

Report of the Head of Planning, Sport and Green Spaces

Address PATH ADJ. RECREATION GROUND OPPOSITE FIELD END JUNIOR SCHOOL FIELD END ROAD RUISLIP

Development: Replacement of existing 15m high telecom pole holding three shrouded antennae with a replacement 15m pole holding three antenna contained within a 'thickening' shroud located towards the top of pole, and installing two ancillary equipment cabinets at ground level along with the retention of an existing ancillary equipment cabinet at ground level (Consultation under Schedule 2, Part 24 of the Town and Country Planning (General Permitted Development) Order 1995) (as amended)

LBH Ref Nos: 61143/APP/2013/804

Drawing Nos: 100 Issue A
201 Issue A
202 Issue A
301 Issue A
302 Issue A
General Background Information for Telecommunications Development
Site Specific Supplementary Information
Developer's Notice to Highways
Developer's Notice to Northolt Aerodrome
Health and Safety Statement
ICNIRP Declaration
Covering Letter

Date Plans Received: 02/04/2013

Date(s) of Amendment(s):

Date Application Valid: 02/04/2013

1. SUMMARY

The applicant seeks prior approval for an upgrade to an existing telecommunication site under Schedule 2, Part 24 of the Town and Country Planning (General Permitted Development) Order 1995) (as amended). The proposed upgrade is required in order to maintain the existing network coverage and to provide adequate 4G coverage.

The proposed scheme involves:

- the removal of the existing 15m high telecommunication pole holding three shrouded antennae
- a replacement 15m high telecommunication pole holding three antennae contained within a 'thickening' shroud located towards the top of the pole,
- the installation of two ancillary equipment cabinets at ground level with dimensions of 1.58m x 0.38m x 1.35m high and 1.90 x 0.80m x 1.65m high respectively.

An existing ancillary equipment cabinet at ground level is to be retained.

The proposed scheme would not result in a detrimental impact on the character and appearance of the street scene and the surrounding area, and would not cause harm to

pedestrian or highway safety.

The proposed development complies with Policies AM7, BE13 and BE37 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and Chapter 5 of the National Planning Policy Framework (March 2012).

It is thus recommended that prior approval be required in this instance and that permission is granted.

2. RECOMMENDATION

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 100 Issue A, 201 Issue A, 202 Issue A, 301 Issue A and 302 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 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and the London Plan (July 2011).

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 BE13 and BE37 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to GRANT details of siting and design has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 153 Compulsory Informative (2)

The decision to GRANT details of siting and design has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

AM7	Consideration of traffic generated by proposed developments.
BE13	New development must harmonise with the existing street scene.
BE37	Telecommunications developments - siting and design
NPPF5	

3 115 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.

4 147 Damage to Verge

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 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).

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises an existing telecommunication pole and equipment cabinet located in the middle of a 2.4m wide grass verge. The verge provides a separation between Field End Road and the public footway. There are several trees located along the

verge and a thick screen of trees and vegetation exists at the rear of the footway providing a barrier between Field End Road and the recreation ground to the east which forms part of a Green Chain. Land belonging to Field End Junior School exists on the opposite side of Field End Road.

3.2 Proposed Scheme

The applicant seeks prior approval for an upgrade to an existing telecommunication site under Schedule 2, Part 24 of the Town and Country Planning (General Permitted Development) Order 1995) (as amended). The proposed upgrade is required in order to maintain the existing network coverage and to provide adequate 4G coverage.

The proposed scheme involves:

- the removal of the existing 15m high telecommunication pole holding three shrouded antennae
- a replacement 15m high telecommunication pole holding three antenna contained within a 'thickening' shroud located towards the top of the pole,
- the installation of two ancillary equipment cabinets at ground level with dimensions of 1.58m x 0.38m x 1.35m high and 1.90 x 0.80m x 1.65m high respectively.

An existing ancillary equipment cabinet at ground level is to be retained.

3.3 Relevant Planning History

61143/APP/2005/2511 Path Adj. Recreation Ground Opposite Field End Junior School Field
INSTALLATION OF A 13 METRE HIGH IMITATION TELEGRAPH POLE MOBILE PHONE MAST AND EQUIPMENT CABINETS (CONSULTATION UNDER SCHEDULE 2, PART 24 OF THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995)(AS AMENDED)

Decision: 18-10-2005 Refused **Appeal:** 16-05-2006 Allowed

61143/APP/2010/2103 Path Adj. Recreation Ground Opposite Field End Junior School Field
Replacement of existing H3G 13m replica telegraph pole telecoms mast, with 15m replica telegraph pole telecoms mast with ancillary cabinets at ground level. Original to be removed (Consultation under Schedule 2, Part 24 of the Town and Country Planning (General Permitted Development) Order 1995) (as amended.)

Decision: 12-10-2010 Withdrawn

61143/APP/2010/2442 Path Adj. Recreation Ground Opposite Field End Junior School Field
Replacement of existing H3G 13m replica telegraph pole telecoms mast, with 15m replica telegraph pole telecoms mast with ancillary cabinets at ground level. Original to be removed (Consultation under Schedule 2, Part 24 of the Town and Country Planning (General Permitted Development) Order 1995) (as amended.)

Decision: 25-11-2010 PRQ

Comment on Relevant Planning History

The planning history can be summarised as follows:

* 61143/APP/2005/2511 - installation of a 13 metre high imitation telegraph pole mobile phone mast and equipment cabinets (Consultation under Schedule 2, Part 24 of the Town and Country Planning (General Permitted Development) Order 1995) (as amended) - Refused 18-10-2005 due to concerns over its visual impact. This proposal was subsequently allowed at appeal (ref: APP/R5510/A/06/2007104) on 16-05-2006. The Appeal Inspector concluded that the proposal would have an acceptable visual impact on the surrounding area and that there was insufficient justification to refuse the proposal in relation to perceived health effects on Field End Junior School and local residents.

* 61143/APP/2010/2103 - Replacement of existing H3G 13m replica telegraph pole telecoms mast, with 15m replica telegraph pole telecoms mast with ancillary cabinets at ground level. Original to be removed (Consultation under Schedule 2, Part 24 of the Town and Country Planning (General Permitted Development) Order 1995) (as amended) - Withdrawn 12-10-2010

* 61143/APP/2010/2442 - Replacement of existing H3G 13m replica telegraph pole telecoms mast, with 15m replica telegraph pole telecoms mast with ancillary cabinets at ground level. Original to be removed (Consultation under Schedule 2, Part 24 of the Town and Country Planning (General Permitted Development) Order 1995) (as amended) - Approved 25-11-2010

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.11 To facilitate the development of telecommunications networks in a manner than minimises the environmental and amenity impact of structures and equipment.

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

BE13 New development must harmonise with the existing street scene.

BE37 Telecommunications developments - siting and design

NPPF5

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Consultation letters were sent to 63 local owner/occupiers, including Field End Junior School and Roxbourne First School and South Ruislip Residents Association. A site notice was also posted. No

responses have been received.

Ministry of Defence: The MOD has no safeguarding objections to this proposal.

Internal Consultees

Highways: No objection to the proposed scheme.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Policy BE37 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that telecommunications developments will be acceptable in principle provided that any apparatus is sited and designed so as to minimise its effect on the appearance of the surrounding areas. The principle of the use of the site as a telecommunication site was established in 2006 when an appeal for the installation of a 13m high mast and equipment cabinet. At present, the application site comprises a 15m high telecommunications pole, antennae and one equipment cabinet, which was approved under planning application ref: 61143/APP/2010/2442.

It is therefore considered that the proposed 15m high replacement pole and antennae, along with the installation of two additional equipment cabinets, is acceptable in principle, in accordance with Policy BE37 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

7.02 Density of the proposed development

Not applicable to this application.

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

Not applicable to this application.

7.04 Airport safeguarding

The Ministry of Defence has raised no objection to the proposed scheme in relation to airport safeguarding.

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

Policy BE13 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) requires developments to harmonise with the existing street scene and other features of the area that are considered desirable to retain or enhance.

The site is located on a 2.4m wide grass verge between Field End Road and the pavement and already comprises a 15m high telecommunication pole with three shrouded antennae and an equipment cabinet. The site does not comprise of any additional street furniture. It is considered that a replacement pole of the same height as the existing pole, along with a shroud containing three replacement antennae, although slightly wider at the top, would not have a greater impact on the street scene than the existing.

The two additional equipment cabinets would be located to the north of the pole and the existing equipment cabinet, and would be in line with the existing cabinet. The cabinets would be coloured green, to match the existing cabinet, and would blend in with the surrounding area. Also, there is little or no street furniture in the vicinity of the site and thus the addition of a cabinet here would not add to a cluttered situation. It is, therefore, considered that the additional cabinets would not result in an unacceptable visual impact or cause an unacceptable amount of street clutter.

Therefore, given the existing situation, the additional cabinets and the replacement pole are not considered to be detrimental to the street scene. The application is therefore considered to comply with Policy BE13 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

The nearest residential properties are located over 100m away from the application site. Field End Junior School is located opposite the site while Roxbourne First School is located the other side of the recreation ground. The proposed replacement telecommunication pole and additional equipment cabinets are not considered to affect the amenity of the surrounding residential area. No objections have been received from local residents or from Field End Junior School and Roxbourne First School.

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) will not grant permission to developments that prejudice highway and pedestrian safety. The existing telecommunications pole would be removed and replaced with a new telecommunications pole in the same location on the 2.4m wide grass verge, along with two additional equipment cabinets between the pole and an existing 5m high tree. Due to the location within the grass verge between the pavement and Field End Road, it is considered that the proposed development would not impact on either pedestrian or highway safety. The proposal therefore complies with Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012). The Council's Highways Engineer raises no objection to the proposed scheme.

7.11 Urban design, access and security

The replacement telecommunications pole would be 15m high and would hold three antennae at the top within a 0.54m diameter shroud. The pole would be constructed from galvanised steel which would be painted brown whilst the new equipment cabinets would be coloured green, as per the existing equipment cabinet. The proposed replacement pole and the two additional equipment cabinets are considered to be acceptable in design terms.

7.12 Disabled access

Not applicable to this application.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

There are several trees located along the 2.4m wide grass verge and a thick screen of trees (ranging from 8-10m high) and vegetation between the rear of the footway and the recreation ground. An existing 5m high tree is located approximately 7.4m away from the existing telecommunications pole.

The replacement telecommunications pole would be in the same location as the existing pole, and the two new ancillary equipment cabinets would be located between the pole and the 5m high tree, with the smaller cabinet set 3m away from the tree. It is considered that the proposed replacement pole and the additional cabinets would not have a detrimental impact on the existing trees and vegetation along the grass verge and the recreation ground boundary. The proposal therefore complies with Policy BE38 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

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 responses have been received during the public consultation.

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

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

None

10. CONCLUSION

The applicant seeks prior approval for an upgrade to an existing telecommunication site under Schedule 2, Part 24 of the Town and Country Planning (General Permitted Development) Order 1995) (as amended). The proposed upgrade is required in order to maintain the existing network coverage and to provide adequate 4G coverage. The upgrade would include the removal of an existing 15m high telecommunications pole, a replacement pole of the same height (containing three antennae in a 'thickening' shroud), and two additional equipment cabinets.

The proposed scheme would not result in a detrimental impact on the character and appearance of the street scene and the surrounding area, and would not cause harm to pedestrian or highway safety.

The proposed development complies with Policies AM7, BE13 and BE37 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and Chapter 5 of the National Planning Policy Framework (March 2012).

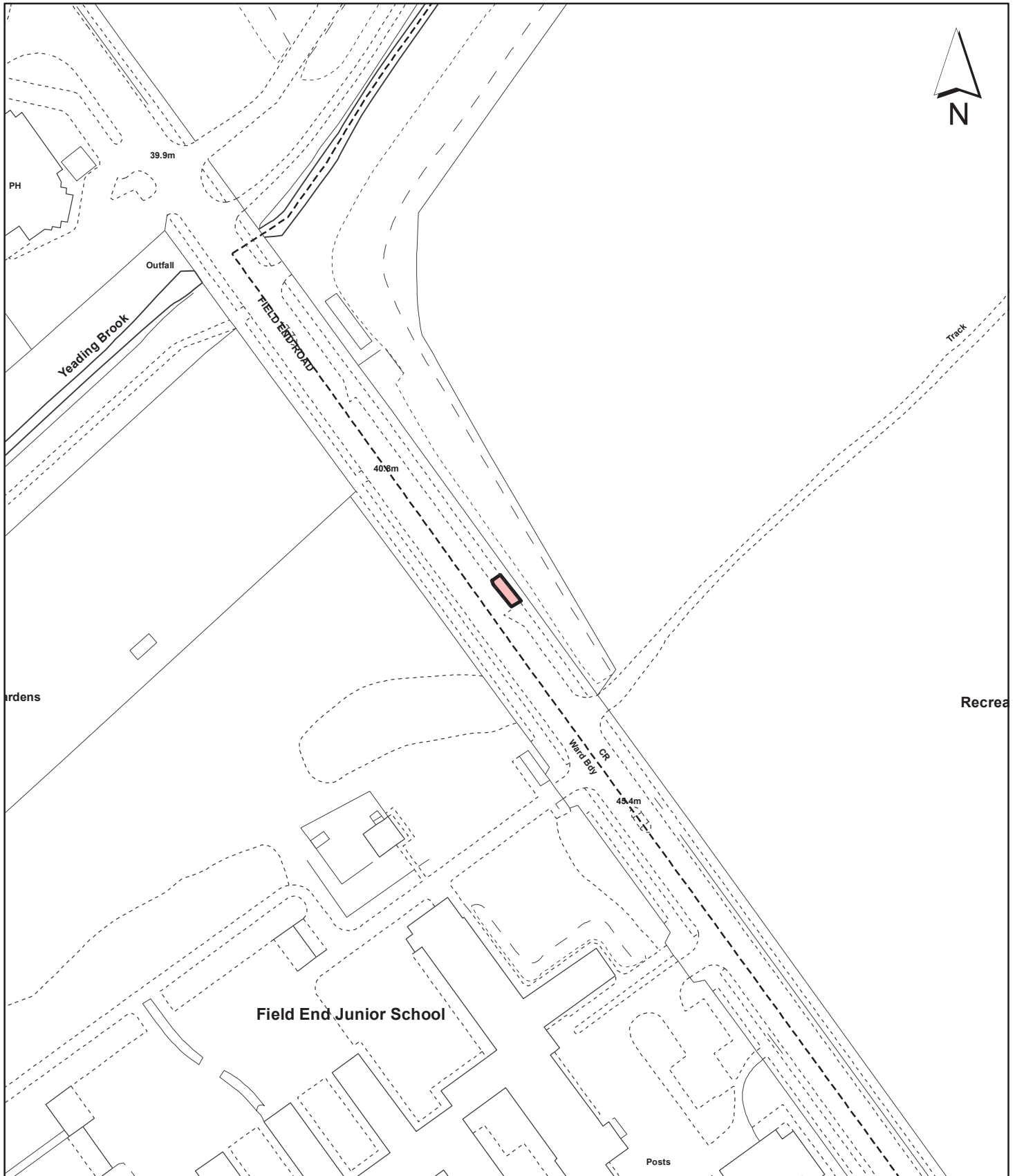
It is therefore recommended that prior approval be required in this instance, and that prior approval be approved.

11. Reference Documents


Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
National Planning Policy Framework (March 2012) Chapter 5

Contact Officer: Katherine Mills

Telephone No: 01895 250230



Notes

 Site boundary

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Site Address

**Path adjoining recreation ground
 opposite Field End Junior School
 Field End Road, Ruislip**

**LONDON BOROUGH
 OF HILLINGDON
 Residents Services**

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

Planning Application Ref:
61143/APP/2013/804

Scale
1:1,250

Planning Committee
North

Date
**April
 2013**



HILLINGDON
 LONDON