

## Report of the Head of Planning & Enforcement Services

**Address** LAND AT JUNCTION OF FIELD END ROAD HIGH ROAD EASTCOTE,  
PINNER

**Development:** Replacement of the existing O2, 17.5m high streetworks pole with a 17.5m high streetworks pole, complete with three dual user antennas within a shroud, an associated radio equipment cabinet and development ancillary.

**LBH Ref Nos:** 59310/APP/2010/2005

**Drawing Nos:** 100 Rev. A  
200 Rev. C  
300 Rev. A  
301 Rev. C  
400 Rev. C  
Design and Access Statement  
500 Rev. B  
General background Information on Radio Network Development for Planning Applications  
Site Specific Supplementary Information  
Cornerstone: Supporting Technical Information for o2 and Vodafone

**Date Plans Received:** 26/08/2010                      **Date(s) of Amendment(s):**

**Date Application Valid:** 26/08/2010

### DEFERRED ON 11th January 2011 FOR FURTHER INFORMATION .

This application has been held in abeyance since 11 January 2011, when it was considered by the North Planning Committee. The application was recommended for approval, but deferred by the Committee, following representations from the Eastcote Resident's Association. A site meeting was held with the applicants, Council officers, a ward councillor and a representative of Eastcote Resident's Association, at which alternative locations, further away from the highway, for the replacement mast were explored. In addition, there has been various correspondence between Eastcote Resident's Association and the applicants, exploring the merits and/or demerits of the various alternative locations. The applicants have undertaken further substantial review of this cell and the surrounding areas and concluded that there are no better alternative locations within this area for the reasons detailed below:

- The proposed revised possible locations do not overcome the issues of tree height to the target coverage area blocking the signal and also the necessity to remove trees to install the foundation for such an installation.

- As a 25m structure would be required (due to the tree height), it is not possible for a monopole tower of this height to be installed. Therefore, a lattice tower structure would be required, which would need to be in a secure fenced compound, otherwise there would be a health and safety risk of people attempting to climb the tower.

- The assertion that the current cabinets sit on Hillingdon Council land and not publicly adopted highways is incorrect.

- The proposal as submitted is the most suitable and least detrimental to the vicinity.

- The current proposal for the upgrade of this existing base station site via the replacement of the existing mast with a slimmer structure than that existing of the same height, with the addition of a small cabinet is the best possible solution in order to provide improved O2, 2G and 3G coverage and capacity and additional Vodafone 3G network coverage and capacity to this area whilst minimizing (reducing ) the masts impact upon this sensitive area.

- As such this accords with PPG8: Telecommunications which explains that the Government's policy is to facilitate the growth of new and existing telecommunications systems whilst keeping the environmental impact to a minimum. PPG8 further emphasizes the need to keep numbers of radio and telecommunications masts to the minimum, consistent with the efficient operation of the network and encourages the sharing of masts where that represents the optimum environmental solution, it is also of note that this development fully accords with the Hillingdon UDP policies.

- This proposed development fully accords with National and Local Planning Policy, in particular those advised by the Council through both our pre-application and application period discussions and through the several surveys for superior alternative options within the search area

- The applicant has requested that this application now be determined as per the original submission.

It considered that the applicants have provided a robust argugument as to why the alternative locations for the replacement mast would not be feasible. The installation of a 25 metre lattice tower, with its associated compound would be visually more intrusive than the proposed monopole mast and would be more detrimental to the visual amenities of the Eastcote Village Conservation Area. As such is recommended that that application for the replacement molopole mast be approved with the following conditions:

## 1. **SUMMARY**

The proposed replacement 17.5m mast and cabinet installation is considered to be visually acceptable in this location which utilises an existing telecoms site. In addition officers have been unable to suggest any more appropriate alternative sites. It is considered that the proposal is consistent with advice in Policy BE37 of the Unitary Development Plan Saved Policies September 2007 and Planning Policy Guidance Note 8 and, as such, approval is recommended.

## 2. **RECOMMENDATION**

**APPROVAL subject to the following:**

### 1 T8 **Time Limit - full planning application 3 years**

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 OM1 **Development in accordance with Approved Plans**

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

#### REASON

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **3 TL2 Trees to be retained**

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority.

If any retained tree, hedge or shrub, including any off site, is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'. Remedial work should be carried out to BS 3998 (1989) 'Recommendations for Tree Work' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

#### REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and to comply with Section 197 of the Town and Country Planning Act 1990.

### **4 TL3 Protection of trees during site clearance and development**

Prior to the commencement of any site clearance or construction work, detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

1. There shall be no changes in ground levels;
2. No materials or plant shall be stored;
3. No buildings or temporary buildings shall be erected or stationed.
4. No materials or waste shall be burnt; and
5. No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

#### REASON

To ensure that trees and other vegetation to be retained are not damaged during construction work and to ensure that the development conforms with policy BE38 of the

Hillingdon Unitary Development Plan Saved Policies (September 2007).

**5 NONSC Non Standard Condition**

The street work pole and ancillary radio equipment cabinets shall be removed from the site if this use ceases and/or they become redundant as a consequence of technological development.

**REASON**

The apparatus does not contribute to the visual amenities of the area and should be removed if no longer required in accordance with Policy BE37 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**6 NONSC Non Standard Condition**

Before the commencement of any development, details of the exterior finishes of the column and equipment cabins hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

**REASON**

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**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 Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
BE37	Telecommunications developments - siting and design
BE4	New development within or on the fringes of conservation areas

**3. CONSIDERATIONS**

**3.1 Site and Locality**

The site comprises an existing 17.5m high monopole mobile phone mast and two ancillary equipment cabinets, located at the rear of the footway along High Road, Eastcote, on the western side of the roundabout junction with Field End Road. The existing cabinets measure 1.36m x 0.35m x 1.48m high and 1.4m x 0.79m x 1.3m high respectively. An electricity sub-station building and wooded amenity area are located to the west of the site, beyond which is a lawn tennis club. Eastcote House Gardens are located to the north east, on the opposite side of Eastcote Road, residential properties are located along Field End Road to the south east and Eastcote Road to the south west.

The site falls within the Eastcote Village Conservation Area as designated in the Hillingdon Unitary Development Plan Saved Policies September 2007. The land immediately to the west of the site forms part of a designated Green Chain, and Tree Protection Orders apply to the adjacent trees. No.2 Field End Road, opposite, is a Grade II Listed Building.

### **3.2 Proposed Scheme**

It is proposed to replace the existing 17.5m high monopole mobile phone mast, which currently serves O2, with a new 17.5m high monopole mobile phone mast (including antennas) incorporating three antennas, to serve both O2 and Vodafone.

An additional 1.58m x 0.38m x 1.4m high equipment cabinet, to be located adjacent to the existing cabinets, is proposed. The mast would be coloured grey and the equipment cabinet would be coloured green.

### **3.3 Relevant Planning History**

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

O2 originally submitted an application for the installation of a 15m high streetworks column and two ancillary equipment cabinets at this site in 2004 (ref: 59310/APP/2004/585). Following the Council's refusal of the application, and strong local opposition, the installation was allowed at appeal on 03/02/05 (PINS ref: APP/R5510/A/04/1153756).

In 2005, O2 submitted two parallel applications for the replacement of the existing 15m high mast with a 17.5m high mast and additional equipment cabinet. One of these (ref: 59310/APP/2005/2123) proposed a direct replacement installation at the existing site and the second (ref: 60985/APP/2005/2149) proposed a 20m high replacement installation in the wooded area adjacent to the sub-station building, as an alternative. Despite some local support for the second location, over the existing location on the footway, both applications were refused by the Council's Central and South Planning Committee on 22/09/05. O2 subsequently submitted an appeal relating to the original site and this was allowed on 06/04/06 (ref: APP/R5510/A/05/1196440). At that time, the Inspector concluded that the proposed changes, including the increased height, would not be so noticeable as to materially harm the character and appearance of the area.

## **4. Planning Policies and Standards**

The application has been assessed principally against Policy BE37 of the Unitary Development Plan Saved Policies September 2007 and Planning Policy Guidance Note 8: Telecommunications. Both seek to find solutions which minimise the impact of telecommunications development on the appearance of the surrounding area. Policy BE4 which seeks to preserve or enhance the appearance and character of conservation areas is also relevant.

## **UDP / LDF Designation and London Plan**

The following UDP Policies are considered relevant to the application:-

### Part 1 Policies:

- PT1.8 To preserve or enhance those features of Conservation Areas which contribute to their special architectural and visual qualities.
- PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.
- PT1.11 To facilitate the development of telecommunications networks in a manner than minimises the environmental and amenity impact of structures and equipment.

### Part 2 Policies:

- BE13 New development must harmonise with the existing street scene.
- BE19 New development must improve or complement the character of the area.
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- OE1 Protection of the character and amenities of surrounding properties and the local area
- BE37 Telecommunications developments - siting and design
- BE4 New development within or on the fringes of conservation areas

## **5. Advertisement and Site Notice**

- 5.1** Advertisement Expiry Date:- **24th September 2010**
- 5.2** Site Notice Expiry Date:- Not applicable

6th October 2010

## 6. Consultations

### External Consultees

Consultation letters were sent to 97 local owners/occupiers, including the Ruislip Residents Association. One letter of objection has been received from the Eastcote Residents Association stating:

In commenting on this application it is fully appreciated that this communications pole and equipment cabinets replaces existing equipment, although it is unclear from the application if there will be additional cabinets. The existing pole was installed against strong local opposition, with the main thrust of the objections being the siting of the pole and proliferation of cabinets. The pole and cabinets, which are installed at a T junction, are in full view of all approaching pedestrian and vehicular traffic in Field End Road. This pleasant green area is already blighted by an ugly electrical substation but this is generally screened by trees and bushes but the pole and cabinets are in full view and are most unsightly.

It was understood, at the time of installation, that no other site in the vicinity was available due to the Hillingdon Council moratorium on siting such equipment on Council land. That moratorium has now been lifted, therefore, with the need to amend this installation, this is an ideal opportunity to rectify a past 'error' and re-site this pole and cabinet further back in the site, generally out of public view. Such a move will greatly enhance this area particularly in view of the fact that considerable local time and effort have been expended recently to visually improve this junction of Field End Road with Eastcote High Road. These improvements have included:

- \* Replacing the gateposts of the main entrance to Eastcote House Gardens including 'acorn' tops. We understand Cllr. Ray Puddifoot may also be proposing further significant improvement to this gateway for the Queen's Diamond Jubilee in 2012.
- \* New flower beds in the entrance to Eastcote House Gardens
- \* Possible improvements to the railings of the park in this area
- \* Bulb and wild flower planting last autumn, led by Nick Hurd MP, on the green area, to the east, between the ugly post/cabinets and Joel Street.
- \* Bulk crocus/bulb planting, to the west, on Forge Green, adjacent to the other side of the ugly post/cabinets, planned for 31st October this year.

Residents and Hillingdon Council are working hard to improve the appearance of this junction and the Planning Department can now add their contribution by refusing this application in its current form requesting that it be re-sited further back in the site, possibly behind the electrical sub-station. The unsightly communications cabinets and pole on or adjacent to the footpath which are in full view and mar this junction can then be removed.

WARD COUNCILLOR: With reference to the above application, I ask that it be put to the North Planning Committee for consideration. Please add the following comments to the officer report.

'I have no objection in principle to this application as it offers the possibility of moving the existing antenna and accompanying control box away from its current position, on a narrow footpath in the conservation area, to a new and less intrusive location. The existing antenna was installed by way of a planning appeal at a time when a moratorium prevented such development on council land. This moratorium has now been lifted, which will allow the planned replacement antenna and its accompanying control box, to be sited away from its current inappropriate position, and on to council land at the side or rear of the existing electricity sub station. A planning condition for the addition of suitable landscaping around the base of the antenna and control box, would effectively

shield the development from public view.'

MINISTRY OF DEFENCE - RAF NORTHOLT: No objection. The proposed development has been examined from a MoD safeguarding perspective and does not conflict with safeguarding criteria.

### **Internal Consultees**

**TREE & LANDSCAPING:** The belt of trees on the land behind the site form part of a linear woodland feature in the landscape of this part of the Eastcote Village Conservation Area, and provide a backdrop to the existing pole and cabinets. The trees, which are protected by virtue of their location in the Conservation Area, were not affected when the existing pole and cabinets were installed and will not, subject to adequate protection based on the guidelines in BS5837:2005, be affected by the proposed works.

It is noted with reference to Saved Policy BE38, that (1) the Inspector, who allowed the appeal against the Council's refusal of the 2005 applications, did not require landscaping, (2) there is no landscaping associated with the existing cabinets and pole, and (3) the application does not include any landscaping proposals.

However, it may be possible to provide some hedge/screen planting to screen the cabinets in views from the south. Given the location of the cabinets, there is no scope for landscaping to form a screen in front of them, but depending on the site boundaries, there may be space to provide a hedge/screen to the south of the proposed cabinet and a 'green' barrier behind the cabinets. Such planting would reduce, but not avoid the visual impact of the cabinets.

If there is space for landscaping on the site as part of the proposed development, it would be preferable for details to be provided at this stage of the planning process. Otherwise, this matter could be addressed by conditions (see below).

**Conclusion:** Subject to conditions TL2 (modified to refer to the protection of the nearest, off-site, trees), TL3, and if possible TL5 (if landscaping proposals are feasible but do not form part of this application), TL6 and TL7, the application is acceptable in terms of Saved Policy BE38 of the UDP.

**HIGHWAYS:** The site is located on High Road Eastcote north of Field End Road which is a classified road and is designated as a local distributor within the Council's UDP.

The proposal for replacement of the existing 17.5m high street mast with a similar height pole off the highway will have no effect on highway land. The proposal also includes a Vodafone spitfire cabinet adjacent to the public footpath. Encroachment of the cabinet into existing public footpath should be avoided. Consequently no objection is raised on the highways aspect of the proposals.

**CONSERVATION:** The site falls within the Eastcote Village Conservation Area. There is an existing telecom pole and related equipment on the site, of similar height. Previous applications have been refused by the Council but allowed at appeal.

It is suggested that the telecom pole along with its equipments should be setback from the public footpath, further into the grass verge. This should be subject to comments received by the Trees Officer and Corporate property (as the land is Council Owned). It is also suggested that the pole and the equipment should be coloured in a dark shade of green, so as to mitigate the visual intrusiveness of the structures.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

The site is located in a prominent location, visible from surrounding roads to the north, south east and south west, and adjacent to a busy junction within the Eastcote Village



Conservation Area. Previous applications for telecommunications development at this site have been highly contentious with numerous letters and petitions having been received.

Nevertheless, current planning policy requires operators to investigate the use of existing facilities or locating antennae on existing buildings or structures before pursuing new sites. Accordingly, the use of this existing mast is considered to comply with current policy requirements.

The principle of telecommunications equipment on the site has already been established by the previous appeal decisions relating to this site.

**7.02 Density of the proposed development**

Not applicable to this application.

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

Addressed in paragraph 7.07.

**7.04 Airport safeguarding**

The Ministry of Defence (MOD) have been consulted and raise no objection from a technical safeguarding aspect.

**7.05 Impact on the green belt**

Not applicable to this application.

**7.06 Environmental Impact**

Not applicable to this application.

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

The proposal is for the replacement of an existing 17.5m high mast with a new mast of the same height, and the installation of a new cabinet.

In approving the existing mast the inspector stated in Paragraphs 5 and 6 of his decision letter:

"The existing mast and ground equipment is located at the rear of the pavement next to the roundabout junction of Field End Road and Eastcote Road. To the rear of the equipment a large building referred to as an electric sub station and a wide grassed area which extends to the south west and forms part of a larger area of land designated as a Green Chain. The green area contains a substantial number of tall dense mainly deciduous trees some 12 to 15m high that form the back drop against which the existing mast is viewed. Such is the density of these trees that most views of the mast from the south west and north east are, even during this time of year when there are no leaves on the trees, completely obscured. The main views of the mast are from the opposite side of the road in the general vicinity of the commercial premises and along Field End Road. However, when viewed from Field End Road the existing mast is seen against the back drop of the dense trees.

The taller mast would have a thicker profile and would be taller than the tree cover. However, the vast bulk of the mast would be screened by the existing trees in most views. From those vantage points where it can be seen, I do not consider the changes would be noticeable that they would materially harm the character and appearance of the area. Similarly, the increase in height would not be so significant as to result in material harm to the area. Upgrading the mast required the addition of a further equipment cabinet which would be located adjacent to the existing cabinets. In this position, given the back drop of the trees and the building to the north east, it would not appear obtrusive or obstruct the footpath."

It is considered that there has been no material change from the time of the inspector's findings regarding the existing mast. The replacement mast is the same height as the existing, with a smaller head frame. The proposed cabinet is located at a right angle to the pavement adjacent to the existing ground equipment such that it would also be seen against the back drop of the existing trees. Given this together with the fact that the proposal utilises an existing site it is not considered that the proposal would result in a significant increased harm to the character and appearance of the Eastcote Village Conservation Area, such that a refusal could be justified on these grounds. The proposal is thus considered to accord with policies BE4, BE13 and BE19 of the UDP saved Policies September 2007.

#### **7.08 Impact on neighbours**

The nearest residential property to the proposed development is approximately 20m away in Field End Road, although this does not look directly onto the site. Whilst visible from some residential properties, the applicant has submitted photomontages from a number of surrounding viewpoints to demonstrate that the visual difference between the existing mast and the proposed installation is minor. On balance, given the constraints associated with this largely residential area, and given that the mast would not be directly overlooked by the majority of properties which surround it, it is not considered that the proposed installation would impact on residential amenity sufficient to justify refusal.

#### **7.09 Living conditions for future occupiers**

Not applicable to this application.

#### **7.10 Traffic impact, car/cycle parking, pedestrian safety**

There would be no increase in traffic to/from the site as a result of the application and there are no parking requirements associated with the proposal. Telecommunications installations are visited infrequently for maintenance purposes only. As such, it is not considered that the proposed installation would have a significant detrimental impact on the free flow of traffic or highway safety.

#### **7.11 Urban design, access and security**

The proposed installation would be a replacement to an existing installation, which is utilitarian in its design. Whilst the proposal would result in an additional cabinet at ground level, it is considered that on balance, site sharing is a more appropriate option rather than the unacceptable cumulative impact of having two installations within the area. In addition, it is considered that the proposed reduction to the size of the shroud would be an improvement to the design of the mast.

Overall, it is not considered that the proposal would not have a significant detrimental impact on the character and appearance of the area, sufficient to justify refusal, particularly given the clear need for the installation.

#### **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 belt of trees on the land behind the site form part of a linear woodland feature in the landscape of this part of the Eastcote Village Conservation Area, and provide a backdrop to the existing pole and cabinets. The trees, which are protected by virtue of their location in the Conservation Area, were not affected when the existing pole and cabinets were installed and will not, subject to adequate protection based on the guidelines in BS 5837:2005, be affected by the proposed works.

It is noted with reference to Saved Policy BE38, that (1) the Inspector, who allowed the appeal against the Council's refusal of the 2005 applications, did not require landscaping, (2) there is no landscaping associated with the existing cabinets and pole, and (3) the application does not include any landscaping proposals.

Whilst it may be possible to provide some hedge/screen planting to screen the cabinets in views from the south. Given the location of the cabinets, there is no scope for landscaping to form a screen in front of them, which is the most obtrusive view of them. Given that the Inspector, in his previous decision did not consider it necessary to require additional planting and the existence of substantial existing planting it is not considered that further landscaping on the site would assist result in any greater impact than the existing and as such conditions requiring the protection of existing planting are recommended.

**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**

It is considered that concerns raised by the objections received have been addressed throughout the 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**

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are 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).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

**9. Observations of the Director of Finance**

Not applicable to this type of application.

**10. CONCLUSION**

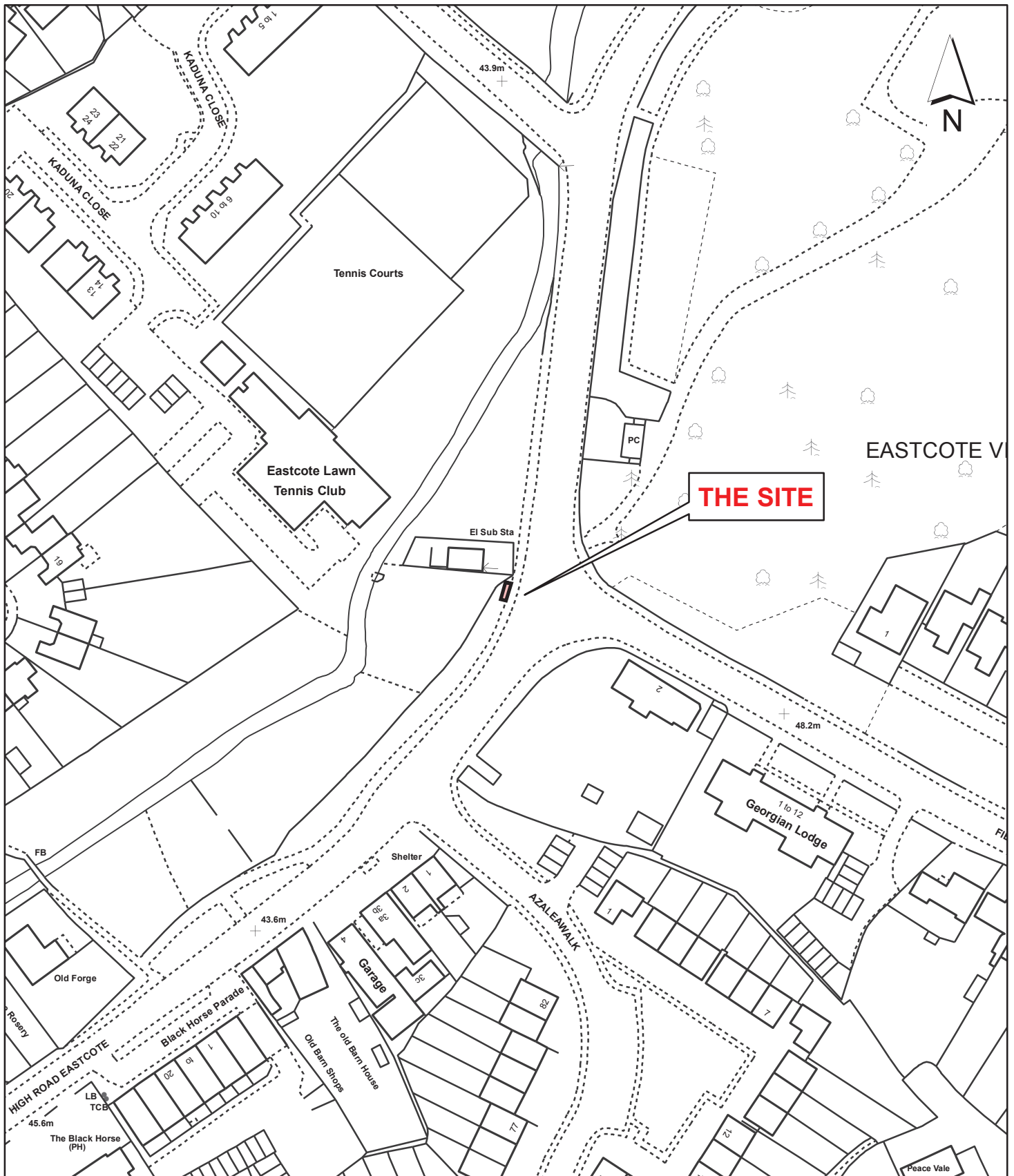
In conclusion, the proposed replacement installation is considered to be visually acceptable in this location, and officers have been unable to suggest any more appropriate alternative sites. It is considered that the proposal is consistent with advice in Policy BE37 of the Unitary Development Plan Saved Policies September 2007 and Planning Policy Guidance Note 8 and, as such, approval is recommended.



**11. Reference Documents**

Hillingdon Unitary Development Plan Saved Policies September 2007  
PPG8: Telecommunications

**Contact Officer:** Karl Dafe

**Telephone No:** 01895 250230



<p><b>Notes</b></p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>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.</p> <p>© Crown Copyright. All rights reserved. London Borough of Hillingdon 100019283 2010</p>	<p>Site Address</p> <p style="text-align: center;"><b>Land at junction of Field End Road / Eastcote Road Ruislip</b></p>		<p><b>LONDON BOROUGH OF HILLINGDON</b></p> <p><b>Planning, Environment &amp; Community Services</b></p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p style="text-align: center;"><b>59310/APP/2010/2005</b></p>	<p>Scale</p> <p style="text-align: center;"><b>1:1,250</b></p>	 <p style="text-align: center;"><b>HILLINGDON</b> LONDON</p>
	<p>Planning Committee</p> <p style="text-align: center;"><b>North</b></p>	<p>Date</p> <p style="text-align: center;"><b>December 2010</b></p>	