic and would have a detrimental impact on the character of the area.

The proposal is considered to be an obtrusive form of development which would add visual clutter to the street scene. As such, it fails to comply with Policies DMHB 11, DMHB 12 and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2019).

This application is recommended for Refusal.

# 2. **RECOMMENDATION**

#### **REFUSAL** for the following reasons:

# 1 NON2 Non Standard reason for refusal

The proposed development, by reason of the siting in this 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, which is residential in character. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11, DMHB 12 and DMHB 21 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and the National Planning Policy Framework (February 2019).

# INFORMATIVES

# 1152Compulsory Informative (1)

The decision to REFUSE planning permission 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).

# 2 153 Compulsory Informative (2)

The decision to REFUSE planning permission 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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 14 Trees and Landscaping
- DMHB 21 Telecommunications
- LPP 4.11 (2016) Encouraging a connected economy
- NPPF- 10 NPPF-10 2018 Supporting high quality communications

# 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 situated on the southern side of Balmoral Drive and to the west of the junction with Lansbury Drive. The application site is located outside the rear end of a commercial unit that fronts Lansbury Drive. The surrounding area is residential in character. The application site is undesignated.

#### 3.2 Proposed Scheme

This application seeks prior approval under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 for the installation of a 18m monopole with associated ground based equipment comprising 1 x g-100876, 1 X Diplexer Cabinet, 1 x H3G HUAWEI APM5930 equipment cabinet and 1 x Bowler Cabinet.

#### 3.3 Relevant Planning History

# **Comment on Relevant Planning History**

There is no relevant planning history relating to this site.

# 4. Planning Policies and Standards

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.

Chapter 10 of the National Planning Policy Framework (2019) stresses the importance of advanced, high quality and reliable communications infrastructure and the role it plays in supporting sustainable economic growth. It goes on to advise that the aim should be to keep the numbers of radio and telecommunications masts and sites to a minimum, consistent with the efficient operation of the network and that existing masts and sites should be used unless there is a demonstrable need for a new site.

The aim of this application is to provide 5G network and improve coverage and capacity for one operator, Hutchison 3G UK Limited (H3G) in the area. A cell search has indicated that a total of 6 site has been examined including the site selected.

It is noted that the other sites were discounted due to the following reasons:

- Raynton Drive - Visual intrusion on residential properties

- Uxbridge Road - Proximity to an existing H3G cell

- Lansbury Drive - Better sites available which do not impact on residential areas to the same extent and parked cars

- Lansbury Road - Insufficient space to house the equipment

- Balmoral Drive - Better sites available which do not impact on residential areas to the same extent

A signed Declaration of Conformity has been provided as part of this submission.

# 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

Part 2 Policies:

- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 14 Trees and Landscaping
- DMHB 21 Telecommunications

LPP 4.11 (2016) Encouraging a connected economy

NPPF- 10 NPPF-10 2018 - Supporting high quality communications

# 5. Advertisement and Site Notice

# 5.1 Advertisement Expiry Date:- 12th September 2020

**5.2** Site Notice Expiry Date:- Not applicable

#### 6. Consultations

# **External Consultees**

Neighbouring notification were sent to 74 neighbouring properties which expires on 28-08-20.

At the time of writing this report, 1 objection was received which is summarised as follows:

- The mast emits radiation and is harmful.

- There needs to be masts put in location where there are no houses.

- With two schools in the area children may be effected.

- The mast would be next to a food shop and radiation could be transmitted in food products too.

Officer comment: The comments are addressed within the main body of the report.

# STATUTORY CONSULTEES

# 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

No comments received at the time of writing this report.

#### Internal Consultees

**Highways Officer** 

No comments received at the time of writing this report.

#### 7. MAIN PLANNING ISSUES

#### 7.01 The principle of the development

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.

Officer Comments:

The proposed monopole is 18m and is not located within article 2(3) land or land which is on highway. As such, it is in accordance with Condition A.1 - (1)(c)(i) 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.

Officer Comments:

The total accumulative radio equipment housing would be 2.9 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).

# 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

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

No objections to this application have been received from NATS or Heathrow Aerodrome Safeguarding.

#### 7.05 Impact on the green belt

Not applicable to this application.

# 7.07 Impact on the character & appearance of the area

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.

The proposed new mast is 18 metres high with 4 cabinets located on a footpath. The cabinets range in height from 1.2 to 1.75 metres and have an overall footprint of 2.9 cubic metres.

The site is very exposed and highly visible when viewed from the immediate street scene

and the surrounding area. The proposed 18m high telecommunications mast would appear as a prominent feature on Balmoral Drive and would have a detrimental impact on the openness, character and appearance of the street scene. In addition, due to the open nature and high visibility of the site, the proposed telecommunications installation would appear as an incongruous addition to the area.

There is currently no street furniture of this size and height. When compared to the adjacent light pole and the streetscene, the 18m high monopole will appear unduly dominant and intrusive. The overall height would be significantly over and above the surrounding area that consists generally of 2 storeys high residential dwellings.

Whilst the mast is to provide 5G services, the proposal will add undue clutter to the streetscene which will have a significant negative impact on the visual amenity of adjacent residents and to the area in general. It would harm the character and appearance of the street scene and as such, the proposal is contrary to Policy BE1 of The Local Plan: Part 1 - Strategic Policies (2012) and Policies DMHB 11, DMHB 12 and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020).

#### 7.08 Impact on neighbours

Policy DMHB 11 of The Local Plan: Part 2 - Development Management Policies (2020) seeks to ensure that developments do not adversely impact on the amenity of adjacent properties, and seeks to protect outlook.

The nearest residential dwellings are situated 15m to the south of the application site. Given the proposed monopole is not sited directly outside a residential dwelling, the proposal would not adversely impact the amenity of neighbouring residents.

#### 7.09 Living conditions for future occupiers

Not applicable to this application.

#### 7.10 Traffic impact, Car/cycle parking, pedestrian safety

The existing width of the pavement is approximately 3.5m in width. Once installed, the footway around the application site would reduce to 2m. This is considered to be sufficient and the proposal would not impact on pedestrian or highways safety.

#### 7.11 Urban design, access and security

Refer to Section 7.07 of this report.

#### 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

- Not applicable to this application.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.

## 7.18Noise or Air Quality IssuesNot applicable to this application.

#### 7.19 Comments on Public Consultations

Refer to Section 6.1 of 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 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.

#### 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 application seeks prior approval for the installation of a ground-base apparatus consisting of 1 x 18m monopole and 4 cabinets and ancillary works under Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

The siting of the proposal would result in an unacceptable impact on visual amenity and the character and appearance of the area. Therefore, it is contrary to Policy BE1 of The Local Plan: Part 1 - Strategic Policies (2012) and Policies DMHB 11, DMHB 12 and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020).

It is recommended that prior approval be required and that permission be refused.

#### 11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012) Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) The London Plan (2016) National Planning Policy Framework (2019) The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Contact Officer: Zenab Haji-Ismail

**Telephone No:** 01895 250230



Notes: Site boundary For identification purposes only. This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant exception to copyright. © Crown copyright and database rights 2020 Ordnance Survey 100019283	Site Address: Balmoral Drive, Hayes		LONDON BOROUGH OF HILLINGDON Residents Services Planning Section Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 01895 250111
	Planning Application Ref: 75795/APP/2020/2519	Scale: <b>1:1,250</b>	
	Planning Committee: Central & SoBtage 70	Date: September 2020	

## Agenda Item 12

Α

Item No.	Report of the Head of Planning, Transportation and Regeneration		
Address	LAND AT HOLLOWAY LANE JUNCTION WITH SIPSON ROAD HOLLOWAY LANE HARMONDSWORTH		
Development:	Installation of 20m monopole and 3 equipment cabinets, and associated ancillary works (Application under Part 16 of schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for siting and appearance).		
LBH Ref Nos:	75742/APP/2020/2278		
Drawing Nos:	Developer Notice dated 22 July 2020 Covering Letter dated 22 July 2020 Declaration of Conformity with ICNIRP Public Exposure Guidelines Site Specific Supplementary Information and Planning Justification Statement 002 - Site Location Plan Issue A 100 - Existing Site Plan Issue A 150 - Existing Elevation A Issue A 215 - Proposed Site Plan Issue A 265 - Proposed Site Plan Issue A 304 - Proposed Site Elevation Issue A 305 - Proposed Line Configuration Issue A 306 - Equipment Schedules & Dependencies Details Issue A		
Date Plans Recie	ved: 22/07/2020 Date(s) of Amendment(s):		

Date Application Valid: 22/07/2020

#### 1. SUMMARY

This application seeks prior approval under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 for the installation of 20m monopole with associated ground based equipment. The proposed development would not harmonise with the streetscene and open aesthetic and would have a detrimental impact on the visual amenities of the Green Belt and character of the area.

The proposal is considered to be an obtrusive form of development which would add visual clutter to the street scene. As such, it fails to comply with Policies DMHB 11, DMHB 12 and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2019).

This application is recommended for Refusal.

#### 2. **RECOMMENDATION**

#### **REFUSAL** for the following reasons:

#### 1 NON2 Non Standard reason for refusal

The proposed development, by reason of the siting in this 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, which is characterised by its openness and the adjacent Metropolitan Green Belt. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11, DMHB 12 and DMHB 21 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and the National Planning Policy Framework (February 2019).

#### **INFORMATIVES**

#### 1 I52 Compulsory Informative (1)

The decision to REFUSE planning permission 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).

#### 2 153 Compulsory Informative (2)

The decision to REFUSE planning permission 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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 21 Telecommunications
- DMHB 14 Trees and Landscaping
- LPP 4.11 (2016) Encouraging a connected economy
- NPPF- 10 NPPF-10 2018 Supporting high quality communications

#### 3 171 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 situated on the eastern side of Holloway Lane at its junction with Sipson Road. The application site comprises a grass verge. The back of the verge is delineated by low timber bollards behind which there is a woodland shelterbelt which defines the boundary to the Holiday Inn. The area is characterised by Green Belt, agricultural land and the Heathrow village of Sipson in close proximity to the M4 (to the north) and Heathrow Airport to the south, linked by the M4/Heathrow slip road to the east. The site itself is undesignated, though it is surrounded by Green Belt on all sides of the site.

#### 3.2 Proposed Scheme

This application seeks prior approval under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 for the installation of a 20m monopole with wraparound Cabinet at the base with associated ground based equipment comprising 1 x H3G Batsman cabinet, 1 x H3G HUAWEI APM5930 equipment cabinet and 1 x Bowler Cabinet.

#### 3.3 Relevant Planning History

#### Comment on Relevant Planning History

There is no relevant planning history relating to this site.

#### 4. Planning Policies and Standards

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.

Chapter 10 of the National Planning Policy Framework (2019) stresses the importance of advanced, high quality and reliable communications infrastructure and the role it plays in supporting sustainable economic growth. It goes on to advise that the aim should be to keep the numbers of radio and telecommunications masts and sites to a minimum, consistent with the efficient operation of the network and that existing masts and sites should be used unless there is a demonstrable need for a new site.

The aim of this application is to provide 5G network and improve coverage and capacity for one operator, Hutchison 3G UK Limited (H3G) in the area. A cell search has indicated that a total of 6 site has been examined including the site selected.

It is noted that the other sites were discounted due to the following reasons:

- West Drayton - Limited prospects for mast developments

- Holloway Lane - West Drayton farmland had limited access

- Cherry Lane Primary School - Visual impact and visibility from the M4

- Existing Mast Infrastructure - Not capable of hosting additional equipment or extending signal reach across the area of coverage gap

A signed Declaration of Conformity has been provided as part of this submission.

#### 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

Part 2 Policies:

- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 21 Telecommunications
- DMHB 14 Trees and Landscaping
- LPP 4.11 (2016) Encouraging a connected economy
- NPPF- 10 NPPF-10 2018 Supporting high quality communications

#### 5. Advertisement and Site Notice

- **5.1** Advertisement Expiry Date:- Not applicable
- 5.2 Site Notice Expiry Date:- 28th August 2020

#### 6. Consultations

#### External Consultees

A site notice was erected towards the front of the site which expires on 28-08-20.

No comments or objections were received from nearby occupants.

#### STATUTORY CONSULTEES

#### 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.

#### GLAAS

Thank you for your consultation of 13 August 2020 regarding the above application. On the basis of the information provided, we do not consider that it is necessary for this application to be notified to Historic England's Greater London Archaeological Advisory Service.

#### Ministry of Defence

Thank you for consulting the Ministry of Defence (MOD) on the above proposed development which was received by this office on 29/07/2020. The applicant is seeking full planning permission for the Installation of 20m high street pole, and 3 equipment cabinets, and associated ancillary works.

The application site is approximately 7.07km from the centre of the runway at RAF Northolt and occupies the statutory aerodrome height, technical and bird strike safeguarding zones surrounding the aerodrome.

On reviewing the information provided, I can confirm the MOD has no safeguarding objections to this 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 Consultees**

#### Design Officer

The existing site is located to the north of the historic village of Sipson. Approximately 110m to the south-east is The Plough Public House a Locally Listed Building (non-designated heritage asset). The site falls within the Heathrow Archaeological Priority Zone, therefore GLAAS (Historic England) may need to be notified.

As existing the site is located at a busy junction. It is open in character comprising of a large grass verge and mature vegetation to the rear. There is very little street furniture in this location.

Taking into account the location of the site and distance from the Locally Listed Building it is unlikely to have a negative impact upon its setting. Therefore from a conservation perspective the principle of the proposed development would be deemed admissible in this instance. The 20m street pole would be a significantly tall structure in the wider landscape. This alongside the associated equipment cabinets would alter the character of the site and to some degree clutter the existing open grass verge. Nevertheless if deemed acceptable it is strongly encouraged that planting is used to soften or obscure the appearance of the cabinets and maintain the existing verdant appearance of the site.

#### Trees and Landscaping Officer

This site is occupied by a wide grass verge located to the south-east of the junction between Holloway Lane and Sipson Road. The back of the verge is delineated by low timber bollards behind which there is a woodland shelterbelt - which defines the boundary to the Holiday Inn. This area is rural/edge in character with Green Belt, agricultural land and the Heathrow village of Sipson in close proximity to the M4 (to the north) and Heathrow Airport to the south, linked by the M4/ Heathrow slip road to the east.

COMMENT: No trees will be affected by the proposed positioning of the 20 metre mast and cabinets.

Telecoms mast of this height, together with the associated paraphernalia inevitably introduce visual clutter and an urbanising influence which are impossible to disguise. In order to minimise the visual impact in the landscape the installations should be colour coordinated and a neutral/recessive colour.

RECOMMENDATION: This application should satisfy policy DMHB 21. No objection subject to the above comments.

#### 7. MAIN PLANNING ISSUES

#### 7.01 The principle of the development

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.

Officer Comments:

The proposed monopole is 20m and is not located within article 2(3) land or land which is on highway. As such, it is in accordance with Condition A.1 - (1)(c)(i) 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.

#### Officer Comments:

The total accumulative radio equipment housing would be 2.9 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).

#### 7.02 Density of the proposed development

Not applicable to this application.

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

The site is located in the Heathrow archaeology priority area. GLAAS were consulted on the application and raised no concerns. The application does not lie within a conservation area or in an area of special character. The Conservation Officer has assessed the application and noted the proposal, given the relative distance of 110m from the nearest locally listed building, The Plough Public House, the proposal would not harm its setting.

#### 7.04 Airport safeguarding

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

No objections to this application was received. Should the application be considered acceptable, an informative relating to cranes should be included within the decision notice.

#### 7.05 Impact on the green belt

The site is not located within the Green Belt, however the site is surrounded by the Green Belt. The proposal would not directly impact the openness of the Green Belt, however it would be highly visible from the Green Belt. It is considered a reason for refusal on the impact on the Green Belt, in itself, could not be sustained.

#### 7.07 Impact on the character & appearance of the area

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.

The proposed new mast is 20 metres high with 3 cabinets located on a corner grass verge. The cabinets range in height from 1.2 to 1.75 metres and have an overall footprint of 2.9 cubic metres.

The site is set back from the highway, however it remains fairly exposed and is therefore highly visible when viewed from the immediate street scene and the surrounding area. The proposed 20m high telecommunications mast would appear as a prominent feature on Holloway Lane and would have a detrimental impact on the openness, character and appearance of the street scene. In addition, due to the open nature and high visibility of the site, the proposed telecommunications installation would appear as an incongruous addition to the area.

There is currently no street furniture of this size and height. When compared to the adjacent light pole and the streetscene, the 20m high monopole will appear unduly dominant and intrusive. The overall height would be significantly over and above the surrounding area.

Whilst the mast is to provide 5G services, the proposal will add undue clutter to the streetscene which will have a significant negative impact on the visual amenity of adjacent residents and to the area in general. It would harm the character and appearance of the street scene and as such, the proposal is contrary to Policy BE1 of The Local Plan: Part 1 - Strategic Policies (2012) and Policies DMHB 11, DMHB 12 and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020).

#### 7.08 Impact on neighbours

Policy DMHB 11 of The Local Plan: Part 2 - Development Management Policies (2020) seeks to ensure that developments do not adversely impact on the amenity of adjacent properties, and seeks to protect outlook.

The nearest residential dwellings are situated 210m to the north of the application site. The proposal would not adversely impact the amenity of neighbouring residents.

#### 7.09 Living conditions for future occupiers

Not applicable to this application.

#### 7.10 Traffic impact, Car/cycle parking, pedestrian safety

The Council's Highway's Officer has commented on this application and no objections has been raised. The site is located on the grass verge therefore will not impact on the footpath, pedestrian or highways safety.

#### 7.11 Urban design, access and security

Refer to Section 7.07 of this report.

#### 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

Policy DMHB 14 of The Local Plan: Part 2 - Development Management Policies (2020) states that all developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.

The site is located on a grass verge. There are no trees that would be impacted by this proposal. However the proposal would have a notable visual impact on the verdant setting of the site.

#### 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

Refer to Section 6.1 of 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 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.

#### 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 application seeks prior approval for the installation of a ground-base apparatus consisting of 1 x 20m monopole and 3 cabinets and ancillary works under Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

The siting of the proposal would result in an unacceptable impact on visual amenity and the character and appearance of the area. Therefore, it is contrary to Policy BE1 of The Local Plan: Part 1 - Strategic Policies (2012) and Policies DMHB 11, DMHB 12 and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020).

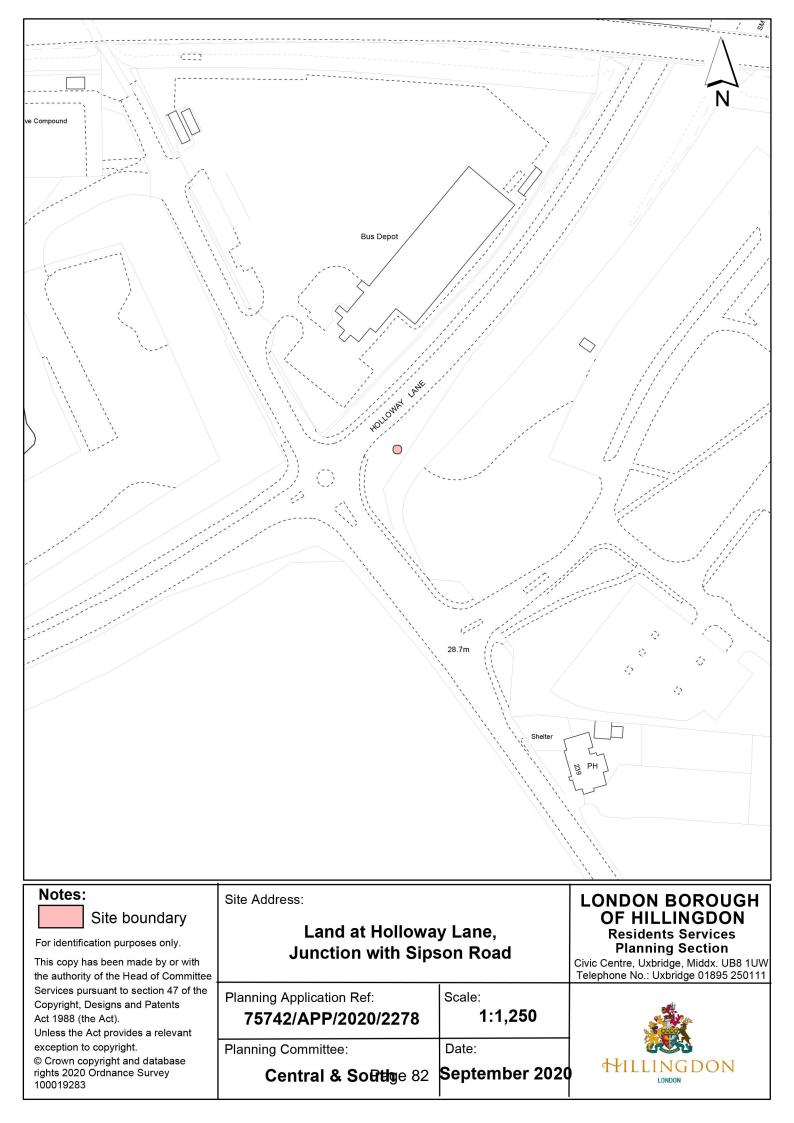
It is recommended that prior approval be required and that permission be refused.

#### **11. Reference Documents**

Hillingdon Local Plan: Part One - Strategic Policies (November 2012) Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) The London Plan (2016) National Planning Policy Framework (2019) The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Contact Officer: Zenab Haji-Ismail

**Telephone No:** 01895 250230



### Agenda Item 13

#### Α

Address16 THE DINGLE HILLINGDONDevelopment:First floor rear extensionLBH Ref Nos:52360/APP/2020/2254Drawing Nos:RASHID/PLAN/001<br/>Location Plan (1:1250)

Report of the Head of Planning, Transportation and Regeneration

Block Plan (1:500) Photographs x 3 RASHID/PLAN/002

Date Plans Received:21/07/2020Date Application Valid:21/07/2020

Date(s) of Amendment(s):

#### 1. CONSIDERATIONS

#### 1.1 Site and Locality

Item No.

The application property comprises a two storey semi-detached house located on the northern side of The Dingle in Hillingdon. The property has been previously extended by way of a single storey rear extension projecting 3.45m finished with a mono-pitched roof. Works are also well advanced on a loft conversion which includes a rear dormer and 3 front rooflights. The main roof has also been re-tiled.

#### 1.2 Proposed Scheme

The application seeks planning permission for the erection of a first floor rear extension. The extension would be centrally located on the rear elevation, projecting 3.45m at a width of 3.55m and finished with a hipped roof set down 1.3m from the main ridge.

#### 1.3 Relevant Planning History

52360/APP/2013/1757 16 The Dingle Hillingdon Single storey rear extension Decision Date: 15-08-2013 Approved Appeal: 52360/APP/2013/295 16 The Dingle Hillingdon Single storey rear extension.

Decision Date: 26-03-2013 Withdrawn Appeal:

#### **Comment on Planning History**

The relevant planing history is listed above.

Officer note: It is noted that the loft conversion works have not been confirmed by the submission of a certificate of lawful development.

#### 2. Advertisement and Site Notice

- **2.1** Advertisement Expiry Date:- Not applicable
- 2.2 Site Notice Expiry Date:- Not applicable

#### 3. Comments on Public Consultations

8 neighbouring properties were consulted by letter dated 24.7.20. By the close of the consultation period, 2 letters of objection have been received raising concerns about:

1. The inaccuracy of the submitted plans which include photographs of the property which do not include the loft conversion works

- 2. Concerns about the retrospective nature of the development
- 3. Concerns about overshaddowing.

The ward Councillor has also requested that the application be considered by committee on the basis that the proposed development would be overbearing and unsightly.

#### 4. 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

Part 2 Policies:

DMHB 11	Design of New Development
DMHD 1	Alterations and Extensions to Residential Dwellings
LPP 3.5	(2016) Quality and design of housing developments

#### 5. MAIN PLANNING ISSUES

The main considerations are the design and impact on the character of the existing property, the impact upon the streetscene and locality the impact upon the amenities of adjoining occupiers, the reduction in size of the rear garden and car parking provision.

The Hillingdon Local Plan: Part One Strategic Policy BE1 seeks a quality of design in all new development that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) advises that all development will be required to be designed to the highest standards and incorporate principles of good design. It should take into account aspects including the scale of the development considering the height, mass and bulk of adjacent structures; building plot sizes and established street patterns; building lines and streetscape rhythm and landscaping. It should also not have an adversary impact on the amenity, daylight and sunlight of adjacent properties and open space.

Policy DMHD 1 requires that alterations and extension of dwellings would not have an adverse cumulative impact on the character and appearance of the street scene, and

should appear subordinate to the main dwelling. It also required that there is no unacceptable loss of outlook to neighbouring occupiers.

With regard to rear extensions Policy DMHD 1 requires:

i) single storey rear extensions on terraced or semi-detached houses with a plot width of 5 metres or less should not exceed 3.3 metres in depth or 3.6 metres where the plot width is 5 metres or more; ii) single storey rear extensions to detached houses with a plot width of 5 metres or more should not exceed 4.0 metres in depth;

iii) flat roofed single storey extensions should not exceed 3.0 metres in height and any pitched or sloping roofs should not exceed 3.4 metres in height, measured from ground level;

iv) in Conservation Areas and Areas of Special Local Character, flat roofed single storey extensions will be expected to be finished with a parapet; v) balconies or access to flat roofs which result in loss of privacy to nearby dwellings or gardens will not be permitted;

vi) two storey extensions should not extend into an area provided by a 45-degree line of sight drawn from the centre of the nearest ground or first floor habitable room window of an adjacent property and should not contain windows or other openings that overlook other houses at a distance of less than 21 metres;

vii) flat roofed two storey extensions will not be acceptable unless the design is in keeping with the particular character of the existing house;

viii)pitched roofs on extensions should be of a similar pitch and materials to that of the original roof and subordinate to it in design. Large crown roofs on detached houses will not be supported; and

ix) full width two storey rear extensions are not considered acceptable in designated areas or as extensions to Listed Buildings or Locally Listed Buildings.

The proposed first floor extension would fully comply with the requirements of Policy DMHD 1. It is accepted that the cumulative impact of the proposed and existing extensions to this property would have an impact upon the architectural integrity of the host dwelling which would be visible from neighbouring properties. However, the recent loft conversion works appear to constitute permitted development and is not a matter for consideration under this application. The cumulative impact of the extensions is however a consideration. The proposed extension would be located to the rear and would not be prominent within the streetscene. It would appear as a subordinate addition to the host dwelling in terms of its width and height. It is considered that the visual harm to the character and appearance of the locality would not be sufficient to justify a refusal of planning permission.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space. The proposed extension would be set 2.75m off the boundary with adjoining number 14 The Dingle and 3.2m off the boundary with Number 18. The proposed extension would not breach the 45 degree line from the centre point of the adjacent first floor windows serving habitable rooms. In view of the projection of 3.45m and the separation to the side boundaries, it is considered that the proposed extension would not result in an unacceptable loss of light or outlook to the occupants of these properties.

It is considered that all the proposed habitable rooms, and those altered by the extension, would maintain an adequate outlook and source of natural light, therefore complying with

the Mayor of London's Housing Standards Minor Alterations to The London Plan (March 2016).

In terms of the garden area the development would fulfill the emerging policies Part 2 Policy DMHD1 appendix A, Part A) vi), which states that for Alterations and extensions to residential dwellings; adequate garden space is retained.

The parking provision would remain unaffected by the proposal.

The application is recommended for approval.

#### 6. **RECOMMENDATION**

#### APPROVAL subject to the following:

#### **1** HO1 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

#### REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

#### 2 HO2 Accordance with approved

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers RASHID/PLAN/001 and RASHID/PLAN/002.

#### REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020), and the London Plan (2016).

3 HO4 Materials

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building and shall thereafter be retained as such.

#### REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020)

#### 4 HO5 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 14 or 18 The Dingle.

#### REASON

To prevent overlooking to adjoining properties in accordance with policy DMHB 11 of the

Hillingdon Local Plan Part 2 (2020).

#### INFORMATIVES

- 1 On this decision notice policies from the Councils Local Plan: Part 1 Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2016). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.
- 2 The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

For Private Roads: Care should be taken during the building works hereby approved to ensure no damage occurs to the verge of footpaths on private roads during construction. Vehicles delivering materials to this development shall not override or cause damage to a private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

#### **Standard Informatives**

- 1 The decision to GRANT planning permission 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 The decision to GRANT planning permission 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.

Part 1 Policies:

PT1.BE1 (2012) Built Environment Part 2 Policies:

DMHB 11	Design of New Development
DMHD 1	Alterations and Extensions to Residential Dwellings
LPP 3.5	(2016) Quality and design of housing developments

3 You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any

#### deviation

from these drawings requires the written consent of the Local Planning Authority.

- 4 You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application may have to be submitted. The validity of this planning permission may be challengeable by third parties if the development results in any form of encroachment onto land outside the appliacnt's control that is considered to cause harm to local amenity.
- 5 Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Residents Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 558170).
- 6 You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work in the early morning or late at night or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the

adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Protection Unit, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190).

7 The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to: - carry out work to an existing party wall;

- build on the boundary with a neighbouring property;
- in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Planning Services Civic Centre, Uxbridge, UB8 1UW.

8 Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission

does

not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

9 Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with: -

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours

of

08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays Bank and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

D) No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit, 3S/02,

Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek

approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

- 10 You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act.
- 11 To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO2) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.
- 12 You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made

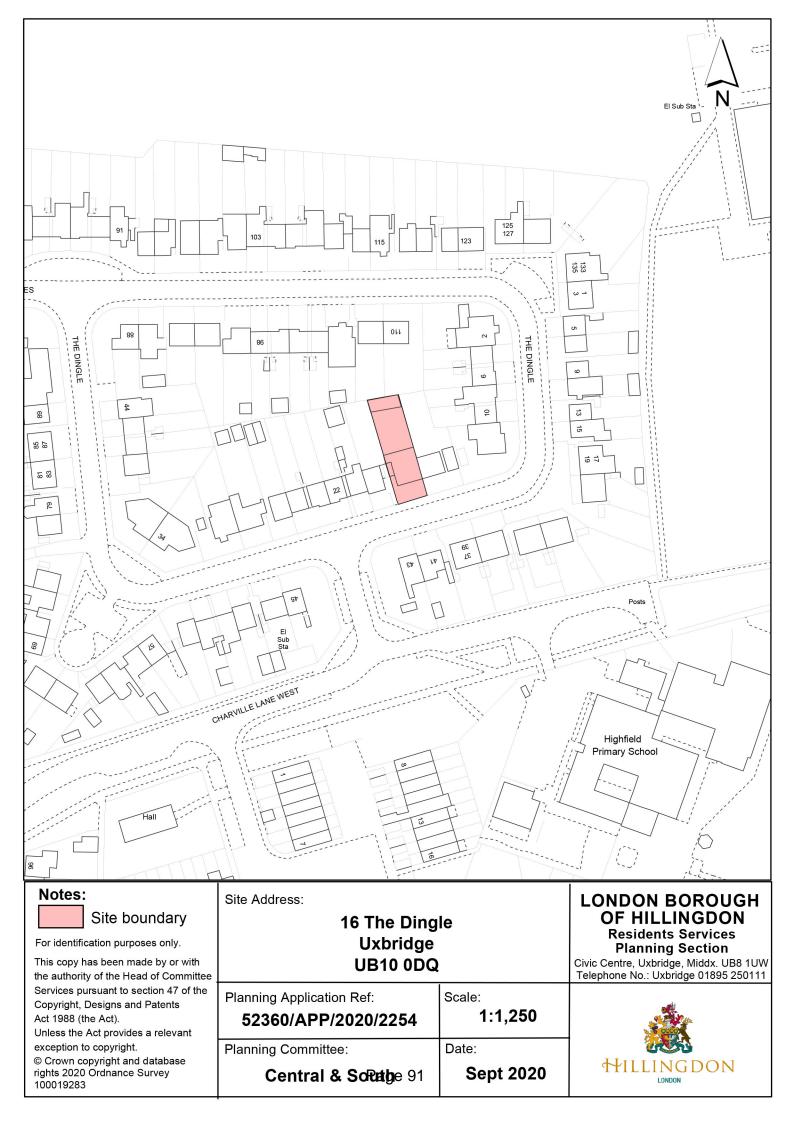
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to the satisfaction of the Council and at the applicant's expense. For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

Contact Officer: Nicola Taplin

**Telephone No:** 01895 250230

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## Agenda Item 14

Item No.	Report of the Head of Planning, Transportation and Regeneration
Address	BAYLISS TELECOMMUNICATIONS SITE LONG LANE HILLINGDON
Development:	Installation of a 20m monopole, 12 antenna apertures, 6 equipment cabinets and development ancillary thereto (Application under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for siting and appearance).
LBH Ref Nos:	75608/APP/2020/2424
Drawing Nos:	Supplementary information Declaration of Conformity with ICNIRP Public Exposure Guidelines Councils and Connectivity DCMS Connected Growth Manual DCMS/MHCLG Collaborating for Digital Connectivity Government Response Mobile Planning Consultation MBNL 5G and Future Technology- SW 5G and Health: Questions and Answers May 2019 RAF Northolt Consultation Aerodrome Consultation 216 - Max Configuration Site Plan Sheet 2 Issue A 266 - Max Configuration Elevation Sheet 2 Issue A 202 - Site Location Plan Issue A 216 - Existing Site Plan Sheet 2 Issue A 266 - Existing Elevation Sheet 2 Issue A 266 - Existing Elevation Sheet 2 Issue A
Date Plans Rec	ieved: 04/08/2020 Date(s) of Amendment(s):

Date Application Valid: 04/08/2020

#### 1. SUMMARY

This application seeks prior approval for a telecommunication installation of a 20m monopole with cabinet at base, 12 antenna apertures, 6 equipment cabinets and development ancillary thereto under Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). The purpose of the proposal is to provide 5G network and improve coverage and capacity for Hutchison 3G UK Limited (H3G) and EE Limited in the area.

The proposal is considered to be an obtrusive form of development which would add visual clutter to the street scene and the wide central reservation that runs down Station Road. The proposal would not harmonise with the character of the area and would be detrimental to local visual amenities. It is also considered that the proposal has not fully investigated alternative sites within the immediate and surrounding area. As such, it fails to comply with Policies DMHB 11 and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2019).

This application is recommended for Refusal.

#### 2. **RECOMMENDATION**

#### **REFUSAL** for the following reasons:

#### 1 NON2 Non Standard reason for refusal

The proposed development, by reason of the siting in this 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. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11, DMHB 12 and DMHB 21 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and the National Planning Policy Framework (February 2019).

#### 2 NON2 Non Standard reason for refusal

In the absence of a Tree Survey and Arboricultural Implication Assessment to BS5837:2012 standards, the application has failed to demonstrate that the development will safeguard existing trees on/adjacent to the site and further fails to demonstrate protection for and long-term retention of the trees. The proposal is therefore detrimental to the visual amenity of the street scene and the wider area contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11, DMHB 12 and DMHB 14 of the adopted Hillingdon Local Plan: Part Two - Development Management Policies (2020).

#### 3 NON2 Non Standard reason for refusal

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).

#### **INFORMATIVES**

#### 1 I52 Compulsory Informative (1)

The decision to REFUSE planning permission 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 planning permission 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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 14 Trees and Landscaping
- DMHB 21 Telecommunications
- LPP 4.11 (2016) Encouraging a connected economy
- NPPF- 10 NPPF-10 2018 Supporting high quality communications

#### 3 171 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.

4

The applicant is advised that the background elevation of the existing and proposed is inaccurate and does not reflect what is presently on site.

#### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application site is located on the east of Long Lane, directly across from no. 23 and 25 Long Lane. On the north is an existing substation. The site is located on the grass verge on the south of an existing highway sign and backs onto the pedestrian walkway and open green space with mature trees to the east. The green open space is currently used for pedestrian access onto Churchill Avenue and Charville Lane West.

The surrounding area comprises of mainly 2-storey high semi detached houses and towards the junction of Uxbridge Road and Long Lane is a petrol station on the east and a series of local shops on the west.

It should be noted that there is currently a 40m lattice tower at Hillingdon Fire Station (192m away) on Uxbridge road which is currently unoccupied with equipment, 154m away from the application site on the south also along Uxbridge Road in front of the petrol station there is a telecommunication mast and cabinets and 350m north of the application site on Long Lane, there is an 12m telecommunication mast with cabinets installed.

#### 3.2 Proposed Scheme

The application seeks to install a 20m monople with cabinet at base, 2 antenna apertures, 6 equipment cabinets and development ancillary thereto.

The proposed cabinet dimensions:

- 600mm (D) x 600mm (W) x 1900mm (H)
- 750mm (D) x 2000mm (W) x 1850mm (H)
- 580mm (D) x 610mm (W) x 1200mm (H)
- 660mm (D) x 1900mm (W) x 1780mm (H)
- 400mm (D) x 1230mm (W) x 1000mm (H)
- 500mm (D) x 1200mm (W) x 1250mm (H)
- 700mm (D) x 1600mm (W) x 1600mm (H) with 20m monopole

(Volume of equipment housing = 9.13 cubic metres)

Material:

No material or finishes have been provided on the plan or in the supplementary information.

It is noted that there is a discrepancy between the existing and proposed elevation to what

is presently on site. An informative has been added to advise of the discrepancy.

#### 3.3 Relevant Planning History

75608/APP/2020/1615 Bayliss Telecommunications Site Long Lane Hillingdon

Installation of 20m monopole, 12 x antenna apertures, equipment cabinets and development ancillary therefore (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).

Decision: 14-07-2020 Withdrawn

#### **Comment on Relevant Planning History**

No planning history relevant to the application. This is a new site however, as discussed above, a list of nearby sites has been noted within a 350m radius to this application site.

#### 4. Planning Policies and Standards

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.

Chapter 10 of the National Planning Policy Framework (2019) stresses the importance of advanced, high quality and reliable communications infrastructure and the role it plays in supporting sustainable economic growth. It goes on to advise that the aim should be to keep the numbers of radio and telecommunications masts and sites to a minimum, consistent with the efficient operation of the network and that existing masts and sites should be used unless there is a demonstrable need for a new site.

This application site is to be operated by Hutchison 3G UK Limited (H3G) and EE Limited. A cell search have been undertaken and were discounted.

It is noted that the other sites were discounted due to the following reasons:

- Roof Top - no tall buildings within the area capable of address the network requirement of this location.

- Existing Telecommunication Site - the nearby EE/H3G mast currently in place is not capable of accommodating for 5G equipment in its current form

- Existing Telecommunication Site - existing structure does not meet the essential network needs and capacity required for 5G upgrade and does not comply with network planner's recommendation of optimum level of coverage

- Greenfield - would required 30m+ structure which would be taller in both height and width which would cause further harm to the character of the area than the proposed cell. There already resides a GF tower with the vicinity, this was found unsatisfactory due to structural integrity and ICNIRP compliance due to the existing equipment.

As emphasised in the NPPF, evidence that the applicant has explored the possibility of

erecting antennas on an existing building, mast or other structure are to be provided should a new mast or base station is proposed. In this instance, although a cell search was undertaken however, it should be acknowledged that there were no consideration of potential upgrade options to existing sites to incorporate 5G equipment as opposed to proposing a new site. The greenfield lattice tower which the applicant has referred to, indicates that it was found "unsatisfactory due to structural integrity and ICNIRP compliance due to the existing equipment", however, at the time the officer was on site, there were no existing equipment on the lattice tower and no further evidence was provided as to whether there are possibilities that the existing site can be reused. As such, the proposal is considered to have fail to adequately investigate alternative solutions for a monopole location.

A signed Declaration of Conformity has been provided as part of this submission.

#### 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

Part 2 Policies:

- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 14 Trees and Landscaping
- DMHB 21 Telecommunications
- LPP 4.11 (2016) Encouraging a connected economy
- NPPF- 10 NPPF-10 2018 Supporting high quality communications

#### 5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- 1st September 2020
- 5.2 Site Notice Expiry Date:- 10th September 2020

#### 6. Consultations

#### External Consultees

A site notice was displayed adjacent to the site and expires on 10th September 2020. A total of 232 neighbouring owners/occupiers have been consulted. Two objection have been received including Oak Farm Residents' Association.

Summary of comments:

- There are already multiple masts nearby and mobile communications are already provided so I see no benefit in installing another mast and an additional eye sore.

- The mast by the fire station is about 100 foot high and appears to have nothing installed on it, why is another mast required within 300 metres.

- I also have health concerns regarding the use of 4 and 5G, the long term risks are not currently known (I assume this application is for this purpose) and would prefer no such installations are located near residential properties, indeed would it not be better for the council to issue guidance controls such that a minimum distance is always maintained. Should risks later become known I would like this objection to be held on record and that the Council proceeded without due caution and therefore would retain liability for any adverse consequences later proven.

#### OAK FARM RESIDENTS' ASSOCIATION:

OFRA wishes to object to this proposal.

The proposal covers the installation of a 20m monopole, 12 no. antenna apertures, equipment cabinets and development ancillary thereto (Application under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for siting and appearance).

Review of the documents shows that the proposal represents a significant increase in size and height over the existing pole, with an extremely cluttered arrangement of ground level supporting cabinets. Overall, the design is poor, and the main pole will be highly visible, extending 5 metres higher than the existing tree line in a predominately residential setting. The main mast is also substantially thicker in diameter, which along with its height, will make the monopole even more prominent and have a detrimental effect on the visual amenity of the site. The clutter of ancillary equipment cabinets will also pose significant distraction to motorists approaching a bus stop and a very busy junction with A4020, Uxbridge Road.

The applicant has failed to demonstrate sufficient justification for this site, instead of alternatives a few hundred metres away on the Uxbridge Road which is a more urban setting.

MOD:

No comments have been received at the time this report was written.

HEATHROW AERODROME SAFEGUARDING:

No comments have been received at the time this report was written.

#### Internal Consultees

#### HIGHWAYS OFFICER:

This is an application for a monopole and related cabinets on an area of highways grass verge. The location does not impact on footways or pedestrian desire lines. The minimal servicing and maintenance requirements can be undertaken close by were parking is unrestricted. There are no highway objections to this application.

#### 7. MAIN PLANNING ISSUES

#### 7.01 The principle of the development

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 20m and is not located within article 2(3) land or land which is on highway. As such, it is in accordance with Condition A.1 - (1)(c)(i) 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 be 9.13 cubic metres, therefore the proposal is in accord 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).

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

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

The site is located within the MOD and Heathrow height restriction area. It is 2.2km from RAF Northolt. No comments from either MOD or Heathrow Aerodrome Safeguarding have been received at the time this report was written.

#### 7.05 Impact on the green belt

Not applicable to this application.

#### 7.07 Impact on the character & appearance of the area

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.

The proposed new mast is 20 metres high with 6 cabinets located alongside the grass verge. The cabinets range in height from 1 metre to 1.85 metres and has an overall footprint of 9.13 cubic metres.

The site is slightly set back from the public highway, however it remains fairly exposed and is therefore highly visible when viewed from the immediate street scene and the surrounding area. The proposed 20m high telecommunications mast would appear as a prominent feature on Long Lane and would have a detrimental impact on the openness, character and appearance of the street scene and to the open space which the site backs onto. In addition, due to the open nature and high visibility of the site, the proposed telecommunications installation would appear as an incongruous addition to this part of the neighbourhood. The location of the cabinets and its size will reduce the natural surveillance to the open space on the east hence would potentially encourage anti-social behaviours in the area.

As noted previously, there are existing 3 other sites including 2 masts and a unoccupied lattice tower within a 350 radius to this application and there is a lack of further investigation for potentially reuse of existing site or upgrades possibilities. When viewed from the north and down Uxbridge Road, the background of the existing 40m lattice tower can also be seen, however the additional 20m monopole and cabinet would add undue clutter to the street scene in general.

Whilst the mast is to provide 5G services and to improve capacity and coverage of existing services, the proposal will add undue clutter to the streetscene which will have a significant negative impact on the visual amenity of adjacent residents and to the area in general. It would harm the character and appearance of the street scene and as such, the proposal is contrary to Policy BE1 of The Local Plan: Part 1 - Strategic Policies (2012) and Policies DMHB 11, DMHB 12 and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020).

#### 7.08 Impact on neighbours

Policy DMHB 11 of The Local Plan: Part 2 - Development Management Policies (2020) seeks to ensure that developments do not adversely impact on the amenity of adjacent properties, and seeks to protect outlook for residents, defined as the visual amenity enjoyed by occupants when looking out of their windows.

The closest neighbouring dwelling is 33.5m away, no. 23 and 25 Long Lane. There are existing mature trees and a bus stop directly west of the site. To the west and south-west, there are also a cluster of existing trees with large canopies which separates the adjoining residential dwellings to the site. The surrounding street trees will provide some sort of screening to the neighbouring residential dwellings. However, due to its proximity, size and overall height of the equipment, the proposal would still be highly visible especially the top section of the monopole. On balance, the proposal is considered to have limited impact on the outlook of the existing residents.

#### 7.09 Living conditions for future occupiers

Not applicable to this application.

#### 7.10 Traffic impact, Car/cycle parking, pedestrian safety

The Council's Highway's Officer has commented on this application and no objections has been raised. The site is located on the grass verge therefore will not impact on the footpath, pedestrian or highways safety.

7.11 Urban design, access and security

Refer to Section 7.07 of this report.

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

Policy DMHB 14 of The Local Plan: Part 2 - Development Management Policies (2020) states that all developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.

The site is located on the grass verge adjacent to the pedestrian walkway. Directly to the

east, approximately 6.5m away are existing mature trees with dense canopy that extends onto the the pedestrian footpath. In the absence of further information, the impact to the adjacent trees could not be fully assessed. As such the proposal would fail to comply with Policy DMHB 14 of The Local Plan: Part 2 - Development Management Policies (2020).

#### 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

### Refer to Section 6.1 of 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 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.

#### 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 application seeks prior approval for the installation of a ground-base apparatus consisting of a new 20m monopole, 12 antenna apertures, 6 equipment cabinets and development ancillary thereto under Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

The siting of the proposal would result in an unacceptable impact on visual amenity and the equipment would add visual clutter to the street scene. Therefore, it is contrary to Policy BE1 of The Local Plan: Part 1 - Strategic Policies (2012) and Policies DMHB 11, DMHB 12 and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020)

Furthermore, it is also considered that the proposal has not fully investigated alternative sites within the immediate and surrounding area, particularly the reuse of existing sites. As such, it fails to comply with Policies DMHB 11 and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2019).

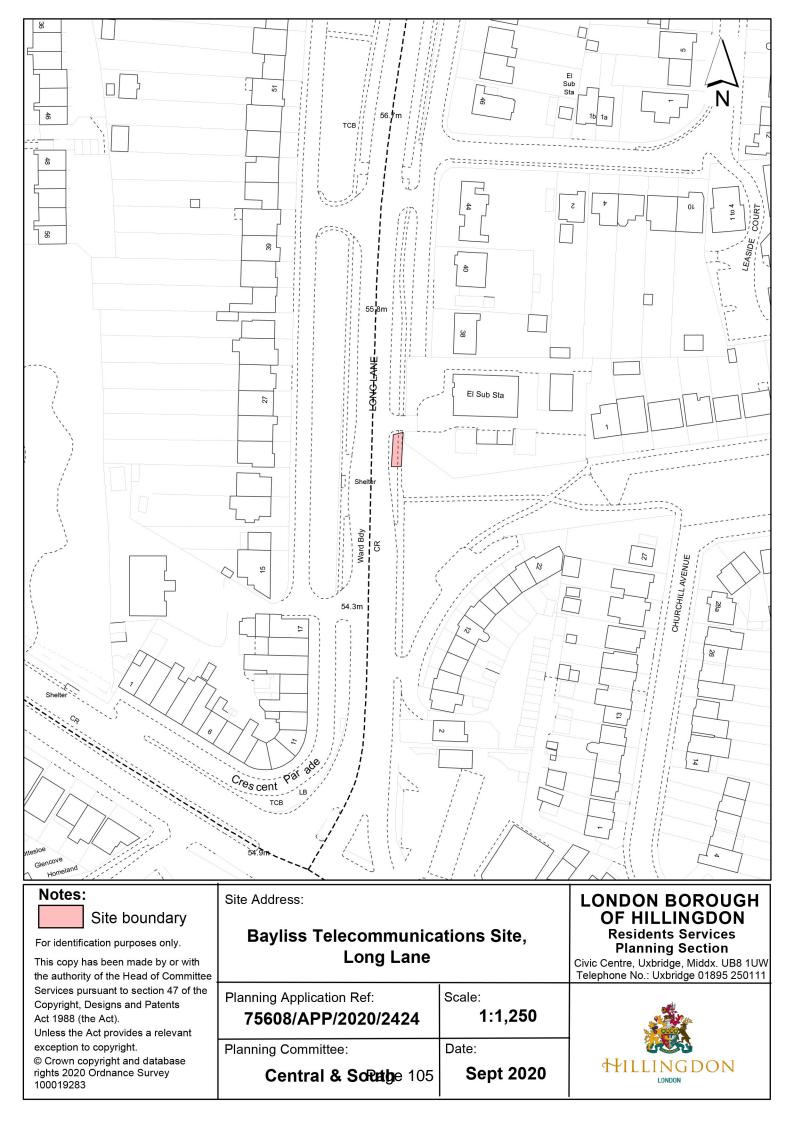
It is recommended that prior approval be required and that permission be refused.

## 11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012) Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) The London Plan (2016) National Planning Policy Framework The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Contact Officer: Rebecca Lo

**Telephone No:** 01895 250230



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## Agenda Item 15

## Α

Item No.	Repor	t of the Head of	Planning, Transportation and Regeneration	
Address	36 PO	36 POLE HILL ROAD HILLINGDON		
Development:	Single	Single storey outbuilding for use as a gym/study/game room		
LBH Ref Nos:	56575	/APP/2020/1700		
Drawing Nos:	S/9/R/ Propos	Proposed Floor Plan S/9/R/1/A S.4 Propose Elevations and Site Plan S/9/R/1/A S.3		
Date Plans Rece	eived:	03/06/2020	Date(s) of Amendment(s):	
Date Application Valid: 29/06/2020				
1. CONSIDER	ATIONS			

### 1.1 Site and Locality

The application property comprises a two storey semi-detached dwelling located on the south eastern side of Pole Hill Road, The property has been previously extended to the rear by way of a flat roofed single storey side/rear extension which measures 2.9m in height.

### 1.2 **Proposed Scheme**

The application seeks planning permission for the erection of a single storey outbuilding for use as a gym/study/game room. The outbuilding would measure  $7.2m(W) \times 5m$  (D) and finished with a flat roof measuring 2.5m in height. The outbuilding would be a games room/gym with separate bathroom.

Officer note: The proposed outbuilding would have the same footprint and layout as the outbuilding dismissed at appeal. The proposed outbuilding would however be at a reduced height of 2.5m.

## 1.3 Relevant Planning History

56575/APP/2009/1613 36 Pole Hill Road Hillingdon Single storey rear extension (Retrospective application).

Decision Date: 15-09-2009 Refused Appeal:

56575/APP/2009/2293 36 Pole Hill Road Hillingdon

Erection of single storey side and rear extensions (Part Retrospective Application)

Decision Date: 29-12-2009	Approved	Appeal:
56575/APP/2011/278	36 Pole Hill Road H	illingdon

Erection of a single storey detached outbuilding to rear for use as games room (Application for a Certificate of Lawful Development for an Existing Development)

Decision Date: 21-04-2011	Refused	Appeal:
---------------------------	---------	---------

56575/APP/2015/4165 36 Pole Hill Road Hillingdon

Single storey side extension

Decision Date: 23-02-2016 Approved Appeal:

#### Comment on Planning History

There has been a lengthy planning history at the site pertaining to the outbuilding that was previously erected on the site which was being used as living accommodation and exceeded the requirements of Class E of the GPDO. an enforcement notice dated 1st May 2013 served against the erection of an outbuilding.

At the time the then outbuilding was used for permanent occupation as a residential unit comprising one main room equipped with a double bed and a cot, TV, sofa, chairs and table.

The occupier of the outbuilding and owner of the property advised the Councils enforcement officer during one site visit that the outbuilding had been occupied for about one year.

The Enforcement notice required that the outbuilding be demolished. The enforcement notice was fully complied with. All that remains is a concrete plinth.

### 2. Advertisement and Site Notice

**2.1** Advertisement Expiry Date:- Not applicable

2.2 Site Notice Expiry Date:- Not applicable

#### 3. Comments on Public Consultations

9 neighbouing properties were consulted by letter dated 30.6.20. By the close of the consultation period, no responses had been received.

#### 4. 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

Part 2 Policies:

DMHB 11 Design of New Development

DMHD 2 Outbuildings

#### 5. MAIN PLANNING ISSUES

The main planning issues for consideration in determining this application relate to the effect of the proposal on the character and appearance of the original dwelling, the impact

on visual amenities of the street scene and the impact on the amenity of adjoining occupiers.

Policy DHMD 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that the building must be constructed to a high standard of design without compromising the amenity of neighbouring occupiers; the footprint of the proposed building must be proportional to the footprint of the dwelling house and to the residential curtilage in which it stands and it shall be incidental to the enjoyment of the dwelling house and primary living accommodation such as a bedroom, bathroom, or kitchen will not be permitted.

The outbuilding would be located at the end of the garden and would be used as a gym/games room. Whilst the outbuilding would include a bathroom, it is considered that the proposed use would be ancillary to the main dwelling house. It is noted that the previously refused outbuilding was dismissed at appeal against the enforcement notice, had the same footprint as that currently proposed. However the appeal was dismissed as the inspector considered that the internal layout of the building viewed on site (which included a bed) suggested that it was in use as a bed in a shed, so the appeal was dismissed. The surrounding area does have large outbuildings. What is key to determination of this application is whether the Council thinks the new outbuilding is being designed specifically for a bed in shed use or as an ancilary outbuilding.

The use of an outbuilding as a gym/study/games room with separate bathroom is nonspecific, but could be reasonably used for incidental purposes. A condition can be added to ensure that it should not be used as anything other than what the plans demonstrate. It would have a footprint of 36 square metres which would be approximately 64% of the footprint of the existing extended dwelling house. The outbuilding would not exceed 2.5m in height. It is considered that the outbuilding would not appear over dominant. As such, it is considered that the outbuilding would have an acceptable level of impact on the street scene and surrounding area and it would not appear overdominant to the existing dwelling house and its curtilage. Therefore, the outbuilding would comply with Policies DMHD 2 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

The outbuilding is located at the end of the garden area as far away as possible from the rear wall of No.38 Pole Hill Road and the flats at number 34. A separation distance of approximately 15m would be retained between the front of the outbuilding and neighbouring properties in Pole Hill Road. Subsequently, it is considered that the proposal would have an acceptable level of impact on the neighbouring properties in terms of loss of light, loss of outlook, sense of dominance or loss of privacy. Therefore, the proposal would comply with Policies DMHD 2 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Following development over 60 square metres of private amenity space would be retained for the occupiers of the property. As such, the proposal would comply with Policy DMHB 18 of the of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Whilst an enforcement notice was served in relation to the previously built outbuilding in this location, the current proposal differs in terms of its overall height and use. It is considered that the proposal complies with the requirements of Policy DMHD2. Conditions

are recommended to ensure that the proposed outbuilding is retained in incidental use for the lifetime of the development.

The application is recommended for approval.

#### 6. **RECOMMENDATION**

#### APPROVAL subject to the following:

## 1 HO1 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

#### REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

#### **2** HO2 Accordance with approved

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, Proposed Floor Plan and Propose Elevations and Site Plan.

#### REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020), and the London Plan (2016).

## **3** HO4 Materials

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building and shall thereafter be retained as such.

#### REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020)

## 4 HO5 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved.

#### REASON

To prevent overlooking to adjoining properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

#### 5 NONSC Non Standard Condition

The outbuilding hereby approved shall only be used for the purpose(s) stated on the application form and approved drawings and shall not be used for purposes such as a living room, bedroom, kitchen, study, as a separate unit of accommodation or for any business purposes.

## REASON

To avoid any future fragmentation of the curtilage or the creation of a separate residential or business use, so as to protect the amenity of adjoining residential properties in accordance with Policies DMH 4, DMHB 11, DMHB 16, DMHB 18 and DMT 6 Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

## 6 NONSC Non Standard Condition

The outbuilding hereby approved shall not have the internal space altered to create more rooms, nor shall it have further utilities added than are shown on the approved drawings.

## REASON

To avoid any future undesirable creation or facilitation of a separate residential use, and so that the use remains incidental to the use of the host dwelling, so as to protect the amenity of adjoining residential properties in accordance with Policies DMHD 1, DMHD 2 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

#### INFORMATIVES

- On this decision notice policies from the Councils Local Plan: Part 1 Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2016). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.
- 2 The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

For Private Roads: Care should be taken during the building works hereby approved to ensure no damage occurs to the verge of footpaths on private roads during construction. Vehicles delivering materials to this development shall not override or cause damage to a private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

#### **Standard Informatives**

1 The decision to GRANT planning permission 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 The decision to GRANT planning permission 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.

Part 1 Policies:

PT1.BE1	(2012) Built Environment
Part 2 Policies:	
DMHB 11	Design of New Development
DMHD 2	Outbuildings

3 You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any

deviation

from these drawings requires the written consent of the Local Planning Authority.

- 4 You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application may have to be submitted. The validity of this planning permission may be challengeable by third parties if the development results in any form of encroachment onto land outside the appliacnt's control that is considered to cause harm to local amenity.
- 5 Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Residents Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 558170).
- 6 You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work in the early morning or late at night or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all

vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Protection Unit, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190).

The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to: - carry out work to an existing party wall;

- build on the boundary with a neighbouring property;

- in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Planning Services Civic Centre, Uxbridge, UB8 1UW.

8 Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission

does

7

not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

9 Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with: -

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours

of

08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays Bank and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

D) No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek

approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

- 10 You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act.
- 11 To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO2) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.
- 12 You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made

good

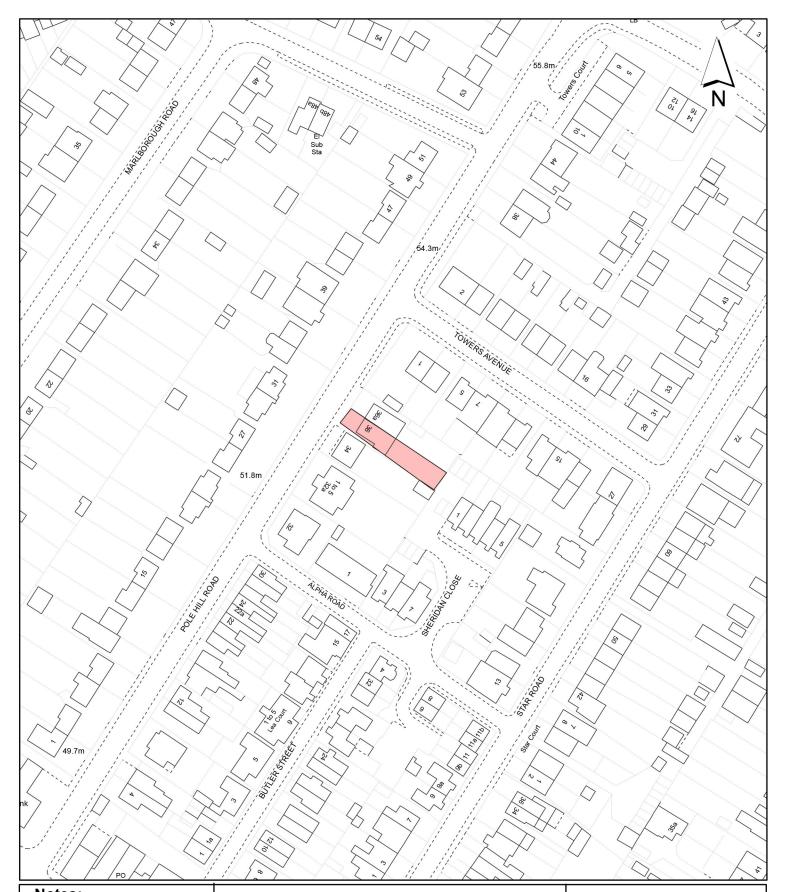
prior

to the satisfaction of the Council and at the applicant's expense. For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

Contact Officer: Nicola Taplin

**Telephone No:** 01895 250230

Page 9 of 9



Notes: Site boundary For identification purposes only. This copy has been made by or with the authority of the Head of Committee	Site Address: 36 Pole Hill Road, Uxbridge UB10 0QA		LONDON BOROUGH OF HILLINGDON Residents Services Planning Section Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 01895 250111
Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant	Planning Application Ref: 56575/APP/2020/1700	Scale: <b>1:1,250</b>	
exception to copyright. © Crown copyright and database rights 2020 Ordnance Survey 100019283	Planning Committee: Central & ScRatge 115	Date: Sept 2020	

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## Agenda Item 16

Α

Item No.	Report of the Head of Planning, Transportation and Regeneration			
Address	64 RE0	64 REGENT AVENUE HILLINGDON		
Development:		Conversion of two storey dwelling with habitable roof space into 2 x 1 bed flats with associated parking and amenity space		
LBH Ref Nos:	58575/	58575/APP/2018/3682		
Drawing Nos:	Location Plan (1:1250) ASB643-01 ASB643-02 ASB643-04A			
Date Plans Reci		16/10/2018	Date(s) of Amendment(s):	22/10/2018 16/10/2018
<b>Date Application</b>	n Valid:	24/10/2018		10/10/2010

#### 1. SUMMARY

The application seeks planning permission for the conversion of a single dwelling to 2 x 1-bed self-contained dwellings with associated parking and amenity space. The application property has been extended previously by way of a single storey rear extension as well as the conversion of roof space to habitable use to include a rear dormer, 3 front roof lights and conversion of roof from hip to gable end.

The proposed floor spaces, bedroom areas, provided amenity and parking spaces all satisfy the Policy requirements and hence the application is recommended for approval.

#### 2. **RECOMMENDATION**

#### APPROVAL subject to the following:

#### 1 RES3 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

#### REASON

To comply with Section 91 of the Town and Country Planning Act 1990

## 2 RES4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, number ASB643-04A and shall thereafter be retained/maintained for as long as the development remains in existence.

#### REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012), Part 2 (2020) and the London Plan (2016).

#### INFORMATIVES

## 1 152 Compulsory Informative (1)

The decision to GRANT planning permission 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 GRANT planning permission 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.

- DMH 4 Residential Conversions and Redevelopment
- DMHB 11 Design of New Development
- DMHB 14 Trees and Landscaping
- DMHB 16 Housing Standards
- DMHB 18 Private Outdoor Amenity Space
- DMT 2 Highways Impacts
- DMT 6 Vehicle Parking

LPP 3.3 (2016) Increasing housing supply

- LPP 3.4 (2015) Optimising housing potential
- LPP 3.5 (2016) Quality and design of housing developments
- NPPF- 2 NPPF-2 2018 Achieving sustainable development
- NPPF- 5 NPPF-5 2018 Delivering a sufficient supply of homes

## 3 I5 Party Walls

The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:

carry out work to an existing party wall;

build on the boundary with a neighbouring property;

in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 explanatory booklet" published by the ODPM, available free of charge from the Residents Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

## 4 115 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best

Practice Guidance' The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

### 5 I47 Damage to Verge - For Council Roads:

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

## 6 170 LBH worked applicant in a positive & proactive (Granting)

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 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

7

The site lies in a Critical Drainage Area (CDA) as identified in the Surface Water Management Plan (SWMP) for Hillingdon. A CDA is the catchment area from which surface water drains and contributes to drainage problems. All developments in this area must contribute to managing the risk of flooding from surface water by reducing surface water runoff from the site. Therefore the applicant should minimise the water from your site entering the sewers. No drainage to support the extension should be connected to any existing surface water sewer, other than as an overflow. Water run off from any roof or hard paving associated with e development should be directed to a soakaway, or tank or made permeable. This includes any work to front gardens not part of the planning application, which must be permeable or be collected and directed to a permeable area, otherwise it would need an additional permission. A water butt should be incorporated.

## 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application site is located on the South Western side of Regent Avenue, Hillingdon, and comprises a terraced dwelling. The property has a large rear garden, with an outbuilding to the very far side, which adjoins neighbouring properties on Grosvenor Crescent. To the front the property has the capacity to accommodate for two off street parking spaces, and has been fully paved in hardstanding.

The street scene is residential in character and appearance comprising mainly of terraced properties. No other properties along Regent Avenue appear to be converted into flats, and application site hence would be the first.

#### 3.2 Proposed Scheme

The application proposes the conversion of a single dwelling into two flats with associated parking and amenity space. The associated parking would be available by the widening of an existing dropped kerb. The proposal includes associated amenity space, refuse storage and cycle and car parking for each flat.

#### 3.3 Relevant Planning History

58575/APP/2003/1676 64 Regent Avenue Hillingdon

INSTALLATION OF DORMER WINDOWS AND CONVERSION OF HIP TO GABLE END (APPLICATION FOR A CERTIFICATE OF LAWFULNESS FOR AN EXISTING USE OR OPERATION OR ACTIVITY)

#### Decision: 18-08-2003 PRQ

## **Comment on Relevant Planning History**

58575/APP/2003/1676 - Approved rear dormer and hip to gable end.

## 4. Planning Policies and Standards

#### 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

## Part 2 Policies:

- DMH 4 Residential Conversions and Redevelopment
- DMHB 11 Design of New Development
- DMHB 14 Trees and Landscaping
- DMHB 16 Housing Standards
- DMHB 18 Private Outdoor Amenity Space
- DMT 2 Highways Impacts
- DMT 6 Vehicle Parking
- LPP 3.3 (2016) Increasing housing supply
- LPP 3.4 (2015) Optimising housing potential
- LPP 3.5 (2016) Quality and design of housing developments
- NPPF-2 NPPF-2 2018 Achieving sustainable development
- NPPF- 5 NPPF-5 2018 Delivering a sufficient supply of homes

## 5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- Not applicable
- **5.2** Site Notice Expiry Date:- Not applicable

#### 6. Consultations

#### **External Consultees**

Twelve neighbouring properties were consulted on the application via letter dated 26.10.18. A site notice was displayed to the front of the property, and expired on 27.11.18.

By the end of the consultation period, no objections have been received.

A Ward councillor requests that the application is considered by committee. The Cllr is concerned with the number of family homes in Hillingdon East ward being converted into flats, putting pressure on local services and parking provision in the neighbourhood.

#### Internal Consultees

Highways officer:

The proposals comprise the change of use of an existing dwelling to 2 x 1 bed units with associated parking provision. When considering the quantum of development against the London Borough of Hillingdon car parking standards, it is required that this proposal provide a requisite of 2 parking spaces (1 space per unit).

It is apparent from the submitted information that 4 existing parking spaces are to be utilised with 2 spaces being located along the site forecourt and 2 spaces to the rear of the site which are accessed via Grosvenor Crescent through a one way private access road.

Overall, I do not consider this application to have adverse implications upon the safety and convenience of the highway network.

Mindful of the above, I do not have any objections to this application.

Access officer:

I have considered the detail of this planning application and have no comments to make at this time.

#### 7. MAIN PLANNING ISSUES

#### 7.01 The principle of the development

The NPPF has a requirement to encourage the effective use of land by re-using land. This is an existing residential unit set in a spacious plot. The site lies within an established residential area where there would be no objection in principle to the intensification of the residential use of the site, subject to all other material planning considerations being acceptable, in accordance with policies outlined in the Hillingdon Local Plan (November 2012).

Policy DMH 2 of the Local Plan: Part Two - Development Management Policies (2020) advises the Council will require the provision of a mix of housing units of different sizes to reflect the latest information on housing need.

Policy DMH 4 advises residential conversions and redevelopment of dwellings into new blocks of flats will only be permitted where:

i) it is on a residential street where the proposal will not result in more than 10% of properties being redeveloped;

ii) on streets longer than 1km the proposed development should be taken as the midpoint of a 1km length of road for assessment purposes;

iii) the internal floor area of the original building to be converted is at least 120 sqm; and iv) units area limited to one unit per floor for residential conversions

In consideration of Policy DMH 4 the supporting text advises the redevelopment of dwellings into new blocks of flats can enable more effective use of sites to be achieved. However this type of development must seek to enhance local character of the area. Previously large concentrations of flats have resulted in a range of problems, including increased on-street parking, loss of front gardens, reduction in privacy, significant changes to the street scene and loss of family accommodation.

It is acknowledged that historically there have been no other property along Regents Avenue, that appears to be converted, or permission to be granted. The extended property measures more than than 120 sqm. As such, it is considered that the conversion of 64 Regents Avenue, in principle, be allowed as it is in compliance with Policy DMH 4.

#### 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

The proposal does not involve any external alterations to the property which have not already been previously agreed.

#### 7.08 Impact on neighbours

The proposal would not have any external alterations to the existing dwelling. All remaining windows remain as previously approved. As such, the proposal would not unacceptably harm the residential amenities of the occupants of neighbouring properties.

### 7.09 Living conditions for future occupiers

Internal Floor Space:

On 25 March 2015, the Government introduced new technical housing standards in England, which comprise of new additional 'optional' Building Regulations on water and access, and a nationally described space standard (referred to as "the new national technical standards"). These new standards came into effect on 1 October 2015. The Mayor of London has adopted the new national technical standards through a minor alteration to The London Plan.

The Housing Standards (Minor Alterations to the London Plan) March 2016 sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants. The ground floor flat will have 1 bedrooms, a kitchen, living room and a separate shower room. A one bedroom two person dwelling at single storey is required to provide an internal floor area of 50 m2, the proposed development has an internal floor area of 51 m2 and hence is in compliance.

The first floor flat (with the loft) is proposed to have a double bedroom at loft with a kitchen, bathroom, living room at the first floor. The loft would also have an ensuite facility. A one bedroom two person dwelling at two storeys is required to provide an internal floor area of 58 m2. The first floor and second floor flat would have an internal floor area of 70 m2. As such, the proposal would provide a living area of a satisfactory size of the minimum internal floor spaces requirements for developments of this nature, and the new dwelling would satisfactory achieve good living environment for future occupants. The proposal is in compliance with Policy 3.5 and Table 3.3 of the London Plan (March 2016) and Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management

Policies (January 2020).

All proposed bedrooms meet the London Plans minimum space standards and all habitable rooms are considered to have sufficient outlook and light. The proposal is therefore in compliance with Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Policies 3.5 and 5.3 of the London Plan (2016) and the Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016).

#### External Amenity Space:

Submitted plans demonstrate that Flat 1 and Flat 2 would each be served with external amenity space of in excess of 40 m2 each. The plans have also been amended to ensure that each flat will be able to access the rear garden easily and that there will be no direct overlooking into either amenity spaces. As such, the proposed scheme would meet the standards of Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020)..

## 7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy DMT 2 seeks to minimise the impact of development on the surrounding highway with regards to traffic, air quality, noise, local amenity and safety. DMT 5 seeks to ensure that proposals make adequate provision for pedestrians and cyclists, including satisfying the minimum cycle parking standards. Policy DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) requires development proposals to comply with the car parking maximum standards in order to facilitate sustainable development.

The submitted plans show that 4 off street parking spaces are to be provided within the frontage and rear. The highways officer has commented on the application stating that the development satisfies the council's requirements and that there are no highways safety issues raised with the development. The development would therefore not lead to additional on street parking to the detriment of public and highway and pedestrian safety. As such, it is considered that the proposal would meet the requirements of Policies DMT 2 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

7.11 Urban design, access and security

Discussed above.

## 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 Not applicable to this application.
- 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

None received.

#### 7.20 Planning obligations

Not applicable to this application.

#### 7.21 Expediency of enforcement action

Not applicable to this application.

#### 7.22 Other Issues

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £60 per sq metre. The development benefits from extended floor space.

#### 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 application seeks planning permission for the conversion of a single dwelling to 2 x 1bed self-contained dwellings with associated parking and amenity space. The application property has been extended previously by way of a single storey rear extension as well as the conversion of roof space to habitable use to include a rear dormer, 3 front roof lights and conversion of roof from hip to gable end.

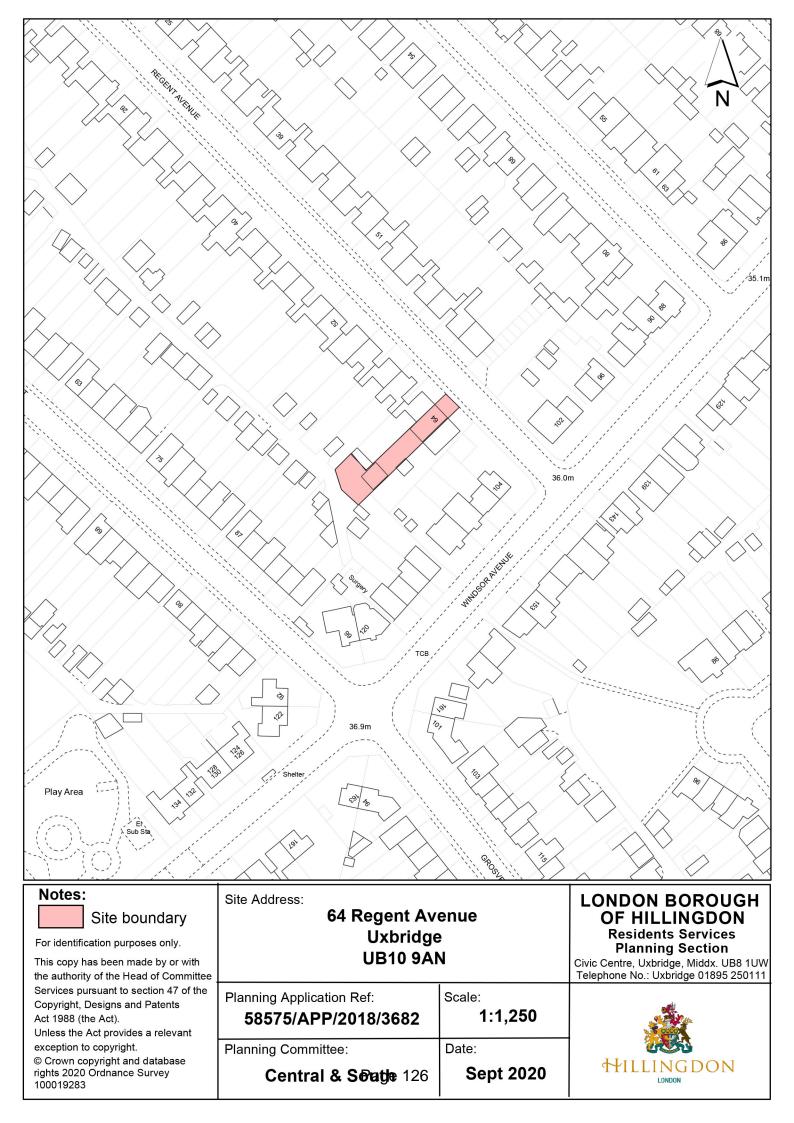
The proposed floor spaces, bedroom areas, provided amenity and parking spaces all satisfy the Policy requirements and hence the application is recommended for approval.

#### 11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012) Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) The London Plan (2016) The Housing Standards Minor Alterations to The London Plan (March 2016) Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016) Technical Housing Standards - Nationally Described Space Standard Hillingdon Design and Accessibility Statement: Accessible Hillingdon National Planning Policy Framework

Contact Officer: Nurgul Kinli

Telephone No: 01895 250230



# Agenda Item 17

Α

Item No.	Report of the Head of Planning, Transportation and Regeneration		
Address	LAND AT PUMP LANE HAYES		
Development:	Proposed 20m Phase 8 Monopole C/W wraparound Cabinet at base, 3 cabinets and associated ancillary works (Application under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for siting and appearance)		
LBH Ref Nos:	75730/APP/2020/2219		
Drawing Nos:	Covering letter Site Specific Supplementary Information Received 28-07-2020 Aerodrome consultation and response - consulted on 28.7.20 CG0486 Declaration of Conformity with ICNIRP Public Exposure Guidelines Letter to Site Provider Developers Notice 002 - Site Location Plan Issue A 100 - Existing Site Plan Issue A 150 - Existing Elevation A Issue A 210 - Proposed H3G Site Plan Issue A 260 - Proposed H3G Elevation Issue A 303 - Proposed H3G Antenna Schedule & Line Configuration Issue A 305 - Equipment Schedule & Support Structure Details Issue A		

Date Plans Recieved:	16/07/2020	Date(s) of Amendment(s):	21/07/2020
Date Application Valid:	16/07/2020		05/08/2020
Bate Application Valid.			19/08/2020

## 1. SUMMARY

This application seeks Prior Approval for the 20m Phase 8 monopole C/W wrapround cabinet at base, 3 cabinets and associated ancillary works under Part 16 of schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015. The purpose of the proposal is to provide improved coverage and capacity including 5G services to the surrounding area for Hutchison 3G UK Limited (H3G).

There is an existing tree just 1.2m from the proposed location of the equipment, the Council's Trees/Landscape Officer has raised an objection. The proposal will pose unnecessary impact to the existing street tree therefore fails to satisfy DMHB 12, DMHB 14 and DMHB 21 of the The Local Plan: Part 2 - Development Management Policies (2020). Furthermore, the Access Officer has commented on this report and considers the proposal unacceptable. A width of no less than 1.5m should applied to the pedestrian footway ensure it is accessible for all road users.

This application is therefore recommended for Refusal.

#### 2. **RECOMMENDATION**

#### **REFUSAL** for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development, by reason of the siting, size, scale, height and design of the proposed monopole and the quantity, size, scale and siting of the equipment cabinets, would create an obtrusive form of development which would be detrimental to the character, appearance and visual amenities of the street scene and the wider area. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11, DMHB 12 and DMHB 21 of the adopted Hillingdon Local Plan: Part Two - Development Management Policies (2020).

## 2 NON2 Non Standard reason for refusal

In the absence of a Tree Survey and Arboricultural Implication Assessment to BS5837:2012 standards, the application has failed to demonstrate that the development will safeguard existing trees on/adjacent to the site and further fails to demonstrate protection for and long-term retention of the trees. The proposal is therefore detrimental to the visual amenity of the street scene and the wider area contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11, DMHB 12 and DMHB 14 of the adopted Hillingdon Local Plan: Part Two - Development Management Policies (2020).

## 3 NON2 Non Standard reason for refusal

The proposed development, by reason of the siting of the equipment cabinets would result in the reduction in width of the pedestrian footway, leaving insufficient space for all pedestrians, not least wheelchair and mobility scooter users, blind and visually impaired persons. The proposal would therefore be detrimental to pedestrian safety and contrary to DMHB 12, DMHB 21 and DMT 5 of the adopted Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policy 7.2 of the London Plan (2016).

#### **INFORMATIVES**

## 1 I52 Compulsory Informative (1)

The decision to REFUSE planning permission 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).

## 2 153 Compulsory Informative (2)

The decision to REFUSE planning permission 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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 21 Telecommunications
- DMHB 14 Trees and Landscaping
- DMT 5 Pedestrians and Cyclists
- LPP 4.11 (2016) Encouraging a connected economy
- LPP 7.2 (2016) An inclusive environment
- NPPF- 10 NPPF-10 2018 Supporting high quality communications

## 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 Pump Lane in front of Trinity Trading Estate, Unit 1 Pump Lane adjacent to the front elevation car parking. The proposed equipment is to be located on the pedestrian footpath adjacent to an existing tree.

The immediate surrounding to the site is commercial/industrial in nature, mainly 2 to 3 storeys high warehouse units and office buildings. The site is located within the Hayes Housing Zone and Strategic Industrial Location: Sites located near Hayes Town Centre.

#### 3.2 Proposed Scheme

The application seeks prior approval for the installation of a 20m Phase 8 monopole C/W wrapround cabinet at base, 3 cabinets and associated ancillary works under Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015).

The proposed cabinet dimensions:

- 640mm (W) x 480mm (D) x 1200mm (H)

- 600mm (W) x 520mm (D) x 1585mm (H)

- 1900mm (W) x 600mm (D) x 1752mm (H)

- 1800mm (W) x 750mm (D) x 1600mm (H) with 20m Phase 8 monople on root foundation (Volume of housing equipment = 5.02 cubic metres)

Material:

Monopole - Phase 8 pole, Galvanised with wraparound cabinet Equipment Housing - Steel, Grey

#### 3.3 Relevant Planning History

#### **Comment on Relevant Planning History**

No planning history relevant to the application.

#### 4. Planning Policies and Standards

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.

Chapter 10 of the National Planning Policy Framework (2019) stresses the importance of advanced, high quality and reliable communications infrastructure and the role it plays in supporting sustainable economic growth. It goes on to advise that the aim should be to keep the numbers of radio and telecommunications masts and sites to a minimum, consistent with the efficient operation of the network and that existing masts and sites should be used unless there is a demonstrable need for a new site.

The aim of this application is to provide 5G network and improve coverage and capacity for one operator, Hutchison 3G UK Limited (H3G) in the area. A cell search has indicated that a total of 10 sites have been examined including the site selected.

It is noted that the other sites were discounted due to the following reasons:

- Private Property;
- Residential Amenity;
- Highway Safety / Visibility Lines of Sight Issues;
- Too far from Nominal

A signed Declaration of Conformity has been provided as part of this submission.

## 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

Part 2 Policies:

- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 21 Telecommunications
- DMHB 14 Trees and Landscaping
- DMT 5 Pedestrians and Cyclists
- LPP 4.11 (2016) Encouraging a connected economy
- LPP 7.2 (2016) An inclusive environment
- NPPF- 10 NPPF-10 2018 Supporting high quality communications

## 5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- Not applicable
- 5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

## External Consultees

A site notice was displayed adjacent to the application site and expires 20th August 2020. A total of 62 neighbouring owners/occupiers have been consulted and no comments were received.

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/).

#### 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.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

#### Internal Consultees

#### TREE/LANDSCAPE OFFICER:

Original Comments - This site is located on the south side of Pump Lane, adjacent to the junction with Silverdale Road, where there is currently a cluster of telecoms cabinets. The existing cabinets are close to a mature street tree which makes a valuable contribution to the visual and environmental quality of this industrial/commercial area.

#### COMMENT

The proposal is to add a new array of cabinets and a 20 metre monopole well within the existing canopy and root protection area (RPA) of the tree, which raises two concerns.

1. There will very likely be a detrimental impact on the highway tree caused by excavation, trenching and construction so close to the trunk and within the RPA.

2. Locating the cabinets directly behind the tree will narrow the accessible width of footway to pedestrians/buggies and wheelchair users.

#### RECOMMENDATION

This application fails to satisfy DMHB 12. It poses an unacceptable threat to the valuable street tree and the inconvenience to passers-by using the footway renders this application unacceptable. Under policy DMHB 21, an alternative (less damaging) site should be found.

Further additional comments - Unfortunately the root protection area is not related to the canopy of the tree. It often extends much further. Similarly the excavation to 200mm does not make the proposal acceptable. Most tree roots tend to be within approximately 600mm of the surface.

Aside from the base of the cabinets the routing of underground cables can also result in root damage or severance.

There aren't that many trees in Pump Lane. Surely it is possible to find a better location to one side or the other?

#### Case Officer's comments:

The applicant has provided additional information in response to the Trees/Landscape Officer's original comments indicating that the foundation would be 200mm from ground level, however the proposal remains unacceptable as it would result in root damage and severance of the existing tree.

#### HIGHWAYS OFFICER:

This is an application for the installation of a monopole and related cabinets. This would be installed at the back of the footpath in line with existing street furniture. This would not impact on the width of footway for pedestrians in this low pedestrian area within an industrial area. There are no highway objections to this proposal.

#### ACCESS OFFICER:

In assessing this application for a number of communication cabinets at this location, reference is made to the London Plan (2016) and its contained policy 7.2, and the Department for Transport's Inclusive Mobility (February 2002) best practice document. There are a number of mature trees along this footpath and these occupy a significant surface area of the footway. If the communication cabinets are positioned against the back wall of the footway, it would be reduced to a width no greater than 1.2 m, leaving insufficient space for all pedestrians, not least wheelchair and mobility scooter users. Crucially, we must also consider blind and visually impaired persons for whom the proposed installations would be particularly hazardous and therefore unsuitable. Conclusion: the objective must be to provide a 'clear corridor' of no less than 2 m in this location. From my reading of the plans the current arrangement is unacceptable from an accessibility perspective.

#### 7. MAIN PLANNING ISSUES

#### 7.01 The principle of the development

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 20m and is not located within article 2(3) land or land which is on highway. As such, it is in accordance with Condition A.1 - (1)(c)(i) 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 be 5.02 cubic metres, therefore the proposal is in accord 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).

## 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

Policy DMAV1 of The Local Plan: Part 2 - Development Management Policies (2020) states that proposals that may be hazard to aircraft safety will not be permitted.

The application site is located 2.7m from Heathrow Airport and is within the NATS height restriction area. Heathrow Aerodrome Safeguarding have been consulted and no objections were raised subject to an informative. No objections received from NATS.

### 7.05 Impact on the green belt

Not applicable to this application.

#### 7.07 Impact on the character & appearance of the area

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.

The proposed new mast is 20m high with 3 cabinets located alongside the pedestrian footway. The cabinets range in height from 1.2 to 1.7 metres and have an overall footprint of 5.02 cubic metres.

The site is set back from the highway backing onto a 2 storeys high industrial unit (overall height 10m). The context of the site is considered to be mainly commercial/industrial in nature and consists of mixture of warehouse/industrial units, car parks and offices. It is noted that there are existing vertical features within the immediate area, including road signage, signage, street cabinets and street lighting columns (8 metres high).

The proposed 20m monopole would appear a prominent feature to the area however given its site context, there would be limited impact on the character and appearance of

the area. However, the location of the cabinets is considered inappropriate and will introduce urban clutter to the footway and otherwise attractive landscape feature.

Whilst the mast is to provide improve existing coverage and to provide 5G services, in addition to the existing street furniture and landscaping in the immediate area, the proposal will add undue clutter to the streetscene. It would therefore be contrary to Policy BE1 of The Local Plan: Part 1 - Strategic Policies (2012) and Policies DMHB 11, DMHB 12 and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020).

#### 7.08 Impact on neighbours

The nearest neighbours are located 51m away from the application site on the north. Due to the overall height of the monopole, it will be visible from the adjacent residential dwellings. However, based on the distance and that there is an existing premise located between the residential area and proposal, the telecommunications mast would not directly impact on neighbouring properties.

#### 7.09 Living conditions for future occupiers

Not applicable to this application.

#### 7.10 Traffic impact, Car/cycle parking, pedestrian safety

The Council's Highways Officer has commented on this application and no objections are raised. The equipment are set back from the highway therefore would not impact on highways safety.

#### 7.11 Urban design, access and security

Refer to Section 7.07 of this report.

#### 7.12 Disabled access

The Council's Access Officer have assessed this application and raised objection to the proposal. If the communication cabinets are positioned against the back wall of the footway, it would be reduced to a width no greater than 1.2 m, leaving insufficient space for all pedestrians, not least wheelchair and mobility scooter users. Crucially, blind and visually impaired persons must also be considered and for them the proposed installations would be particularly hazardous and therefore unsuitable. The objective must be to provide a 'clear corridor' of no less than 2 m in this location and the current arrangement is unacceptable from an accessibility perspective.

#### 7.13 Provision of affordable & special needs housing

Not applicable to this application.

## 7.14 Trees, landscaping and Ecology

The site is located on the footway and directly on the north of the equipment. there is an existing tree. The existing tree has dense foliage with overhanging onto the footway and onto adjacent car park. The 3 cabinets and monopole proposed will be located in close proximity to the tree.

The Council's Trees/Landscape Officer has commented on this application and raised objection to the proposed. The proposal poses an unacceptable threat to the street tree and more importantly its roots. As such, fails to satisfy Policy DMHB 12, DMHB 14 and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020).

## 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

Refer to Section 6.1 of 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 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.

#### OTHER:

Under section A.3, Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), it states the following:

"(3) where the proposed development consists of the installation, alteration or replacement of a mast within 3 kilometres of the perimeter of an aerodrome, the developer must notify the Civil Aviation Authority, the Secretary of State for Defence or the aerodrome operator, as appropriate, before making the application required by sub-paragraph (4).

4) Before beginning the development described in paragraph A.2(3), the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting and appearance of the development."

At the time of the submission, the application has failed to recognise that the site is located within 3km of the perimeter of an aerodrome and has fail to notify the Civil Aviation Authority, the Secretary of State for Defence or the aerodrome operator prior to the submission of this application as specified in Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). As such, a second refusal reason has been recommended.

#### 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

This application seeks Prior Approval for a 20m Phase 8 monopole C/W wrapround cabinet at base, 3 cabinets and associated ancillary works under Part 16 of schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015.

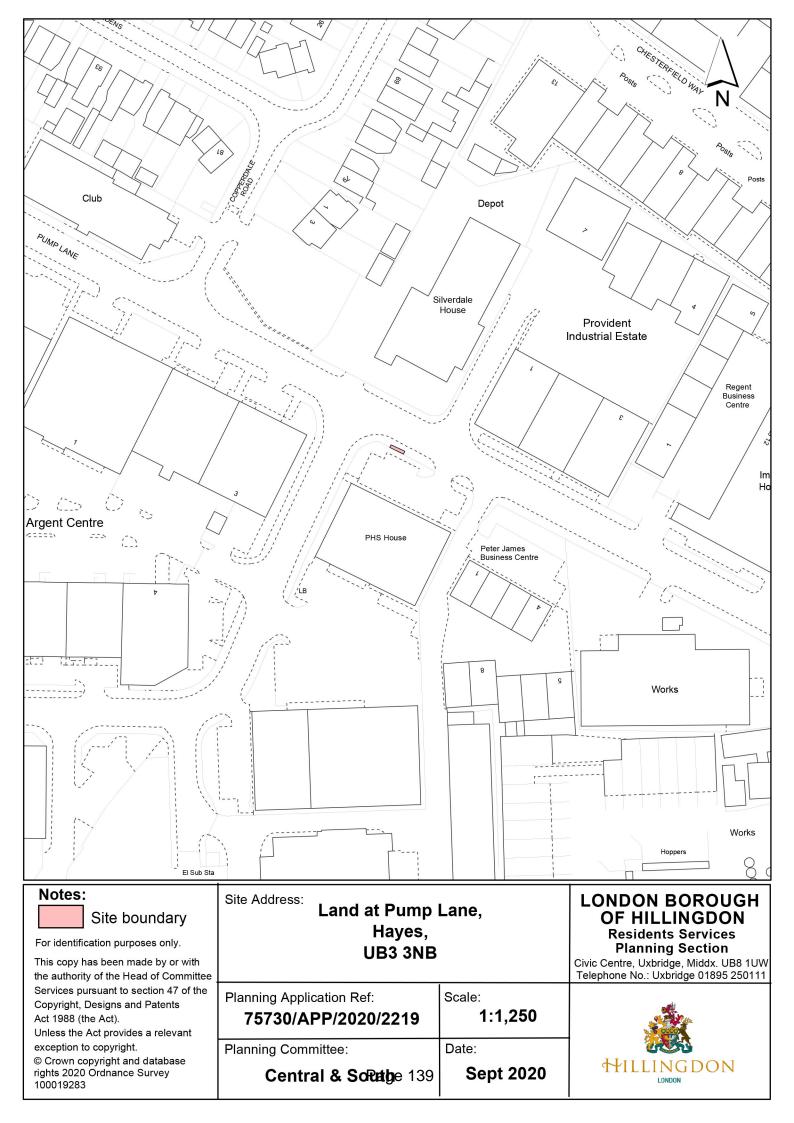
There are no objection to the principle of development, however the siting and appearance of the proposal would result in unacceptable impact on the existing valuable street tree, accessibility concerns and will add undue cluster to the already narrow footpath consisting of existing street furniture and landscaping. Therefore, it is contrary to Policy Policy BE1 of The Local Plan: Part 1 - Strategic Policies (2012) and Policies DMHB 11, DMHB 12, DMHB 14 and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020).

## 11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012) Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) The London Plan (2016) National Planning Policy Framework (2019) The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Contact Officer: Rebecca Lo

**Telephone No:** 01895 250230



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# Agenda Item 18

Item No.	Report o	f the Head of Pla	nning, Transportation and Reg	eneration	
Address	SCOTTISH SOUTHERN ENERGY DEPOT SPRINGFIELD ROAD HAYE				
Development:	Removal of the existing 22m tower and the erection of a replacement 30m lattice tower with a total of 18 antenna, installed on headframes at a mean height of between 20.95m and 29.2m AGL, 4 dishes, 6 equipment cabinets along with ancillary equipment, together with development ancillary thereto				
LBH Ref Nos:	6084/APP/2020/920				
Drawing Nos:	Developers Notice Covering letter 16 March 2020 100 Rev. B Received 24-07-2020 102 Rev. B 103 Rev. B 104 Rev. B Home Office Emergency Services Network (ESN) â¿¿ Briefing Note Signed Declaration of Conformity with ICNIRP Public Exposure Guidelines 105 Rev. B Supporting Statement Rev. 1				
Date Plans Recieved:		16/03/2020	Date(s) of Amendment(s):	17/03/2020	
Date Application Valid:		17/03/2020			

# 1. SUMMARY

This planning application seeks consent for the removal of the existing 22m tower and the erection of a replacement 30m lattice tower with a total of 18 antenna, installed on headframes at a mean height of between 20.95m and 29.2m AGL, 4 dishes, 6 equipment cabinets, along with ancillary equipment, together with development ancillary thereto. The purpose of the replacement tower is due to future operational obligations to provide 2G, 3G and 4G improved coverage and the new 5G to existing customers. The site will also provide opportunity for additional operators to site share in the future, reducing the number of masts within the locality.

Given the siting and the character of the surrounding area, the harm would be limited as it would be seen in the context of an existing lattice tower. The benefits of upgrading an existing site and the coverage with future site sharing opportunity is considered to outweigh the limited visual harm. Therefore the proposal is considered acceptable.

The proposed development is considered to comply with Policies DMHB 11, DMHB 12 and DMHB 21 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and the National Planning Policy Framework (2019) and accordingly this application is recommended for Approval.

# 2. **RECOMMENDATION**

# APPROVAL subject to the following:

# 1 COM3 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

# 2 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 104 Rev. B and 105 Rev. B and shall thereafter be retained/maintained for as long as the development remains in existence.

### REASON

To ensure the development complies with the provisions Hillingdon Local Plan Parts 1 (November 2012) and 2 (January 2020) and the London Plan (2016).

### **INFORMATIVES**

### 1 152 Compulsory Informative (1)

The decision to GRANT planning permission 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).

# 2 153 Compulsory Informative (2)

The decision to GRANT planning permission 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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 21 Telecommunications
- DMHB 14 Trees and Landscaping
- LPP 4.11 (2016) Encouraging a connected economy
- NPPF- 10 NPPF-10 2018 Supporting high quality communications

# 3 170 LBH worked applicant in a positive & proactive (Granting)

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 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, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

4

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/

#### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application site is located on the premise of the Scottish Southern Energy Deport, east of Springfield Road. The site is situated to the rear of the property. Directly on the north, is the 13-storey high Hyatt Place West hotel and to the south and west, are 2-3 storeys high industrial commercial units.

The site is currently secured with CCTV, security gate and palisade fencing around the perimeter of the site. Access to the application site is via the gated vehicle access on the north then through two authorised access gates.

The site is located within a Strategic Industrial Location. There are no Tree Preservation Orders on the site. The closest residential dwellings is 152 metres to the north-east on the opposite side of Uxbridge Road.

#### 3.2 **Proposed Scheme**

This application seeks planning consent for the removal of the existing 22m tower and the erection of a replacement 30m lattice tower with a total of 18 antenna, installed on headframes at a mean height of between 20.95m and 29.2m AGL, 4 dishes, 6 equipment cabinets, along with ancillary equipment, together with development ancillary thereto.

The existing lattice tower is located north-west inside a 80 metre square compound. The compound is secured by an existing 1.8m high palisade fence. It is proposed that the compound is to be extended to 131 metre square in size, which is 50 metre square more than the existing. The new lattice tower will be located on the north-east of the newly extended part of the compound.

Existing cabinets and the 2.5m x 2.5m equipment cabin will be retained inside the compound. An additional 6 x cabinets are to be installed on wig concrete base at ground level. New 600mm wide cable ladder will replace the existing. The new 30m lattice tower will be installed on a  $7m \times 7m \times 1.2m$  wig concrete base.

#### 3.3 Relevant Planning History

6084/APP/2001/2652 Scottish & Southern Energy Depot Springfield Road Hayes

ERECTION OF A 7 METRE EXTENSION TO EXISTING 15 METRE HIGH LATTICE TOWER TO ACCOMMODATE 6 ANTENNAS AND A RADIO EQUIPMENT CABIN

Decision: 15-03-2002 Approved

6084/APP/2006/3278 Scottish & Southern Energy West London Depot Springfield Road Ha

INCREASE IN HEIGHT OF 3 METRES TO EXISTING 22 METRE HIGH TELECOMMUNICATIONS LATTICE TOWER TO ALLOW INSTALLATION OF 6 ANTENNAE AND 4 TRANSMISSION DISHES AT TOP, INSTALLATION OF 6 EQUIPMENT CABINETS AT GROUND LEVEL AND ANCILLARY DEVELOPMENT.

Decision: 12-01-2007 Approved

6084/M/94/1887 Southern Electricity Board Springfield Road Hayes

Erection of a radio mast

**Decision:** 23-03-1995 NFA

### 6084/P/95/1042 Southern Electric Plc Depot Springfield Road Hayes

Installation of a 15 metre high radio tower (retrospective application)

#### Decision: 04-08-1995 Approved

#### **Comment on Relevant Planning History**

A planning application under reference 6084/APP/2006/3278 was granted permission on 12-01-07 for the increase in height of 3 metres to existing 22 metre high telecommunications lattice tower to allow installation of 6 antennae and 4 transmission dishes at top, installation of 6 equipment cabinets at ground level and ancillary development.

A planning application under reference 6084/APP/2001/2652 was granted permission on 9-04-02 for the erection of a 7 metre extension to existing 15 metre high lattice tower to accommodate 6 antennas and a radio equipment cabin.

A planning application under reference 6084/P/95/1042 was granted permission on 4-08-95 for the installation of a 15 metre high radio tower (retrospective application).

#### 4. Planning Policies and Standards

London Borough of Hillingdon Development Plan (from 6th April 2020)

1.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

1.2 The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012) The Local Plan: Part 2 - Development Management Policies (2020) The Local Plan: Part 2 - Site Allocations and Designations (2020) West London Waste Plan (2015) The London Plan - Consolidated With Alterations (2016)

1.3 The National Planning Policy Framework (NPPF) (2019) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

#### Emerging Planning Policies

1.4 Paragraph 48 of the National Planning Policy Framework (NPPF) 2019 states that 'Local Planning Authorities may give weight to relevant policies in emerging plans according to:

(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and(c) the degree of consistency of the relevant policies in the emerging plan to thisFramework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Draft London Plan (Intend to Publish Version, December 2019) 1.5 The GLA consulted upon a draft new London Plan between December 2017 and March 2018 with the intention of replacing the previous versions of the existing London Plan. The Plan was subject to examination hearings from February to May 2019, and a Consolidated Draft Plan with amendments was published in July 2019. The Panel of Inspectors appointed by the Secretary of State issued their report and recommendations to the Mayor on 8th October 2019.

1.6 The Mayor has considered the Inspectors' recommendations and, on 9th December 2019, issued to the Secretary of State his intention to publish the London Plan along with a statement of reasons for the Inspectors' recommendations that the Mayor did not wish to accept. The Secretary of State responded on the 13th March 2020 and stated that he was exercising his powers under section 337 of the Greater London Authority Act 1999 to direct that modifications are required. These are set out at Annex 1 of the response, however the letter does also state that if the Mayor can suggest alternative changes to policies that would address the concerns raised, these would also be considered.

1.7 More limited weight should be attached to draft London Plan policies where the Secretary of State has directed modifications or where they relate to concerns raised within the letter. Greater weight may be attached to policies that are not subject to modifications from the Secretary of State or that do not relate to issues raised in the letter.

### 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

Part 2 Policies:

- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 21 Telecommunications
- DMHB 14 Trees and Landscaping
- LPP 4.11 (2016) Encouraging a connected economy
- NPPF- 10 NPPF-10 2018 Supporting high quality communications

#### 5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- 18th August 2020
- 5.2 Site Notice Expiry Date:- 19th August 2020

# 6. Consultations

#### **External Consultees**

A site notice was display to the front of the applicant site. All consultation expires on 19th August 2020. A total of 133 neighbouring owners/occupier have been consulted. No comments have been received.

#### CADENT GAS:

Original Comments - Searches based on your enquiry have identified that there is apparatus in the vicinity of your enquiry which may be affected by the activities specified.

Can you please inform Plant Protection, as soon as possible, the decision your authority is likely to

make regarding this application.

If the application is refused for any other reason than the presence of apparatus, we will not take any further action.

Please let us know whether Plant Protection can provide you with technical or other information that may be of assistance to you in the determination of the application.

Further Comments - To confirm he Cadent Gas have no objection to the planning application at Scottish and Southern Energy Depot Springfield Road Hayes as the HP gas pipeline in vicinity will not be affected.

#### HEATHROW 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/.

MOD SAFEGUARDING - RAF NORTHOLT:

I can confirm the MOD has no safeguarding objections to this proposal.

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.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

#### Internal Consultees

HIGHWAYS OFFICER:

This is an application for the demolition of an existing demolition of a communication tower and replacement of a slighter larger unit. The site is located along the public highway within the industrial estate. There are no highway objections to this proposal.

# 7. MAIN PLANNING ISSUES

#### 7.01 The principle of the development

The NPPF stresses the importance of advance, high quality and reliable communications infrastructure is essential for economic growth and social well-being. The number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion.

The application has been assessed principally against the National Planning Policy Framework (NPPF) and Policy DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020).

Policy DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020) 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 local planning authority will only grant permission for structures 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;

v) 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

vi) it includes a Declaration of Conformity with the International Commission on Non Ionizing Radiation.

The site would host EE Ltd. The aim of the proposal is to improve coverage to existing customers, include 5G equipment upgrade and to provide opportunity for additional operators to site share in the future. Due to the height of existing surrounding clutter between the site location and the cell coverage area, the existing tower requires to be replace with a 30m tower. It is clear from this NPPF guidance that existing buildings and structures should always be considered first. A signed Declaration of Conformity with the ICNIRP has been included as part of this submission.

#### 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

Policy DMAV1 of The Local Plan: Part 2 - Development Management Policies (2020) states that proposals that may be hazard to aircraft safety will not be permitted.

The application site is located 3.9km from Heathrow Airport and 3.9km from RAF Northolt. Heathrow Safeguarding have been consulted and no objections has been raised, however a informative in regards to cranes is recommended. NATS have no objections to the proposal.

# 7.05 Impact on the green belt

Not applicable to this application.

#### 7.07 Impact on the character & appearance of the area

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.

The proposed new 30m lattice tower will result in an increase in height of 8m. Given its siting, surrounded by commercial/industrial units and a multi-storey high hotel, the proposal would not impact the character and appearance of the area, as the proposal would only ever be viewed in the context of the existing lattice tower. Furthermore, due to its distance to the street frontage, the visual impact would be limited. The associated cabinets required would be installed within the secure compound. Due to its location and set back from the property boundary, the equipment would unlikely be visible when viewed from the street scene. As such, the proposal would comply with Policies DMHB 11 and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020).

#### 7.08 Impact on neighbours

Policy DMHB 11 of The Local Plan: Part 2 - Development Management Policies (2020) seeks to ensure that developments do not adversely impact on the amenity of adjacent properties, and seeks to protect outlook for residents, defined as the visual amenity enjoyed by occupants when looking out of their windows.

The nearest neighbours are 152 metres away from the site, separated from the public highway, Uxbridge Road, Hyatt Place West hotel (13-storeys) and Hayes Bridge Retail Park (2-3 storeys high commercial unit). Due to the relative distances between the application site and residential properties, it is unlikely that the proposal will impact on the amenity of adjacent properties.

# 7.09 Living conditions for future occupiers

Not applicable to this application.

# 7.10 Traffic impact, Car/cycle parking, pedestrian safety

The lattice tower is located to the side and rear of the Scottish Southern Energy Depot,

therefore no access to the general public or unauthorised persons are permitted. The property is secured by a 2m high palisade gate/fence and cctv cameras are present.

# 7.11 Urban design, access and security

Refer to Section 7.07 of this report.

# 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

The site is located on hard landscaping adjoining to an existing commercial property. As such, would not impact on any trees, landscaping and ecology in the immediate surrounding area.

# 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

# No public comments have been received.

### 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

This planning application seeks consent for the removal of the existing 22m tower and the erection of a replacement 30m lattice tower with a total of 18 antenna, installed on headframes at a mean height of between 20.95m and 29.2m AGL, 4 dishes, 6 equipment cabinets, along with ancillary equipment, together with development ancillary thereto. The purpose of the replacement tower is due to future operational obligations to provide 2G, 3G and 4G improved coverage and the new 5G to existing customers. The site will also provide opportunity for additional operators to site share in the future, reducing the number of masts within the locality.

Given the siting and the character of the surrounding area, the harm would be limited as it

would be seen in the context of an existing lattice tower. The benefits of upgrading an existing site and the coverage with future site sharing opportunity is considered to outweigh the limited visual harm. Therefore the proposal is considered acceptable and accordingly this application is recommended for Approval.

# 11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012) Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) The London Plan (2016) National Planning Policy Framework The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

# Contact Officer: Rebecca Lo

**Telephone No:** 01895 250230

			Stieles Cycle Way
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Notes:         Site boundary         For identification purposes only.         This copy has been made by or with the authority of the Head of Committee	Site Address: Scottish Southern Energy Depot, Springfield Road		LONDON BOROUGH OF HILLINGDON Residents Services Planning Section Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 01895 250111
Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant exception to copyright. © Crown copyright and database rights 2020 Ordnance Survey 100019283	Planning Application Ref: 6084/APP/2020/920 Planning Committee: Central & Soratte 152	Scale: <b>1:1,250</b> Date: <b>Sept 2020</b>	HILLINGDON

# Agenda Item 19

Α

Item No.	Report of the Head of Planning, Transportation and Regeneration		
Address	LAND ADJ TO THE CAT AND FIDDLE PH 162 ROWAN ROAD WEST DRAYTON		
Development:	Proposed 18m Phase 8 Monopole C/W wraparound cabinet at base, 3 equipment cabinets and associated ancillary works (Application under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for siting and appearance)		
LBH Ref Nos:	75761/APP/2020/2362		
Drawing Nos:	Letter to Site Provider Developers Notice 002 - Site Location Plan Issue A 100 - Existing Site Plan Issue A 150 - Existing Elevation A Issue A 210 - Proposed H3G Site Plan Issue A 260 - Proposed H3G Elevation Issue A 303 - Proposed H3G Antenna Schedule & Line Configuration Issue A 305 - Equipment Schedule & Support Structure Details Issue A Declaration of Conformity with ICNIRP Public Exposure Guidelines Covering letter Site Specific Supplementary Information		

Date Plans Recieved:	29/07/2020	Date(s) of Amendment(s):
Date Application Valid:	29/07/2020	

# 1. SUMMARY

This application seeks prior approval for a telecommunications installation under Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). The proposal is for the installation of 18m monopole C/W wraparound cabinet at base, 3 cabinets and associated ancillary works. The new mast is to provide new 5G coverage and to improve existing coverage and capacity for Hutchison 3G UK Limited (H3G).

The proposal is considered to be an obtrusive form of development which would add visual clutter to the street scene. The proposal would not harmonise with the character of the area and would be detrimental to local visual amenities. As such, it fails to comply with Policies DMHB 11 and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2019).

This application is recommended for Refusal.

# 2. **RECOMMENDATION**

# **REFUSAL** for the following reasons:

# 1 NON2 Non Standard reason for refusal

The proposed development, by reason of the siting in this 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. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11, DMHB 12 and DMHB 21 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and the National Planning Policy Framework (February 2019).

# 2 NON2 Non Standard reason for refusal

The applicant has failed to recognise that the application site is located within 3km of the perimeter of an aerodrome and has failed to notify the Civil Aviation Authority, the Secretary of State for Defence or the aerodrome operator of the proposal prior to the submission of this application as specified in Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

### INFORMATIVES

# 1 I52 Compulsory Informative (1)

The decision to REFUSE planning permission 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 planning permission 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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 14 Trees and Landscaping
- DMHB 21 Telecommunications
- LPP 4.11 (2016) Encouraging a connected economy
- NPPF- 10 NPPF-10 2018 Supporting high quality communications

# 3 171 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.

4

The applicant is advised that the background elevation of the existing and proposed is inaccurate and does not reflect what is presently on site.

# 3. CONSIDERATIONS

### 3.1 Site and Locality

The application site is located on the north side of Rowan Road close to its junction with Laurel Lane. The monopole and equipment is to be located on the grass verge adjacent to the pedestrian footpath. The surrounding area is predominately residential in nature with a row of local shops along Laurel Lane on the east and the Cat and Fiddle public house directly across the highway on Rowan Road. The area primarily consists of 2-3 storey high terraces, semi-detached and flats. Directly to the north of the site is St Martin's Primary School.

The site is located within the Colne Valley Archaeological Priority Area and is adjacent to the West Drayton Archaeological Priority Area.

#### 3.2 Proposed Scheme

This application seeks to install a new 18m monopole C/W wrapround cabinet at base, 3 cabinets and associated ancillary works.

The proposed cabinet dimensions:

- 640mm (W) x 480mm (D) x 1200mm (H)
- 600mm (W) x 520mm (D) x 1585mm (H)
- 1900mm (W) x 600mm (D) x 1752mm (H)

- 1800mm (W) x 750mm (D) x 1600mm (H) with 18m Phase 8 monople on root foundation (Volume of housing equipment = 5.02 cubic metres)

Material:

Monopole - Phase 8 pole, Galvanised with wraparound cabinet Equipment Housing - Steel, Grey

It is noted that there is a discrepancy between the existing and proposed elevation to what is presently on site. An informative has been added to advise of the discrepancy.

#### 3.3 Relevant Planning History

#### **Comment on Relevant Planning History**

No planning history relevant to the application.

#### 4. Planning Policies and Standards

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.

Chapter 10 of the National Planning Policy Framework (2019) stresses the importance of advanced, high quality and reliable communications infrastructure and the role it plays in

supporting sustainable economic growth. It goes on to advise that the aim should be to keep the numbers of radio and telecommunications masts and sites to a minimum, consistent with the efficient operation of the network and that existing masts and sites should be used unless there is a demonstrable need for a new site.

The aim of this application is to provide 5G network and improve coverage and capacity for one operator, Hutchison 3G UK Limited (H3G) in the area. A cell search has indicated that a total of 10 site has been examined including the site selected.

It is noted that the other sites were discounted due to the following reasons:

- Closer to residential housing and further from the nominal location than the options that have been put forward.

- Discounted from a coverage perspective due to being situated further from the nominal location than the options that have been put forward.

- Discounted from a planning perspective as proposed option more robust.

- Co-location discounted from a coverage perspective due to being situated in excess of 520-570m from the nominal location.

Although 10 sites have been investigated, half of the sites examined appear to be discounted due to the distance away from the nominal location.

A signed Declaration of Conformity has been provided as part of this submission.

# 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

Part 2 Policies:

- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 14 Trees and Landscaping
- DMHB 21 Telecommunications
- LPP 4.11 (2016) Encouraging a connected economy
- NPPF- 10 NPPF-10 2018 Supporting high quality communications

#### 5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- 27th August 2020
- **5.2** Site Notice Expiry Date:- Not applicable

# 6. Consultations

#### External Consultees

A site notice was displayed adjacent to the application site and expired on 27th August 2020. A total of 284 neighbouring owners/occupiers were consulted. 1 comment and 2 objections have been received.

Summary of comments:

- Eyesore in West Drayton, how many more do we have to have?

- To my understanding this will be a 5g mast they would erect. I am in opposition to 5g and the

health dangers it presents and therefore am completely against having a mast erected so close to not only my home but two primary schools.

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/

NATS:

No comments received at the time this report was written.

#### Internal Consultees

#### HIGHWAYS OFFICER:

This is an application for a monopole and cabinets on an area of highways grass verge. The location does not impact on public footpath or pedestrian desire lines. The minimal servicing or maintenance can be undertaken via non restricted parking close to the proposed location. There are no highway objections to this proposal.

### 7. MAIN PLANNING ISSUES

#### 7.01 The principle of the development

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 bousing

(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 18m and is not located within article 2(3) land or land which is on highway. As such, it is in accordance with Condition A.1 - (1)(c)(i) 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 be 5.02 cubic metres, therefore the proposal is in accord 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).

# 7.02 Density of the proposed development

Not applicable to this application.

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

The site is located within the Colne Valley Archaeological Priority Area and is adjacent to the West Drayton Archaeological Priority Area. No further details, details of foundation depth or sections have been provided, as such, in the absence of further information, it is not possible to fully assess the impacts on the Archaeological priority area.

#### 7.04 Airport safeguarding

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

The application site is 1.9km from Heathrow Airport and is within the Heathrow and NATS height restriction area. Heathrow Aerodrome Safeguarding have been consulted and no objections received subject to an informative. No comments have been received from NATS at the time this report was written.

#### 7.05 Impact on the green belt

Not applicable to the consideration of this application. The site is not located within the Green Belt.

#### 7.07 Impact on the character & appearance of the area

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.

The proposed new mast is 18 metres high with 3 cabinets located on a corner grass verge. The cabinets range in height from 1.2 to 1.75 metres and has an overall footprint of 5.02 cubic metres.

The site is set back from the highway and backs onto St Martins Primary School. The site remains fairly exposed and is therefore highly visible when viewed from the immediate street scene and the surrounding area. The proposed 18m high telecommunications mast would appear as a prominent feature on Rowan Road and would have a detrimental impact on the openness, character and appearance of the street scene. In addition, due to the open nature and high visibility of the site, the proposed telecommunications installation would appear as an incongruous addition to the neighbourhood.

There is currently no street furniture of this size and height. When compared to the adjacent telegraph pole, roof level (7m) and the streetscene, the 18m high monopole will appear unduly dominant and intrusive. The overall height would be significantly over and above the surrounding area that consists generally of 2-3 storeys high residential dwellings. Furthermore, the cabinets would add unduly clutter to the open space.

Whilst the mast is to provide 5G services and to improve capacity and coverage of the area, the proposal will add undue clutter to the streetscene which will have a significant negative impact on the visual amenity of adjacent residents and to the area in general. It would harm the character and appearance of the street scene and as such, the proposal is contrary to Policy BE1 of The Local Plan: Part 1 - Strategic Policies (2012) and Policies DMHB 11, DMHB 12 and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020).

#### 7.08 Impact on neighbours

Policy DMHB 11 of The Local Plan: Part 2 - Development Management Policies (2020) seeks to ensure that developments do not adversely impact on the amenity of adjacent properties, and seeks to protect outlook for residents, defined as the visual amenity enjoyed by occupants when looking out of their windows.

The proposed equipment is located to the rear of St Martin's Primary School and across from a local pub. The closest neighbouring dwelling is 19.3m and 22.8m away from the site. The flats above 2A Laurel Lane would have a directly line of sight to the monopole and equipment cabinets. Due to its proximity, size and overall height of the equipment, the proposal would be highly visible and fairly exposed, therefore would appear unduly dominant and intrusive to the surrounding area. As such, the proposal would severely impact the outlook of the existing residents and therefore fails to accord with Policy DMHB 11 of The Local Plan: Part 2 - Development Management Policies (2020).

#### 7.09 Living conditions for future occupiers

Not applicable to this application.

### 7.10 Traffic impact, Car/cycle parking, pedestrian safety

The Council's Highway's Officer has commented on this application and no objections has been raised. The site is located on the side of an existing pedestrian footpath therefore will not impact on the pedestrian or highways safety.

### 7.11 Urban design, access and security

Refer to Section 7.07 of this report.

# 7.12 Disabled access

Not applicable to this application.

# 7.13 Provision of affordable & special needs housing

Not applicable to the consideration of this application.

- 7.14 Trees, landscaping and Ecology Not applicable to this application.
- 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

Refer to Section 6.1 of 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 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.

#### OTHER:

Under section A.3, Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), it states the following:

"(3) where the proposed development consists of the installation, alteration or replacement of a mast within 3 kilometres of the perimeter of an aerodrome, the developer must notify the Civil Aviation Authority, the Secretary of State for Defence or the aerodrome operator, as appropriate, before making the application required by sub-paragraph (4).

4) Before beginning the development described in paragraph A.2(3), the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting and appearance of the development."

At the time of the submission, the application has failed to recognise that the site is located within 3km of the perimeter of an aerodrome and has fail to notify the Civil Aviation Authority, the Secretary of State for Defence or the aerodrome operator prior to the submission of this application as specified in Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). As such, a second refusal reason has been recommended.

#### 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 application seeks prior approval for the installation of a ground-base apparatus consisting of a new 18m Phase 8 monopole C/W wraparound cabinet at base, 3 cabinets and associated ancillary works under Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended)

The siting of the proposal would result in an unacceptable impact on visual amenity particularly to the adjacent residential dwellings, and the character and appearance of the area. It will add visual clutter to the area in general. Therefore, it is contrary to Policy BE1 of The Local Plan: Part 1 - Strategic Policies (2012) and Policies DMHB 11, DMHB 12 and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020).

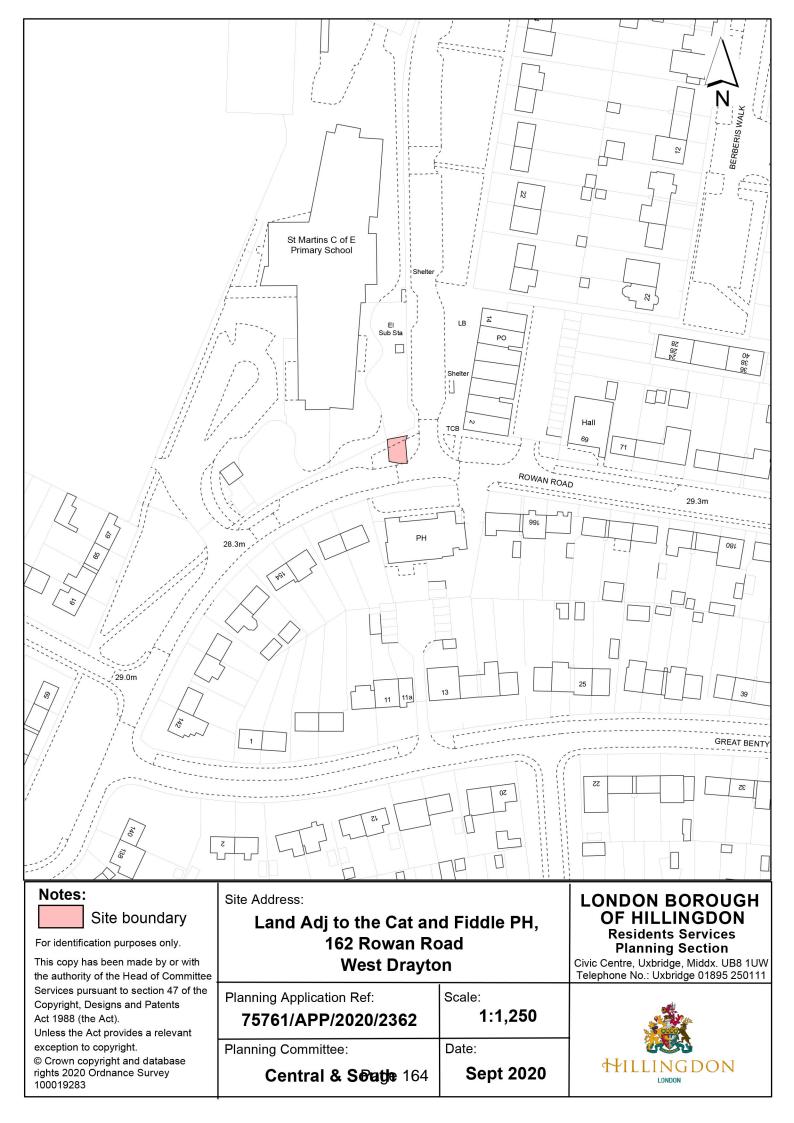
It is recommended that prior approval be required and that permission be refused.

# 11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012) Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) The London Plan (2016) National Planning Policy Framework The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Contact Officer: Rebecca Lo

**Telephone No:** 01895 250230



# Agenda Item 20

Item No.	Report of the Head of Planning, Transportation and Regeneration			
Address	LAND REAR OF ALMOND AVENUE PORTERS WAY WEST DRAYTON			
Development:	Installation of 18m monopole C/W wraparound cabinet at base, 3 equipment cabinets and associated ancillary works (Application under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for siting and appearance)			
LBH Ref Nos:	75751/APP/2020/2304			
Drawing Nos:	Covering letter Site Specific Supplementary Information Declaration of Conformity with ICNIRP Public Exposure Guidelines Letter to Site Provider Developers Notice 002 - Site Location Plan Issue A 100 - Existing Site Plan Issue A 150 - Existing Elevation A Issue A 210 - Proposed H3G Site Plan Issue A 260 - Proposed H3G Elevation Issue A 303 - Proposed H3G Antenna Schedule & Line Configuration Issue A 305 - Equipment Schedule & Support Structure Details Issue A Heathrow Developers Notice and response			
Date Plans Reci	eved: 24/07/2020 Date(s) of Amendment(s):			

Date Application Valid: 24/07/2020

# 1. SUMMARY

This application seeks prior approval for a telecommunications installation under Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). The proposal is for the installation of 18m monopole C/W wraparound cabinet at base, 3 cabinets and associated ancillary works. The new mast is to provide new 5G coverage and to improve existing coverage and capacity for Hutchison 3G UK Limited (H3G).

The proposal is considered to be an obtrusive form of development which would add visual clutter to the street scene. The proposal would not harmonise with the character of the area and would be detrimental to local visual amenities. As such, it fails to comply with Policies DMHB 11 and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2019).

This application is recommended for Refusal.

# 2. **RECOMMENDATION**

# **REFUSAL** for the following reasons:

# 1 NON2 Non Standard reason for refusal

The proposed development, by reason of the siting in this 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. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11, DMHB 12 and DMHB 21 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and the National Planning Policy Framework (February 2019).

### INFORMATIVES

# 1 I52 Compulsory Informative (1)

The decision to REFUSE planning permission 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).

### 2 153 Compulsory Informative (2)

The decision to REFUSE planning permission 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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 14 Trees and Landscaping
- DMHB 21 Telecommunications
- LPP 4.11 (2016) Encouraging a connected economy
- NPPF- 10 NPPF-10 2018 Supporting high quality communications

#### 3 171 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 site is located south of Porters Way, close to its junction with Mulberry Parade. The proposed monopole is located on the grass verge, adjacent to a pedestrian crossing, immediately on the west. To the south of the site is a triangular open space and to the east, is the Stockley Park Recreation Ground. There are a row of local shops with flats above and parking to the front just north of the site. Residential dwellings are located to the south and west of the site.

The surrounding area is residential in nature comprising of 2-3 storey high residential flats, terrace housing and semi-detached dwellings.

### 3.2 Proposed Scheme

This application seeks to install a new 18m monopole C/W wrapround cabinet at base, 3 cabinets and associated ancillary works.

The proposed cabinet dimensions:

- 640mm (W) x 480mm (D) x 1200mm (H)

- 600mm (W) x 520mm (D) x 1585mm (H)
- 1900mm (W) x 600mm (D) x 1752mm (H)

- 1800mm (W) x 750mm (D) x 1600mm (H) with 18m Phase 8 monople on root foundation (Volume of housing equipment = 5.02 cubic metres)

Material:

Monopole - Phase 8 pole, Galvanised with wraparound cabinet Equipment Housing - Steel, Grey

#### 3.3 Relevant Planning History

#### **Comment on Relevant Planning History**

No planning history relevant to the application.

#### 4. Planning Policies and Standards

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.

Chapter 10 of the National Planning Policy Framework (2019) stresses the importance of advanced, high quality and reliable communications infrastructure and the role it plays in supporting sustainable economic growth. It goes on to advise that the aim should be to keep the numbers of radio and telecommunications masts and sites to a minimum, consistent with the efficient operation of the network and that existing masts and sites should be used unless there is a demonstrable need for a new site.

The aim of this application is to provide 5G network and improve coverage and capacity for one operator, Hutchison 3G UK Limited (H3G) in the area. A cell search has indicated that a total of 10 site has been examined including the site selected.

It is noted that the other sites were discounted due to the following reasons:

- Discounted due to insufficient pavement width to house the equipment

- Discounted due to insufficient space to house the equipment.

- Discounted due to better sites available which do not impact on residential areas to the same extent.

- Discounted due to being located on private land.

A signed Declaration of Conformity has been provided as part of this submission.

# 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

Part 2 Policies:

- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 14 Trees and Landscaping
- DMHB 21 Telecommunications
- LPP 4.11 (2016) Encouraging a connected economy
- NPPF- 10 NPPF-10 2018 Supporting high quality communications

#### 5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- 20th August 2020
- **5.2** Site Notice Expiry Date:- Not applicable

#### 6. Consultations

#### **External Consultees**

A site notice was displayed adjacent to the application and expires on 20th August 2020. A total of 438 neighbouring owners/occupiers have been consulted. 19 household objections and 1 comment in support of this application has been received. In addition, one of the Directors of Drayton Garden Village have provided comments on behalf of residents.

Summary of comments:

#### Health/Safety

- Would you please share detailed report(data)regarding its impacts on human & animal health? most importantly have you got any clearance with regard to human, animal and environmental safety from any recognized agencies? I have below additional questions in that regard. Are their radiation levels safe? As the pulsing waves from the masts interfere with electrical signals in the body, damaging the immune system; is it safe and have you got any clearance? How would it affect the environment? What kind of radiation it will emit? How about radiation regarding 4G & 5G?

- The long-term effects of the technology on the human health are still to be confirmed.

- This new application is a breach to our right to the peaceful enjoyment of our property. The size, height & location of this monopole/mast would cause visual harm. This mast would make a big visual difference in the area. Such a mast would cause a significant detriment to the local appearance. If you know the area well, then you would know this is the worst location in West Drayton to have a monopole/mast.

- The proposed citing is totally inappropriate overlooking residential properties, an old people's care home, childcare centre & a school West Drayton Academy.

- Loss of amenity is a very valid planning issue and it is clear that worrying about the implications to one's health from mobile phone masts, especially if the mast is clearly visible from one's home, is going to affect the person's quality of life - thus leading to a loss of amenity.

- If it causes more radiation in the area then we are against it, we already have enough pollution in the area. The

youngsters have suffered enough. I have children and grandchildren nearby.

- I'm strongly against this investment and don't agree for 5G tower. It will affect health of myself and my little kids. It's too close to the residential area. We can't sacrifice our health for technology!!!

- We worry about any associated health risks of a telephone mast being so close to our home and to other homes. We would prefer it is located in a field further away from our homes.

- To close to our residential area, radiation might cause potential hazards to our social living, risk of potential lighting hazards during thunderstorms and rains.

- I would like to draw attention to a seemingly contradictory element in the detail of comments relating to public safety. Namely within the paragraph at the foot of Page 7 of the SSSI document. '4. Technical Information' "ICNIRP Declaration attached. ICNIRP public compliance is determined by mathematical calculation and implemented by careful location of antennas, access restrictions and/or barriers and signage as necessary. (AND VERY SPECIFICALLY I DRAW ATTENTION TO THE FOLLOWING SENTENCE) \*\*Members of the public cannot unknowingly enter areas close to the antennas where exposure may exceed the relevant guidelines\*\*. When determining compliance.. etc..etc" I am at a loss to understand how this is at all possible when the structures are closely adjacent to a public footpath leading to a children's play area & a pedestrian crossing - with no indication in the plans of barriers or fencing (which would probably be pointless and void anyway given the close proximity of the public thoroughfares).

### Case Officer's Comments:

The applicant has submitted a signed Declaration of Conformity with ICNIRP Public Exposure Guidelines therefore acknowledging the proposal would be in full compliance with the requirement of the Radio Frequency (RF) Public Exposure.

### Site/Appearance:

- I don't think a residential area is the best place to install such a tall tower. It'd be an out of place element in the area.

- With the height of the mast it will be visually intrusive, towering over a lot of properties.
- We don't want to have this huge mast opposite our windows in a densely residential area.
- This is too close to our office.
- It's close to our housing community.

# Case Officer's Comments:

Concerns in relations to appearance and impact of the neighbours is addressed in the main body of this report.

#### Other:

- There is a potential of decrease in the value of the properties close to the tower.

- As the consultation is being carried out while the local academy/school is closed for the summer holidays, so parents of the concerned children should also be consulted once the school opens. Otherwise the consultation is flawed as it misses a key group who will be affected if this mast is installed.

- We were not informed about this directly and we only found about this through neighbourhood. Our residents relatives will not be happy about this being installed.

- Not required, there is adequate coverage in the area. Too disruptive in highly dense residential area.

- 5G have possible invented "Covid-19" or spread the work about Covid as why on Earth everything is shut down in UK during the pandemic and 5G installation started and continued at the whole time with no social measures or similar? Surely 5G is not that important that could not wait to be installed after pandemic? Also, there are many reasons to believe that 5G is not safe for human being and the nature - the radiation's is above normal coming from 5G signal

#### Case Officer's Comments:

Surrounding owners/occupiers to the site has been notified by mail and a site notice has been displayed in accordance to the GPDO requirements.

# DIRECTOR OF DRAYTON GARDEN VILLAGE:

I wanted to convey the comments of some of our near 800 units, especially Hampstead House which is situated alongside the proposed location. While many residents support the technology,

they are concerned that the proposed location is a densely populated residential area and the mast itself will be an obtrusive eyesore not only for the community (and the recreational area alongside) but also the nearby estates due to the sheer size and stature of it. Such a conspicuous, obtrusive construction (visible from not only from the roads but also apartment balconies) would be better placed in an industrial/commercial area or perhaps next to the dual carriageway near Stockley Road where it would easier blend in with the surroundings.

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/

#### NATS:

No comments received at the time this report was written.

#### Internal Consultees

### HIGHWAYS OFFICER:

This is an application for the installation of a monopole and related equipment on highway grass verge. The proposed site at the corner of Porters Way and Mulberry Parade has a mix of restricted and non restricted highway. The equipment will be located on grass verge not impacting on footway or pedestrian desire lines. The limited servicing and maintenance requirements can be undertaken from the nearby highway. There are no highways objections to this proposal.

#### 7. MAIN PLANNING ISSUES

#### 7.01 The principle of the development

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 18m and is not located within article 2(3) land or land which is on highway. As such, it is in accordance with Condition A.1 - (1)(c)(i) 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 be 5.02 cubic metres, therefore the proposal is in accord 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).

# 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

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

The application site is located in a NATS height restriction area of 15m. Heathrow Aerodrome Safeguarding has been consulted and no objection raised. No response from NATS have been received at the time this report was written.

#### 7.05 Impact on the green belt

Not applicable to this application.

#### 7.07 Impact on the character & appearance of the area

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.

The proposed new mast is 18 metres high with 3 cabinets located alongside the grass verge adjacent to the highway. The cabinets range in height from 1.2 to 1.75 metres and has an overall footprint of 5.02 cubic metres.

The site is set back from the highway, however it remains fairly exposed and is therefore highly visible when viewed from the immediate street scene and the surrounding area. The proposed 18m high telecommunications mast would appear as a prominent feature on Porters Way and would have a detrimental impact on the openness, character and appearance of the street scene. In addition, due to the open nature and high visibility of the site, the proposed telecommunications installation would appear as an incongruous addition to the neighbourhood.

There is currently no street furniture of this size and height. When compared to the adjacent 8m high light pole, surrounding roof levels and the streetscene, the 18m high monopole will appear unduly dominant and intrusive. The overall height would be significantly over and above the surrounding area that consists generally of 2-3 storeys high residential flats/dwellings.

Whilst the mast is to provide 5G services and improve existing services, the proposal will add undue clutter to the streetscene which will have a significant negative impact on the visual amenity of adjacent residents and to the area in general. It would harm the character and appearance of the street scene and as such, the proposal is contrary to Policy BE1 of The Local Plan: Part 1 - Strategic Policies (2012) and Policies DMHB 11, DMHB 12 and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020).

#### 7.08 Impact on neighbours

Policy DMHB 11 of The Local Plan: Part 2 - Development Management Policies (2020) seeks to ensure that developments do not adversely impact on the amenity of adjacent properties, and seeks to protect outlook for residents, defined as the visual amenity enjoyed by occupants when looking out of their windows.

The closest neighbouring dwelling is 18m away. Although no. 36 South Road is located closest to the apparatus, there is a row of existing soft landscaping along the rear hence, the proposal would unlikely impact on the amenity of the neighbouring dwelling.

However, the front windows to no. 5-6 Mulberry Parade will have a direct line of sight to the monopole. Due to its proximity, size and overall height of the equipment, the proposal would be highly visible and intrusive to the immediate adjacent residents on the north of Porters Way and the surrounding area in general. As such, the proposal would severely impact the outlook of the existing residents and therefore fails to accord with Policy DMHB 11 of The Local Plan: Part 2 - Development Management Policies (2020).

#### 7.09 Living conditions for future occupiers

Not applicable to this application.

#### 7.10 Traffic impact, Car/cycle parking, pedestrian safety

The Council's Highways Officer has commented on this application and no objections has been raised. The site is located on the grass verge therefore will not impact on the footpath, pedestrian or highways safety.

#### 7.11 Urban design, access and security

Refer to Section 7.07 of this report.

# 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

Not applicable to this application.

- **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
- Refer to Section 6.1 of this report.
- 7.20 Planning obligationsNot 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 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.

#### 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 application seeks prior approval for the installation of a ground-base apparatus consisting of a new 18m monopole C/W wraparound cabinet at base, 3 cabinets and associated ancillary works under Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended)

The siting of the proposal would result in an unacceptable impact on visual amenity particularly to the adjacent residential dwellings, and the character and appearance of the area. Therefore, it is contrary to Policy BE1 of The Local Plan: Part 1 - Strategic Policies (2012) and Policies DMHB 11, DMHB 12 and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020).

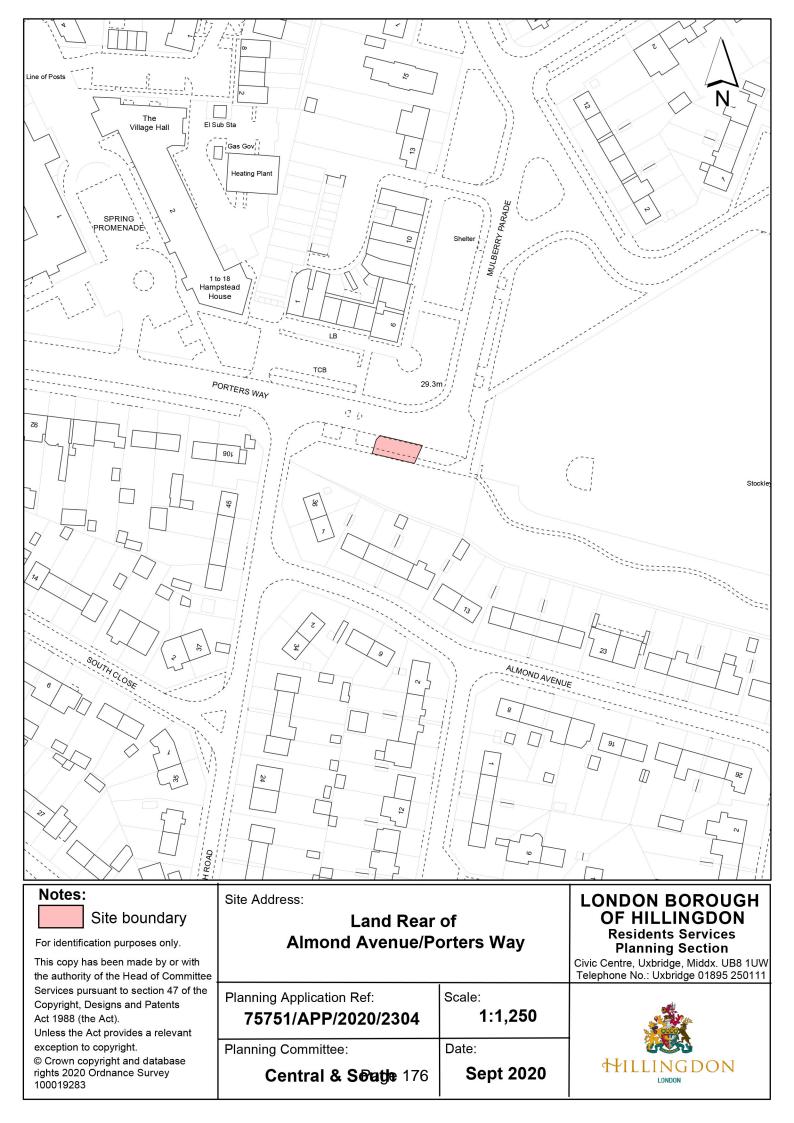
It is recommended that prior approval be required and that permission be refused.

#### 11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012) Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) The London Plan (2016) National Planning Policy Framework The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Contact Officer: Rebecca Lo

**Telephone No:** 01895 250230



## Agenda Item 21

STRICTLY NOT FOR PUBLICATION Exempt information by virtue of paragraph(s) 1, 2, 7 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

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## Agenda Item 22

STRICTLY NOT FOR PUBLICATION Exempt information by virtue of paragraph(s) 1, 2, 7 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

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Agenda Annex

# Plans for Central & South Applications Planning Committee

## Thursday 3rd September 2020



www.hillingdon.gov.uk

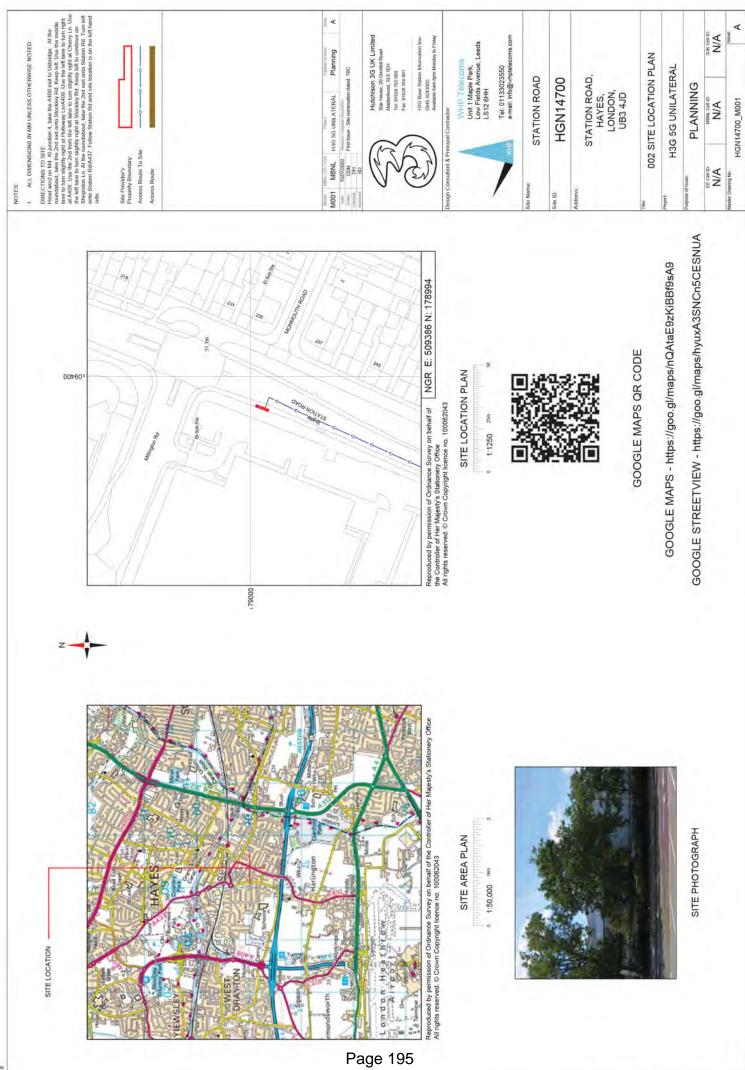
Page 193

Address LAND OPPOSITE 237 STATION ROAD HAYES

**Development:** Proposed 18m Phase 8 Monopole C/W wrapround cabinet at base and associated 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:** 75743/APP/2020/2277

Date Plans Received:22/07/2020Date Application Valid:22/07/2020

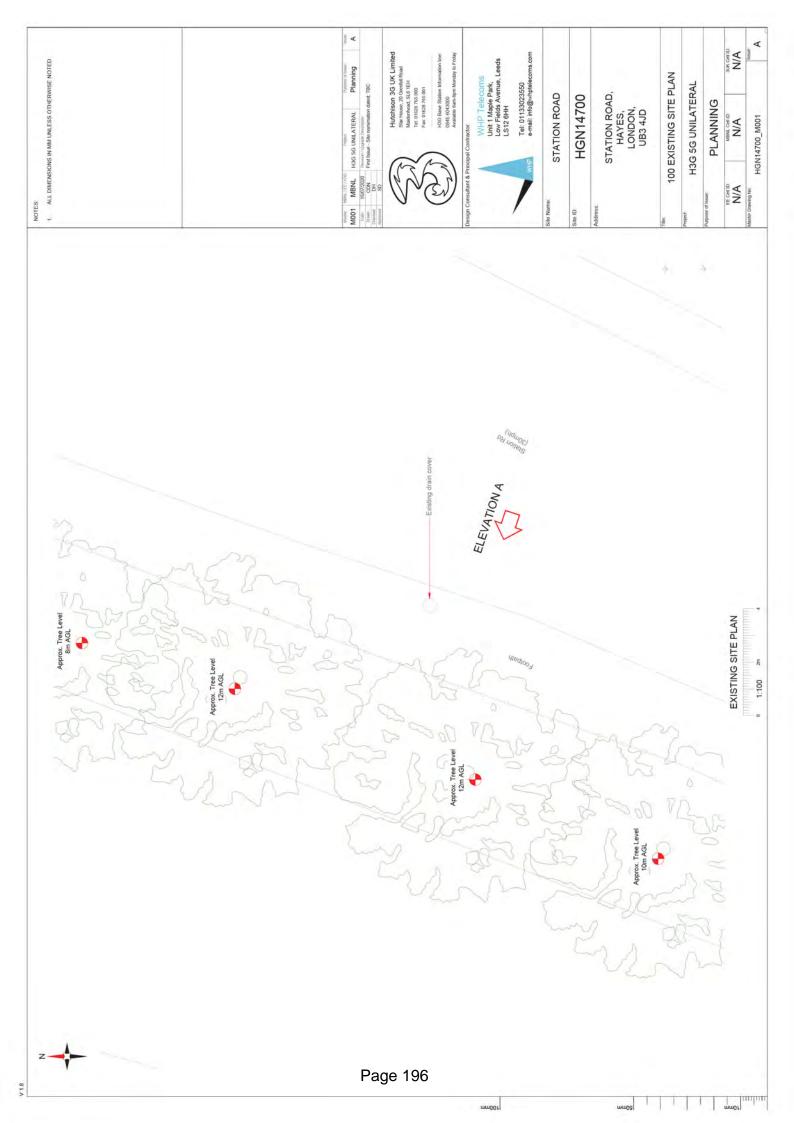


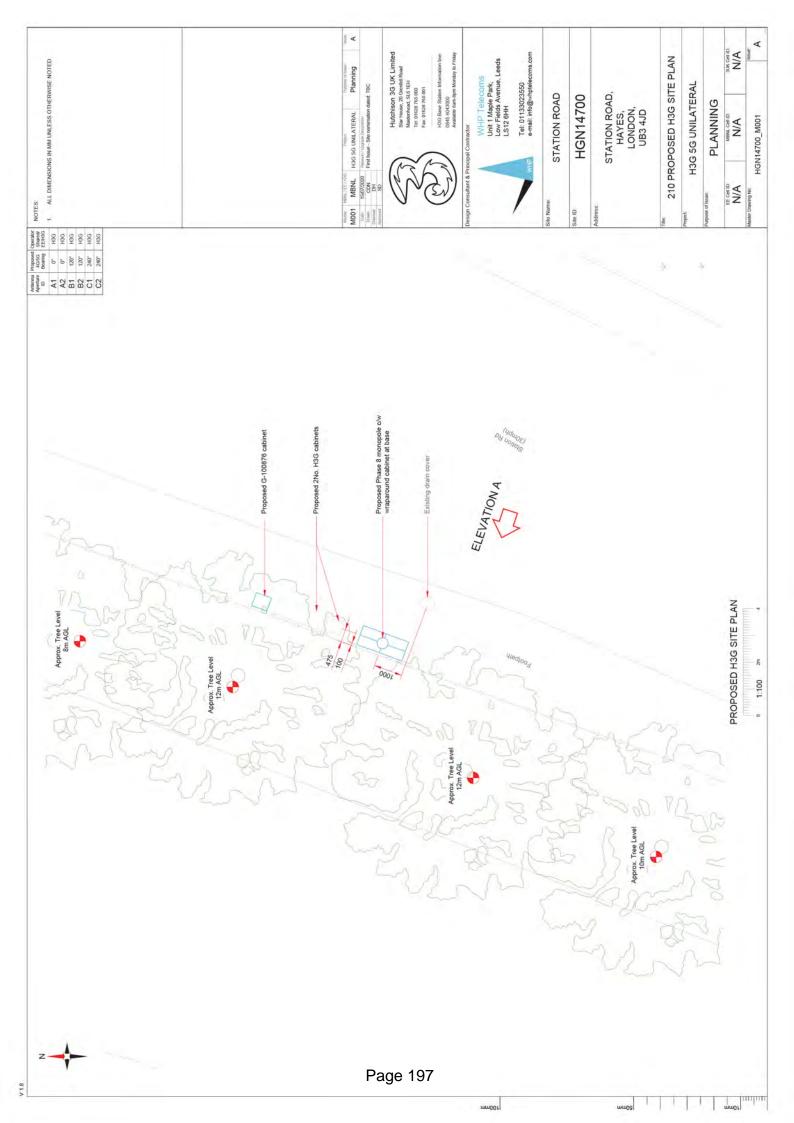
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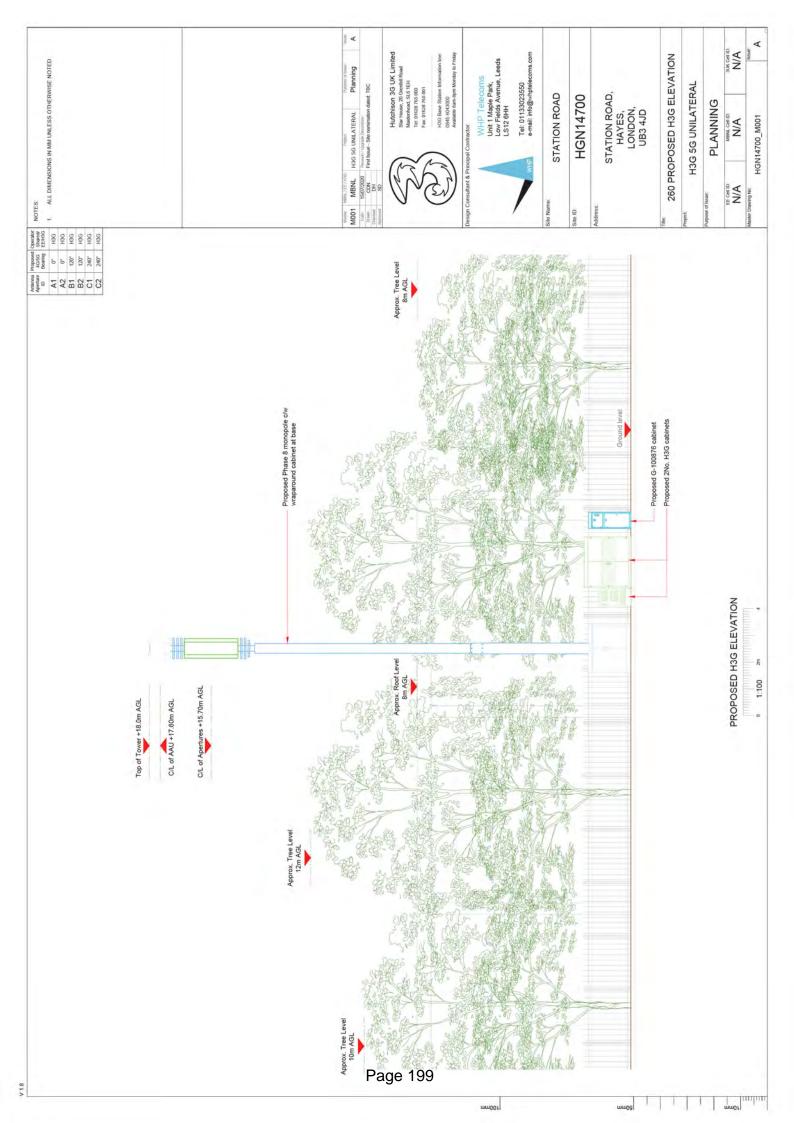
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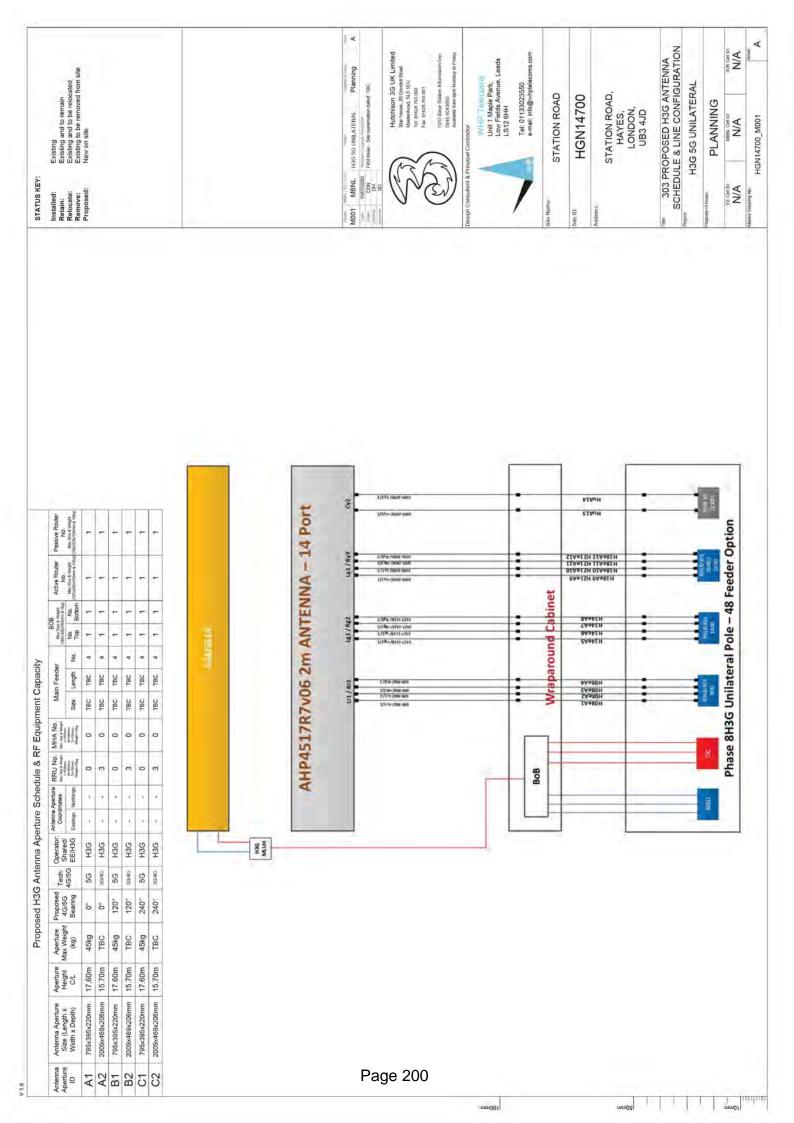
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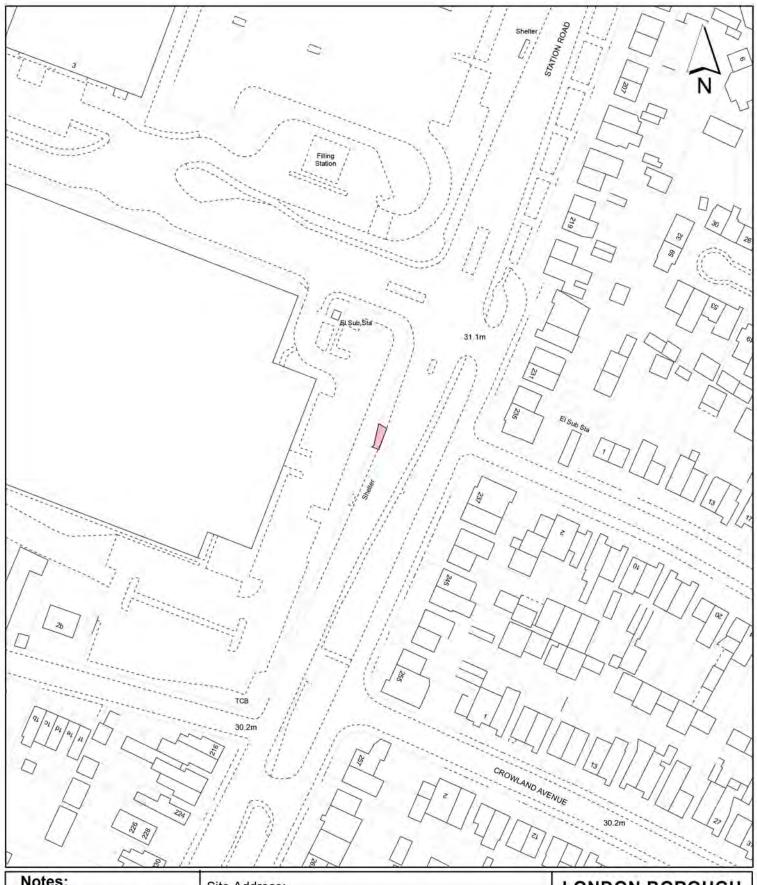








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#### Notes:

#### Site boundary

#### For identification purposes only.

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#### Site Address:

#### Land Opposite 237 Station Road

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

Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 01895 250111

Planning Application Ref: 75743/APP/2020/2277	Scale: 1:1,250
Planning Committee:	Date:
Central & Solatte 202	Sept 2020



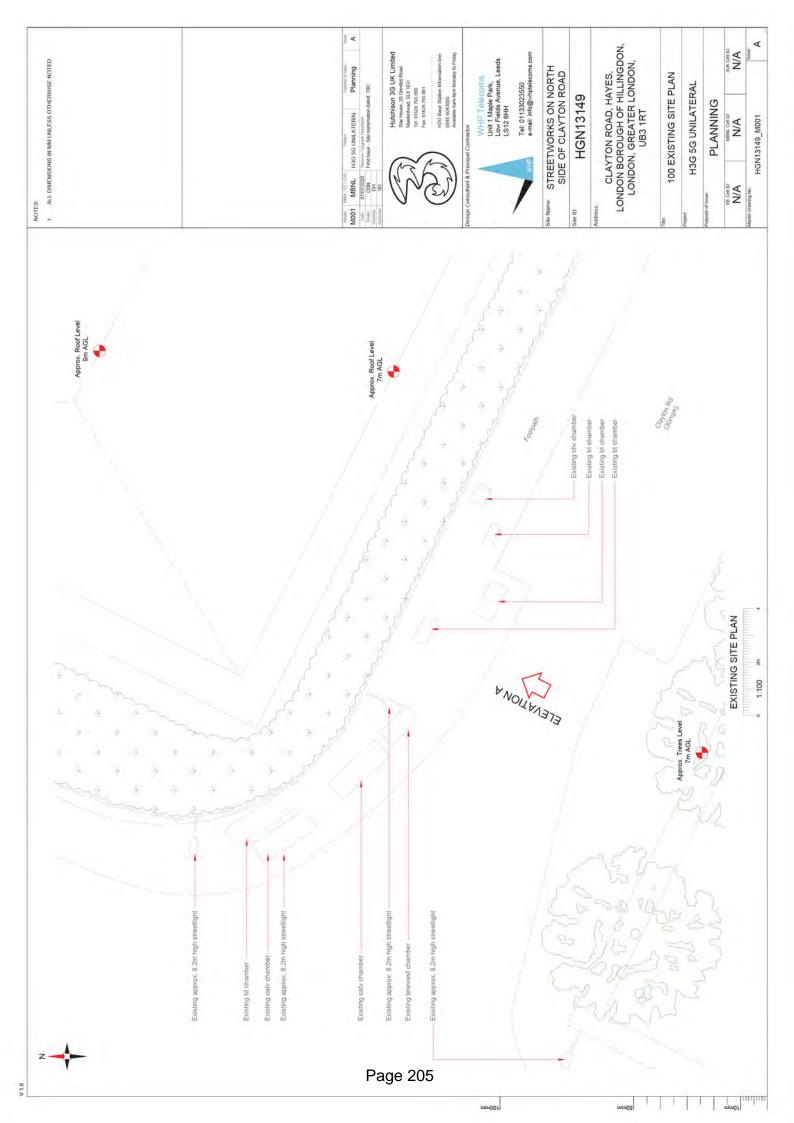
- Address LAND AT CLAYTON ROAD JUNCTION WITH TREVOR ROAD CLAYTON ROAD HAYES
- **Development:** Proposed 20m Phase 8 Monopole C/W wrapround cabinet at base, 3 cabinets and associated ancillary works (Application under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 for determination as to whether prior approval is required for siting and appearance).
- LBH Ref Nos: 75722/APP/2020/2187

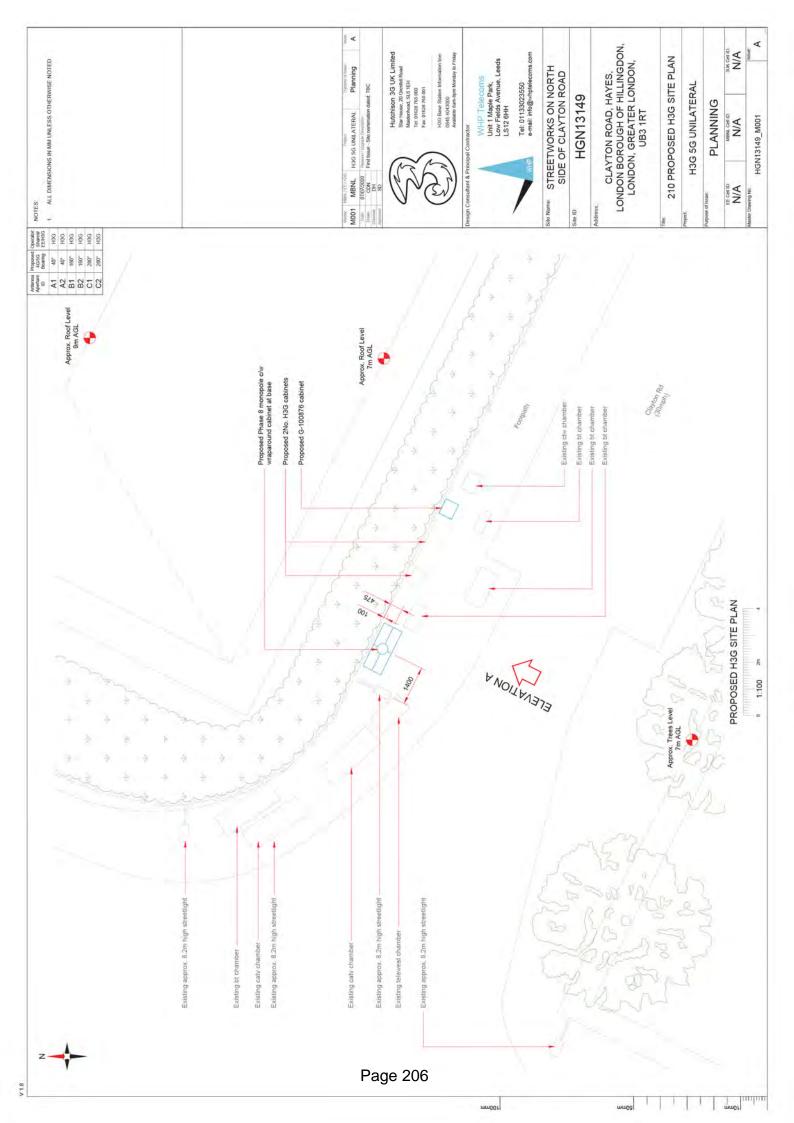
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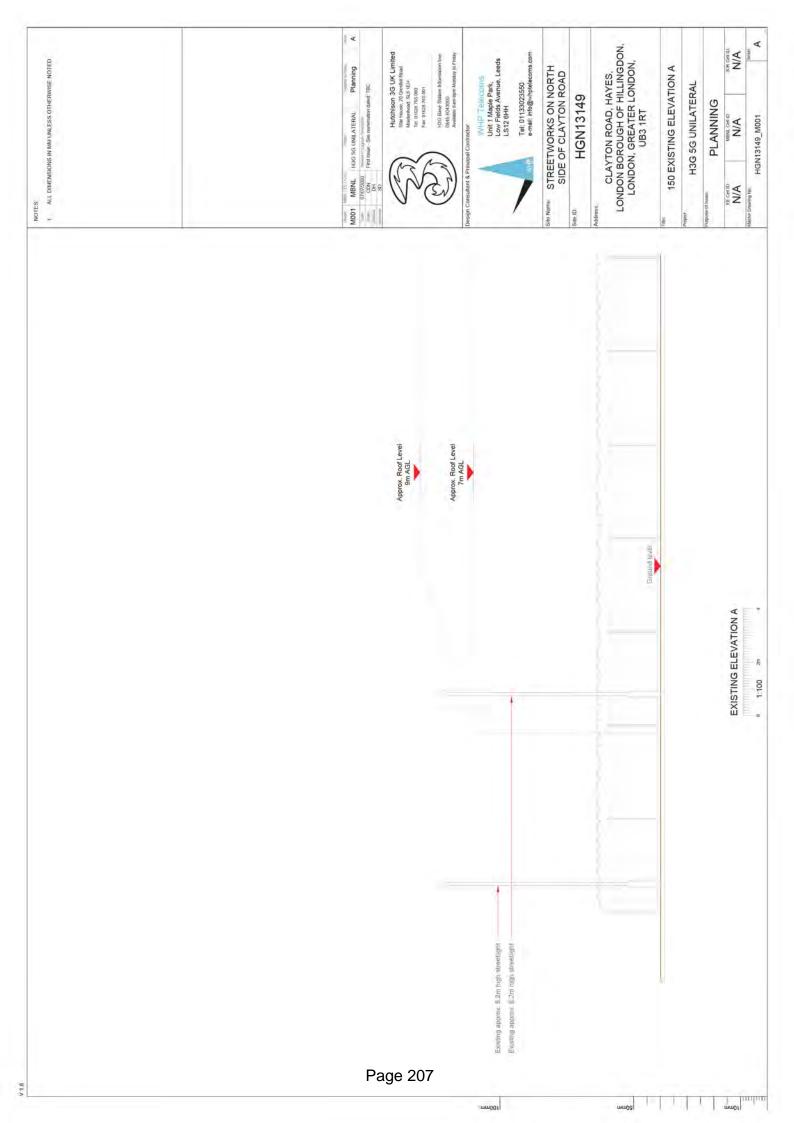
 Date Application Valid:
 15/07/2020

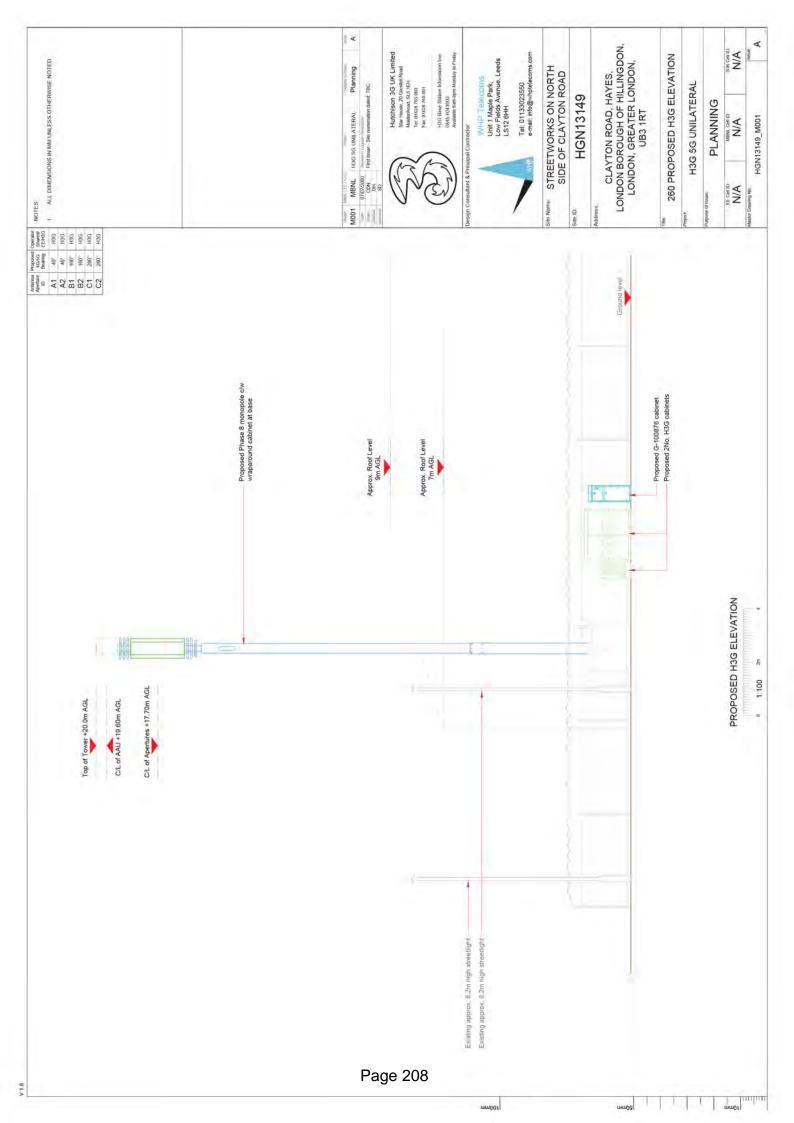


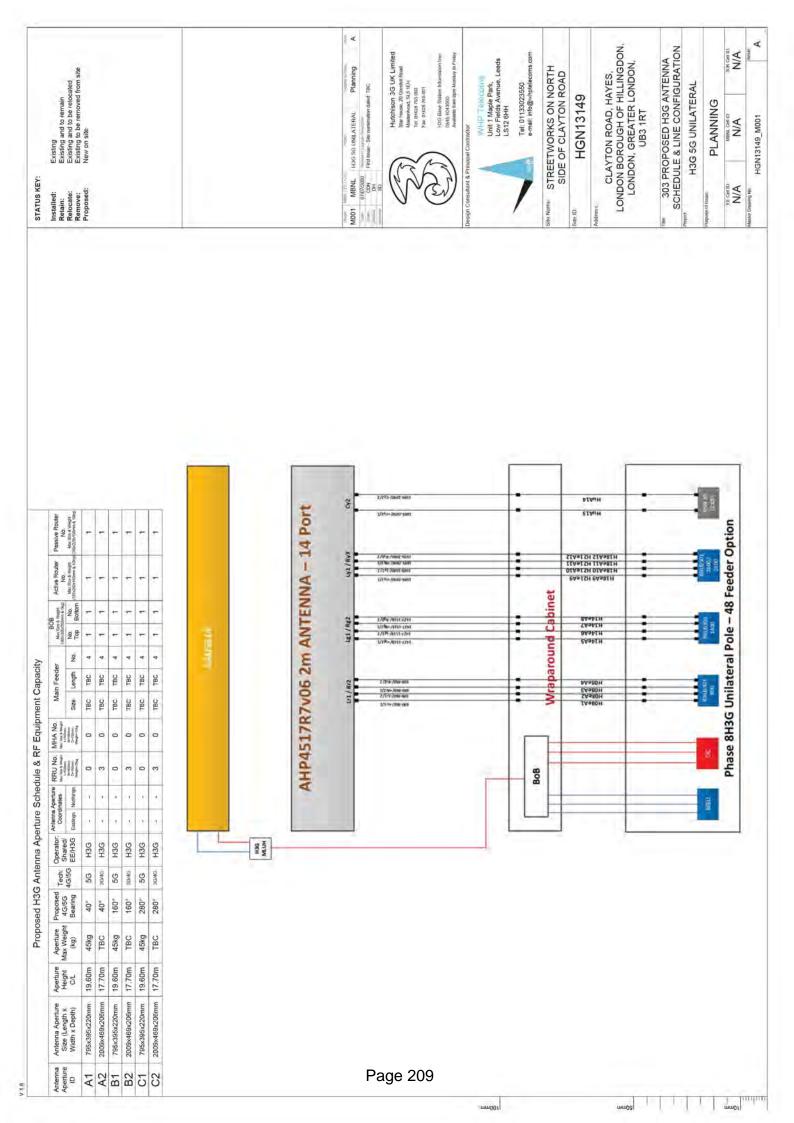
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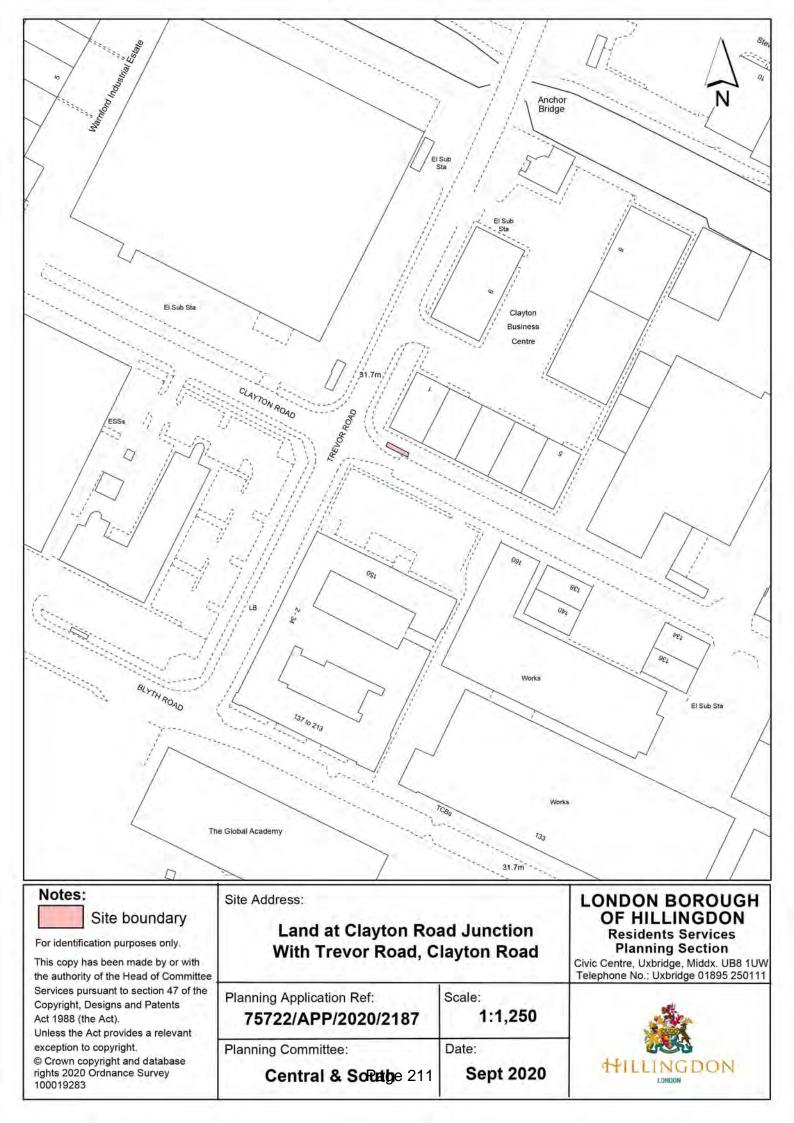








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					Power cable length (m)													
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Support Structure Schedule	MBNL Ref.	-0		edule	Location	Outdoor	Outdoor	Outdoor										
ructure S	Support Bolt Details	Ŀ		Equipment Schedule	- Fe													
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55		Root			Colour (RAL Colour)	Grey	Grey	Grey										
	Headframe Details	r.			Weight (kg)													
	Colour (RAL Colour)	Galvanised			Dimensions (W x D x H)	1900x600x1752	640x480x1200	1800x750x1600										
	Height AGL (m)	20.0m			-													
	Structure Manufacturer				Equipment Manufacturer													
	_				Equipment Description / Type	H3g - Bowler	H3g - APM5930	G-1008/8 Diplexer Cabinel										
	Equipment Description / Type	Phase 8			Status Des	Proposed +		Proposed Dij										
	Status	Proposed			Quantity	+ 6												
	Structure ID	ST1			Equipment	CAB1	CAB2	CAB4	Pa	ge 210								1111

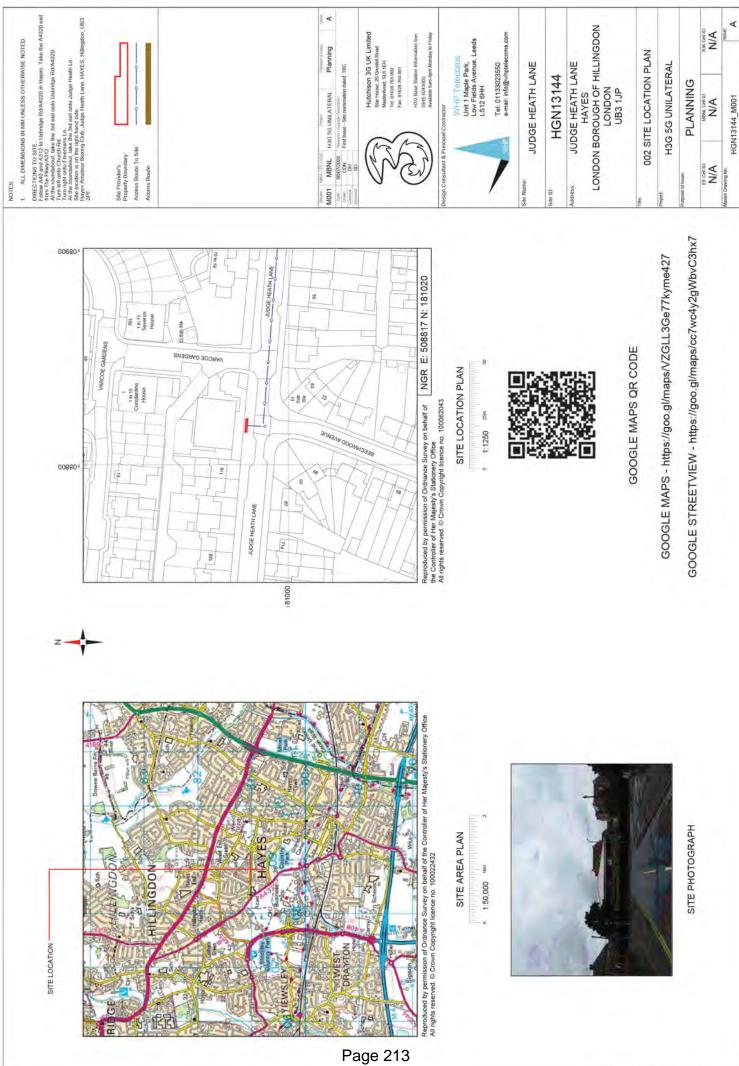


Address LAND AT JUDGE HEATH LANE HAYES

- **Development:** Proposed 18m Phase 8 Monopole C/W wrapround Cabinet at base, 3 cabinets and associated ancillary works (Application under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for siting and appearance).
- LBH Ref Nos: 75731/APP/2020/2220

 Date Plans Received:
 16/07/2020

 Date Application Valid:
 16/07/2020



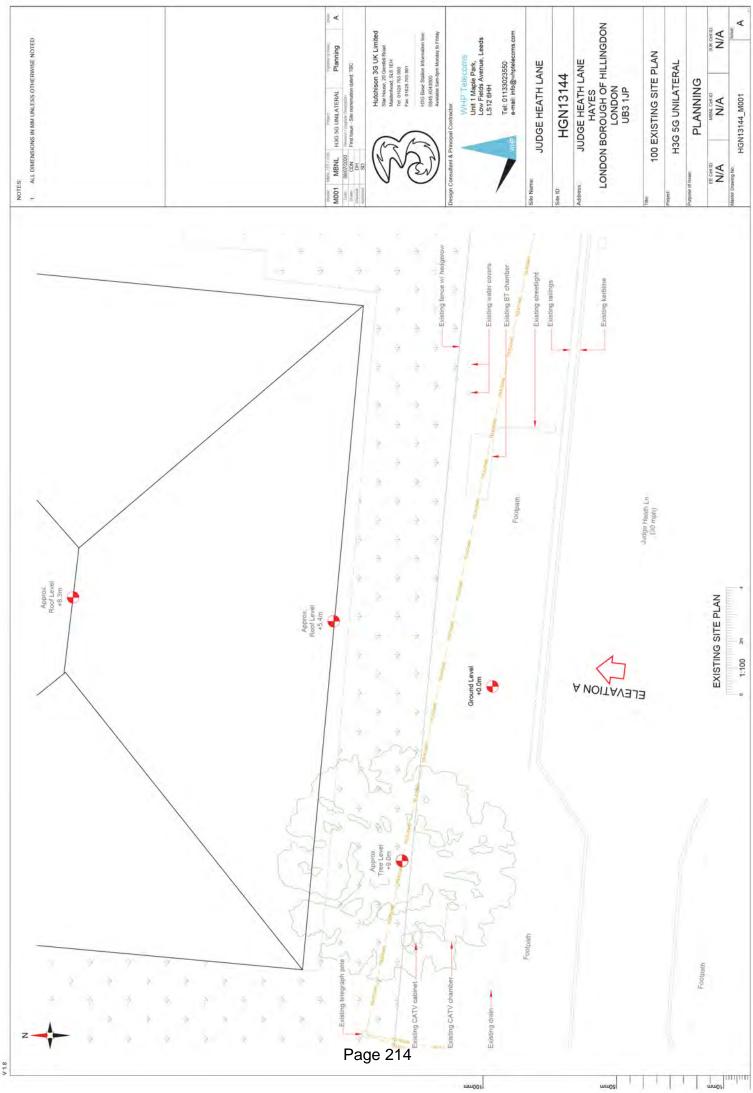
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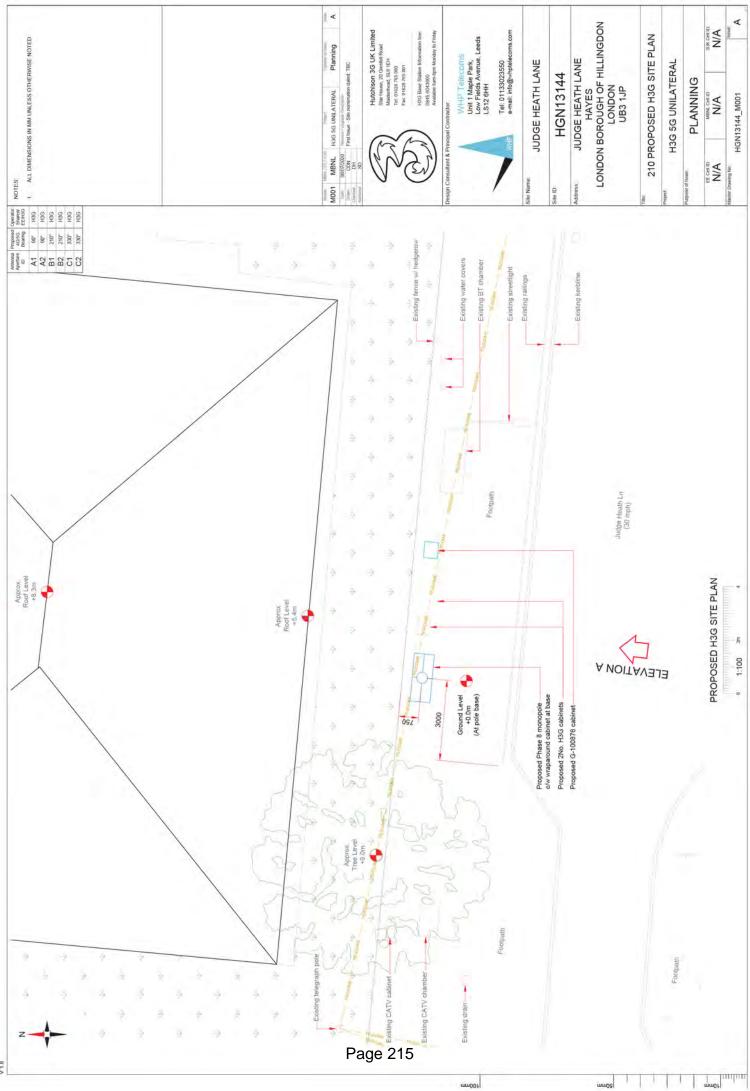
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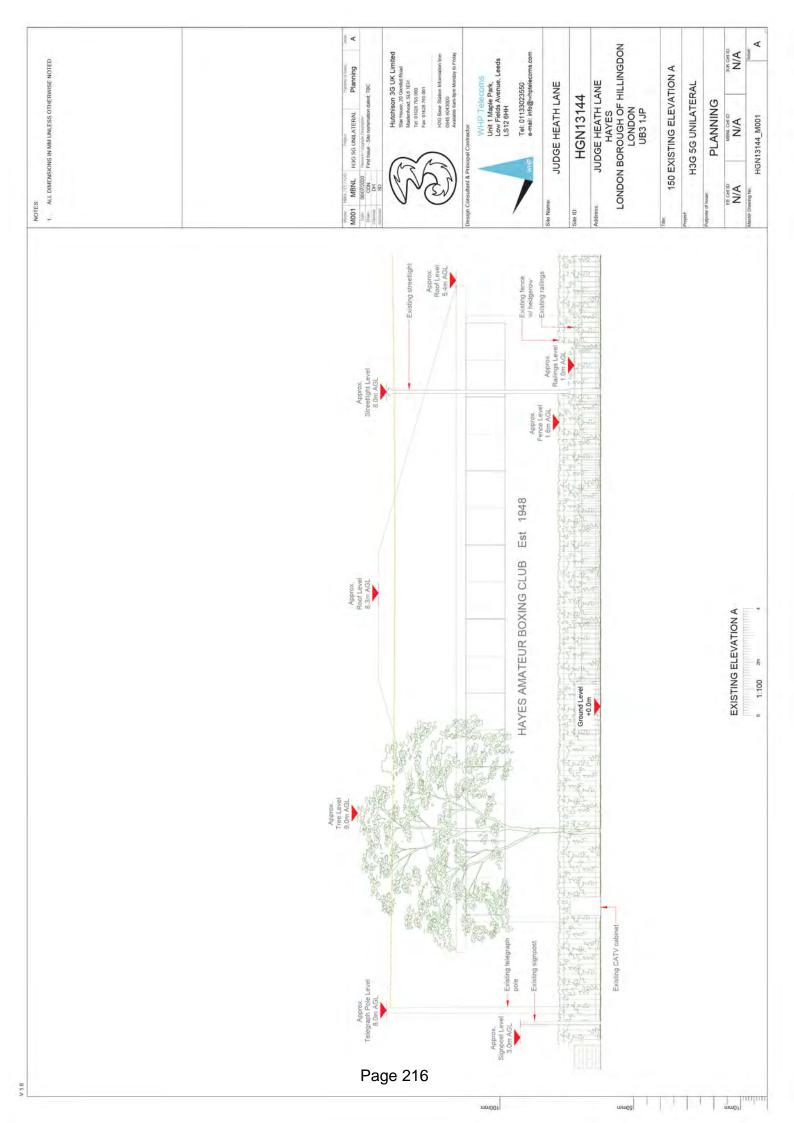
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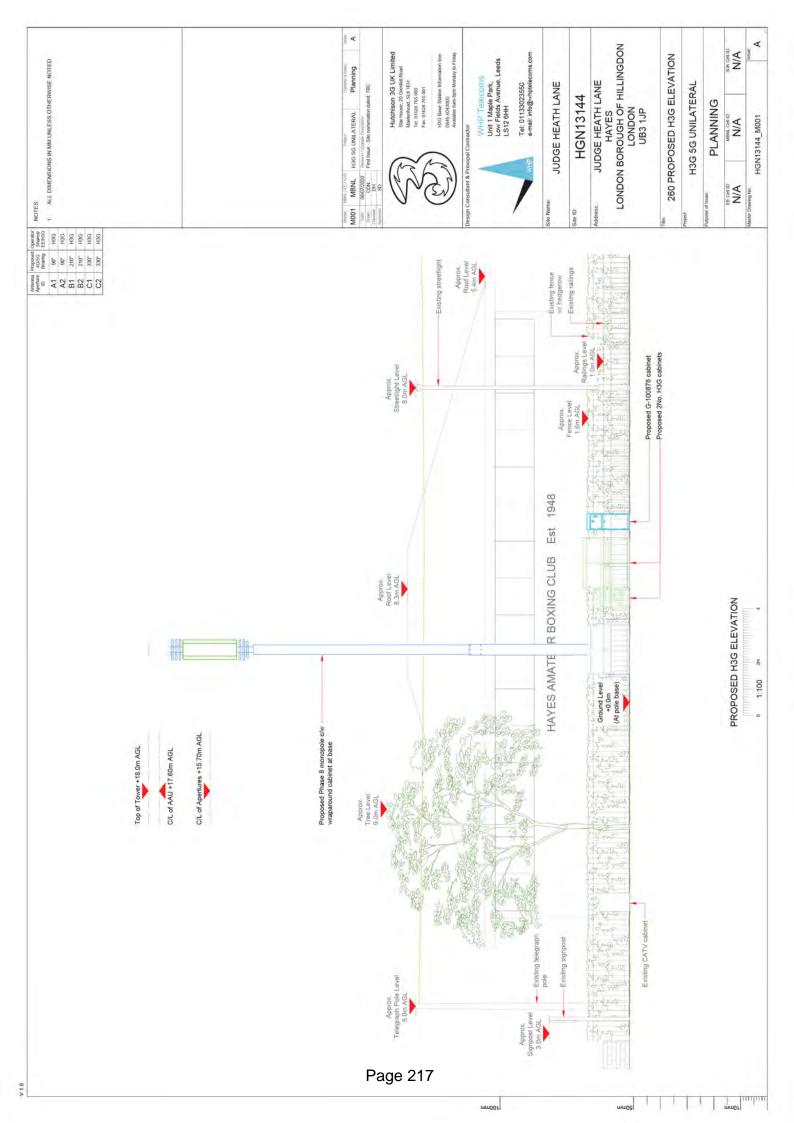
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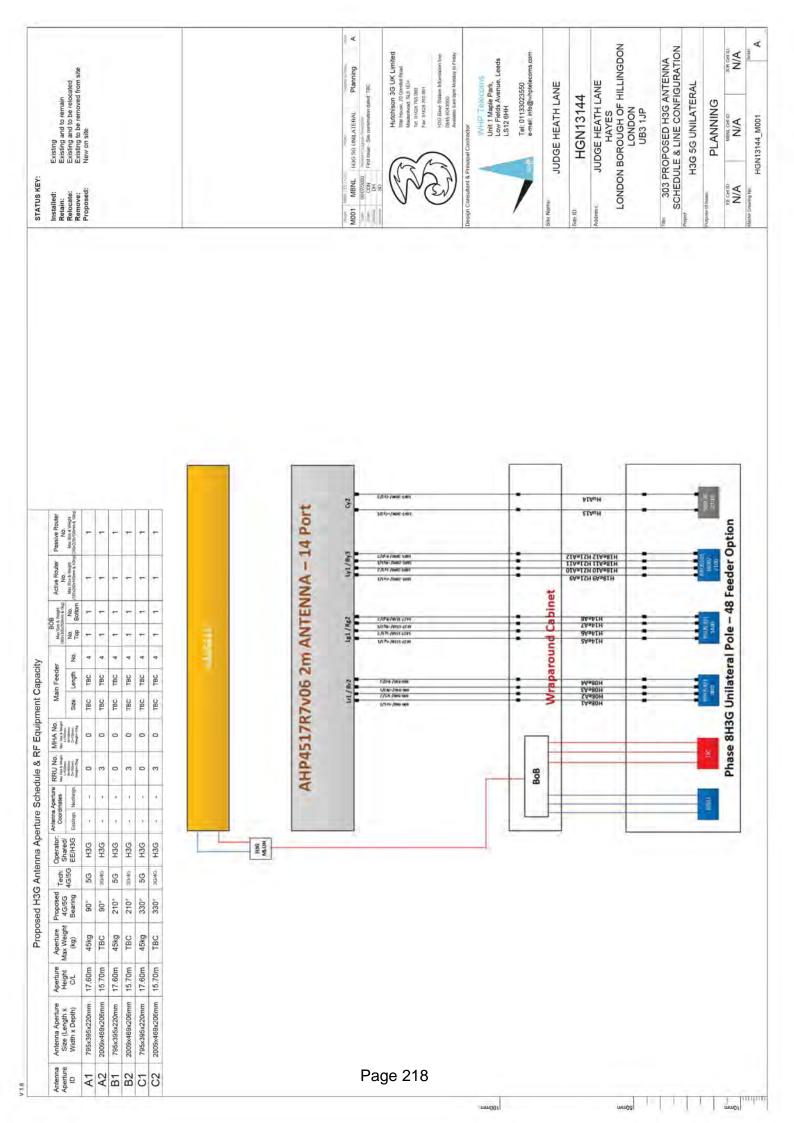
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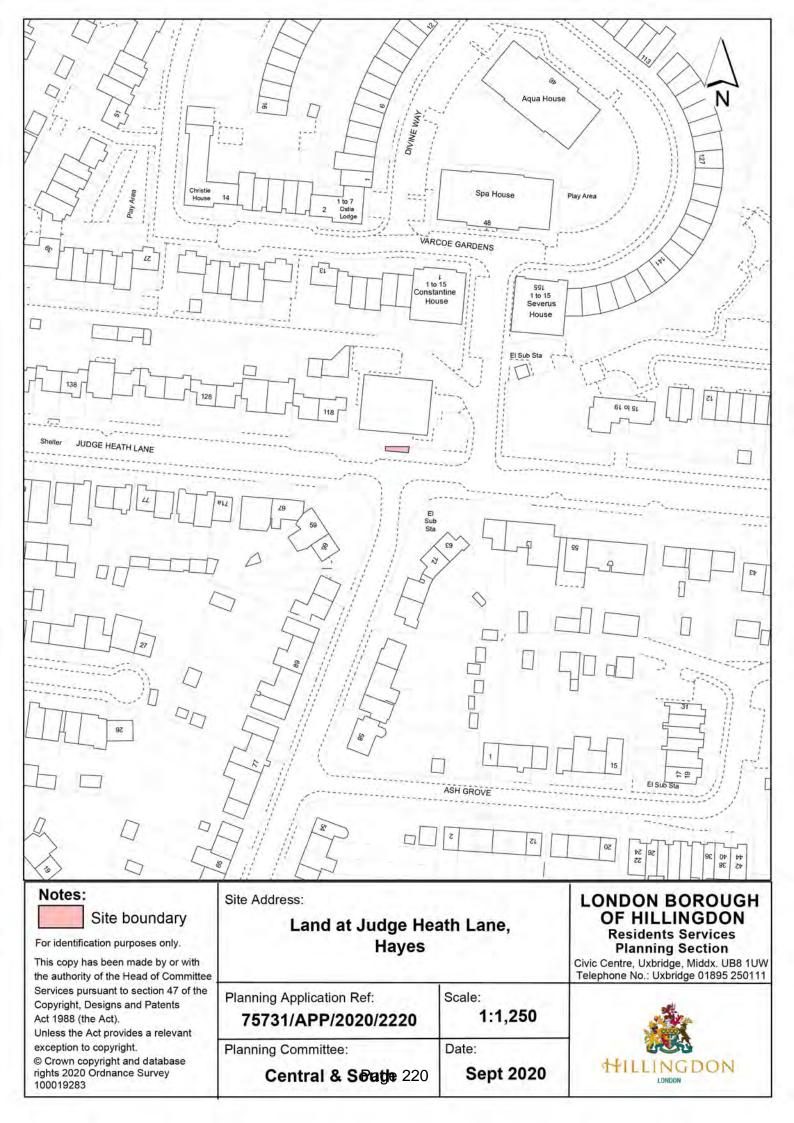








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	Headframe Details				(kg) (F		• •								
	Colaur (RAL Colaur)	Galvanised			Dimensions (W x D x H)	1900x600x1752	640x480x1200	1800x750x1600							
	Height AGL (m)	18.0m			Equipment Manufacturer	- 19		19							
	Structure Manufacturer	4			_										
	Equipment Description / Type	se 8			Equipment Description / Type	H3g - Bawler	-	Diplexer Cabinet							
		ed Phase 8			ty Status	Proposed	Proposed	Proposed							
	Structure Status ID	ST1 Proposed			Equipment Quantity	CAB1 1		CAB3 1 CAB4 1	Page 219						



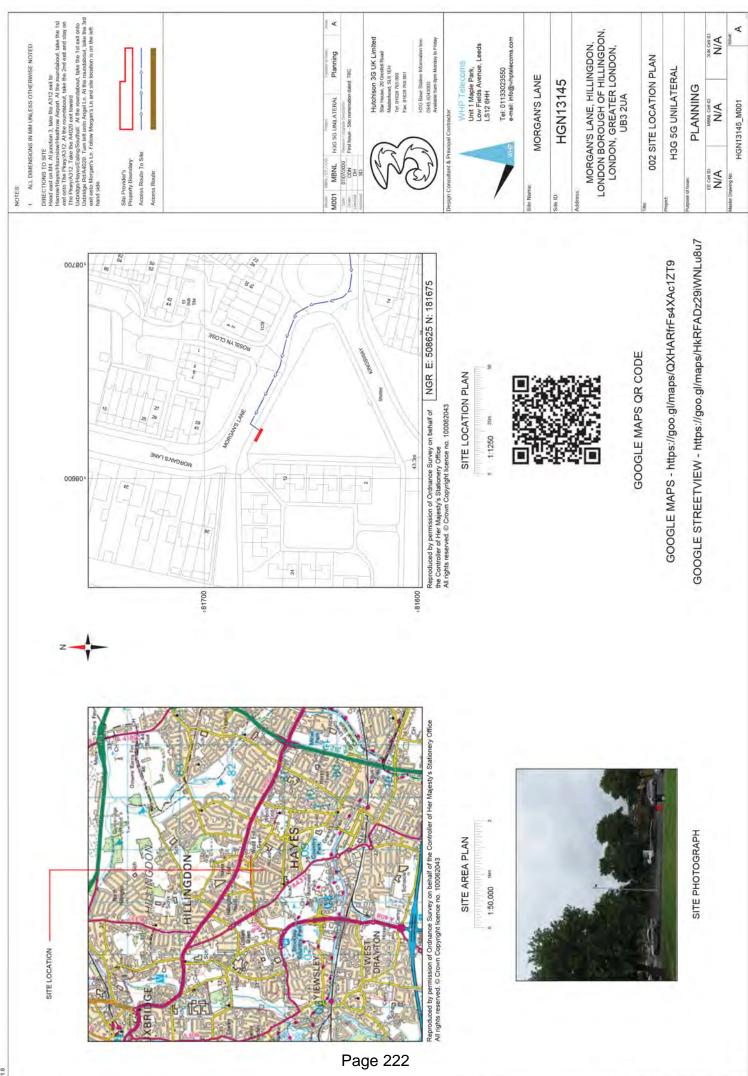
Address LAND OPPOSITE 41 MORGANS LANE HAYES

**Development:** Proposed 15m Phase 8 monopole C/W wrapround cabinet at base and associated ancillary works (Application under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for siting and appearance).

**LBH Ref Nos:** 75721/APP/2020/2183

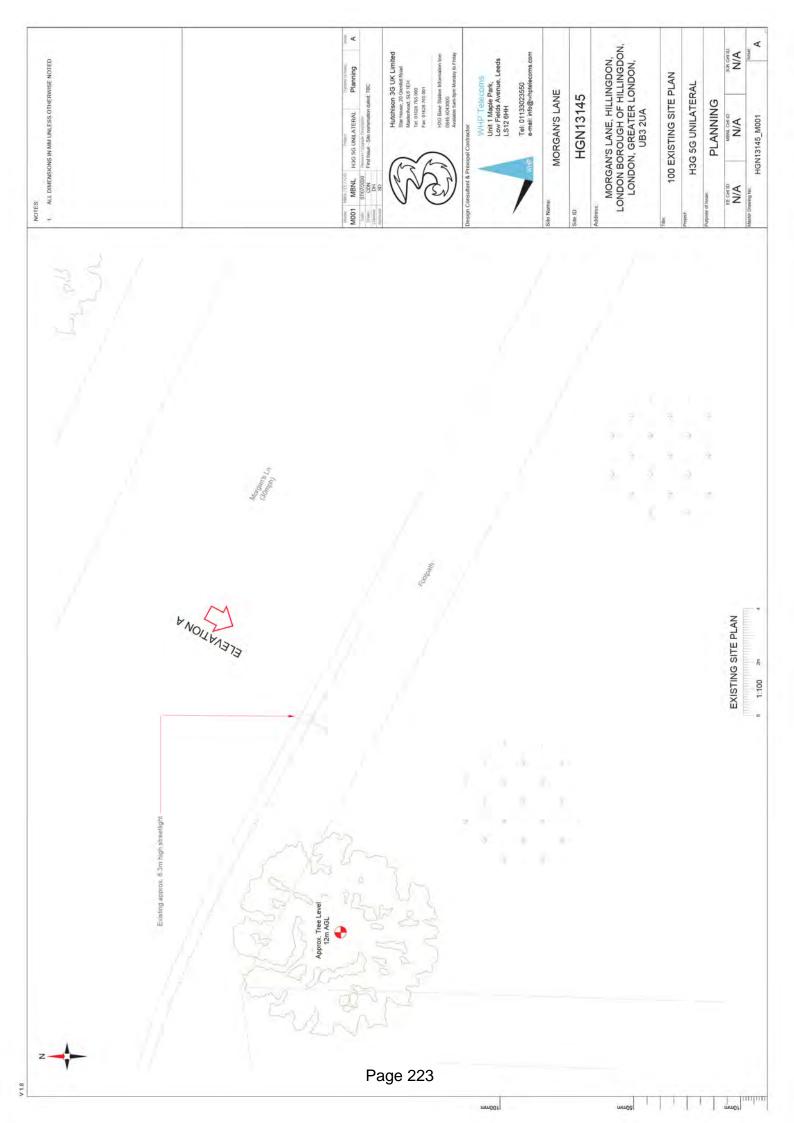
 Date Plans Received:
 15/07/2020

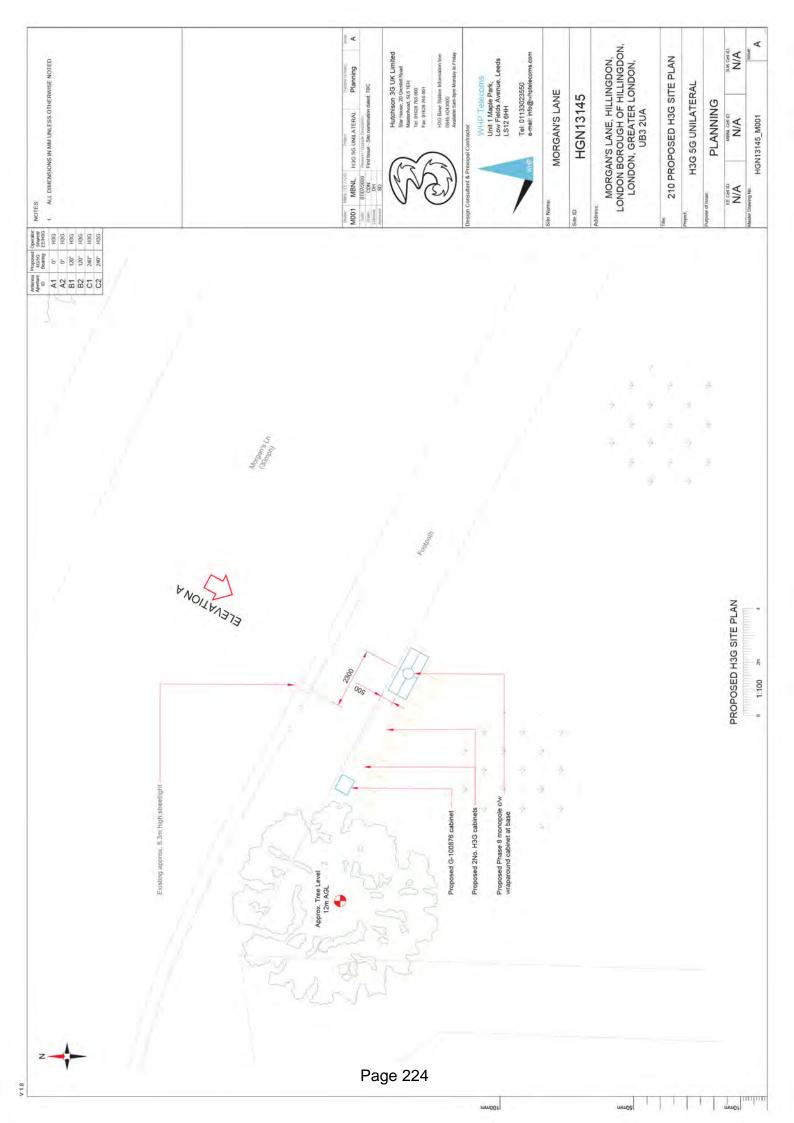
 Date Application Valid:
 15/07/2020

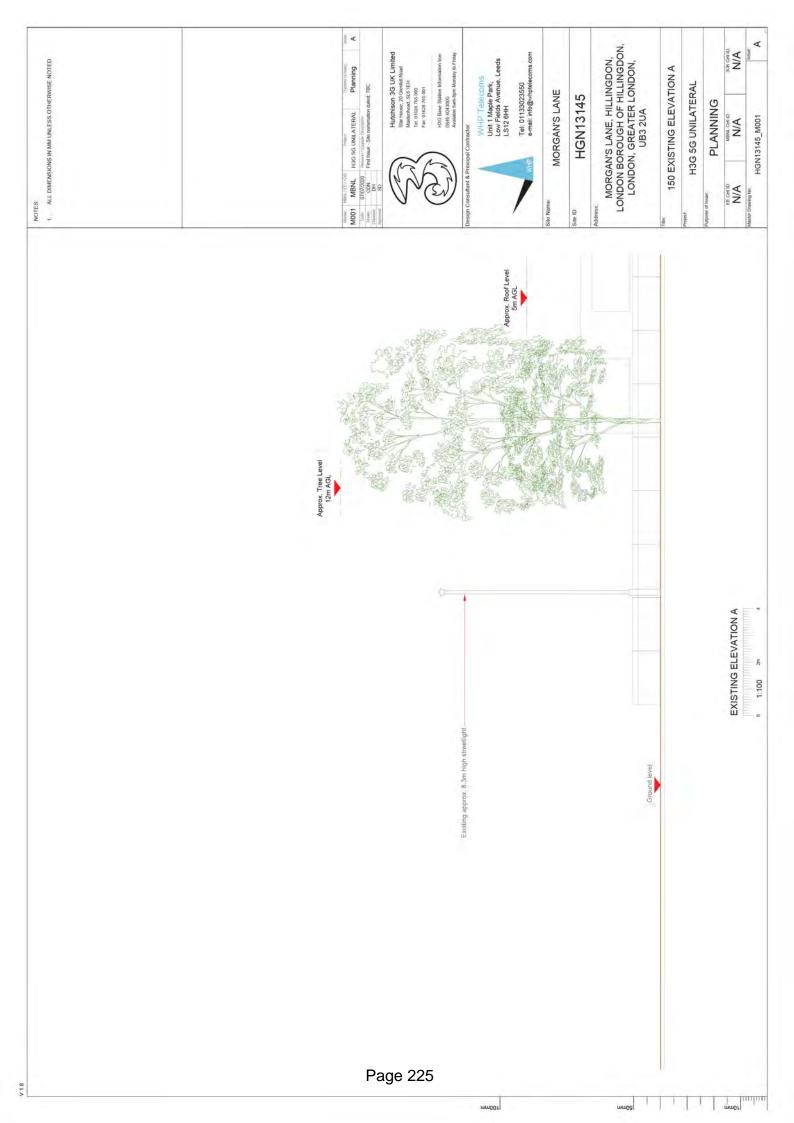


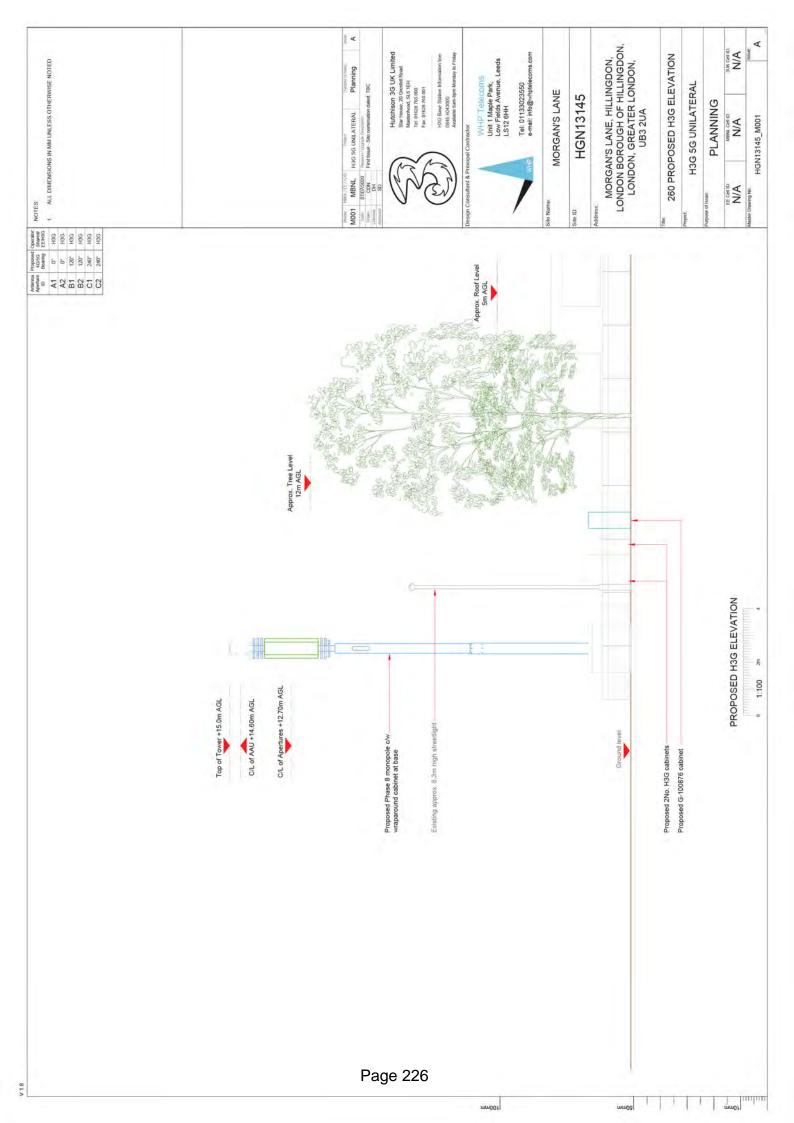
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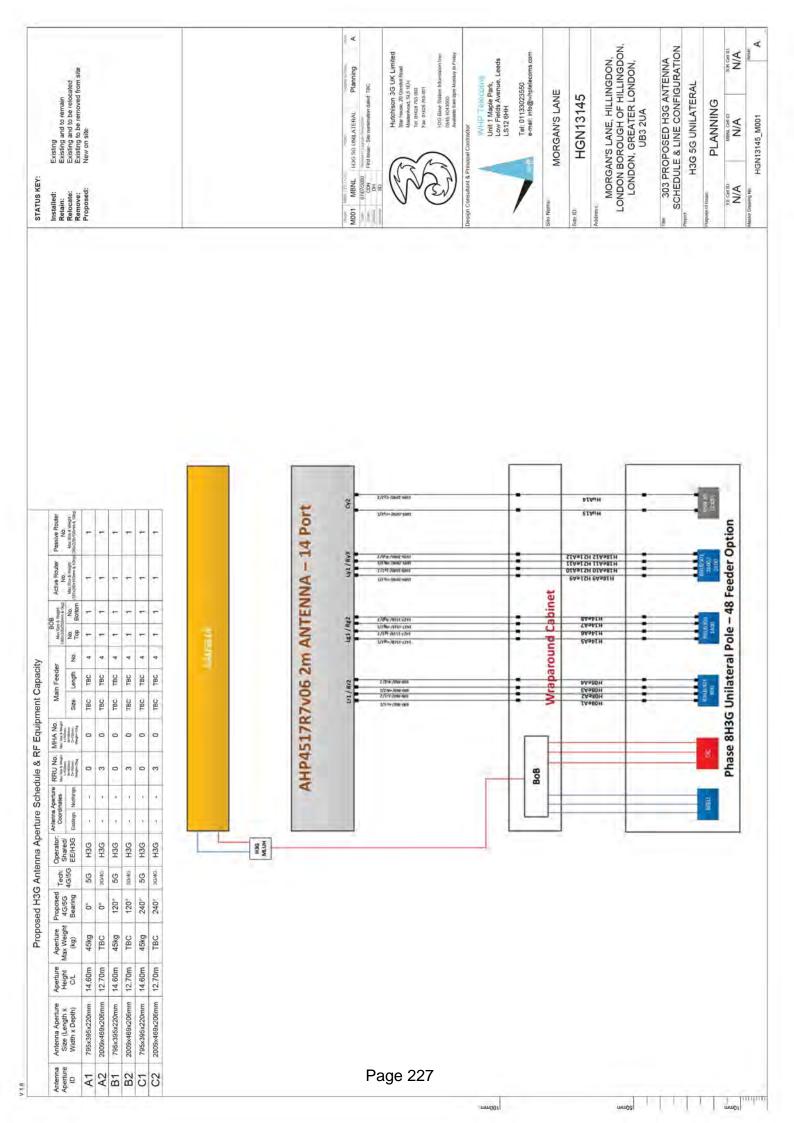
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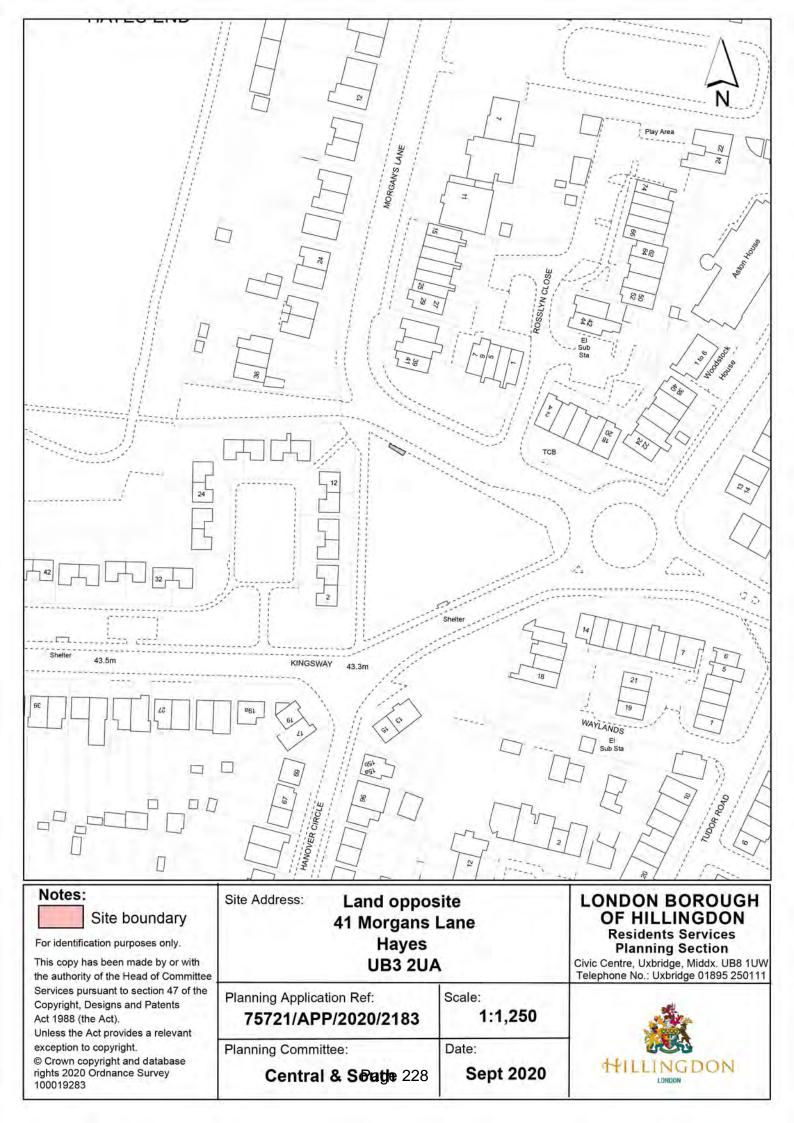












### Report of the Head of Planning, Transportation and Regeneration

Address BALMORAL DRIVE HAYES

**Development:** Installation of 18m Phase 8 Monopole with a wrapround Cabinet at base and associated ancillary works (Application under Part 16 of schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for siting and appearance).

**LBH Ref Nos:** 75795/APP/2020/2519

 Date Plans Received:
 11/08/2020

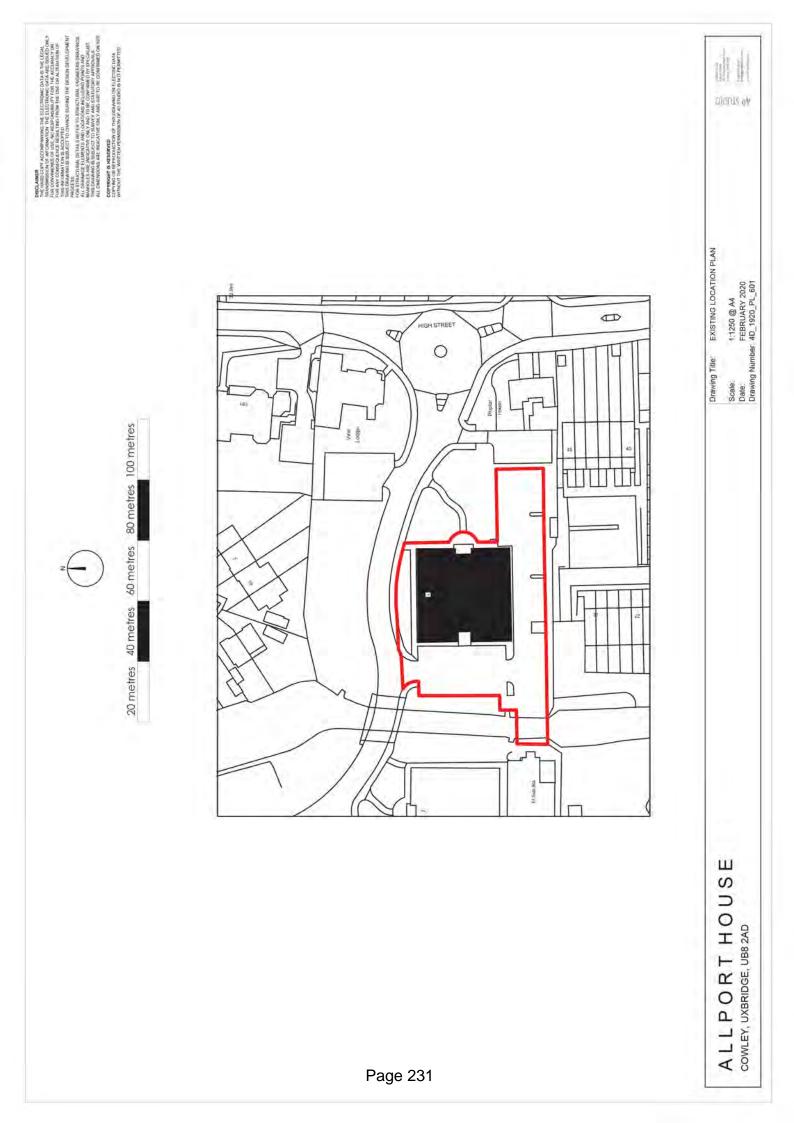
 Date Application Valid:
 11/08/2020

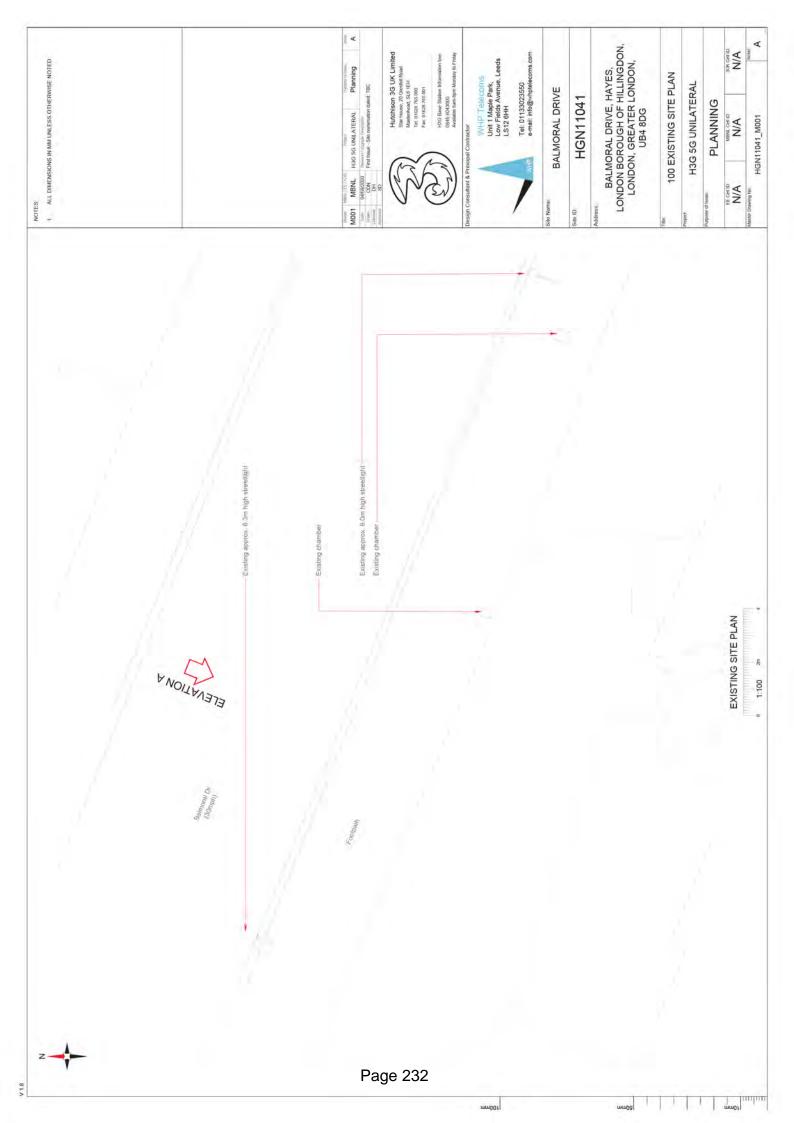
Date(s) of Amendment(s):

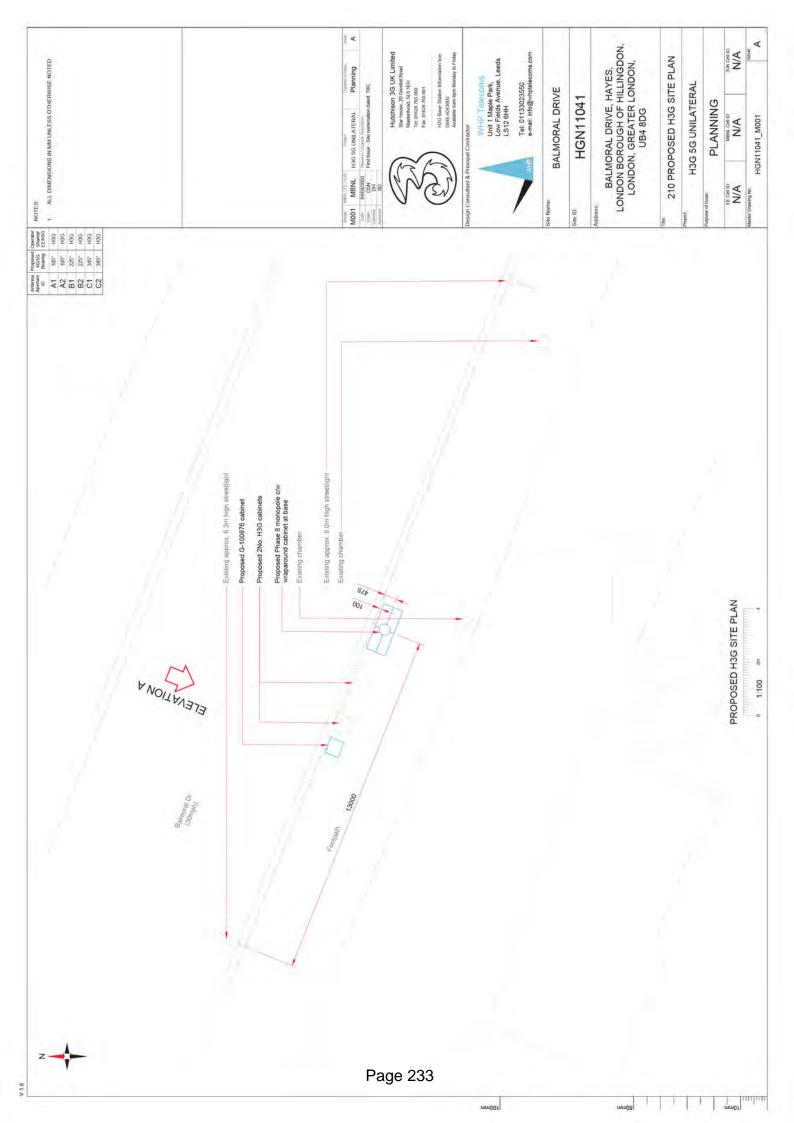


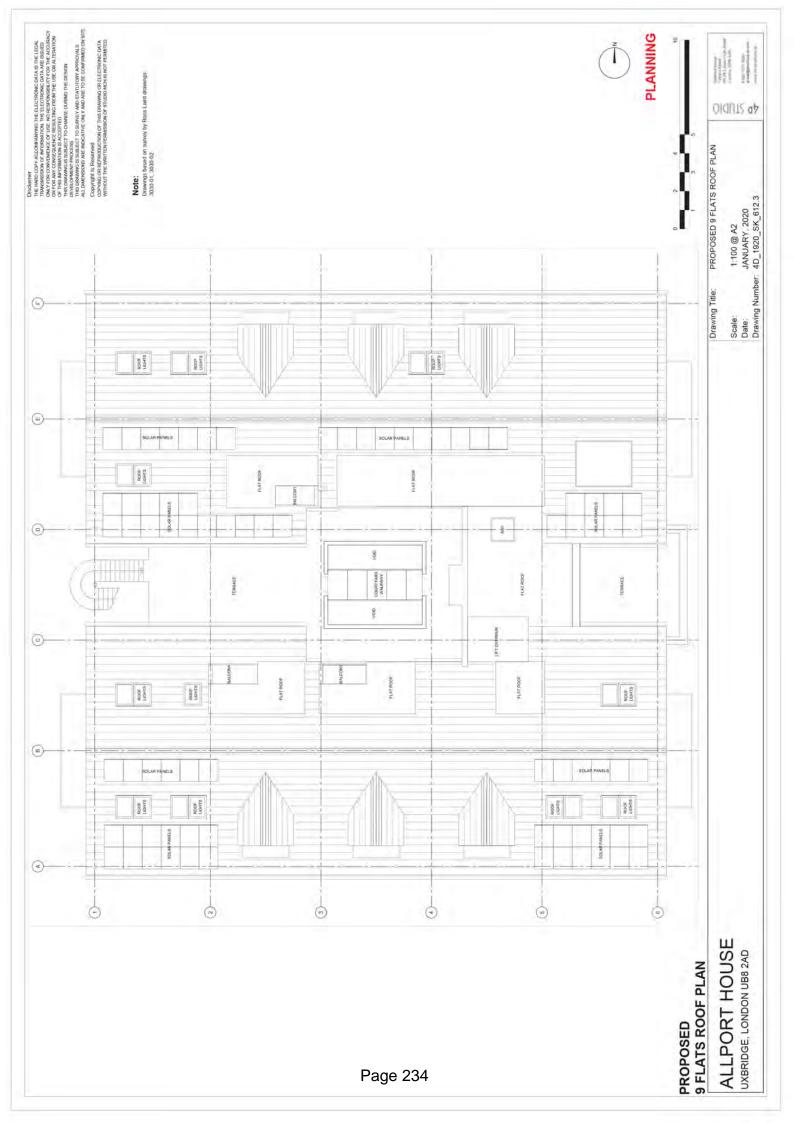
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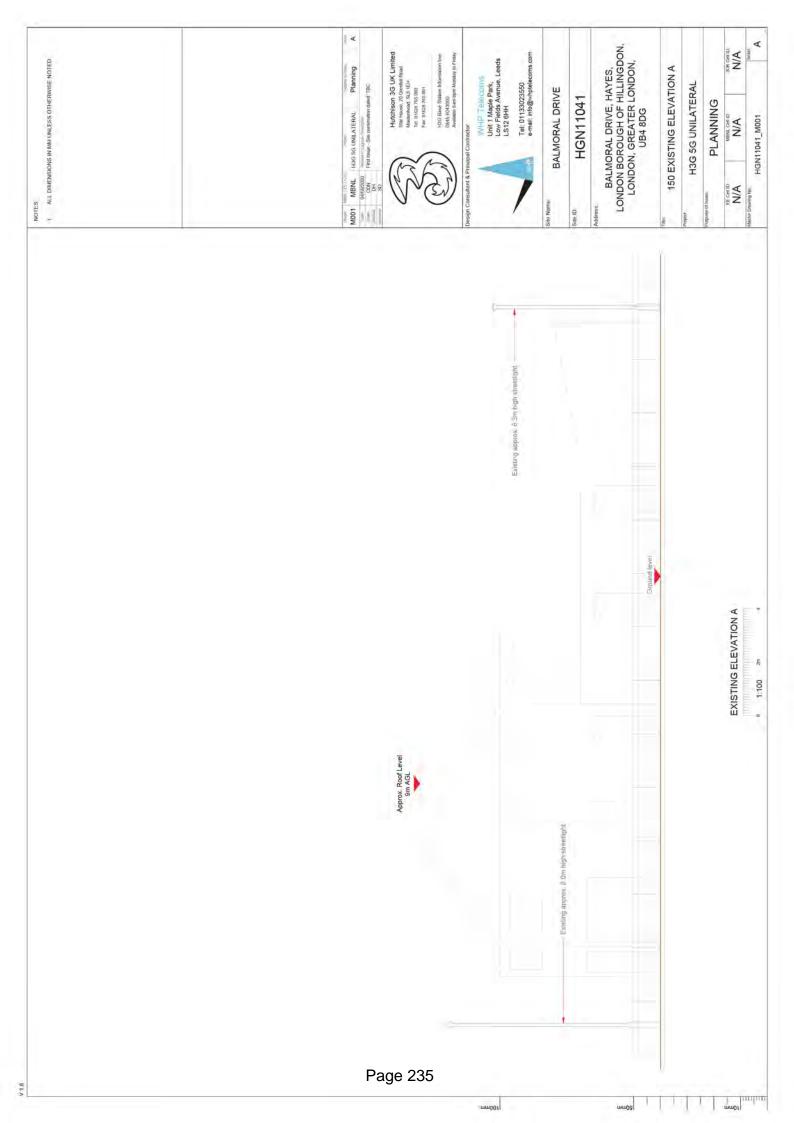
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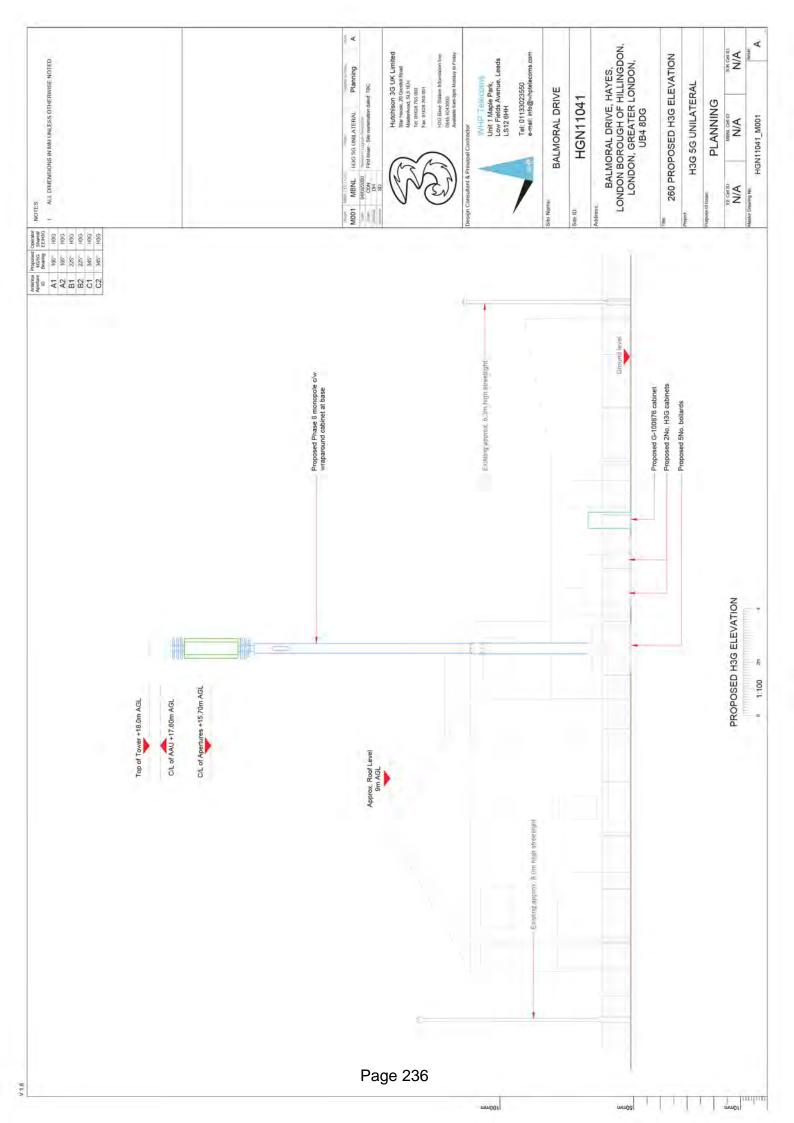


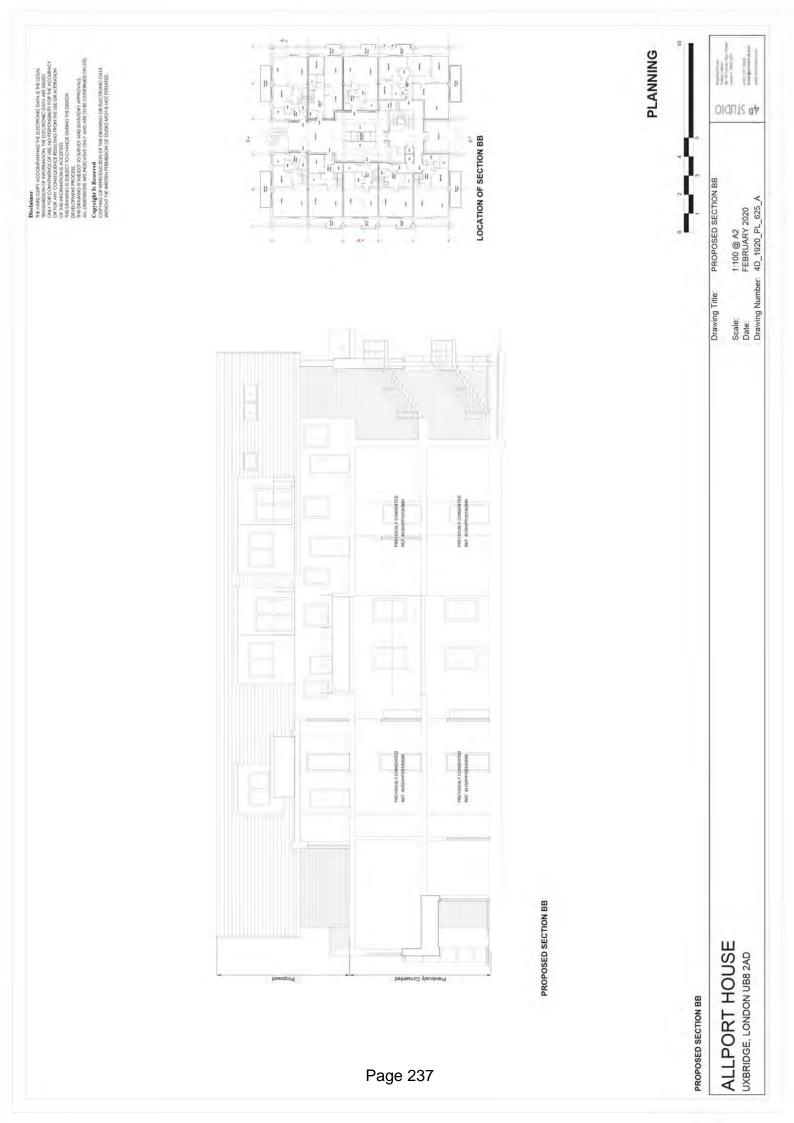


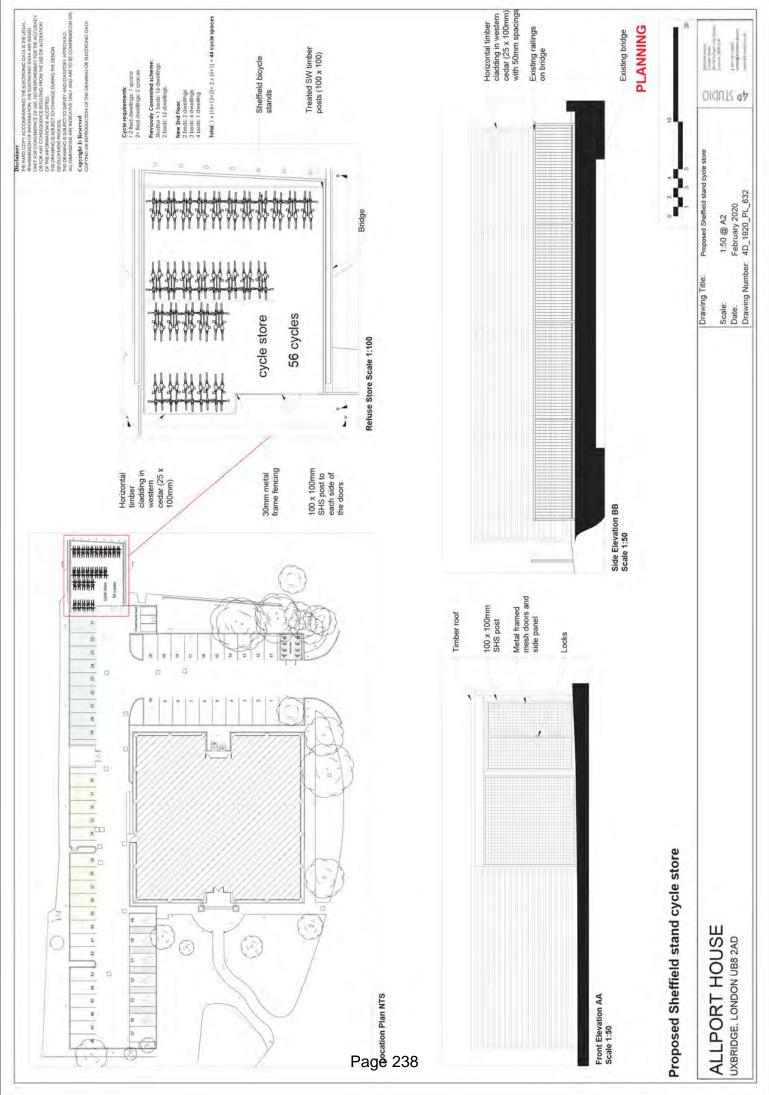


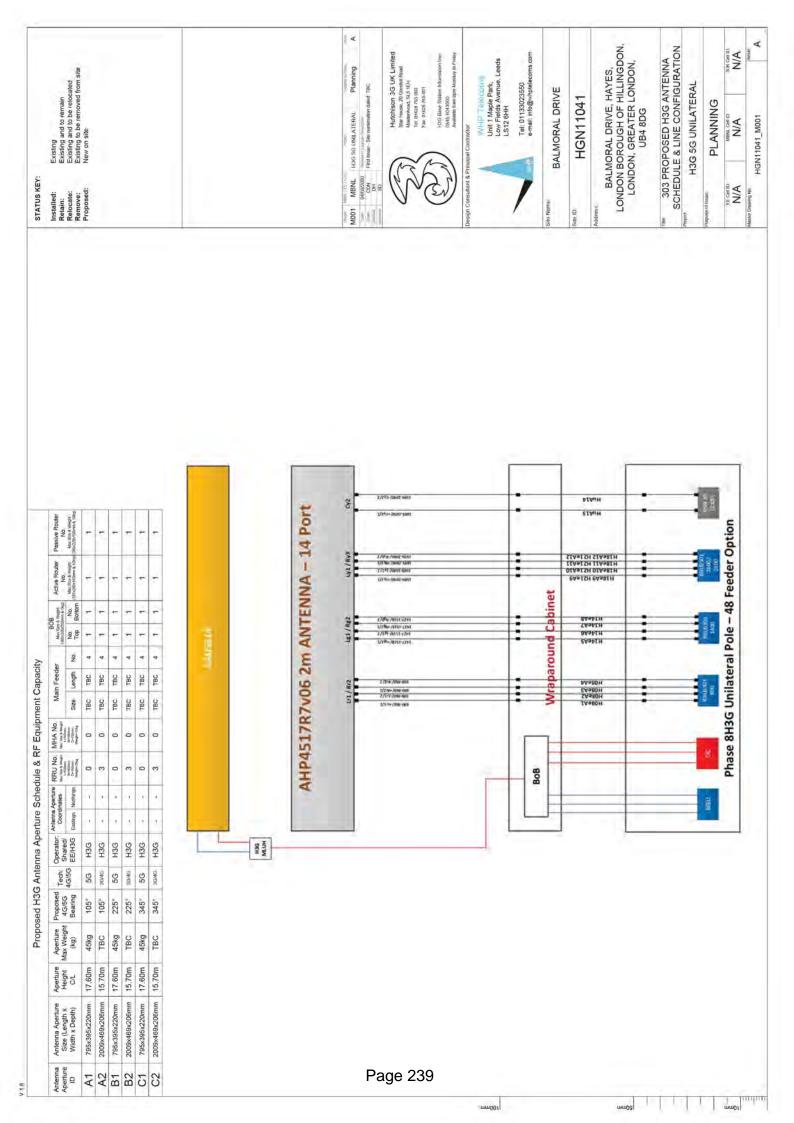












EY:	Installed: Existing Retain: Existing and to remain Relocate: Existing and to be relocated Remover: Existing and to be relocated	ζĒ γ	Outdioor: Located outside Indoor: Located within an equipment cabin or equipment room equipment or item of located made a cabinet or item of equipment						MOO1 MENL HKG SG UNLATERAL Planning A UDM02000 (1100) - 1000 DM02000 (1100) - 1000 DM12000 (1100) - 1000	Hutchison 35 UK Limited Services, 20 come feed Asserved, 20 st. 1 cr. most regard	1056 Base Salaon Fotomaiann Ina. Rosti Economo Analiaen Bannigan Mantang Ia Friday.	Lengin Lonseurica Friedman (MM-17 TeleCon M UNI 1 Maple Park, Low Fields Avenue, Leeds LS12 BHH	Tel: 01133023550 e-meil: mfo@whptelecoms.com	Sie Name BALMORAL DRIVE	See 10 HGN11041	ABALMORAL DRIVE, HAYES, LONDON BOROUGH OF HILLINGDON, LONDON, GREATER LONDON, UB4 8DG	TIM 305 EQUIPMENT SCHEDULE & SUPPORT STRUCTURE DETAILS Hand H3G 5G UNILATERAL	PLANNING	N/A N/A N/A N/A N/A	Masser Drawing No HIGN 11 MAD MODIT
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	Headframe Details				Weight (kg)	*		•												
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	Structure Manufacturer			Ľ	Equipment Manufacturer	ľ														
	_				Equipment Description / Type	H3g - Bowler	H3g - APM5930	Diplexer Cabinel												
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Notes: Site boundary For identification purposes only. This copy has been made by or with the authority of the Head of Committee	Site Address: Balmoral D Hayes	rive,	L C
Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant	Planning Application Ref: 75795/APP/2020/2519	Scale: 1:1,250	
exception to copyright.	Planning Committee:	Date:	

Central & Seattle 242 September 2020

## ONDON BOROUGH **OF HILLINGDON Residents Services Planning Section** ic Centre, Uxbridge, Middx. UB8 1UW lephone No.: Uxbridge 01895 250111

HILLINGDON

LONDON

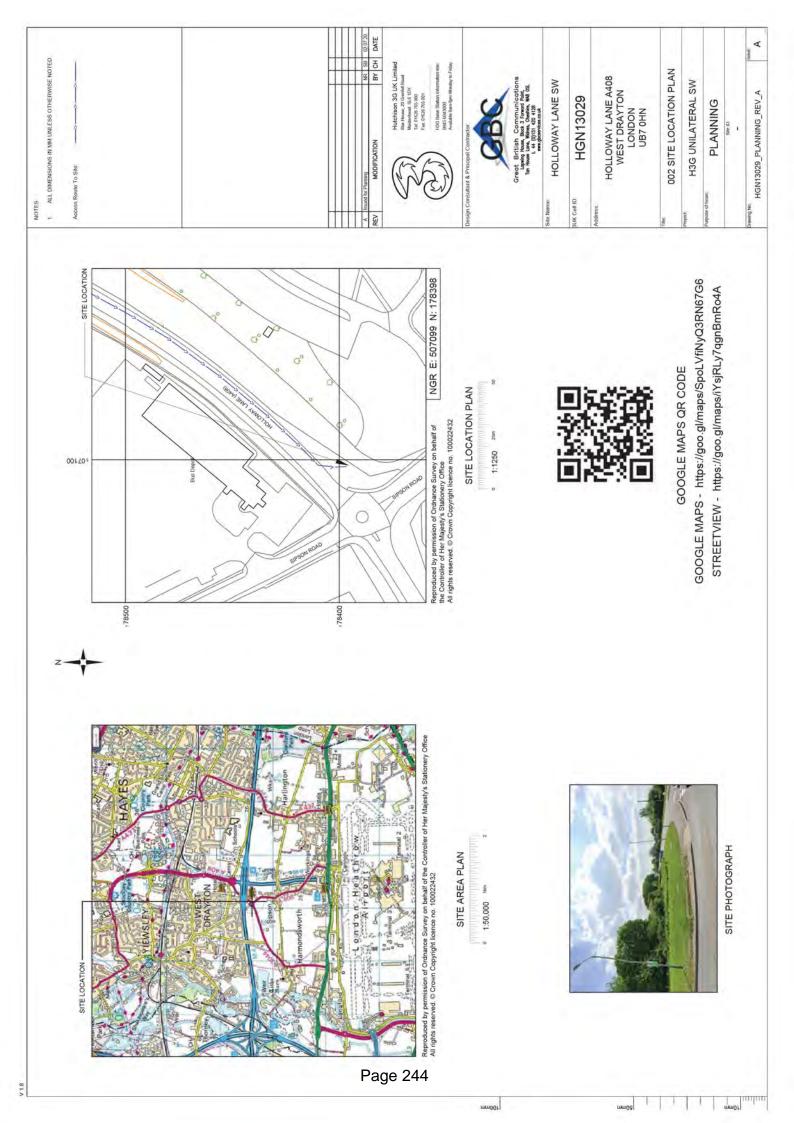
exception to copyright. © Crown copyright and database rights 2020 Ordnance Survey 100019283

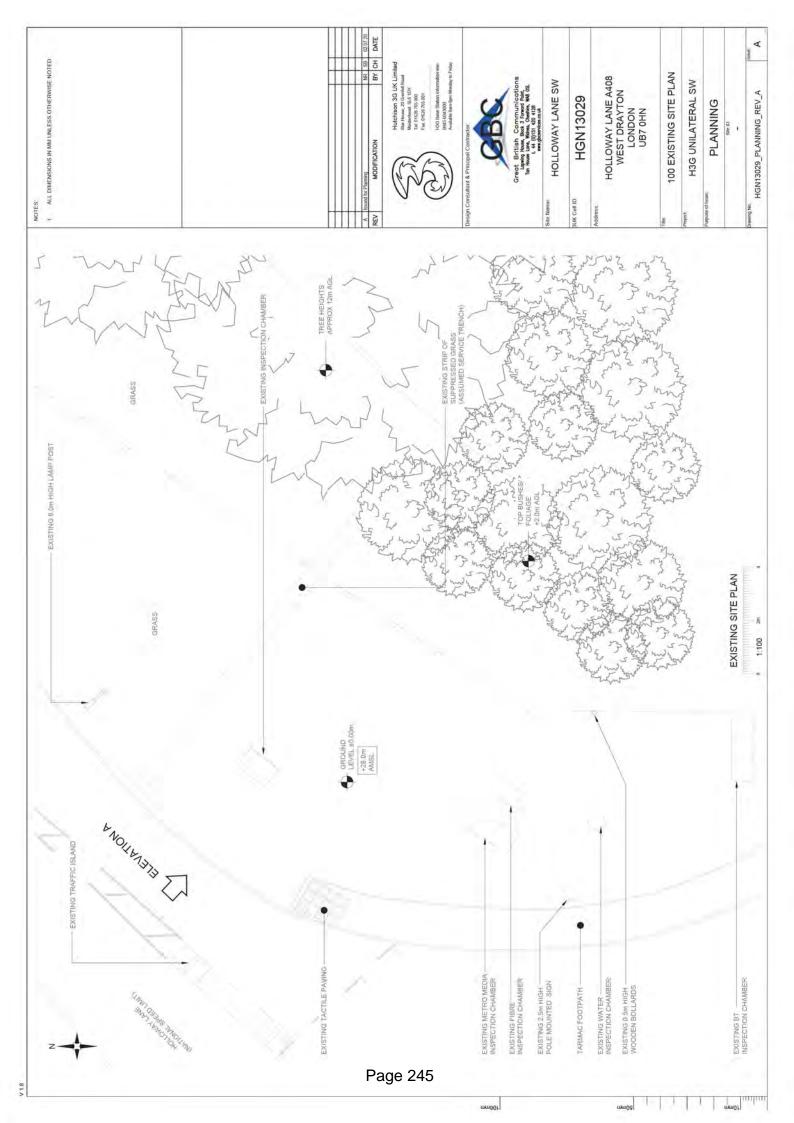
### Report of the Head of Planning, Transportation and Regeneration

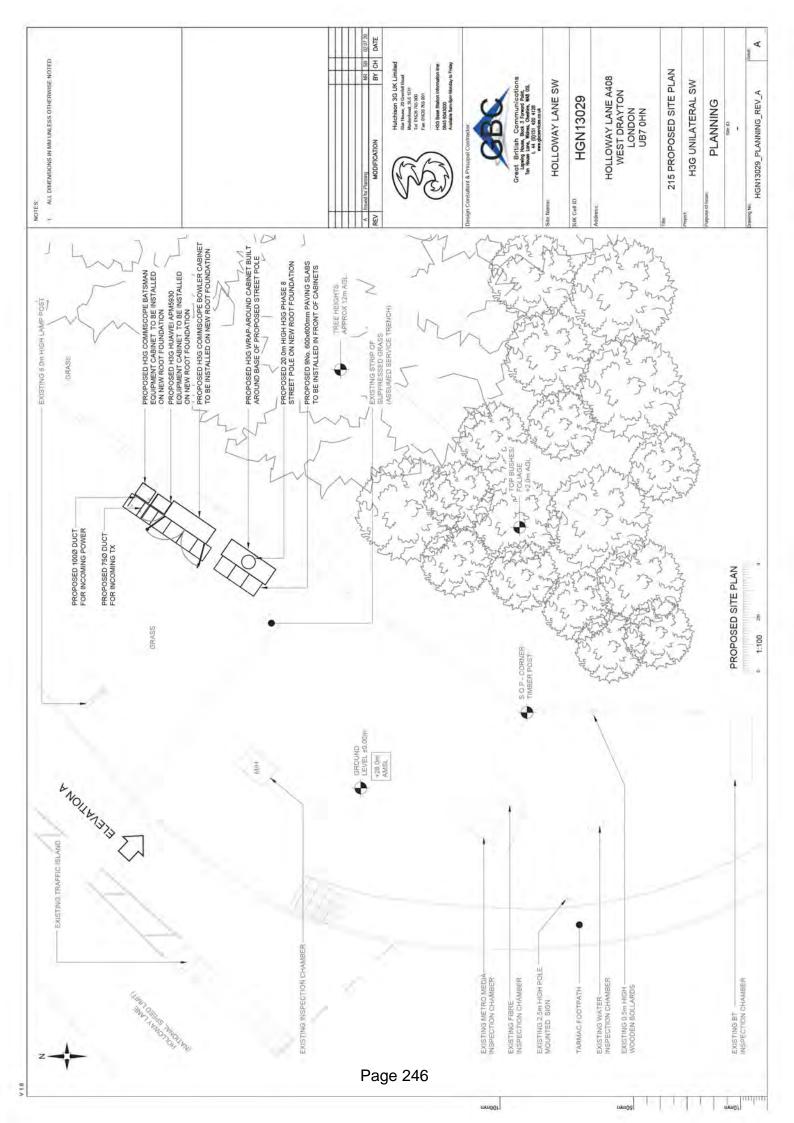
- Address LAND AT HOLLOWAY LANE JUNCTION WITH SIPSON ROAD HOLLOWAY LANE HARMONDSWORTH
- **Development:** Installation of 20m monopole and 3 equipment cabinets, and associated ancillary works (Application under Part 16 of schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for siting and appearance).
- **LBH Ref Nos:** 75742/APP/2020/2278

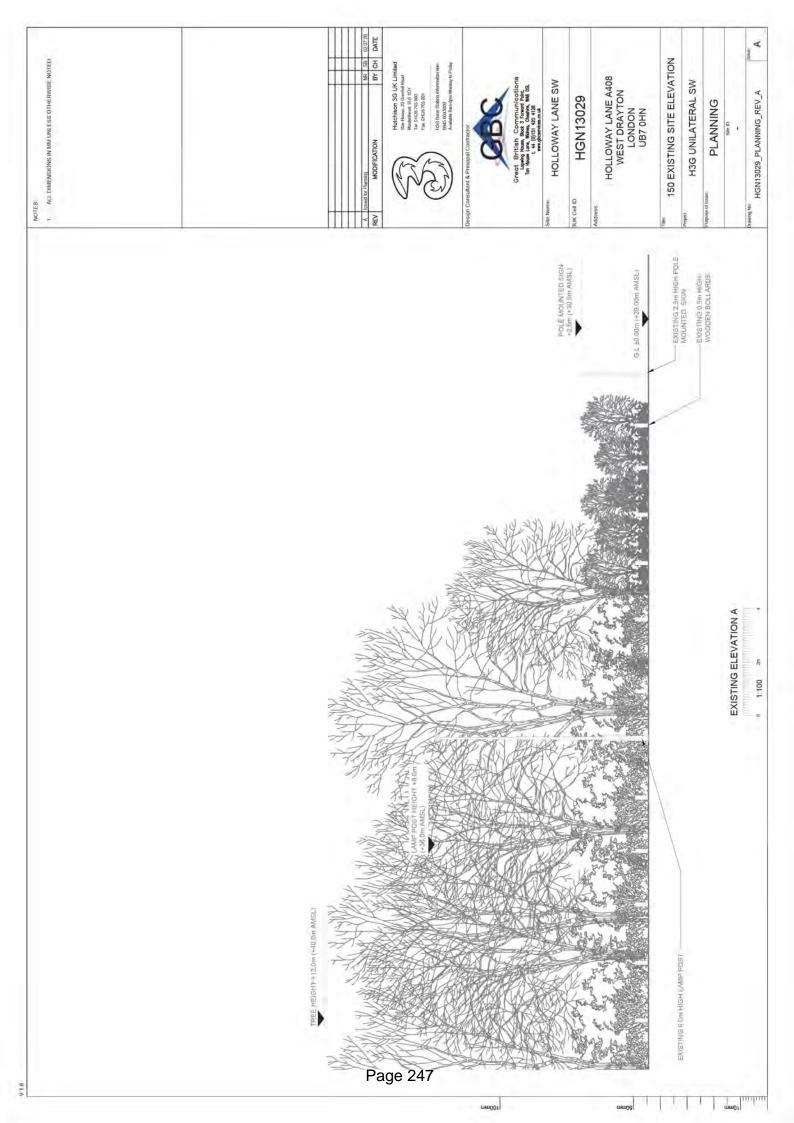
Date Plans Received:22/07/2020Date Application Valid:22/07/2020

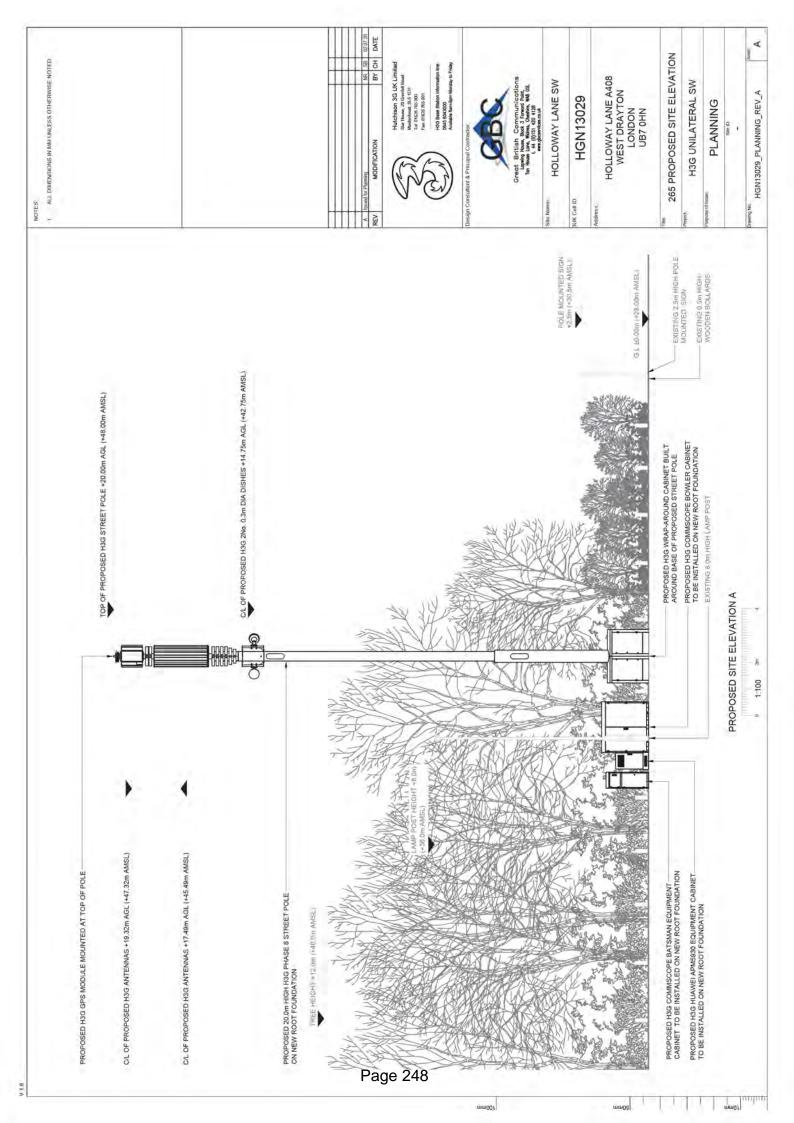
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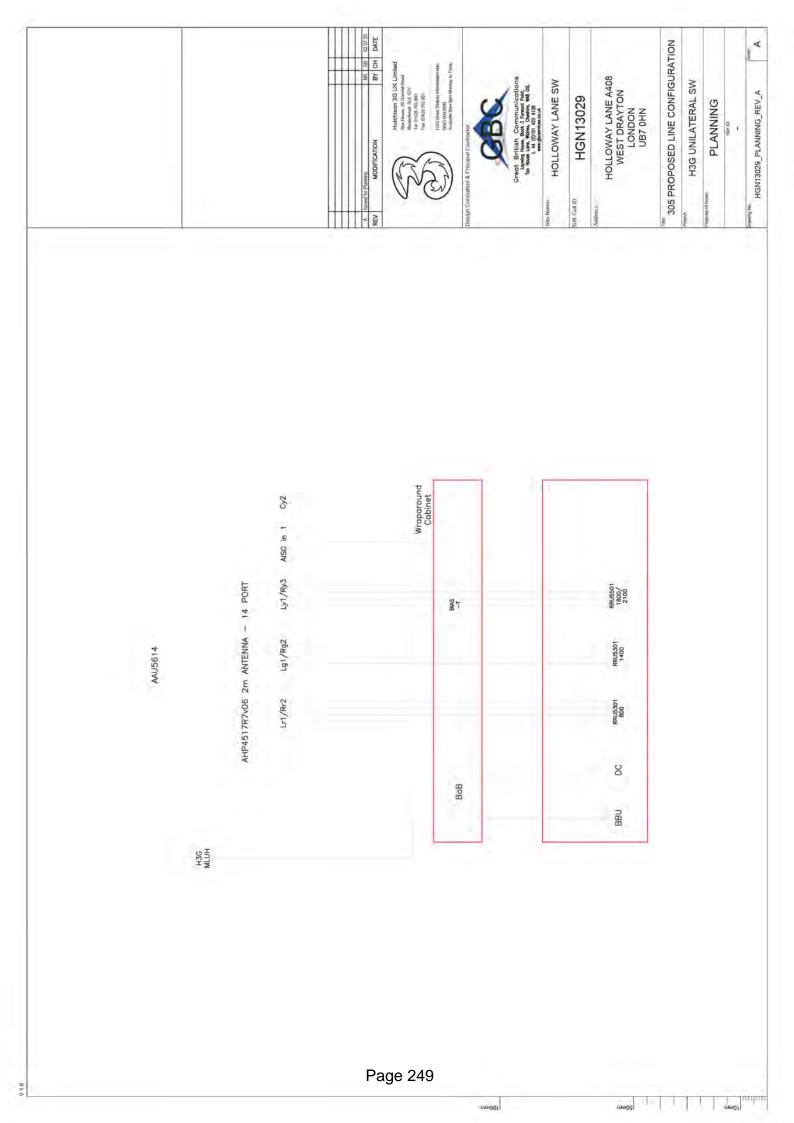






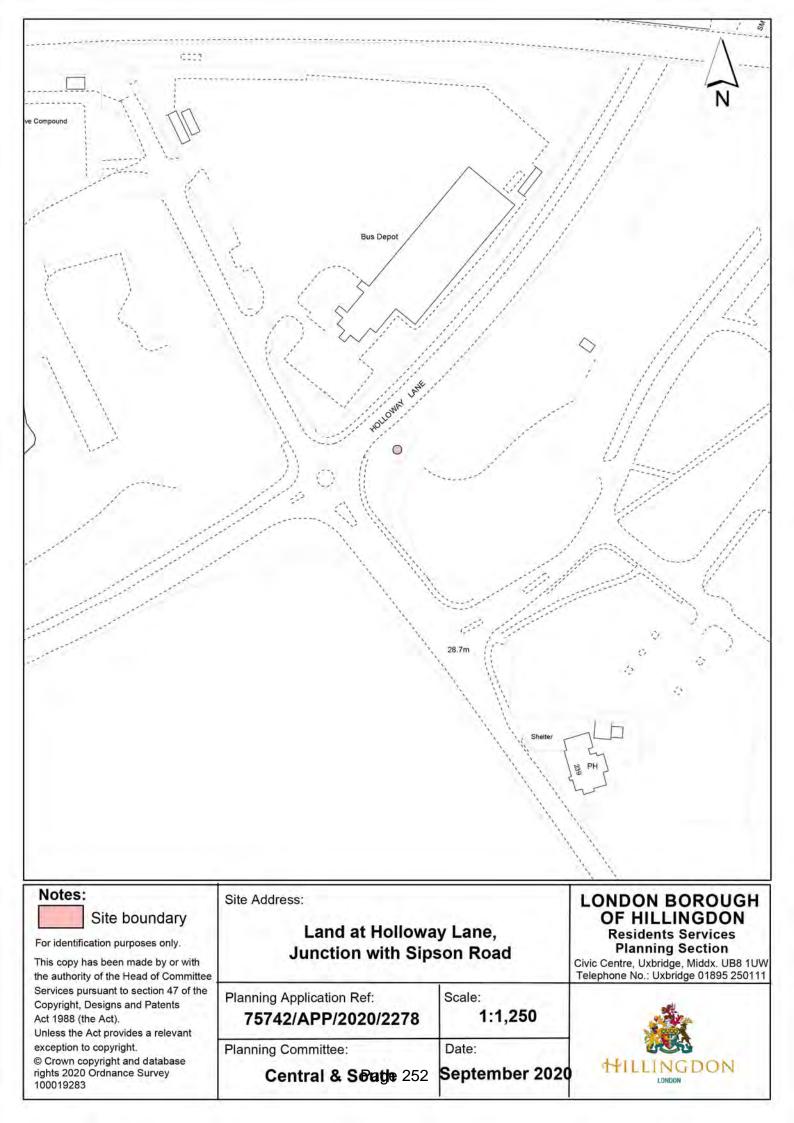






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oupport our detaile	Structure Height AGL Colour Headframe Foundation ( Support Bolt Manufacturer (m) (RAL Colour) Details Structure betails Details	HEL 20.00m GREY-7035 - ROOT - NIA		Equipment Schedule	Equipment Dimensions Weight Colour Material Location Power Manufactures (W × D × H) (kg) (RAL Colour) Material Location Power	COMMSCOPE 600x500x1585 110 GREV.7035 STEEL OUTDOOR :	HUAWEI 600x600x1200 - GREY-7035 STEEL OUTDOOR	COMMSCOPE 1900X600X1752 220 GREY-7035 STEEL OUTDOOR	STATUS	Sector A - Step 1 0 SW Sector B - Step 1 0 SW Sector C - Step 1.0 SW	NIA	N/N	TBC by Local Authority N/A	NIA	NIA NIA	NA	Proposed 1 phase 100A supply - DNO Quote Approval Required	TBC: Microwave only/Microwave+Fibre 2No 0.3m DIA dishes shown for planning	N/N	TBC - Dependant on Transmission Solution Completed - 08.06.20	Completed - 17.06.20 Clear							
	Structure Height AGL Colour Headframe Foundation ( Support Bolt Manufacturer (m) (RAL Colour) Details Structure betails Details	HEL 20.00m GREY-7035 - ROOT - NIA		Equipment Schedule	Equipment Equipment Dimensions Weight Colour Material Location Power Nandraduret (Wx D x H) (kg) (RAL Colour) Material Location Power	H3G-BATSMAN COMMSCOPE 600x500x1585 110 GREY-7035 STEEL OUTDOOR :	H3G - APM5930 HUAWEI 600x600x1200 - GREY-7035 STEEL OUTDOOR	H3G-BOWLER COMMSCOPE 1900X600x1752 220 GREY-7035 STEEL OUTDOOR	STATUS		E	NKA	TBC by Local Authority N/A		T	NIA	Proposed 1 phase 100A supply - DNO Quote Approval Required	TBC: Microwava only/Fibre only/Microwava+Fibre 2No 0.3m DIA dishes shown for planning	NIA	TBC - Dependant on Transmission Solution Completed - 08 05 20	Completed - 17.06.20 Clear	×.						
Support Structure Schedule	Height AGL Colour Headframe Foundation ( Support Bolt (m) (RAL Colour) Details Structure Details Details	20.00m GREY-7035 - ROOT - NIA		Equipment Schedule	Equipment Dimensions Weight Colour Material Location Power Manufactures (W × D × H) (kg) (RAL Colour) Material Location Power	COMMSCOPE 600x500x1585 110 GREV.7035 STEEL OUTDOOR :	PROPOSED H3G - APM5830 HUAWEI 600x600x1200 - GREY-7035 STEEL OUTDOOR	COMMSCOPE 1900X600X1752 220 GREY-7035 STEEL OUTDOOR	DEPENDENCY STATUS		Building Regulations Approval N/A		Plending TBC by Local Authority General Report NVA		T		Proposed 1 phase 100A supply - DNO Quote Approval Required	Transmission Solution TBC: Microwave only/Fibre only/Microwave+Fibre 2No 0.3m DIA dishes shown for planning		Line of Side Survey TBC - Dependant on Transmission Solution Services Search Completed - 08.06.20		x						



# Report of the Head of Planning, Transportation and Regeneration

Address 16 THE DINGLE HILLINGDON

**Development:** First floor rear extension

**LBH Ref Nos:** 52360/APP/2020/2254

 Date Plans Received:
 21/07/2020

 Date Application Valid:
 21/07/2020

Date(s) of Amendment(s):





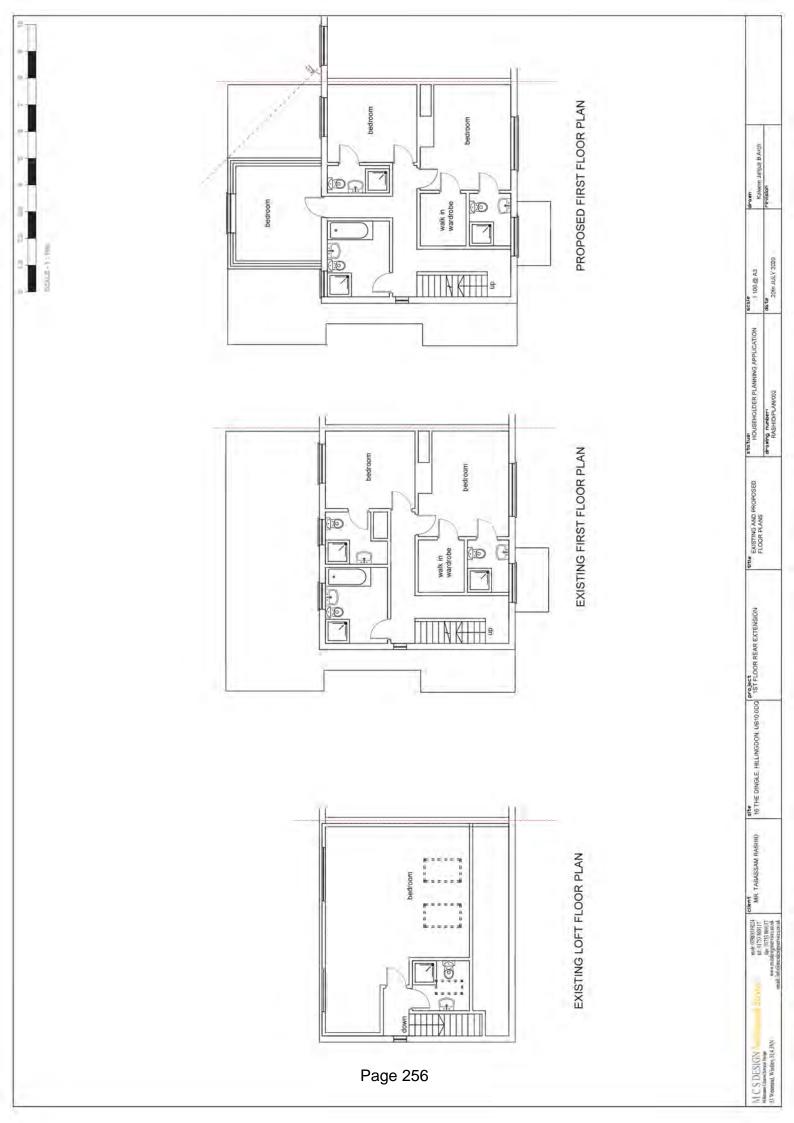
#### SITE LOCATION PLAN AREA 2 HA SCALE 1:1250 on A4 CENTRE COORDINATES: 507872, 182974

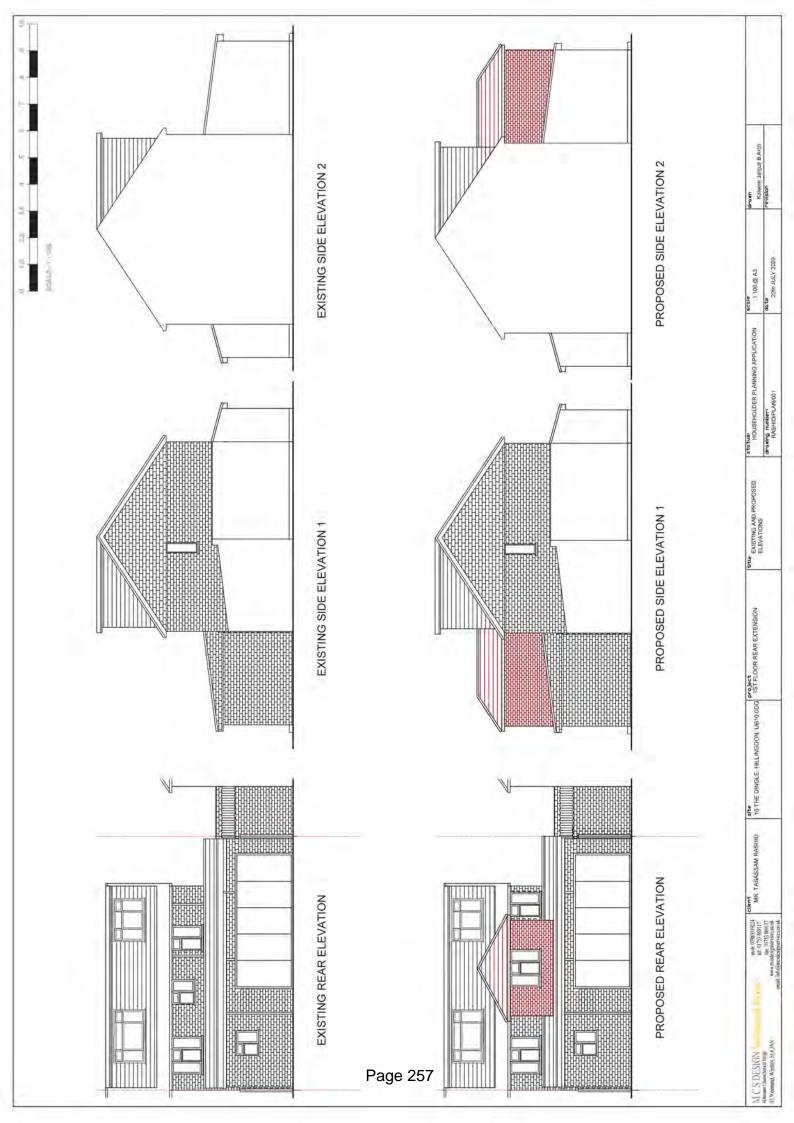


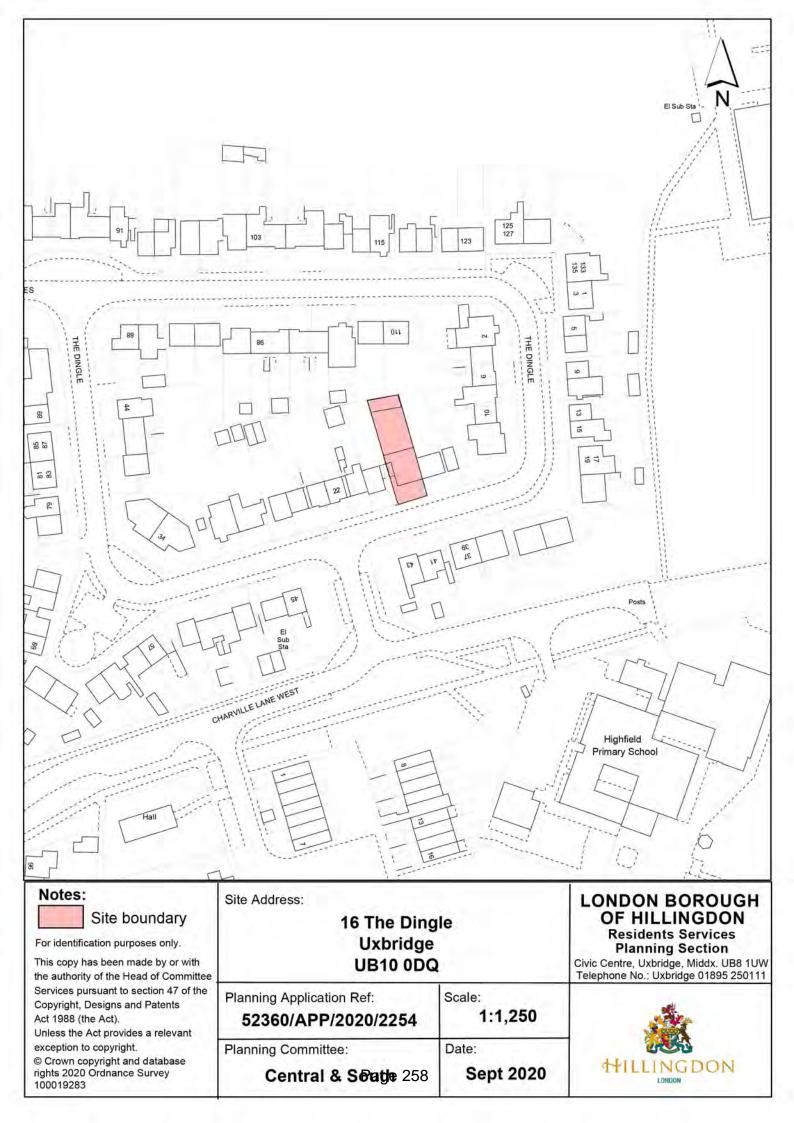
SITE: 16 THE DINGLE, HILLINGDON, UB10 0DQ.



SITE: 16 THE DINGLE, HILLINGDON, UB10 0DQ. BLOCK PLAN: 1:500







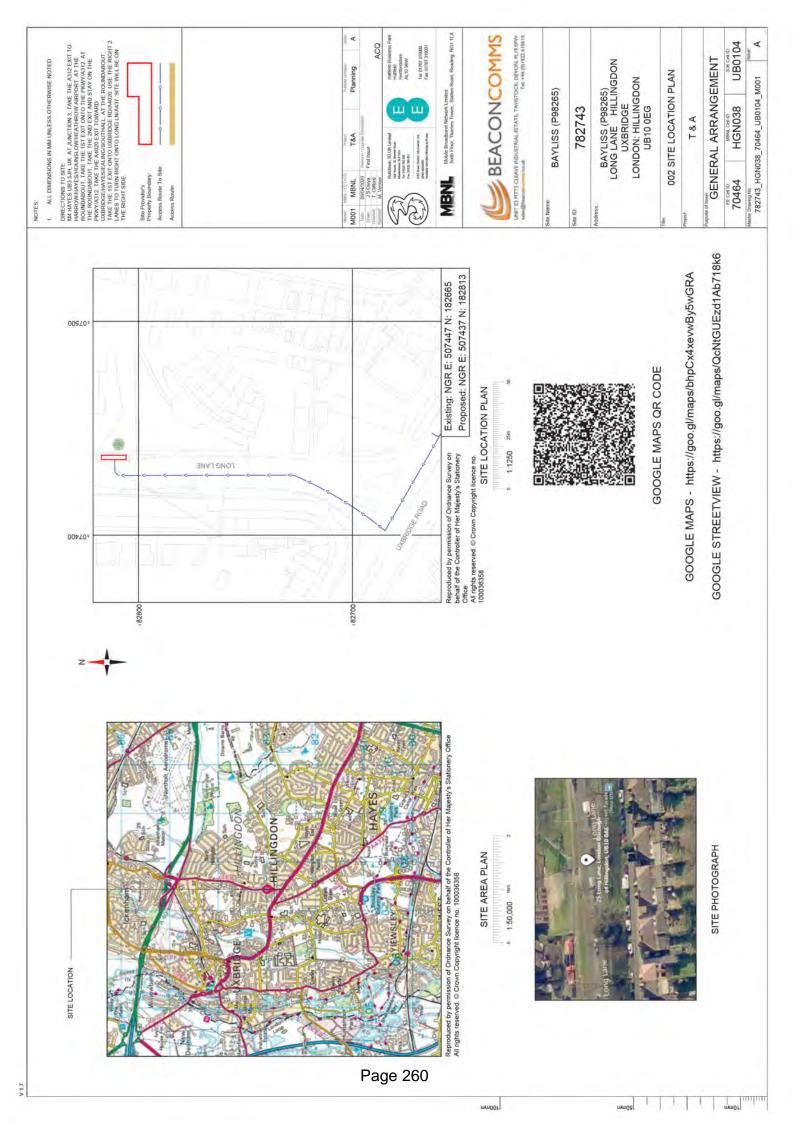
Date(s) of Amendment(s):

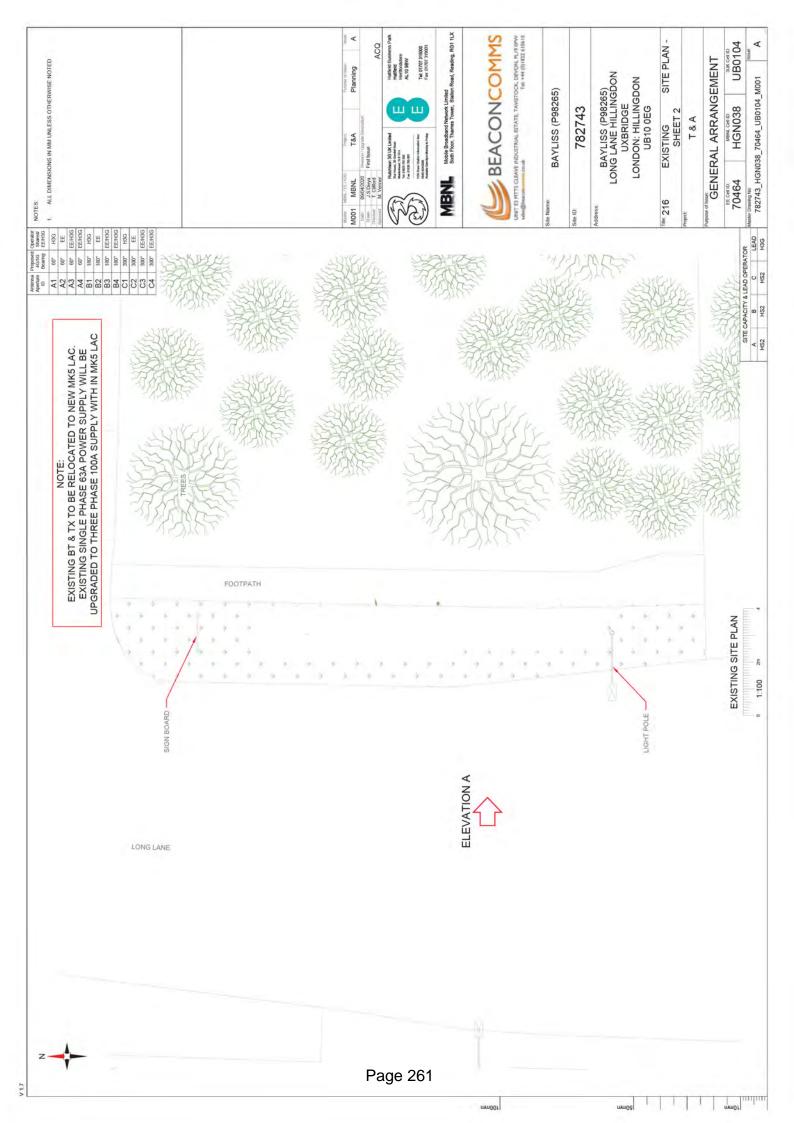
Address BAYLISS TELECOMMUNICATIONS SITE LONG LANE HILLINGDON

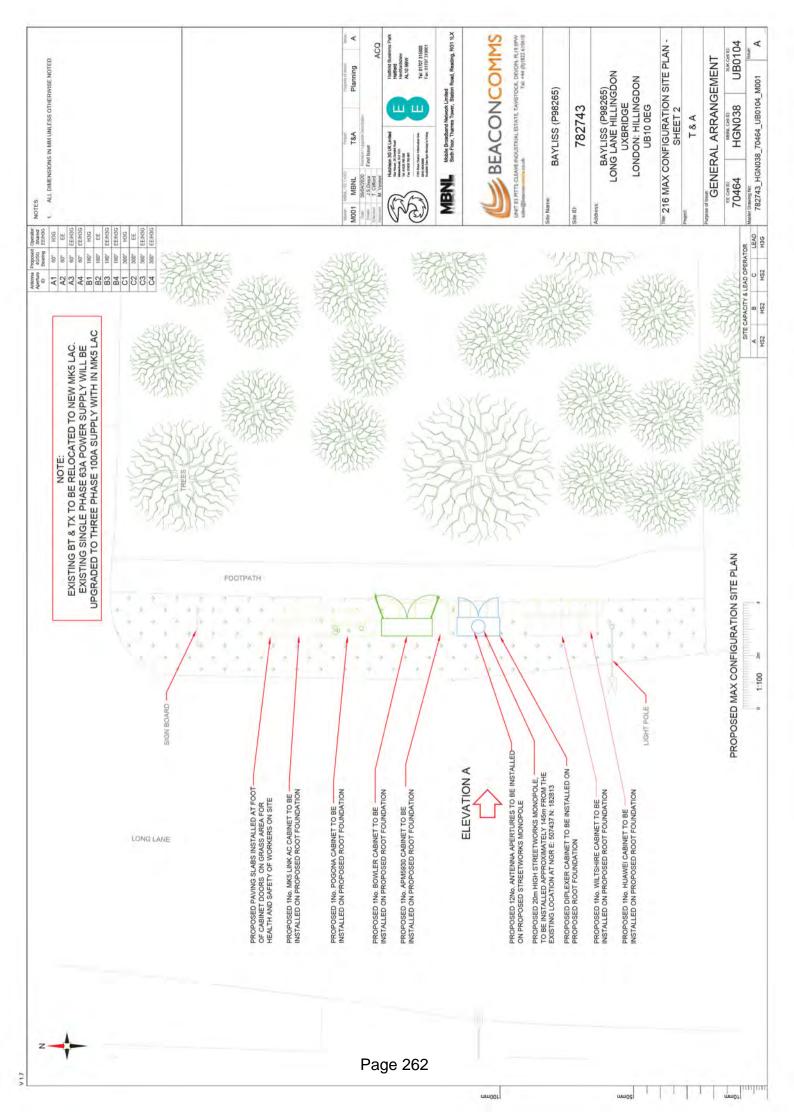
- **Development:** Installation of a 20m monopole, 12 no. antenna apertures, equipment cabinets and development ancillary thereto (Application under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for siting and appearance).
- LBH Ref Nos: 75608/APP/2020/2424

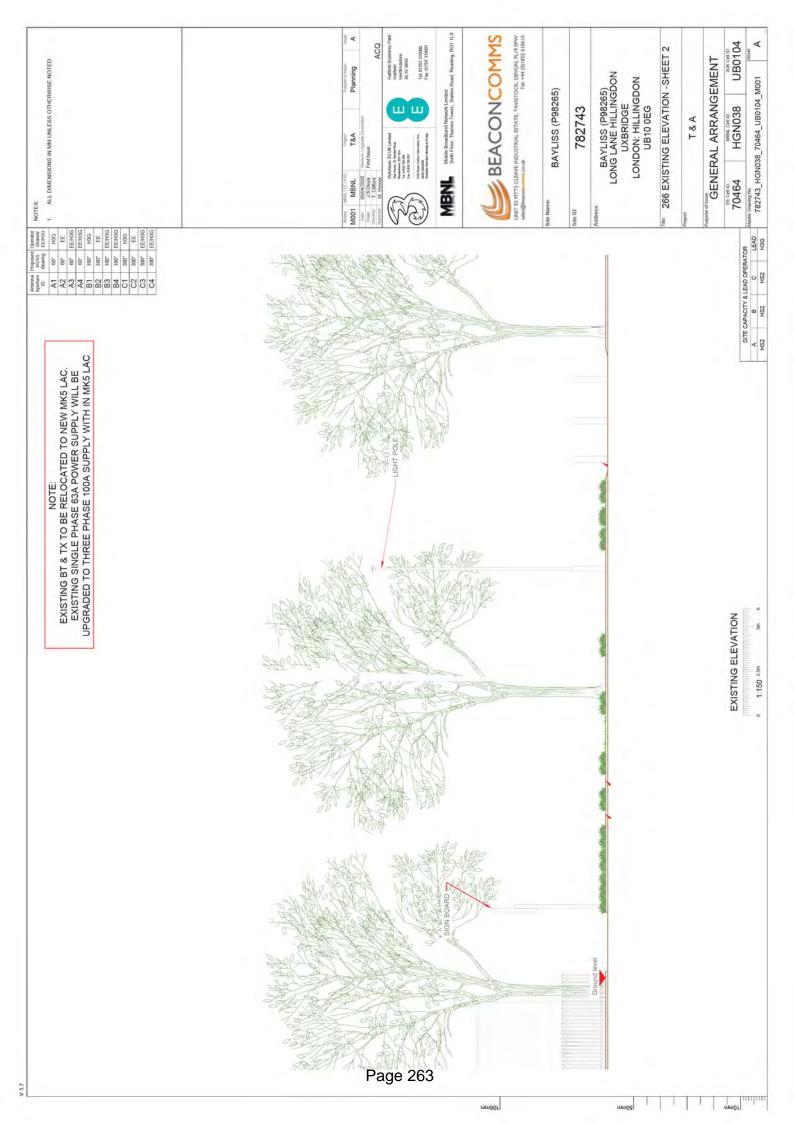
Date Plans Received:	04/08/2020
Date Application Valid:	04/08/2020

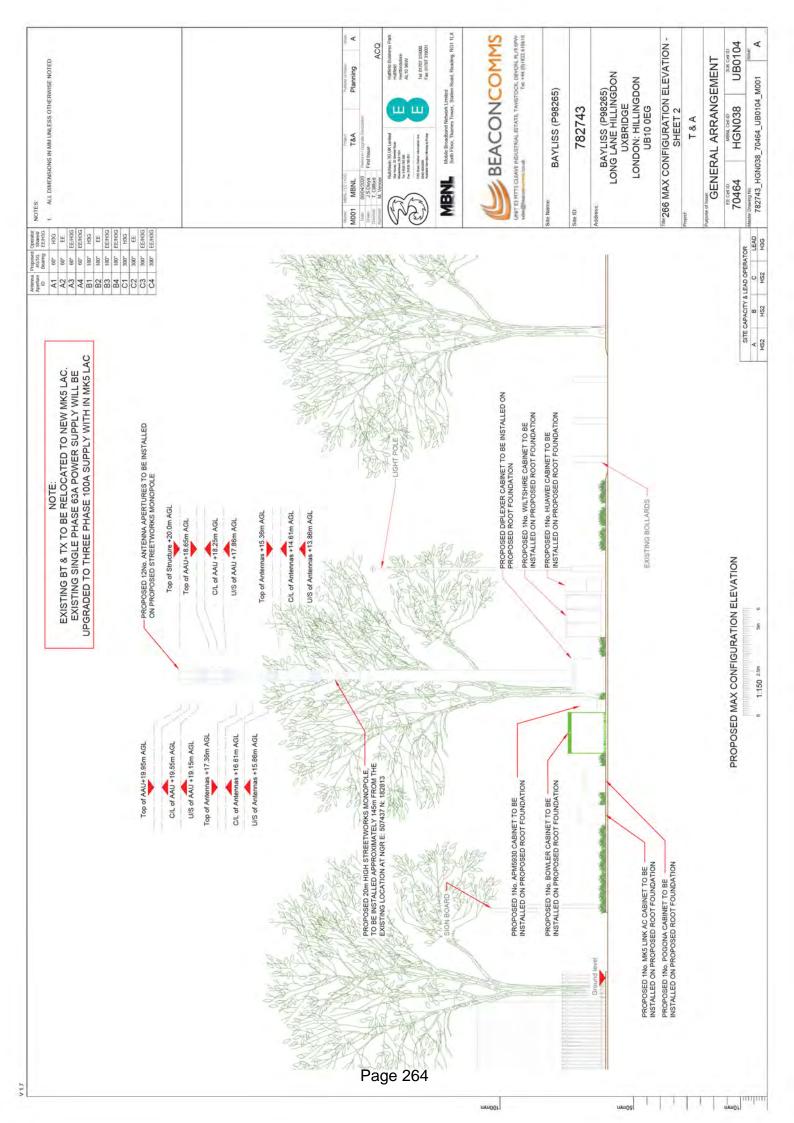
Central & South Planning Committee - 3rd September 2020 PART 1 - MEMBERS, PUBLIC & PRESS

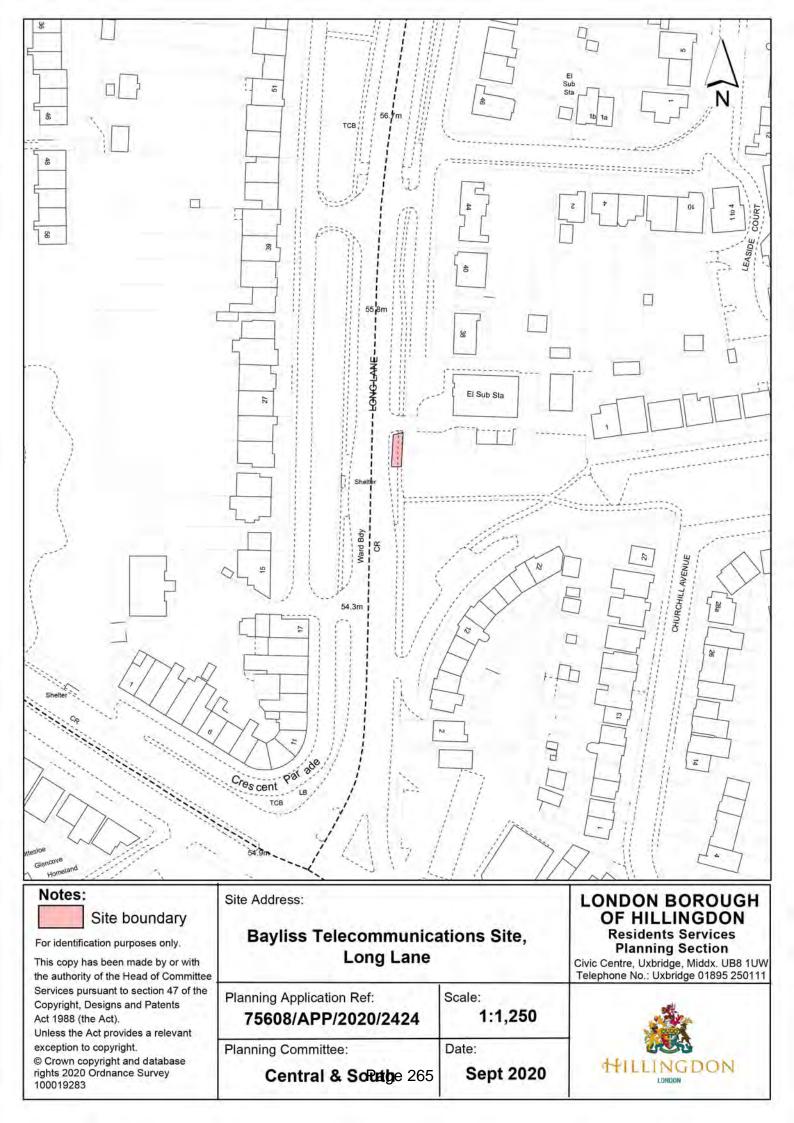












Address 36 POLE HILL ROAD HILLINGDON

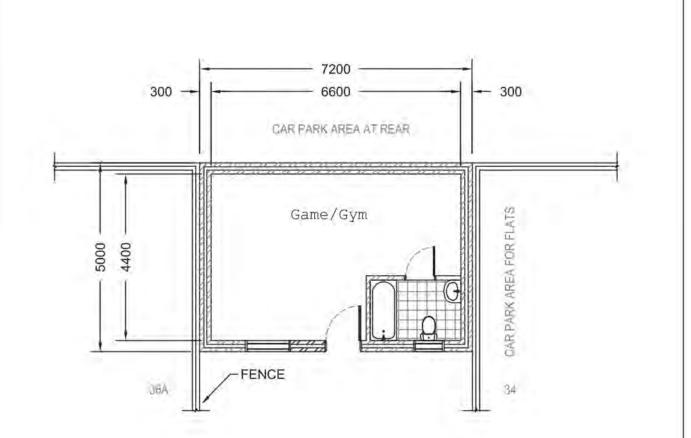
**Development:** Single storey outbuilding for use as a gym/study/game room

LBH Ref Nos: 56575/APP/2020/1700

Date Plans Received:03/06/2020Date Application Valid:29/06/2020

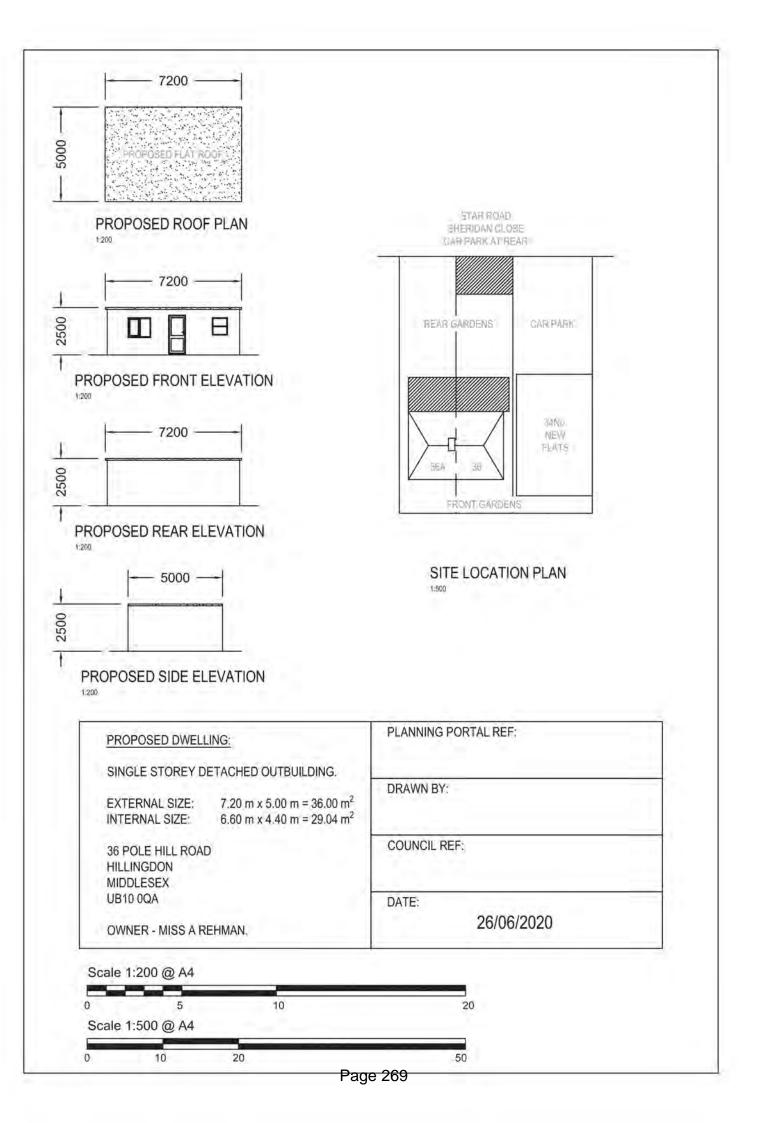
Date(s) of Amendment(s):

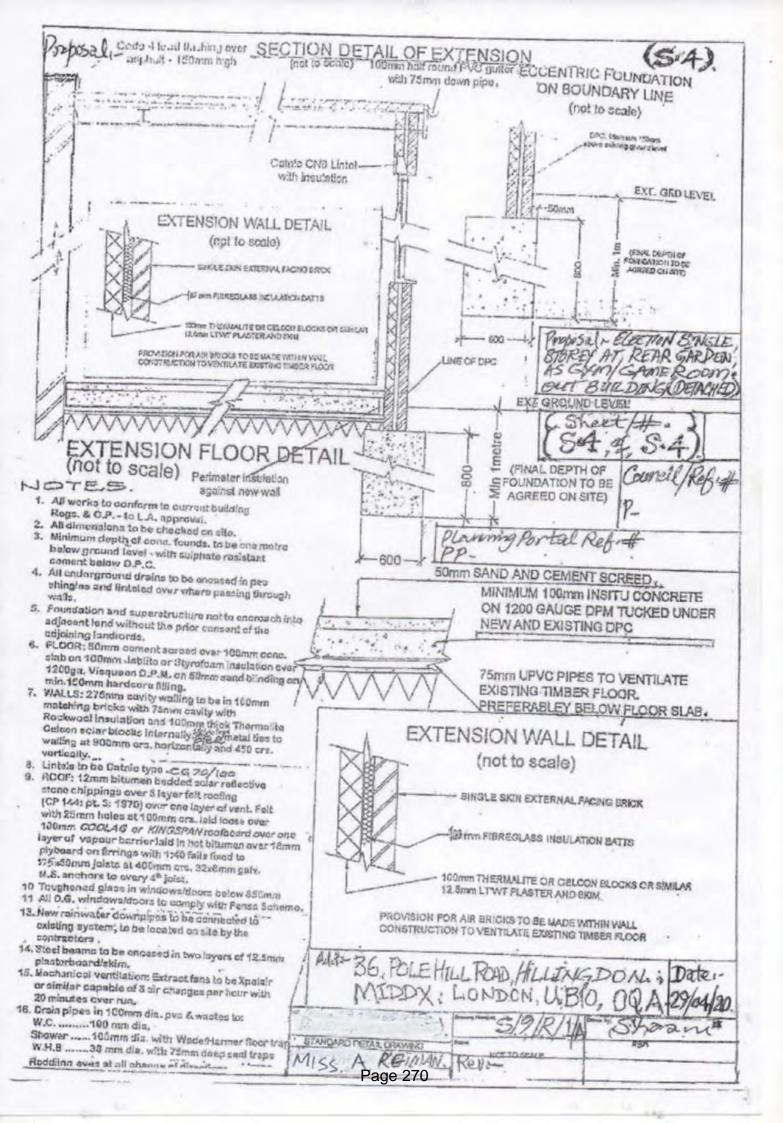
car Pauli 40 Ray Exection of 5 ingle Storey at Rear Garden GAME Room (Detached) Ocot Building a Proposals H. M. LAND REGISTRY NATIONAL GRID PLAN TO C882 SECTION GREATER LONDON Scale 1; 211 Addi 36 lot Roda middle + LONDON EDERTRON IN HELENA UK. Ň Burnery-Miss A. Rehman. Councel Refy = 当 Rear Garden Ellectrial 0 16 C Reb CULDA! the Pata I LERA (New) Extension 2 23.03 840 Mr Manay Cade (4)27049 435 79 710/14/051214 snot (36) 神智中市 TLED PLAN Old Balansen HODELEDEN HER & E Excusing DiordPlan (1,200) 0 0en Leppeiple 1976 AGL 72576 TITLE No. Dis is a unity of the folle planess (2.107, 2009 at 2003). A TP is only dont not take account of an only indice made after the Unit even of pending m the Lond Register, when Kins kepy was issued. Dife 465 is port on "Otherad Wegel of the tota plan. As elibrical copy of the sofa plan mode tentile in evening a court to the same article as Revi to maginal. A paraon in entitled to be indominified low the registrer if he suffers long by reaction of a monthly in an official copy. If you want to fetals an official copy, the Land Registry web cite explains how to do this for Land Reports and any time to concrete to global an and state seconds of this plan ranges (165 plan word accurate of any weathed and DRUN BY, ingends in their practice is an exampleise and its part settings. This blie play shows the general point and its each the breadware its Rhaden as be subset and memory a serie. Measurement works is in the plan and art match then concern between the same ports, or the .cm. See Land Regency Fulses Guide 7 - This Place Rest Verschult und be Land Nepidre Sourceau Odice Gather Cogning in Produced by Lond Dog may Further reproduction or of there in partice, excherging the production permission of Mandmance Sunty Liconce Marcher 100(263)6. Amileton: -Plaining PP+ HOUSEHOLDER PLANNING APPLICATION. Page 267

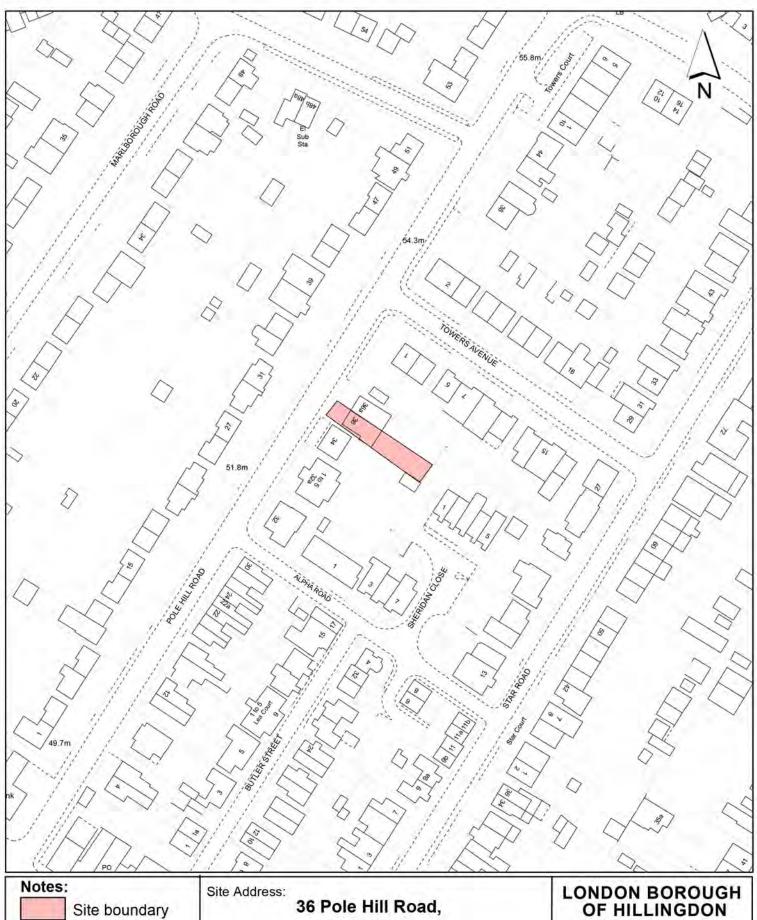


PROPOSED GROUND FLOOR PLAN 1:100

PROPOSED DWELLING:	PLANNING PORTAL REF:				
SINGLE STOREY DETACHED OUTBUILDING.EXTERNAL SIZE: $7.20 \text{ m} \times 5.00 \text{ m} = 36.00 \text{ m}^2$ INTERNAL SIZE: $6.60 \text{ m} \times 4.40 \text{ m} = 29.04 \text{ m}^2$	DRAWN BY:				
36 POLE HILL ROAD HILLINGDON MIDDLESEX	COUNCIL REF:				
UB10 0QA OWNER - MISS A REHMAN.	DATE: 19/06/2020				
ale 1:100 (@ A4)					







Site boundary For identification purposes only. This copy has been made by or with the authority of the Head of Committee	36 Pole Hill Ros Uxbridge UB10 0QA	OF HILLINGDON Residents Services Planning Section Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 01895 250111	
Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant	Planning Application Ref: 56575/APP/2020/1700	Scale: 1:1,250	sta
Unless the Act provides a relevant exception to copyright. © Crown copyright and database rights 2020 Ordnance Survey 100019283	Planning Committee: Central & SoRatge 271	Date: Sept 2020	HILLINGDON

Address 64 REGENT AVENUE HILLINGDON

**Development:** Conversion of two storey dwelling with habitable roofspace into 2 x 1 bed flats with associated parking and amenity space

LBH Ref Nos: 58575/APP/2018/3682

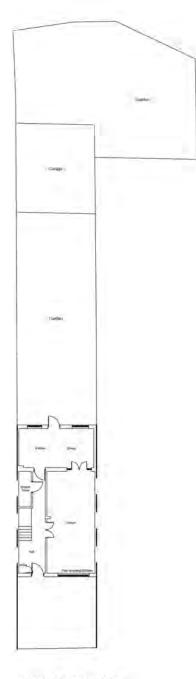
Date Plans Received:	16/10/2018	Date(s) of Amendment(s):	22/10/2018
Date Application Valid:	24/10/2018		16/10/2018 02/10/2019 23/04/2019

912949 SCALE 1 200

#### REV/NOTES:

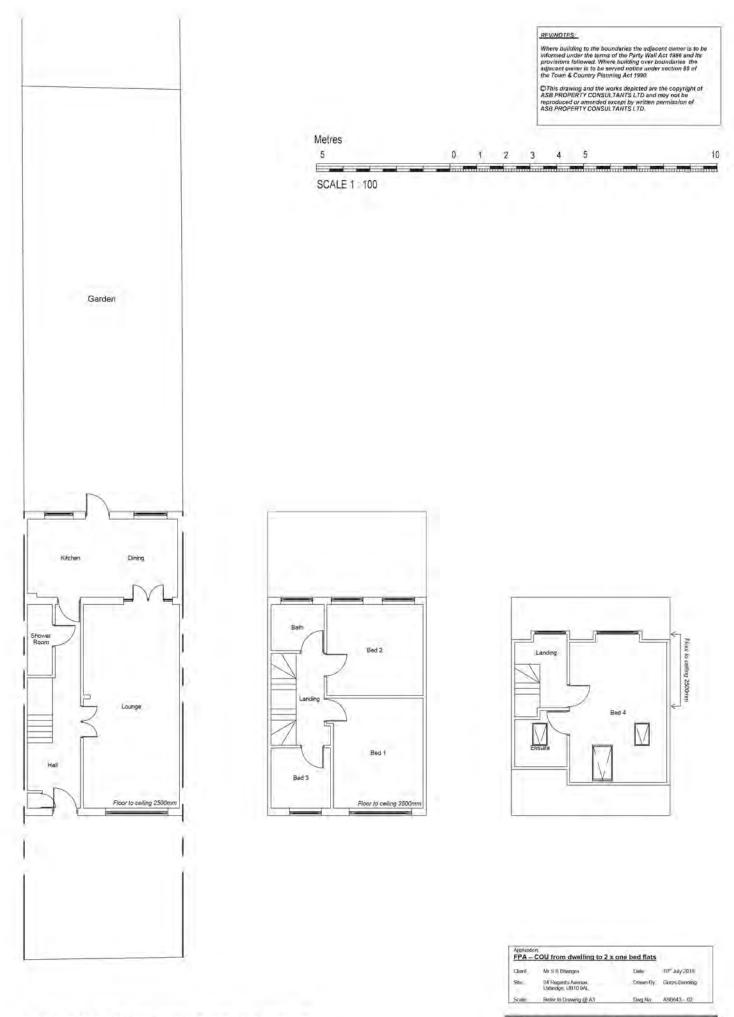
Where building to the boundaries the adjacent owner is to be informed under the terms of the Party Wall Act 1996 and its provisions followed. Where building over boundaries the adjacent owner is to be served notice under section 65 of the Town & Country Planning Act 1990.

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EXISTING SITE LAYOUT Scale 1:200

Client:	Mr S S Bhangra	Dato	18" July 2016
Site:	64 Reports Avonue, Ukbridge, UB10 RAL	Drawn By:	Gurps Benning
Scala	Relet to Drawing @ A3	Dwg No	AS8643-01
	B PROPERTY CO	ONSULTA	NTS LTD
AS	B PROPERTY CO	ONSULTA	NTS LTD



# EXISTING SITE / FF & SF LAYOUT Scale 1:100

Exchange House 494 Midsummer Boulevard Central Million Keynes Tei : 0121 502 3339 / 07854 351 934 MK9 2EA Email: asb@gtdes/gr2fd.com Copyraphr & 2018 ASB PROPERTY CONSULTANTS-LTD (All righty reserved)

ASB PROPERTY CONSULTANTS LTD Planning consultants and Surveyors



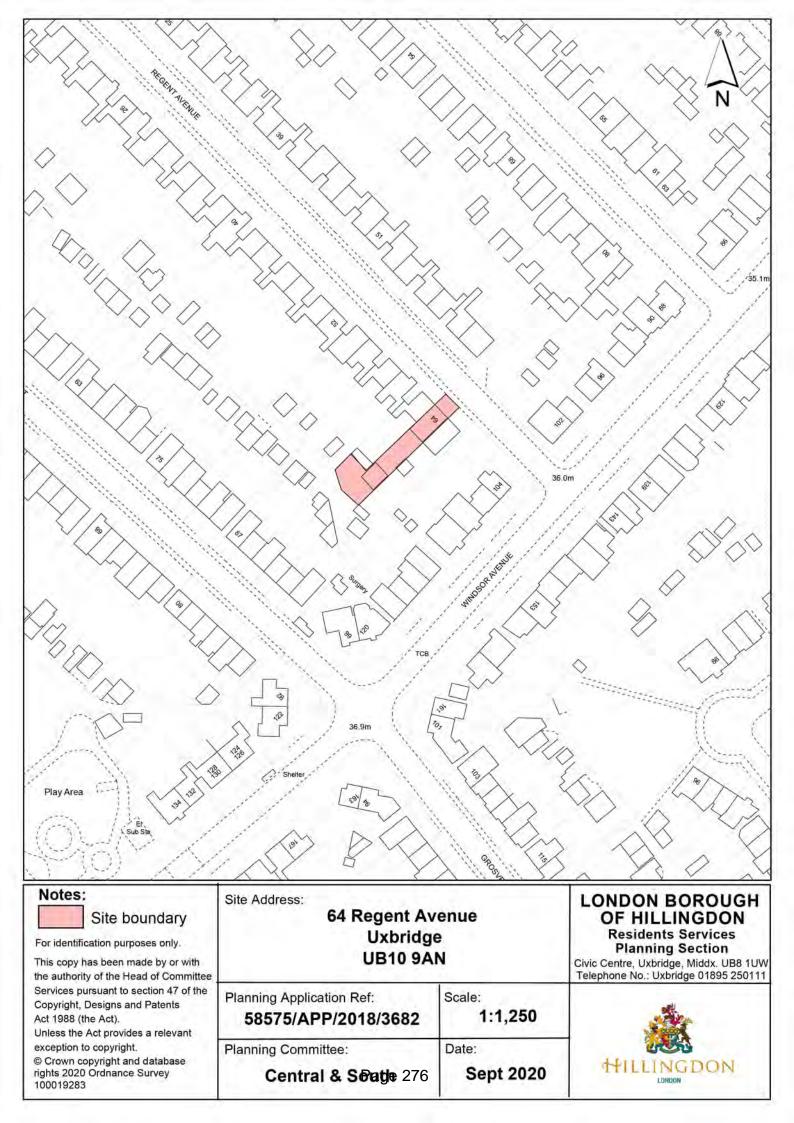
					Informed u provisions edjacent o the Town & O This dram ASB PROF reproduce ASB PROF REV & 01 04 11	nder the term followed. Wi wher is to be Country Pla wing and the PERTY CONS d or amended	sundarins the solucent owner is to be is of the Party Wall Act 1989 and its iteme building over boundaries the served notice under section 65 of nning Act 1990. works depicted are the copyright of UTANTS LTD and may not be except by written permission of ULTANTS LTD.	
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livent	Mr S S Bhangra	Dete	18° .any 2018
ROA:	64 Regents Avenue, Ukbridge, UB18 9AL	Drawn By	Gups Benning
scale	Relet to Drawing @ A3	Dwg No.	A58643-044
AS	B PROPERTY CO	ONSULTA	NTS LT
Exchang	B PROPERTY CC Planning consultar pe House 494 mer Boulevard Mitton Keymes Tel : 0121 502	DNSULTA	NTS LTE

PROPOSED SITE / FF & SF LAYOUT Scale 1:100



Address LAND AT PUMP LANE HAYES

**Development:** Proposed 20m Phase 8 Monopole C/W wraparound Cabinet at base, 3 cabinets and associated ancillary works (Application under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for siting and appearance)

LBH Ref Nos: 75730/APP/2020/2219

Date Plans Received:	16/07/2020	Date(s) of Amendment(s):	21/07/2020
Date Application Valid:	16/07/2020		05/08/2020 19/08/2020

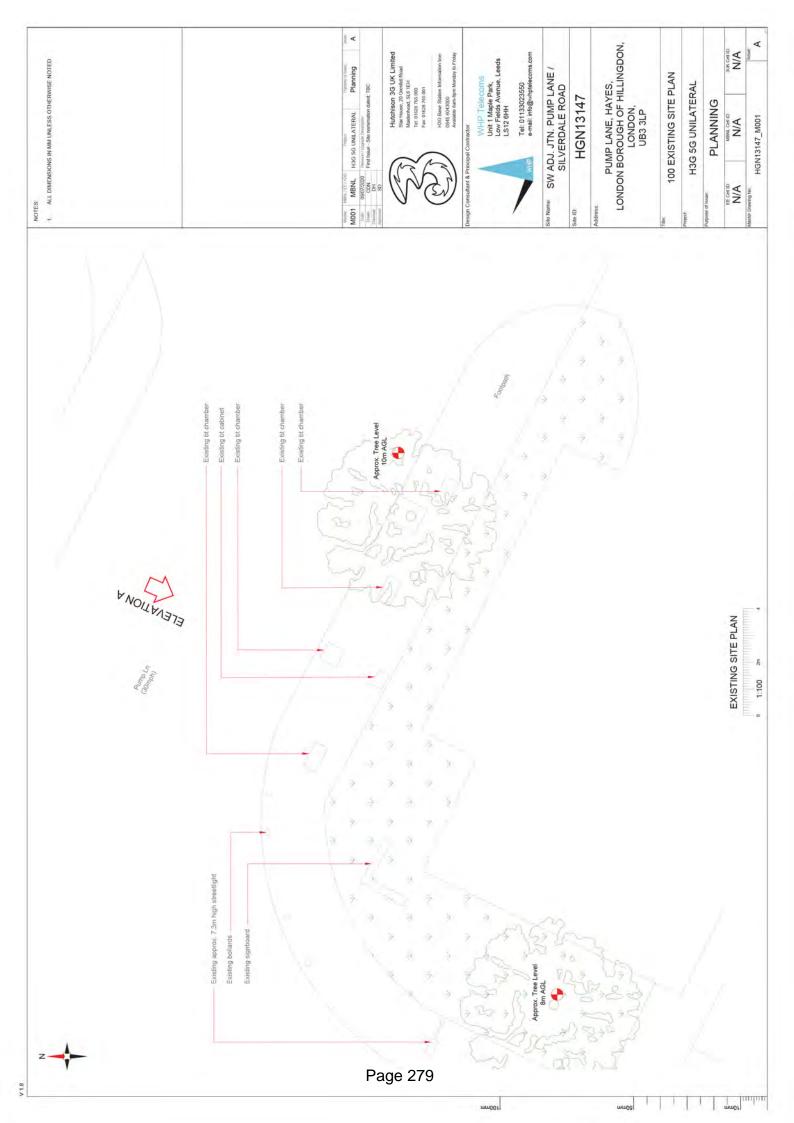


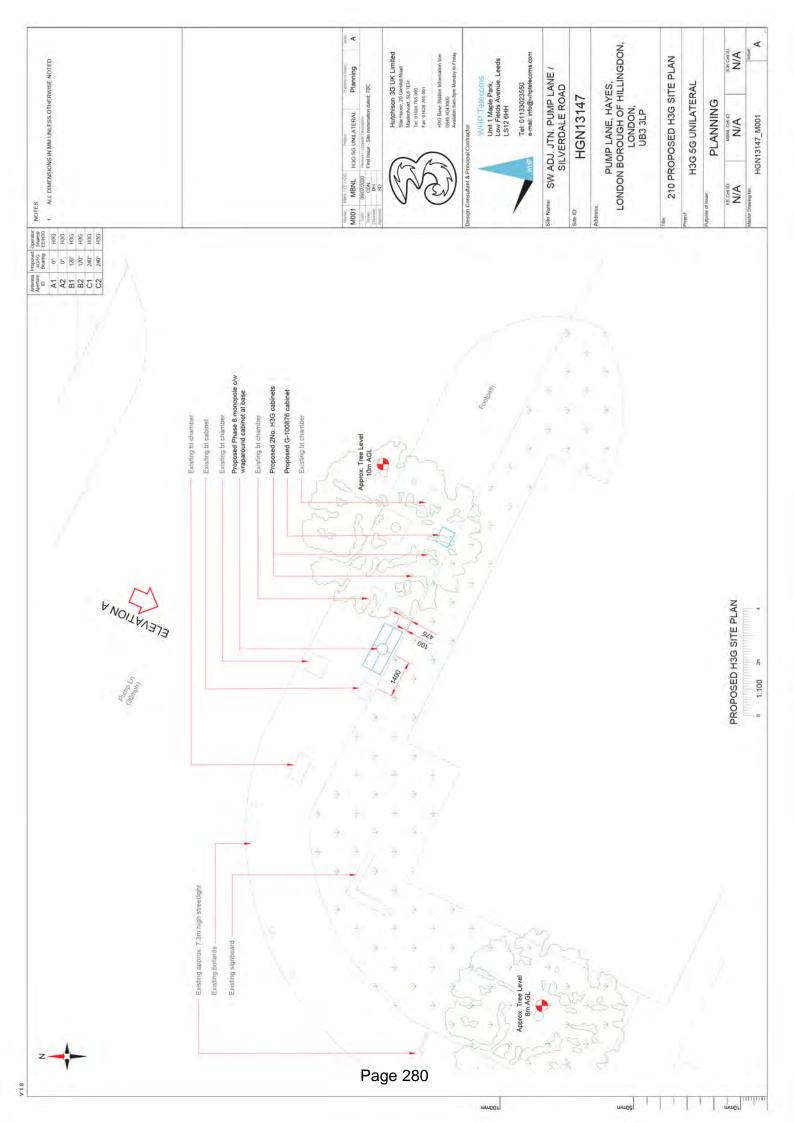
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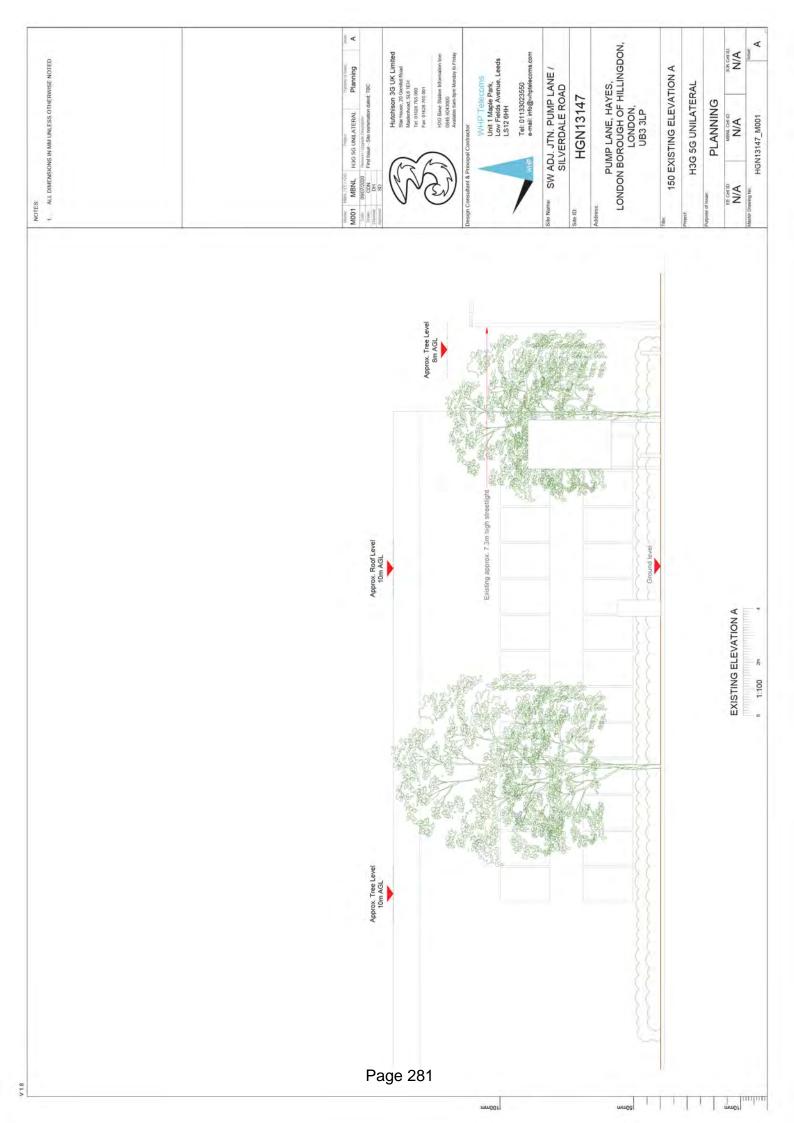
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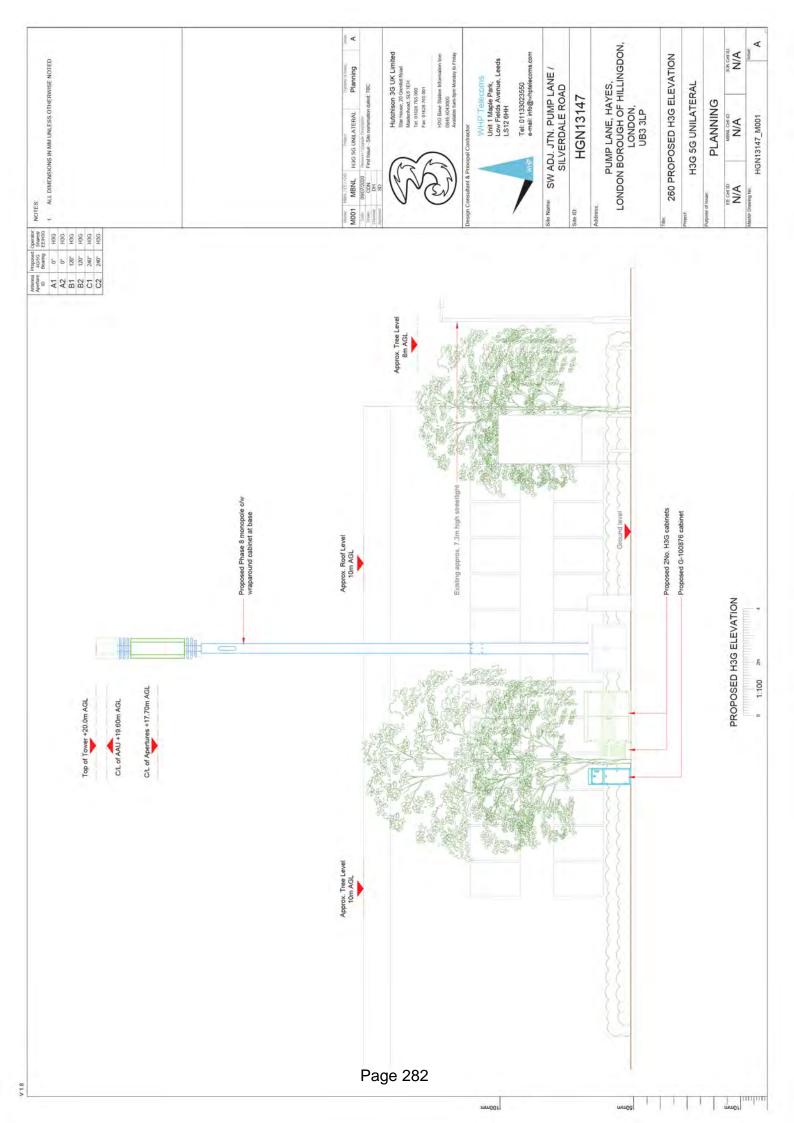
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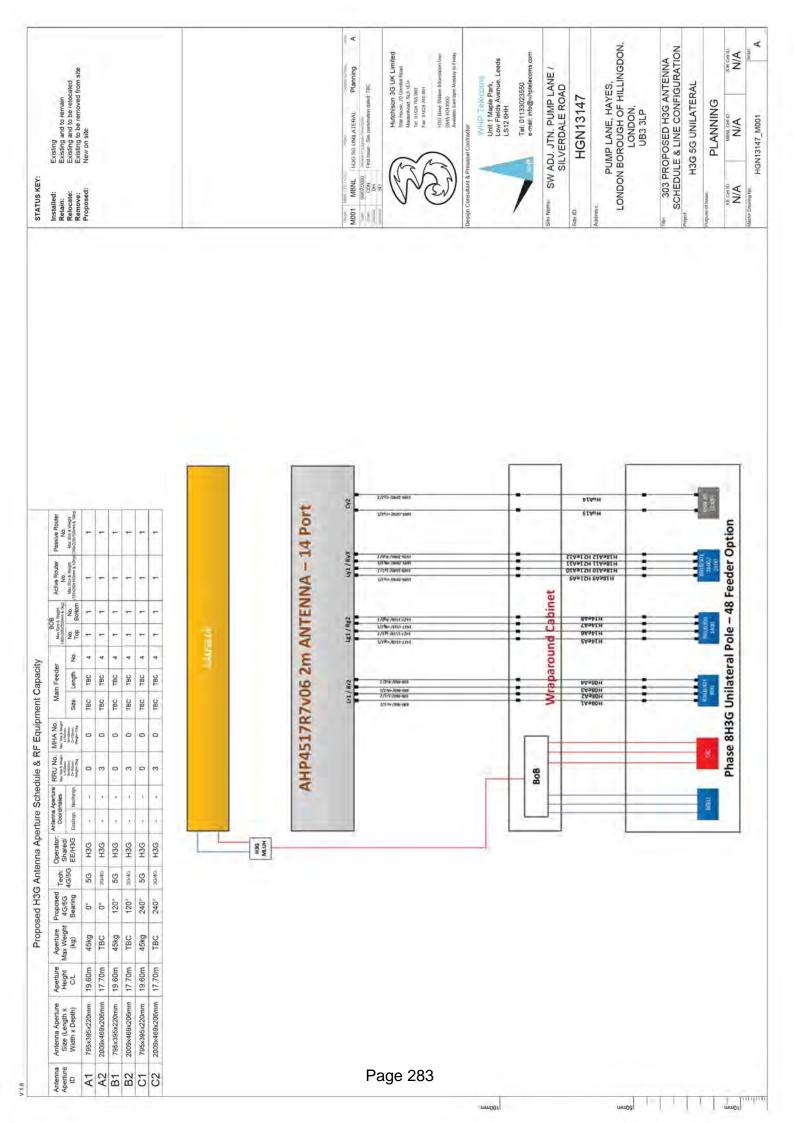
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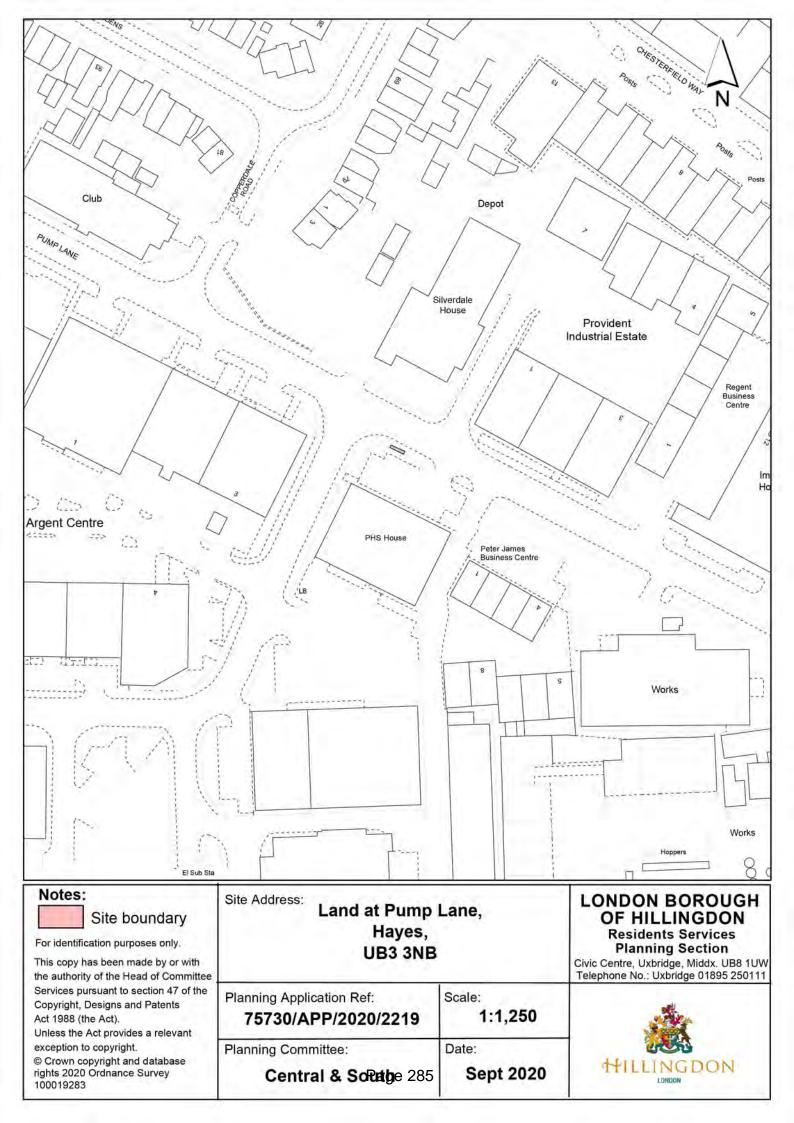








STATUS KEY:	Installed: Existing Retain: Existing and to remain Reliocate: Existing and to be relocated Removo: Existing on to be renovated	È	Outdoor: Located outside Indoor: Located within an equipment cabin or equipment room Internal: located natide a cabinet or item of equipment						MOOT MIRNL HHIGSR UNLATERAL Planning A automatic second and the second	Hutchisson 3G UK Limited Star faces. 30 Gamel Read Asserved. 3A 141. To most rectan 3A 142. To most rectan 3A 142. To most rectan	Design Consultant & Primarien Exercision Availant & Primarien Exercision WVHP TOROCOMMENT UNIT Marte Park,	Levi Fields Avenue, Leeds Lov Fields Avenue, Leeds Tel: 0113023500 e-mail: mid@whpelecoms.com	Sho Name SVV ADJ. JTN. PUMP LANE / SILVERDALE ROAD	Sterito HGN13147	Addinss. PUMP LANE, HAYES, LONDON BOROUGH OF HILLINGDON, LONDON, UB3 3LP	305 EQUIPMENT SCHEDULE & SUPPORT STRUCTURE DETAILS	PANAGE H3G 5G UNILATERAL	Pupper of tauke FE cients PLANNING FE cients Marcon to N/A N/A N/A	
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					Power	X													
chedule	MBNI: Bet	•		edule	Location	Outdoor	Outdoor	Outdoor											
ucture S	Support Bolt Details	÷		Equipment Schedule			+												
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Su		Root			Colour (RAL Colour)	Grey	Grey	Grey											
	Headframe Details	•			Weight (kg)			• •											
	Colour (RAL Colour)	Galvanised			Dimensions (W x D x H)	1900x600x1752	640x480x1200	1800x750x1600											
	Height AGL (m)	20.0m G				190	64	180											
					Equipment Manufacturer	3	4	¢											
	Structure Manufacturer				Equipment Description / Type	H3g - Bowler	H3g - APM5930	G-1008/B											
	Equipment Description / Type	Phase 8																	
	Best				Quantity Status	1		1 Proposed											
	Status	Proposed					E												



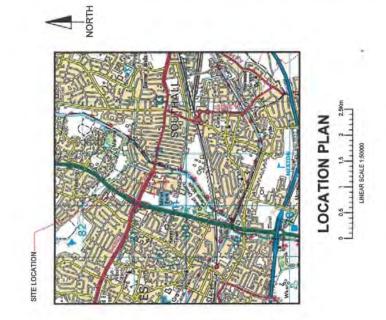
Address SCOTTISH SOUTHERN ENERGY DEPOT SPRINGFIELD ROAD HAYES

**Development:** Removal of existing 22m tower and the erection of a replacement 30m lattice tower with a total of 18 antenna, installed on headframes at a mean height of between 20.95m and 29.2m AGL, 4 dishes, 6 equipment cabinets, along with ancillary equipment, together with development ancillary thereto at the telecommunications facility

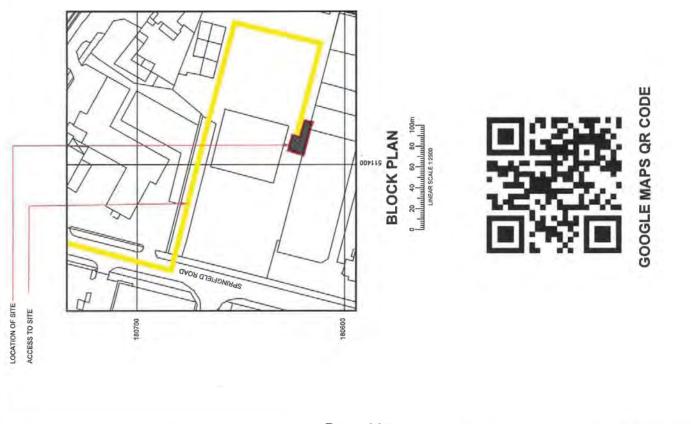
### **LBH Ref Nos:** 6084/APP/2020/920

Date Plans Received:	16/03/2020	Date(s) of Amendment(s):	17/03/2020
Date Application Valid:	17/03/2020		

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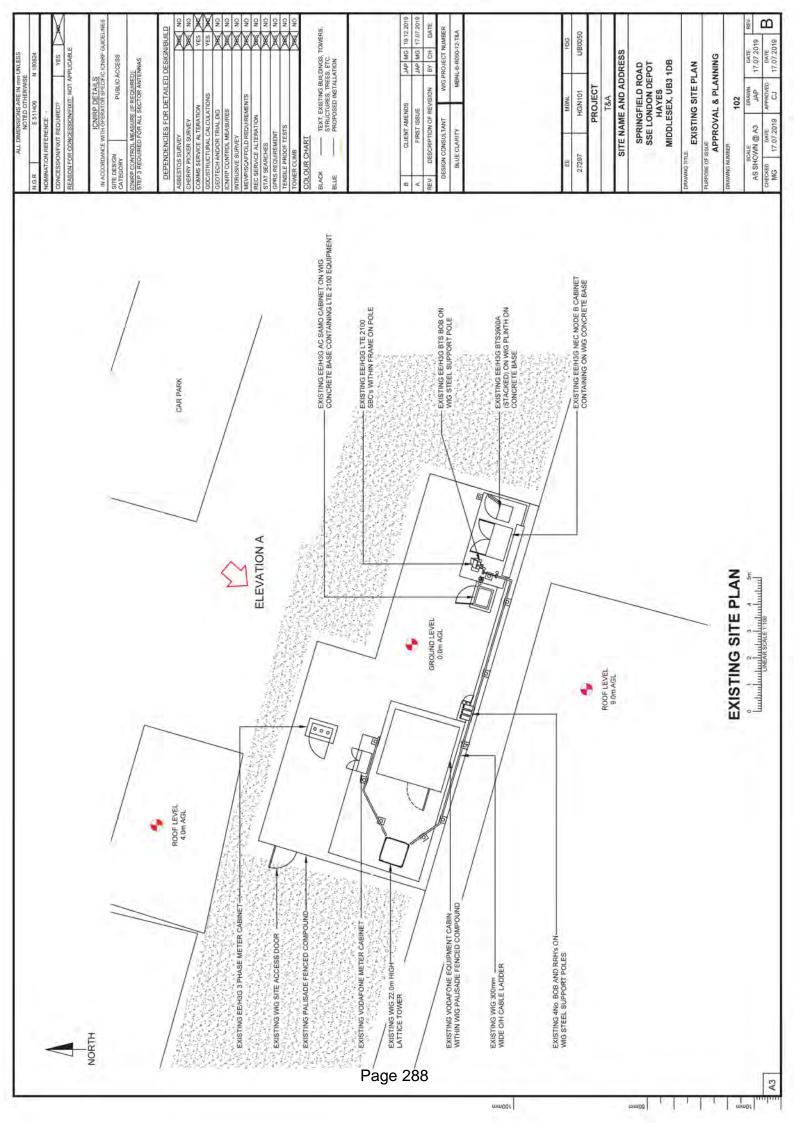


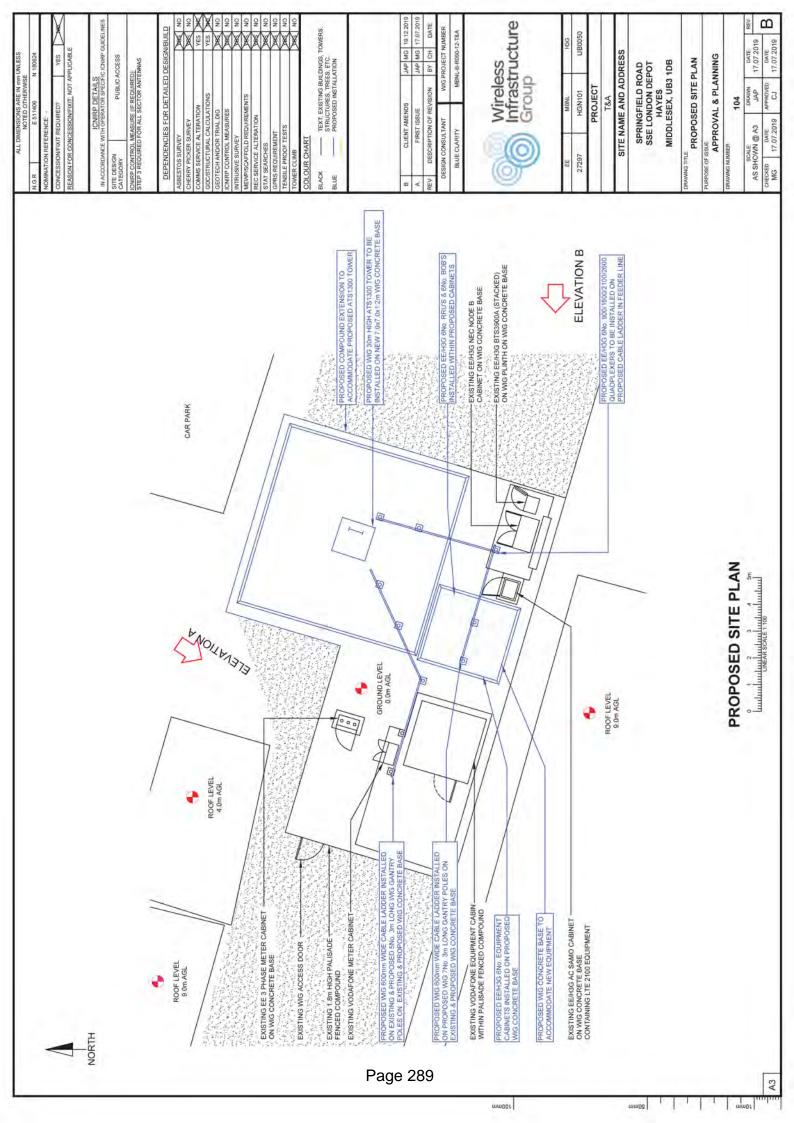
Page 287

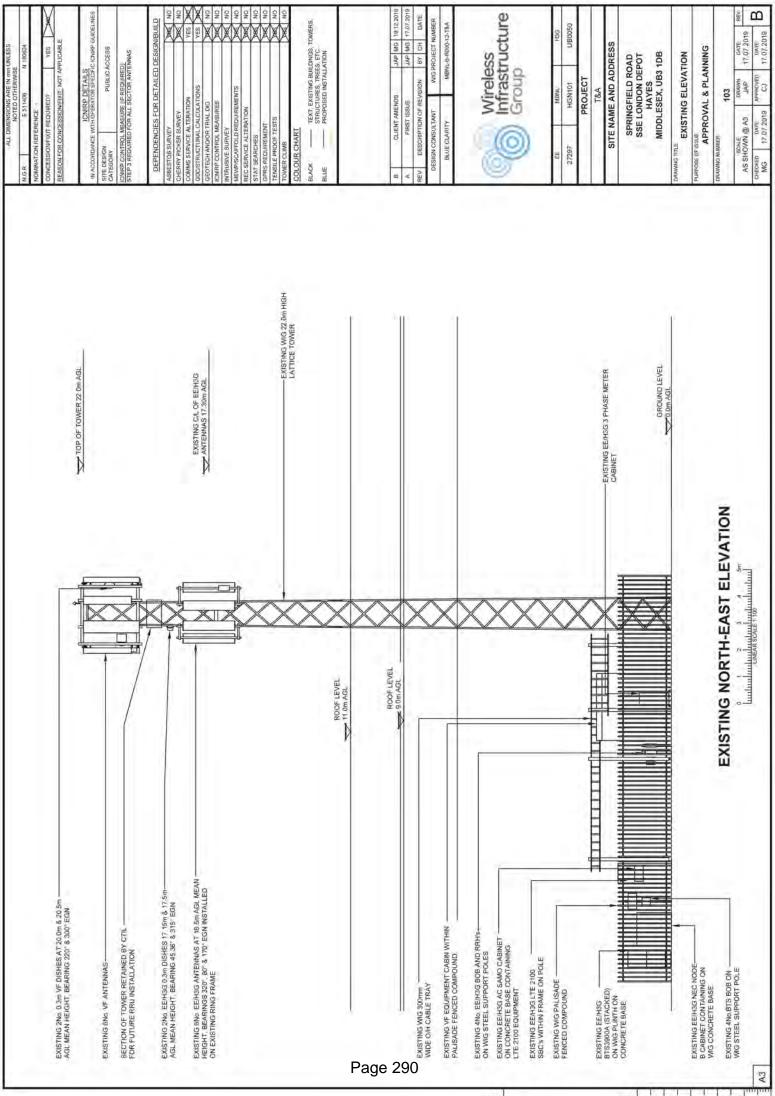
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PHOTOGRAPH OF EXISTING SITE







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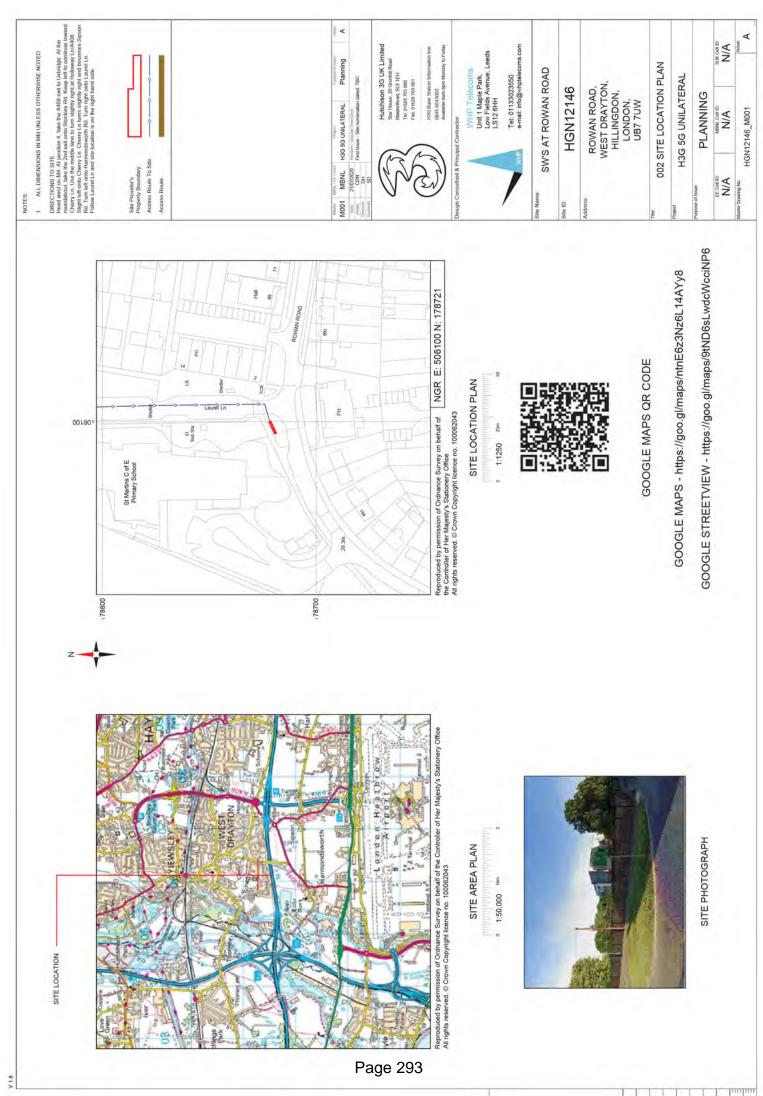
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Notes:	Site Address:		LONDON BOROUGH
For identification purposes only.	Scottish Southern Ene		OF HILLINGDON Residents Services
This copy has been made by or with the authority of the Head of Committee	Springfield Ro		Planning Section Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 01895 250111
Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant	Planning Application Ref: 6084/APP/2020/920	Scale: 1:1,250	
<ul> <li>exception to copyright.</li> <li>© Crown copyright and database rights 2020 Ordnance Survey 100019283</li> </ul>	Planning Committee: Central & ScRabe 291	Date: Sept 2020	HILLINGDON

Address LAND ADJ TO THE CAT AND FIDDLE PH 162 ROWAN ROAD WEST DRAYTON

- **Development:** Proposed 18m Phase 8 Monopole C/W wrapround cabinet at base, 3 cabinets and associated ancillary works (Application under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for siting and appearance).
- **LBH Ref Nos:** 75761/APP/2020/2362

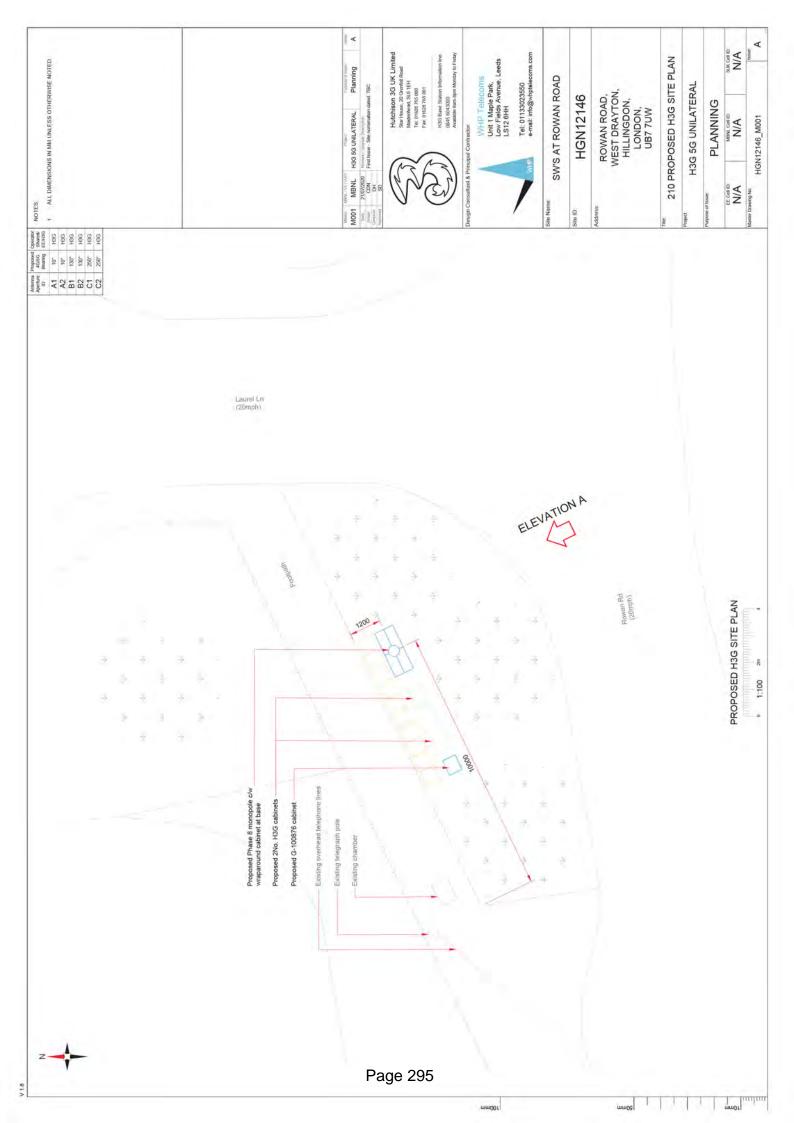
Date Plans Received:	29/07/2020	Date(s) of Amendment(s):
Date Application Valid:	29/07/2020	

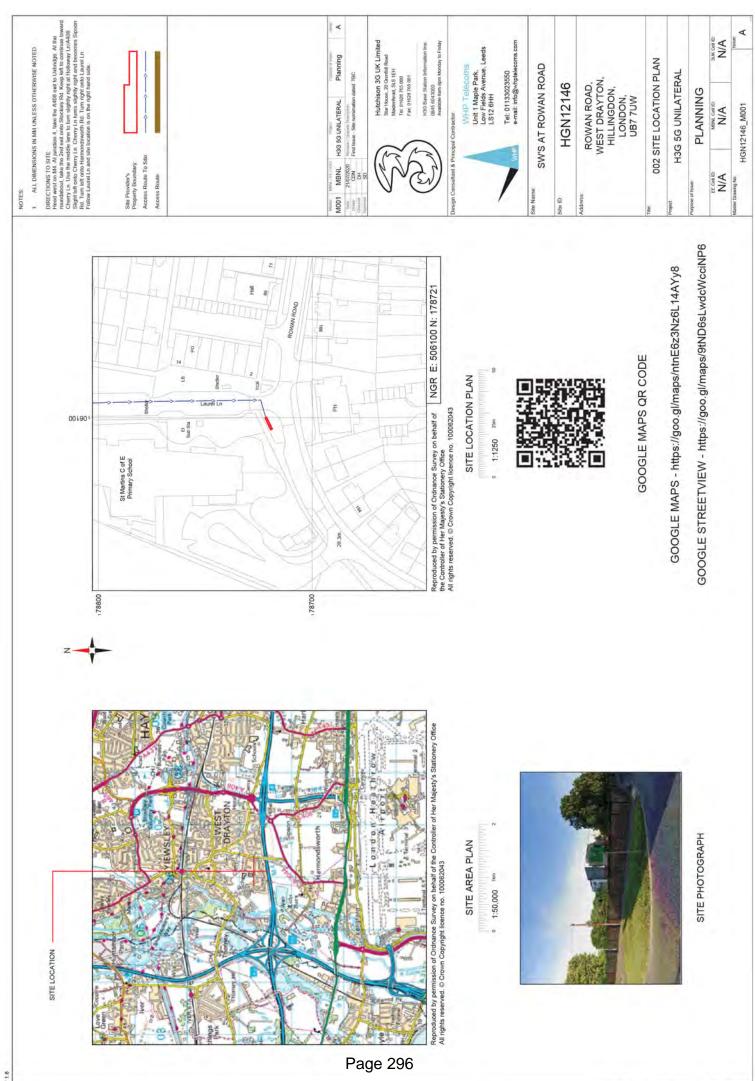


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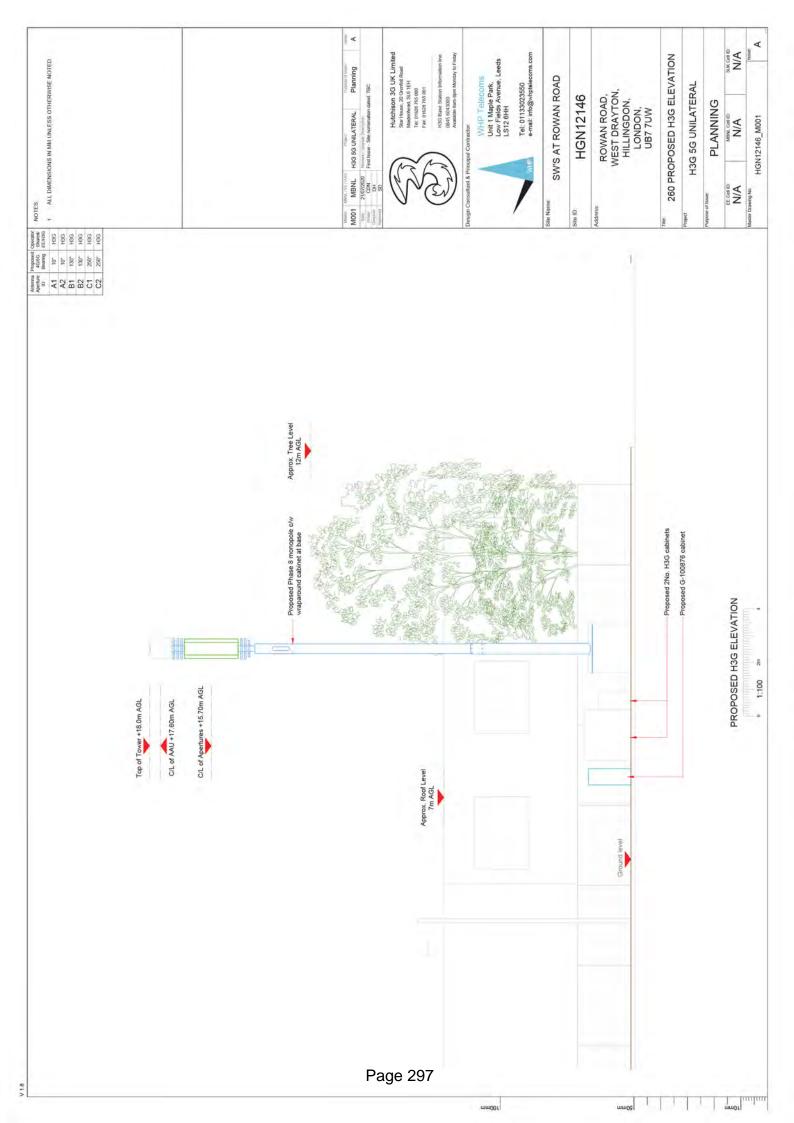


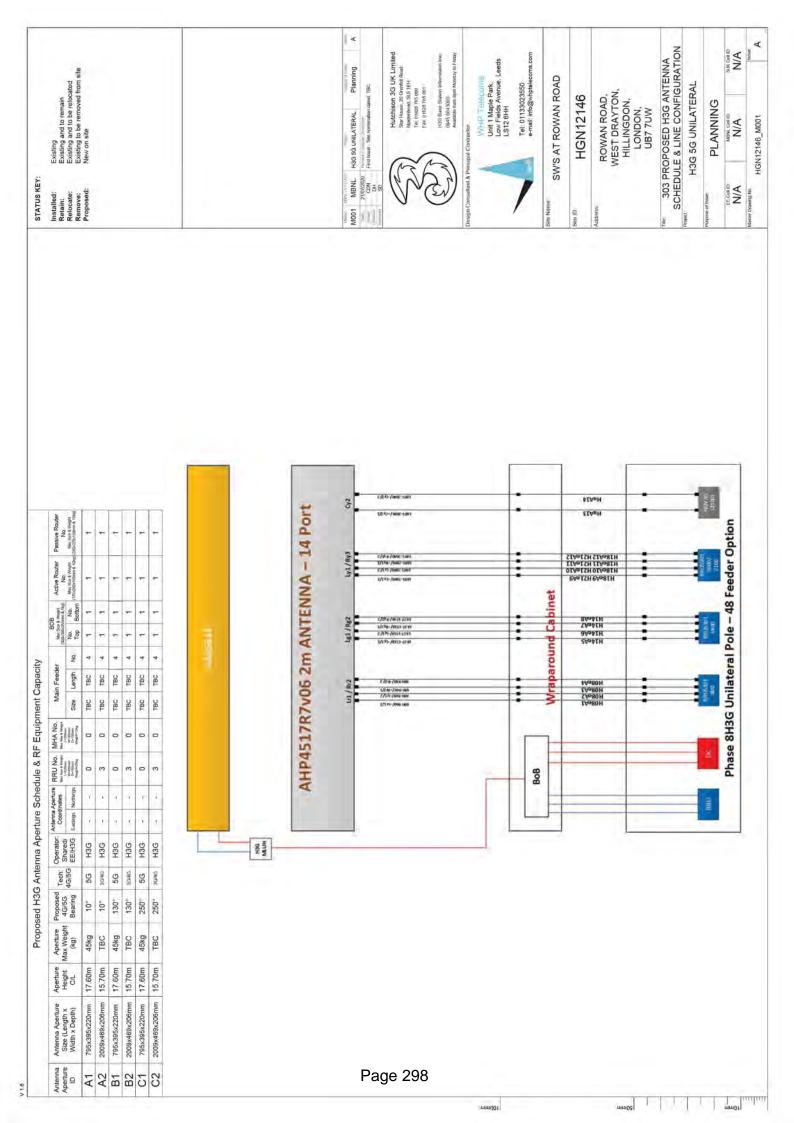


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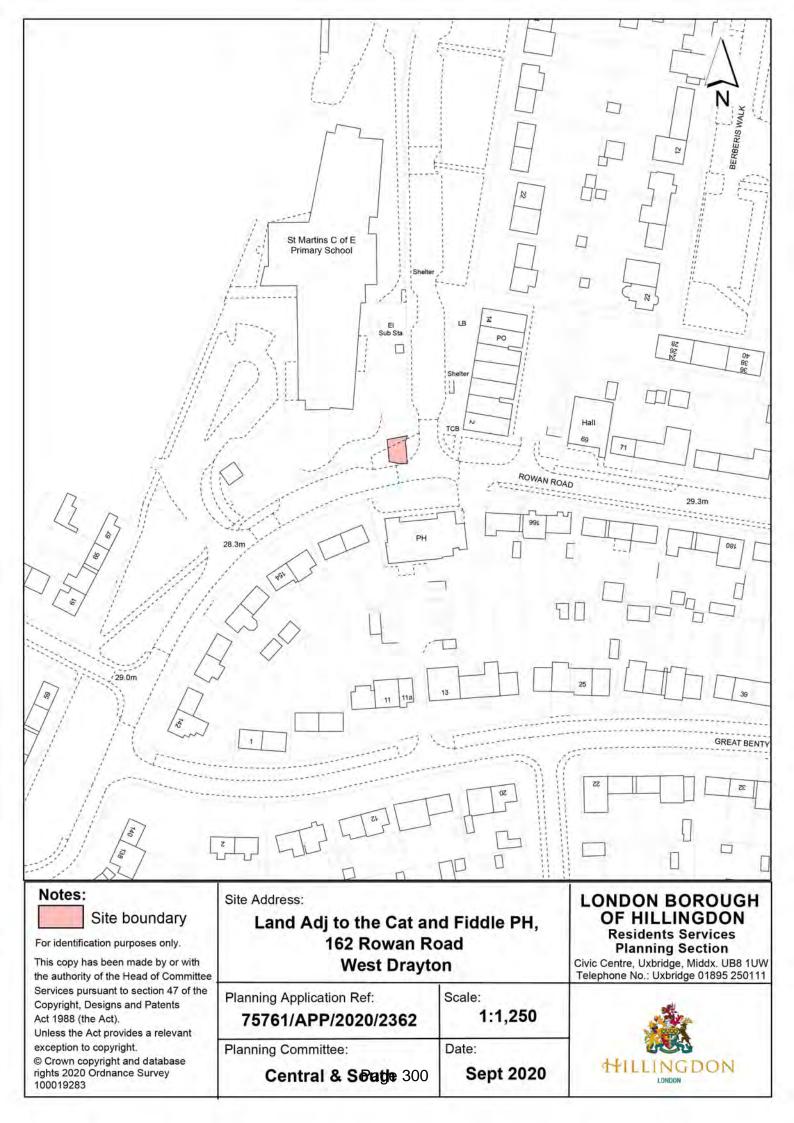
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:Xa)	Installed: Existing and to remain Retain: Existing and to remain Retocate: Existing and to be gooded Remove: Existing to her enowed from site	Ě	Dutidoor: Located outside Dutidoor: Located within an equipment cabin or Indoor: equipment room Internal: located inside a cabinet or liem of equipment						MO01 MBNL H3G 5G UNILATERAL Planning 2011 Pattern Serformedion dated 195 2011 Pattern Serformedion dated 195	Hutchison SG UK Limited Reviews. So Content Red Reverses. So Fort Reverses. So Fort R	NOS Baaci Statem Marcan Van NoS Baaci Statem April Montany In Frank	Design Consultant & Primagal Contractor WHAP Telecomis Unit 1 Mage Park Low Fields Avenue, Leeds Lay Fields Avenue, Leeds	Tel: 01133023650 e-mail: info@whptelecoms.com	Sile Name SW'S AT ROWAN ROAD	<sup>SI0 ID</sup> HGN12146	Address REST DRAYTON, HILLINGDON, LONDON, UB7 7UW	TINE 305 EQUIPMENT SCHEDULE & SUPPORT STRUCTURE DETAILS H3G 5G UNILATERAL		IELGARD ABRUCGARD ARKCHARD N/A N/A N/A N/A	Mantael Drawing No.
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lle	MBNL Ref.				Power			a 1												
Support Structure Schedule				schedule	Location	Outdoor	Outdoor	Outdoor												
rt Structul	upport Support tost Bolt stalls Details	ation -		Equipment Schedule	Material	Steel	Steel	Steel												
oddns	Foundation / Support Grillage / Host Structure Details	Root Foundation		Eq	Colour (RAL Colour)	Grey	Grey	Grey												
	Headframe Details				Weight (kg)		,													
	Colour (RAL Colour)	Galvanised			Dimensions (W x D x H)	1900x600x1752	640x480x1200	600x520x1585 1800x750x1600												
	Height AGL (RJ	18.0m Ge				190	640	180												
	Structure H Manufacturer	,			Equipment Manufacturer	Ì	*	0 1												
	-				Equipment Description / Type	H3g - Bowler	H3g - APM5930	G-100876 Diplexer Cabinet												
	Equipment Description / Type	Phase 8			Status Des	-		Proposed Dig												
	Status	Proposed			Quantity	+	-													
	Structure ID.	STI			Equipment	CAB1	CAB2	CAB3 CAB4	Pa	age 299								1 1		m



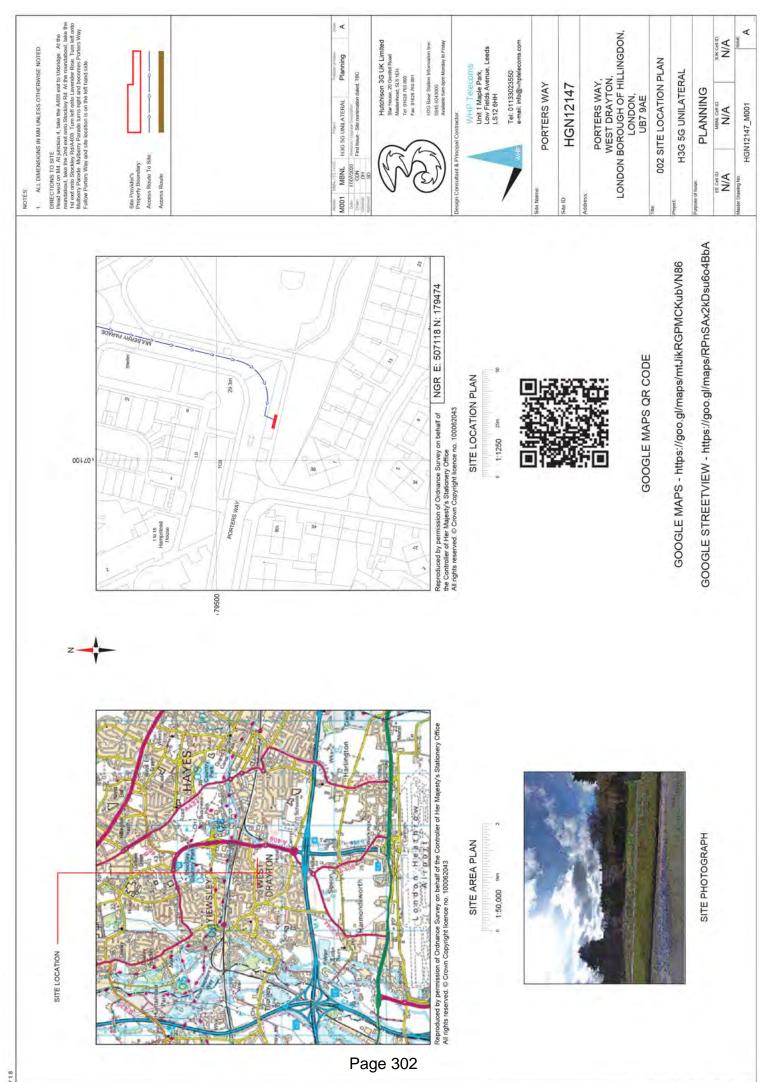
## Report of the Head of Planning, Transportation and Regeneration

Address LAND REAR OF ALMOND AVENUE PORTERS WAY WEST DRAYTON

- **Development:** Installation of 18m monopole C/W wrapround cabinet at base, 3 cabinets and associated ancillary works (Application under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for siting and appearance).
- **LBH Ref Nos:** 75751/APP/2020/2304

Date Plans Received:24/07/2020Date Application Valid:24/07/2020

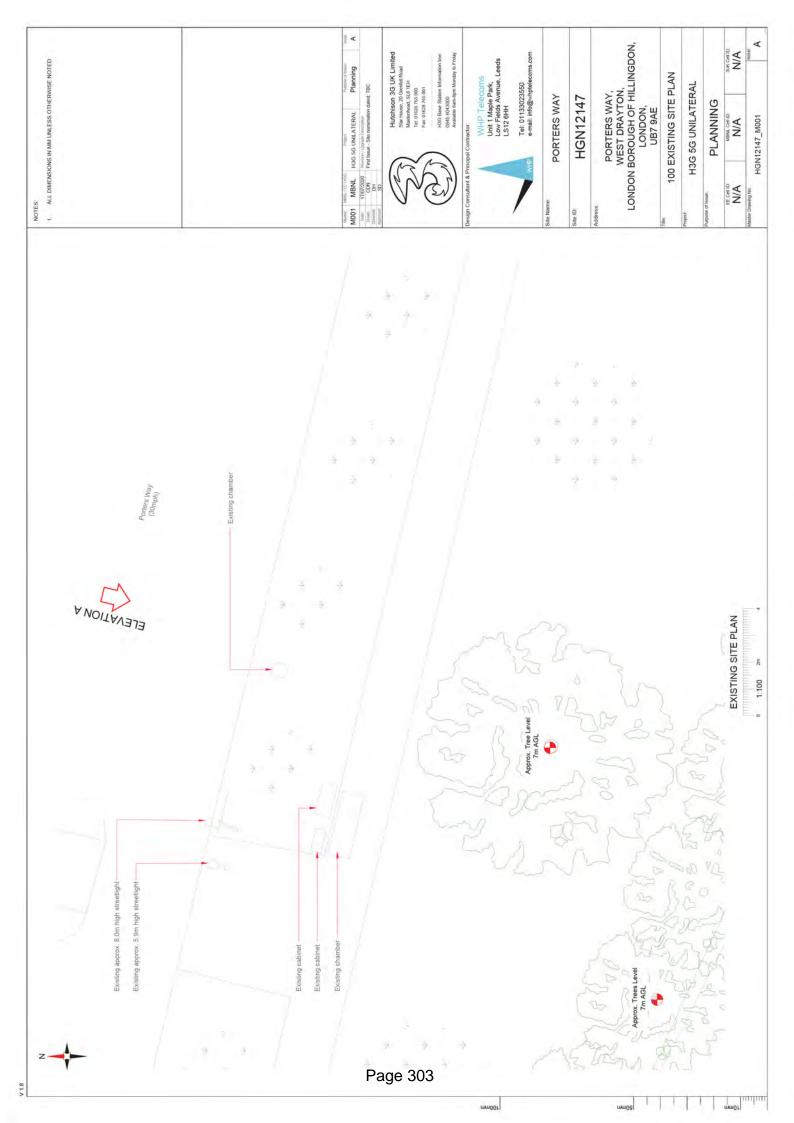
Date(s) of Amendment(s):

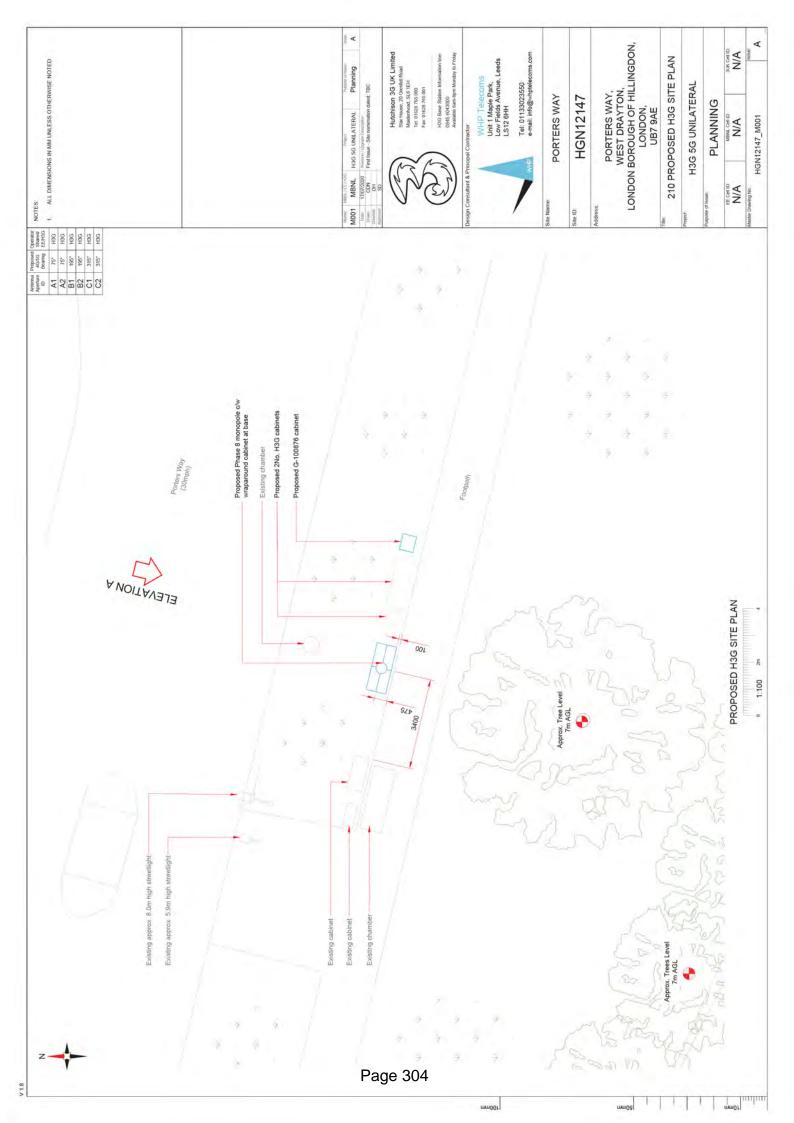


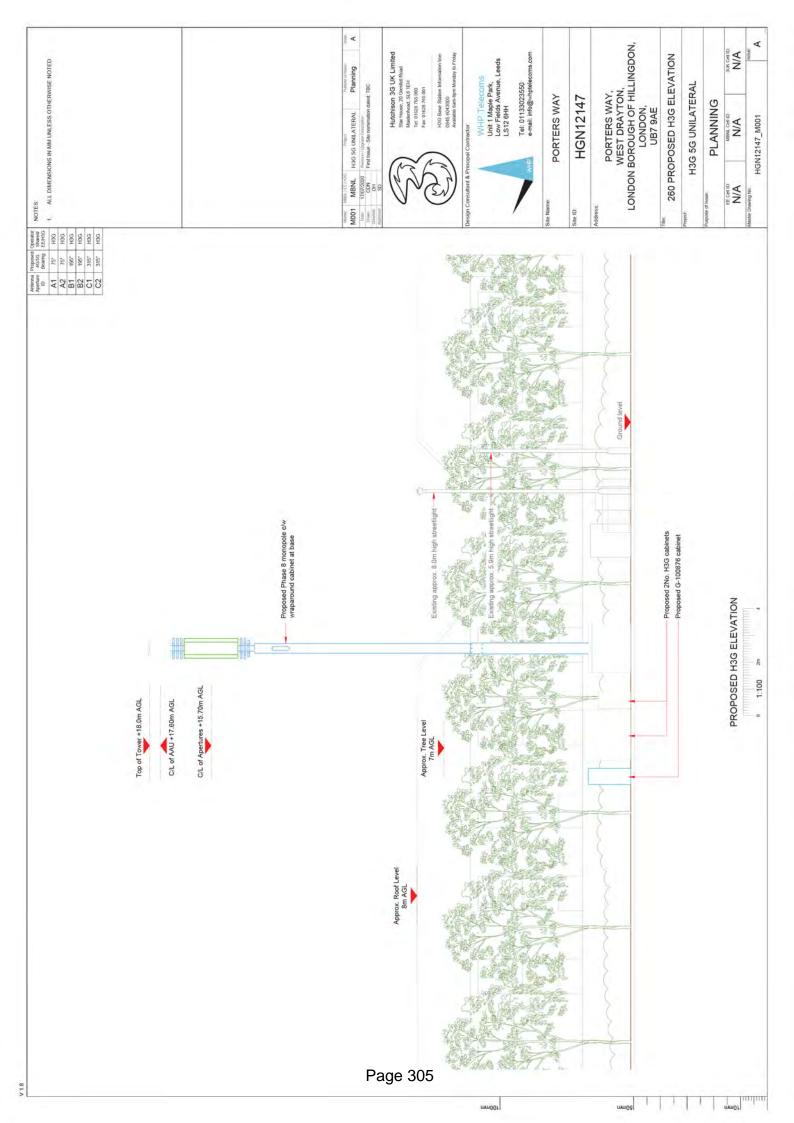
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CEY:	Installed: Existing and to remain Retain: Existing and to remain Rehocated Remove: Existing to be rehocated		LOCATION KEY: Duridoor: Located outside Indoor: Located outside control with an equipment com internal: located inside a cabinet or item of equipment						MOOT MISNL H:16 SG UNILATERAL Planning A <i>UTILIZED</i> Felt toxo: Se trunnaren dan TBC	Hutchison 3G UK Limited Services, 3G Connelland Accorded Statistics to most robust is uncar robust	105 Gase Salaor Information In- Basis 604000 Analiae Banager Manager I Analy Trainin Crosson A. Connector Connector	WHIP Telecone UNIT 1989 Park. Low Fleids Avenue. Leeds LS12 BHH	email, inte@whplelecoms.com Site Meneu	Sterlb HCN12147	Address PORTERS WAY, WEST DRAYTON, UENDON BOROUGH OF HILLINGDON, UBT 9AE	The 305 EQUIPMENT SCHEDULE & SUPPORT STRUCTURE DETAILS	H3G 5G UNILATERAL	EE CONTRA MARK, CANTRA TANK, CONTRA TANK, CO	HCN12147 MODT
	Comments				Comments														
					MBNL Ref:	X	x												
					Power cable length (m)		-1	ы.,											
D	Ref.				Power	•	,												
auppoir an ucune acriedure	ort MBNL Ref. Is	,		chedule	Location	Outdoor	Outdoor	Outdoor											
	Support Support Bolt etails Details	lation -		Equipment Schedule	Material	Steel	Steel	Steel											
oddno	Foundation / Support Grilage / Host Structure Details	Root Foundation		В	Colour (RAL Colour)	Grey	Grey	Grey											
	Headframe Details				Weight (kg)		-												
	Calour (RAL Calaur)	Galvanised			Dimensions (W x D x H)	1900x600x1752	640x480x1200	1800x750x1600											
	Height AGL (n)	18.0m C					1												
	Structure Manufacturer	.,			Equipment Manufacturer	2													
		8			Equipment Description / Type	H3g - Bawler	H3g - APM5930	Diplexer Cabinet											
	Equipment Description / Type	Phase 8			Status	Proposed	Proposed	Proposed											
	re Status	Proposed			ent Quantity	-	-		-										
	Structure	ST1			Equipment	CAB1	CAB2	CAB4	Ра	ge 306					UMUS		( )	ment	nuq

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