

## Report of the Head of Planning, Sport and Green Spaces

**Address** LAND O/S SORTING OFFICE, JUNCTION OF EAST WAY AND PARK WAY  
RUISLIP

**Development:** Replacement of existing 12.5m high monopole and one radio equipment cabinet with a new 12.5m high monopole with 2 equipment cabinets and ancillary works (Consultation under Schedule 2, Part 24 of the Town and Country Planning (General Permitted Development) Order 1995) (as amended)

**LBH Ref Nos:** 59076/APP/2013/3635

**Drawing Nos:** Letter to Agent from MOD Safeguarding dated 16-12-13  
100 Issue B  
200 Issue B  
201 Issue B  
300 Issue B  
Developer's Notice to Highways  
Supplementary Information  
General Background Information for Telecommunications Development  
ICNIRP Declaration  
Developer's Notice to MOD Safeguarding  
301 Issue B

**Date Plans Received:** 06/12/2013

**Date(s) of Amendment(s):**

**Date Application Valid:** 06/12/2013

### 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 site is located on the pavement alongside the junction with East Way and Park Way and currently provides 2G and 3G coverage to the surrounding area. The upgrade would allow for the provision of 4G coverage to the area.

The proposed scheme involves:

- the removal of the existing 12.5m high monopole and one radio equipment cabinet
- a replacement 12.5m high monopole supporting three antennas within a 'thickening' shroud
- the installation of two equipment cabinets and ancillary works.

An existing equipment cabinet would be retained.

The two new equipment cabinets would comprise of one Eagle cabinet (dimensions of 0.75m x 0.509m x 1.520m high) coloured grey, located next to the monopole, and one Lancaster cabinet (dimensions of 1.896m x 0.798m x 1.645m high) coloured green, to replace the existing cabinet south-east of the monopole. The immediate area already has a cluttered appearance due to the existing street furniture and it is considered that the

proposed cabinets would add to the cluttered appearance of the site, thereby causing visual harm to the immediate area and have an unacceptable impact on the street scene.

The proposed development does not comply with Policies 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 recommended that prior approval is required in this instance, and that permission is refused.

## **2. RECOMMENDATION**

### **1 NON2 Non Standard reason for refusal**

The proposed installation, by virtue of the proposed equipment cabinets, would result in an incongruous and visually obtrusive form of development which would add significantly to the existing cluttered appearance, resulting in a development which would be out of keeping with the visual character of the street scene and the surrounding area. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies BE13 and BE37 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

## **INFORMATIVES**

### **1 I52 Compulsory Informative (1)**

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

### **2 I53 Compulsory Informative (2)**

The decision to REFUSE details of siting and design has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (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 I59 Councils Local Plan : Part 1 - Strategic Policies**

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies. On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

### **3. CONSIDERATIONS**

#### **3.1 Site and Locality**

The application site comprises an existing 12.5m high monopole mobile phone mast and two ancillary equipment cabinets at the rear of the footway adjacent to the Royal Mail sorting office at the junction of East Way and Park Way in Ruislip Manor. A large post box is also located along the footpath. Residential properties are located to the north and east of the site behind the sorting office. Commercial properties, some with flats above, are located to the west and south west of the site along Park Way. The Elm Park Club is located within a grassed amenity area to the south of the site on the opposite side of Park Way. The site falls within Ruislip Manor Town Centre, as identified in the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012).

#### **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 site is located on the pavement alongside the junction with East Way and Park Way and currently provides 2G and 3G coverage to the surrounding area. The upgrade would allow for the provision of 4G coverage to the area.

The proposed scheme involves:

- the removal of the existing 12.5m high monopole and one radio equipment cabinet
- a replacement 12.5m high monopole supporting three antennas within a 'thickening' shroud
- the installation of two equipment cabinets and ancillary works.

An existing equipment cabinet would be retained.

The two new equipment cabinets would comprise of one Eagle cabinet (dimensions of 0.75m x 0.509m x 1.520m high) coloured grey and one Lancaster cabinet (dimensions of 1.896m x 0.798m x 1.645m high) coloured green.

#### **3.3 Relevant Planning History**

59076/APP/2003/2909 Land O/S Sorting Office, Junction Of East Way And Park Way Ruislip  
INSTALLATION OF 12.5 METRE STREET FURNITURE COLUMN WITH 3 ANTENNAS, ONE GROUND LEVEL EQUIPMENT CABINET AND A METER CABINET (CONSULTATION UNDER SCHEDULE 2, PART 24 OF THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)(AMENDMENT) ORDER 2001)

**Decision:** 02-02-2004 PRN

59076/APP/2005/2429 Land O/S Sorting Office, Junction Of East Way And Park Way Ruislip  
REPLACEMENT OF EXISTING 12.5M HIGH TELECOMMUNICATION MAST, WITH NEW 12.5M HIGH MONOPOLE MOBILE PHONE MAST AND ADDITIONAL EQUIPMENT CABINET (CONSULTATION UNDER SCHEDULE 2, PART 24 OF THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995, AS AMENDED)

**Decision:** 19-09-2005    Withdrawn

59076/APP/2005/2584    Land O/S Sorting Office, Junction Of East Way And Park Way Ruislip  
REPLACEMENT OF EXISTING 12.5 METRE HIGH TELECOMMUNICATION MAST WITH  
NEW 12.5 METRE HIGH MONOPOLE MOBILE PHONE MAST AND ADDITIONAL  
EQUIPMENT CABINET (CONSULTATION UNDER SCHEDULE 2, PART 24 OF THE TOWN  
AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995)(AS  
AMENDED)

**Decision:** 16-11-2005    Refused                      **Appeal:** 25-05-2006    Dismissed

59076/APP/2010/2931    Land O/S Sorting Office, Junction Of East Way And Park Way Ruislip  
Replacement of existing 12.5 metre high monopole mobile phone mast with a 15 metre high  
monopole mobile phone mast, replacement equipment cabinet and ancillary works  
(Consultation under Schedule 2, Part 24 of the Town and Country Planning (General Permitted  
Development) Order 1995) (as amended.)

**Decision:** 08-02-2011    Refused

59076/APP/2011/1406    Land O/S Sorting Office, Junction Of East Way And Park Way Ruislip  
Replacement of existing 12.5 metre high monopole mobile phone mast with a 12.5 metre high  
monopole mobile phone mast, replacement equipment cabinet and ancillary works  
(Consultation under Schedule 2, Part 24 of the Town and Country Planning (General Permitted  
Development) Order 1995) (as amended.)

**Decision:** 14-07-2011    PRQ

59076/APP/2013/817    Land O/S Sorting Office, Junction Of East Way And Park Way Ruislip  
Replacement of existing 12.5m high monopole and 2 no. radio equipment cabinets with a new  
12.5m high monopole supporting 3 no. antennas with 3 no. equipment cabinets and ancillary  
works.

**Decision:** 08-05-2013    Refused

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

The planning history can be summarised as follows:

\* 59076/APP/2003/2909 - Installation of 12.5m high street furniture column with 3 antennas and two equipment cabinets (Consultation under Schedule 2, Part 24 of the Town and Country Planning (General Permitted Development) Order 2001) - Prior approval not required 02/02/04.

\* 59076/APP/2005/2429 - Replacement of existing 12.5m high telecommunications mast with new 12.5m high monopole mobile phone mast and additional equipment cabinet (Consultation under Schedule 2, Part 24 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) - Withdrawn 19/09/05.

\* 59076/APP/2005/2584 - Replacement of existing 12.5m high telecommunication mast with new 12.5m high monopole mobile phone mast and additional equipment cabinet (Consultation under Schedule 2, Part 24 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) - Refused 16/11/05 due to concerns over its visual impact. This proposal was subsequently dismissed at appeal (ref: APP/R5510/A/06/2008179/NWF) on 25/05/06. The Appeal Inspector concluded that the proposal would have an unacceptable visual impact on the surrounding area and that an insufficient site search had been carried out by the appellant.

\* 59076/APP/2010/2931 - Replacement of existing 12.5 metre high monopole mobile phone mast with a 15 metre high monopole mobile phone mast, replacement equipment cabinet and ancillary works (Consultation under Schedule 2, Part 24 of the Town and Country Planning (General Permitted Development) Order 1995) (as amended) - Refused 08/02/2011 due to concerns over its visual impact and an insufficient site search by the applicant.

\* 59076/APP/2011/1406 - Replacement of existing 12.5 metre high monopole mobile phone mast with a 12.5 metre high monopole mobile phone mast, replacement equipment cabinet and ancillary works (Consultation under Schedule 2, Part 24 of the Town and Country Planning (General Permitted Development) Order 1995) (as amended) - Refused 26-07-2011 due to concerns over its visual impact and an insufficient site search by the applicant.

\* 59076/APP/2013/817 - Replacement of existing 12.5m high monopole and 2 no. radio equipment cabinets with a new 12.5m high monopole supporting 3 no. antennas with 3 no. equipment cabinets and ancillary works under Schedule 2, Part 24 of the Town and Country Planning (General Permitted Development) Order 1995) (as amended) - Refused 09-05-13 due to concerns over its visual impact.

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

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

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

BE13 New development must harmonise with the existing street scene.

BE37 Telecommunications developments - siting and design

NPPF5

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

**5.1 Advertisement Expiry Date:- 7th January 2014**

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

## **6. Consultations**

### **External Consultees**

Consultation letters were sent to 66 local owners/occupiers and Ruislip Residents Association. A site notice was also posted. One response was received objecting on the following grounds:

- i) against the mast for health reasons;
- ii) mast is unsightly.

### **Internal Consultees**

Highways:

There is no Highway objection in relation to the above proposals.

## **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 application site already comprises a 12.5m high monopole which would be removed and a new 12.5m high monopole would be installed. There is no objection in principle to the replacement monopole.

Previous refusals, including an application dismissed at appeal, related to the visual impact on the surrounding area. The most recent planning application (ref: 59076/APP/2013/817) was refused in March 2013 as it was considered that the proposal would result in an increasingly cluttered appearance to the street scene, due to the size and location of the proposed cabinets, and so would result in visual harm to the street scene and the surrounding area.

This proposal seeks to address the previous concerns over the visual impact caused by increased street clutter by providing one less cabinet than previously proposed and reducing the overall scale of the cabinets. The previous application also included the relocation of the nearby postbox in order to allow the installation of one of the proposed cabinets. The current application has removed this cabinet from the proposal in order to reduce potential clutter.

Whilst the current proposal would provide one less cabinet than the previous application, it is considered that the two new cabinets would still appear intrusive due to their size and scale, thereby resulting in additional street clutter which would cause visual harm to the surrounding area.

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

### **7.02 Density of the proposed development**

Not applicable to this application.

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

Not applicable to this application.

### **7.04 Airport safeguarding**

Not applicable to this application.

#### **7.05 Impact on the green belt**

Not applicable to this application.

#### **7.06 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 Two - Saved UDP Policies (November 2012) requires developments to harmonise with the existing street scene and other features of the area that are considered desirable to retain or enhance.

The existing mast is already highly visible when viewed by motorists and pedestrians along Park Way and East Way, and from surrounding properties. The mast appears as a prominent and incongruous structure within the street scene. At 12.5m high the mast is already considerably taller than the adjacent 8.6m high Royal Mail Sorting Office. The replacement mast would also be 12.5 high and in the same location as the existing. The top of the mast would be slightly wider at the top as the three antennae would be located within a 'thickening' shroud. The pole and antennae would therefore appear as a single entity, and it is considered that, on its own, the replacement pole and antennae would not have a detrimental impact on the street scene.

The application site already comprises two equipment cabinets, and considerable amount of other street furniture, including a post box and street sign and so already appears cluttered. One of the existing cabinets would be removed and replaced with a larger cabinet and an additional cabinet would also be provided. It is considered that the provision of a larger cabinet to replace the existing and the installation of an additional equipment cabinet would increase the cluttered appearance of the street scene, thereby resulting in an unacceptable visual impact on the street scene and surrounding area. The proposed scheme therefore does not comply with Policies BE13 and BE37 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

The proposed additional and replacement equipment cabinets would increase the cluttered appearance of the area and would result in visual harm to the amenity of the surrounding residential area.

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

Not applicable to this application.

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

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) will not grant permission to developments that prejudice highway and pedestrian safety. The existing telecommunications monopole would be removed and replaced with a new telecommunications monopole in the same location. An existing equipment cabinet next to the monopole would be retained and two new equipment cabinets would be installed on the opposite side of the monopole. The cabinets would be located next to a 0.6m high wall and would be set back between 4.8m and 5.10m from the kerb line.

It is considered that the proposed development would be set back far enough from the kerb line to allow pedestrians and wheelchairs to pass side by side without having to move out onto the road. The proposal would not impact on either pedestrian or highway safety, thereby complying with Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). The Council's Highways Engineer raises no objection to the proposal.

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

See Section 7.

**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 proposed replacement mast and associated equipment would be located on a public pavement. Therefore, there are no landscaping issues.

**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**

One response was received during the public consultation and the issues raised are considered elsewhere in 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 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**

Not applicable to this application.

## **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 site is located on the pavement alongside the junction with East Way and Park Way and currently provides 2G and 3G coverage to the surrounding area. The upgrade would allow for the provision of 4G coverage to the area.

The proposed scheme involves:

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The proposed development does not comply with Policies 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 recommended that prior approval is required in this instance, and that permission is refused.

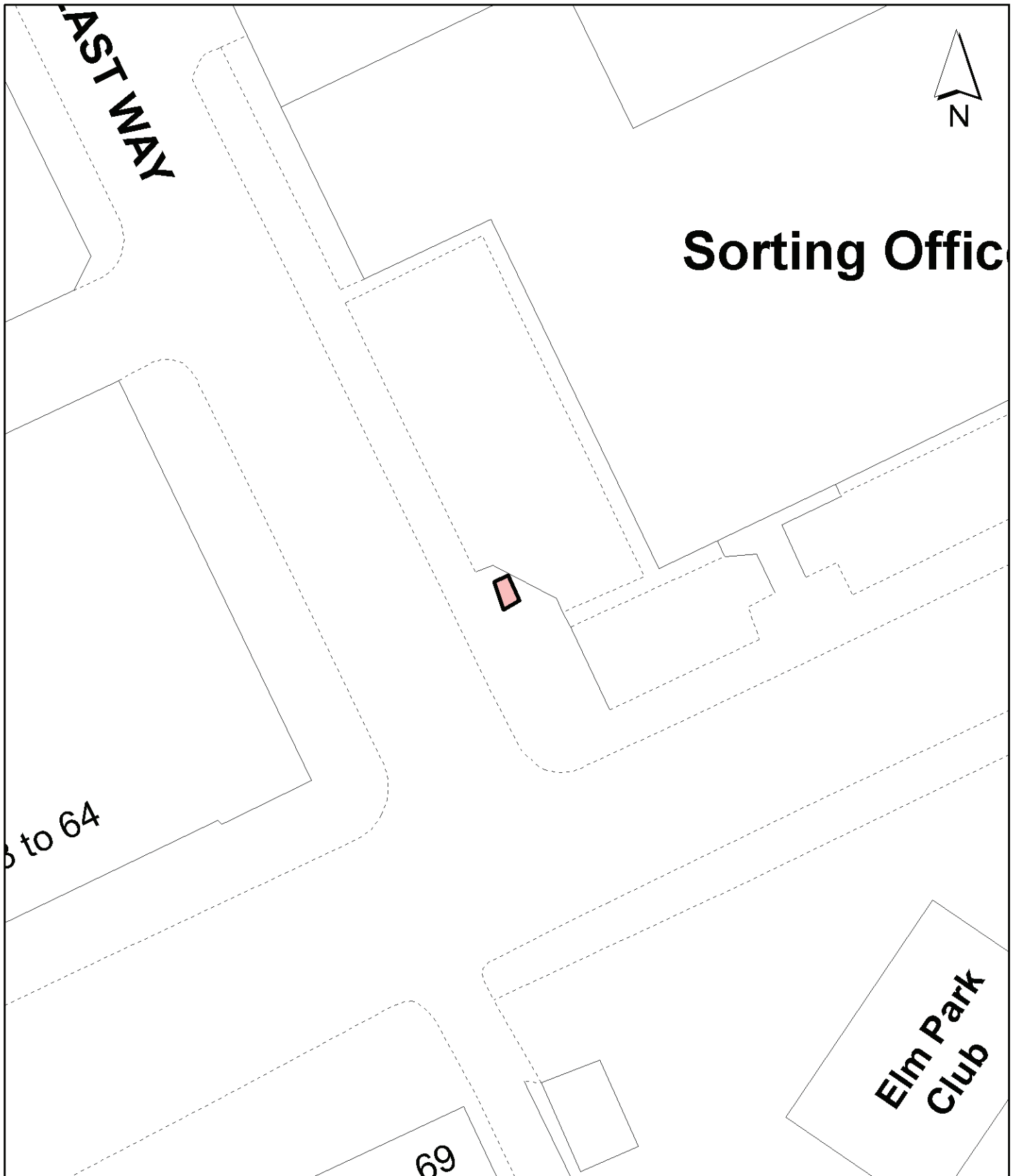
## **11. Reference Documents**

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



<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 and database rights 2013 Ordnance Survey 100019283</p>	<p>Site Address</p> <p><b>Land o/s Sorting Office, Junction of East Way &amp; Park Way</b></p>		<p><b>LONDON BOROUGH OF HILLINGDON</b></p> <p><b>Residents Services</b></p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref: <b>59076/app/2013/3635</b></p>	<p>Scale <b>1:300</b></p>	 <p><b>HILLINGDON</b> LONDON</p>
	<p>Planning Committee <b>North Application</b></p>	<p>Date <b>January 2014</b></p>	