

Report of the Head of Planning, Sport and Green Spaces

Address GRASS VERGE OPPOSITE RECREATION GROUND MOORHALL ROAD
HAREFIELD

Development: Installation of replacement 11.8m telecommunications mast, together with two new telecommunications cabinets.

LBH Ref Nos: 67032/APP/2013/1294

Drawing Nos: 200 Issue C
201 Issue C
300 Issue C
301 Issue C
General Background Information for Telecommunications Development
ICNIRP Declaration
Supplementary Information
Developer's Notice
Health and Mobile Phone Base Stations
100 Issue C

Date Plans Received: 20/05/2013 **Date(s) of Amendment(s):**

Date Application Valid: 20/05/2013

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 to provide improved 3G and new 4G coverage to the existing Telefonica and Vodafone networks to the South Harefield area.

The proposed scheme involves the removal of an existing 11.8m high telecommunications mast, the installation of a replacement 11.8m telecommunications mast and two new telecommunications cabinets. The existing equipment cabinet is to be retained.

The proposed scheme would not result in a detrimental impact on the character and appearance of the street scene, or on the visual amenity of the adjoining Green Belt and would not cause harm to pedestrian or highway safety. The proposed development complies with Policies AM7, BE13, BE37 and OL5 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 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, 100 Issue C, 200 Issue C, 201 Issue C, 300 Issue C and 301 Issue C 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 I53 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.
BE4	New development within or on the fringes of conservation areas
BE13	New development must harmonise with the existing street scene.
BE37	Telecommunications developments - siting and design
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OL5	Development proposals adjacent to the Green Belt
NPPF5	

3 I15 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

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).

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on a grass verge adjacent to the public footway on Moorhall Road and comprises an existing 11.8m high telecommunications mast and equipment cabinet. A car park, screened from the road by mature trees (between approximately 10m to 15m high), serves the neighbouring Nature Conservation Area (Denham Quarry) to the south of the site. There is a recreation ground and children's playground on the opposite side of Moorhall Road and the garden of the nearest residential property is just under 30m away to the north east. The site lies immediately adjacent to Green Belt land and a Nature Conservation Site of Metropolitan or Borough Grade I Importance, as designated in the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012). Another telecommunications site is located 16 metres to the south west of the application site.

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 provide improved 3G and new 4G coverage to the existing Telefonica and Vodafone networks to the South Harefield area.

The proposed scheme involves the removal of an existing 11.8m high telecommunications mast, the installation of a replacement 11.8m telecommunications mast, and two new telecommunications cabinets; one Spitfire and one Lancaster. The Spitfire cabinet would be located next to the replacement mast and measure 1.680m wide x 0.380m deep x 1.350m high whilst the Lancaster cabinet would measure 1.896m wide x 0.798m deep x 1.645m high. The existing equipment cabinet is to be retained.

3.3 Relevant Planning History

60622/APP/2005/1267 Opposite Recreation Ground Moorhall Road Harefield

INSTALLATION OF AN 11.7 METRE HIGH MONOPOLE 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: 21-06-2005 Refused

Appeal: 18-11-2005 Dismissed

60622/APP/2006/1453 Highways Land Opposite Recreation Ground Moorhall Road Harefield

INSTALLATION OF AN 11.7 METRE HIGH MONOPOLE PHONE MAST AND ANCILLARY EQUIPMENT CABINETS (CONSULTATION UNDER SCHEDULE 2, PART 24 OF THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995)(AS AMENDED).

Decision: 27-06-2006 Approved

67032/APP/2010/1845 Grass Verge Opposite Recreation Ground Moorhall Road Harefield

Installation of a 12.5m high mobile telecommunications pole and ancillary equipment cabinet (Consultation under Schedule 2, Part 24 of The Town and Country Planning (General Permitted Development) Order 1995) (as amended.)

Decision: 28-09-2010 PRQ

67032/APP/2010/2380 Grass Verge Opposite Recreation Ground Moorhall Road Harefield

Installation of a 11.8m high mobile telecommunications pole and ancillary equipment cabinet (Consultation under Schedule 2, Part 24 of The Town and Country Planning (General Permitted Development) Order 1995) (as amended.)

Decision: 25-11-2010 PRQ

Appeal: 20-07-2011 Allowed

Comment on Relevant Planning History

* An application for prior approval (ref: 60622/APP/2005/1267) was refused in June 2005 for the installation of a 11.7m high monopole mobile phone mast and equipment cabinets located 16 metres to the south west of the application site. This proposal was subsequently dismissed at appeal (ref: APP/R5510/A/05/1186777) in November 2005, due to the impact of the proposed three equipment cabinets.

* An application for prior approval (ref: 60622/APP/2006/1453) was approved in July 2006 for a 11.7 metre high monopole mobile phone mast and ancillary equipment cabinets located 16 metres to the south west of the application site.

* An application for prior approval (ref: 67032/APP/2010/1845) of a 12.5m high slim line street works monopole mobile phone mast, incorporating six antennas and one ancillary equipment cabinet, was refused in September 2010, due to concerns over its visual impact.

* An application for prior approval (ref: 67032/APP/2010/2380) was refused in November 2010, for a 11.8m high mobile telecommunications pole and ancillary equipment cabinet, due to concerns over its visual impact. This proposal was subsequently allowed at appeal (ref: APP/R5510/A/11/2150945) in July 2011. The Appeal Inspector concluded that the proposal would have an acceptable visual impact on the surrounding area.

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.
- PT1.HE1 (2012) Heritage
- PT1.BE1 (2012) Built Environment

Part 2 Policies:

- AM7 Consideration of traffic generated by proposed developments.
- BE4 New development within or on the fringes of conservation areas
- BE13 New development must harmonise with the existing street scene.
- BE37 Telecommunications developments - siting and design
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- OL5 Development proposals adjacent to the Green Belt
- NPPF5

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **24th June 2013**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Consultation letters were sent to 5 local owner/occupiers and a site notice was posted. No

responses have been received at the time of this report.

Internal Consultees

None

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.

Although there is another telecommunications site located 16 metres to the south west of the application site, the principle of the use of this site for telecommunications was established in 2011, when the existing 11.8m high mobile telecommunications pole and equipment cabinet was allowed at appeal (ref: APP/R5510/A/11/2150945). It was concluded that the proposed 11.8m high telecommunications pole and ancillary equipment cabinet would have an acceptable visual impact on the surrounding area.

This proposal seeks to replace the existing pole with a new mast of the same height and of a similar appearance, and so there would not be a significant change to the visual appearance of the mast. In relation to the two new cabinets, it is considered that the surrounding vegetation would provide adequate screening to reduce their visual impact on the surrounding area.

It is therefore considered that the proposed 11.8m 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

The site does not fall within a Conservation Area or Area of Special Character. There are no listed buildings in the vicinity of the proposed telecommunications equipment. It is not considered that the proposed apparatus would have a direct impact on the character of the Widewater Lock Conservation Area, which is located to the west of the site, in compliance with Policy BE4 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

The application site is located on the grass verge to the south of Moorhall Road. To the south of this is a backcloth of woodland, which is a Site of Importance for Nature Conservation (SINC), situated within an area of designated Green Belt. Pleasant views of the wooded area south of Moorhall Road are relatively uninterrupted. The scheme would replace the existing 11.8m high telecommunications mast with a new mast of the same height in the same location. The two new cabinets would be located in line with the existing equipment cabinet and on the opposite side of the mast.

The existing mast and equipment cabinet has a limited impact on the visual amenity of the adjoining Green Belt due to the existing trees and vegetation which provides some considerable screening of the telecommunications equipment. The existing trees and

vegetation would also provide screening to the two new equipment cabinets and so they would have a limited impact on the adjoining Green Belt.

It is therefore considered that the replacement mast and two new equipment cabinets would not result in a detrimental impact on the visual amenities of the Green Belt, in accordance with Policy OL5 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

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 1.7m wide grass verge adjacent to the public footway on Moorhall Road and already comprises an 11.8m high telecommunication mast with three shrouded antennae and an equipment cabinet. It is considered that a replacement mast of the same height as the existing mast, 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 south west of the mast 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, due to their location next to well established vegetation. It is considered that this screening of the proposed cabinets would restrict their visibility, thereby reducing their impact on the street scene.

It is therefore considered that the replacement telecommunications mast and the two equipment cabinets comply with Policy BE13 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

The nearest residential property to the application site is just over 30m away and the installation would not be directly overlooked. It is not considered that the proposed replacement mast and two equipment cabinets would not have a detrimental impact on residential amenity.

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 application site is located on a grass verge adjacent to the public footway on Moorhall Road. The existing telecommunications mast would be removed and replaced with a new telecommunications mast in the same location, whilst the two new equipment cabinets would be located to the south west of the mast and the existing equipment cabinet. The proposed cabinets would not encroach onto the public footway and would not affect pedestrians or impact on highway safety. The proposal therefore complies with Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

7.11 Urban design, access and security

The replacement telecommunications mast would be 11.8m high and would hold three

antennae at the top within a 0.5m diameter shroud. The mast would be constructed from steel and coloured 'Olive Green' to match the existing mast (which is to be removed). The two new equipment cabinets would also be coloured 'Olive Green' to match the existing equipment cabinet. The proposed replacement pole and the two new 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 and a thick screen of vegetation located along the rear of the grass verge which provides some screening of the existing telecommunications equipment. The replacement telecommunications mast would be in the same location as the existing mast, and the two new ancillary equipment cabinets would be located in front of two 9.5m high trees.

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. 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 at the time 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 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 to provide improved 3G and new 4G coverage to the existing Telefonica and Vodafone networks to the South Harefield area.

The proposed scheme involves the removal of an existing 11.8m high telecommunications mast, the installation of a replacement 11.8m telecommunications mast, and two new telecommunications cabinets; one Spitfire and one Lancaster. The existing equipment cabinet is to be retained.

The proposed scheme would not result in a detrimental impact on the character and appearance of the street scene, or on the visual amenity of the adjoining Green Belt, and would not cause harm to pedestrian or highway safety. The proposed development complies with Policies AM7, BE13, BE37 and OL5 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 permission is granted.

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

South Harefield

Chapel
(site of)

Recreation Ground

Musgrave House

MOORHALL ROAD

Moorside
Dellside Cott

Shelter

The Site

37.5m

DELLSIDE

Harefield Boat Yard

40.5m

Notes

 Site boundary

For identification purposes only.

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Site Address

**Grass verge opposite
recreation ground, Moorhall
Road, Harefield**

Planning Application Ref:

67032/APP/2013/1294

Planning Committee

North

Scale

1:1,250

Date

**June
2013**

**LONDON BOROUGH
OF HILLINGDON**

Residents Services

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



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