

Report of the Head of Planning, Sport and Green Spaces

Address LAND OPPOSITE NORTHWOOD HILLS UNITED REFORM CHURCH JOEL STREET NORTHWOOD

Development: Removal of existing 17.5 metre telecoms pole and installation of a new 17.5 metre pole with longer shrouded section in a position 12 metres north of the existing

LBH Ref Nos: 61384/APP/2015/196

Drawing Nos: 201 Issue A
300 Issue A
200 Issue A
301 Issue A
400 Issue A
500 Issue A
501 Issue A
502 IssueA
503 Issue A
CTIL 145226 Letter
Supplementary Information
100 Issue A
Design and Access Statement

Date Plans Received: 19/01/2015

Date(s) of Amendment(s):

Date Application Valid: 20/01/2015

1. SUMMARY

This application has been submitted on behalf of Telefonica and Vodafone for a proposed replacement 17.5m high monopole design mobile phone mast, 12 metres to the north of the existing mast and a replacement ancillary equipment cabinet, which would accommodate antennas for both operators.

The proposed installation is required in order to provide improved signal quality and 4G coverage to the surrounding area. The applicant has considered the desired coverage area and concluded that there are no other more suitable locations available. In support of the application justification for their site selection has been provided.

Whilst, the proposed installation would be clearly visible within the street scene and the adjoining Green Belt it is for a replacement mast and it is not considered that the replacement at the same height, 12 metres to the north of its existing location or the replacement cabinet set against the hedge to the rear of the footway would justify a reason for refusal on visual amenity grounds.

It is recommended that the details of siting and design are approved.

2. RECOMMENDATION

APPROVAL subject to the following:

1 RES3 Time Limit

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

REASON

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

2 RES4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 201 Issue A; 300 Issue A; 200 Issue A; 301 Issue A; 400 Issue A; 500 Issue A; 502 Issue A; 503 Issue A; 100 Issue A; 501 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 Two Saved UDP Policies (November 2012) and the London Plan (July 2011).

3 NONSC Non Standard Condition

The existing 17.5m Jupiter 822 Dual Stack Street Pole, VF Alifabs Spitfire cabinet and VF Ericsson RBS 3101 Cabinet shall be removed from the site and where their siting and concrete foundations do not precisely correspond to the proposed new mast and new equipment cabinets shown on Drw. No. 201 Issue A, the land shall be restored to its original condition before that development took place or to any other condition as may be agreed in writing by the Local Planning Authority, prior to the installation of the telecommunications apparatus hereby approved.

REASON

To comply with the terms of the application and to ensure that the development does not result in an incongruous, visually obtrusive form of development and unwanted street clutter, in compliance with Saved Policies BE13 and BE37 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

4 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 Two - 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.

OL5	Development proposals adjacent to the Green Belt
AM7	Consideration of traffic generated by proposed developments.
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.
OE1	Protection of the character and amenities of surrounding properties and the local area

3. CONSIDERATIONS

3.1 Site and Locality

The site comprises an existing 17.5 metre high monopole phone mast with a number of existing equipment cabinets situated either side of the monopole at the rear of the footway on the east side of Joel Street.

Residential properties front the site on the east side of Joel Street and allotments exist to the east (to the rear) of the site. A hedge in excess of 2.3 metres provides a boundary between the footpath and the adjacent allotment gardens. The site falls within the 'developed area' as identified in the adopted Hillingdon Unitary Development Plan Saved Policies and lies immediately adjacent to Green Belt land to the east.

3.2 Proposed Scheme

The applicant seeks prior approval for a telecommunications installation under Schedule 2, Part 24 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

The applications seeks to remove the existing 17.5 metre monopole and replace this with one of the same height but with a longer shroud, and to replace 1 existing cabinet with a new cabinet in the same location. The replacement pole will be relocated 12 metres to the north of its existing pole.

The replacement cabinet would be 1.6m high, 1.7m wide and 0.8m deep.

The proposed upgrade is required to improve the mobile phone coverage to the surrounding area for both operators.

3.3 Relevant Planning History

58424/APP/2011/494 Land Opposite 144 Joel Street Northwood

Replacement of existing 15m high mobile phone mast with a 17.5m high mast with 3 no. antennas, replacement of one equipment cabinet and installation of one new equipment cabinet

Decision: 28-04-2011 Approved

61384/APP/2005/3383 Land Opposite Northwood Hills United Reform Church Joel Street Noi
RELOCATION AND REPLACEMENT OF EXISTING 12.5 METRE HIGH MONOPOLE MOBILE
PHONE MAST, OPPOSITE 144 JOEL STREET, WITH A 12.5 METRE HIGH IMITATION
TELEGRAPH POLE MOBILE PHONE MAST OPPOSITE NORTHWOOD HILLS UNITED
REFORMED CHURCH (CONSULTATION UNDER SCHEDULE 2, PART 24 OF THE TOWN AND
COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995)(AS
AMENDED)

Decision: 23-12-2005 Withdrawn

61384/APP/2005/3544 Land Opposite Northwood Hills United Reform Church Joel Street Noi
INSTALLATION OF A 12.5 METRE MONOPOLE MOBILE PHONE MAST (CONSULTATION
UNDER SCHEDULE 2, PART 24 OF THE TOWN AND COUNTRY PLANNING (GENERAL
PERMITTED DEVELOPMENT) ORDER 1995)(AS AMENDED)

Decision: 07-02-2006 Refused

Comment on Relevant Planning History

58424/APP/2003/1230 Installation of a 12.5m high telecommunications mast with
equipment cabinet (Consultation under schedule 2, Part 24 of the Town and Country
Planning (General Permitted Development (Amendment) (England) Order 2001) - Prior
approval required APPROVED 03/07/2003

58424/APP/2005/1894 Replacement of an existing 12.5m high telecommunications mast
with 15m high monopole mobile phone mast equipment cabinet. APPROVED on Appeal
07/04/2006

The 2005 application (58424/APP/2005/1894) was refused by Hillingdon on grounds the
proposed development by reason of its siting and design would result in an incongruous
and visually obtrusive form of development which would be out of keeping with the visual
character of the adjoining street scene and surrounding area and detrimental to the
residential amenities of surrounding properties. The proposal is therefore contrary to
Policies Pt1.11, BE13, BE37 OL5 and 0E1 of the Hillingdon Development Plan. It would
also be directly visible from the adjoining Green Belt and would injure the visual amenities
of the Green Belt.

The Decision was overturned on Appeal under Part 24 of Schedule 2 of the Town and
Country (general Permitted Development) Order 1995. The inspector noted some
residents expressed strong opinion about the appearance of the existing mast. Having
acknowledged these concerns the Inspector concluded that there is a need for the
equipment, accepted the applicants' case that there is no alternative site available and did
not deem the increased height and thickness of the replacement mast would result in
material harm to the area.

The Inspector also noted that the additional equipment cabinet would be set against the
backdrop of the hedge and would not in his view appear intrusive.

It is considered notwithstanding the further increase in the height of the proposed mast and the proposed addition of a third equipment cabinet set against the hedge the Inspector's reasoning is material and relevant to this current application.

58424/APP/2011/494 - Approval for the replacement of existing 15m high mobile phone mast with a 17.5m high mast with 3 no. antennas, replacement of one equipment cabinet and installation of one new equipment cabinet.

This application relates to the existing mast which would be removed as part of the proposals.

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

PT1.EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains

Part 2 Policies:

OL5 Development proposals adjacent to the Green Belt

AM7 Consideration of traffic generated by proposed developments.

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.

OE1 Protection of the character and amenities of surrounding properties and the local area

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

A site notice was displayed and 59 residents notified of the planning application.

No responses have been received to this consultation.

Internal Consultees

None

7. MAIN PLANNING ISSUES

7.01 The principle of the development

In accordance with Part 24 of the Town and Country planning (General Permitted Development) Order 1995 (as amended) Vodafone is required to apply to the Local Planning Authority for a determination as to whether prior approval of the details of siting and design is required and, if so, for the Local Planning Authority to either approve or refuse those details.

The application has been assessed principally against the National Planning Policy Framework (NPPF) and Saved Policy BE37 of the Unitary Development Plan. The NPPF stresses the importance of high quality communications infrastructure and the role it plays in supporting sustainable economic growth. It goes on to advise that the aim should be to keep the numbers of radio and telecommunications masts and sites to a minimum, consistent with the efficient operation of the network and that existing masts and sites should be used unless there is a demonstrable need for a new site. Saved Policy BE37, amongst other criteria, advises of the desirability of operators to share existing facilities.

The site is required to provide new 4G coverage, for both Vodafone and Telefonica, to the surrounding area. The applicant states other options were identified and investigated, however concluded that as there is an existing installation and associated apparatus on the site, it appeared the most optimum solution for the area in terms of minimising street clutter, and would negate the need for an additional installation elsewhere in the vicinity.

Government guidance supports the avoidance of proliferation of sites and the sharing of masts between operators. Given the existence of the existing telecommunications equipment on this location, the new mast being the same height as the existing, albeit in a different location, and in light of the Inspector's previous appeal decision on the site it is not considered that the Council could justify a refusal on grounds of its detrimental impact to the adjoining Green Belt on visual grounds.

Accordingly, there is no objection to the principle of the proposed development.

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 proposed installation is not located in an a conservation area or an Area of Special Local Character, where more restrictive criteria are applicable.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Policy OL5 seeks to protect the Green Belt from development that would be adjacent to or conspicuous from the Green Belt in order to preserve its openness and visual amenity. Whilst a telecommunications installation would not usually be considered an acceptable form of development within or immediately adjacent to the Green Belt, the presence of an existing installation within this location, which is to be removed need to be considered.

Whilst the mast would be visible from surrounding views, it would be seen in the context of the existing equipment. The replacement mast would be of a broadly similar design and the same overall height as the existing mast, albeit wider in diameter towards the top and located further to the north. It is not considered that the replacement mast of the same height as the existing would have a significant impact on the character or appearance of the area or the openness and visual amenity of the surrounding Green Belt. As such, it is not considered that refusal could be justified on Green Belt grounds.

7.06 Environmental Impact

The applicant has provided details that the installation is designed to be fully compliant with the public exposure guidelines established by the International Commission on Non-Ionising Radiation Protection (ICNIRIP) scheme.

7.07 Impact on the character & appearance of the area

At 17.5m high the proposed mast would be taller than the immediately surrounding buildings, trees and nearby street lights. However, the height of this monopole in this vicinity has been considered within previous applications at the site and the existing monopole is the same height. The applicant states they have investigated other alternative sites within the surrounding area and concluded that this site is optimum by avoiding, in accordance with government guidance on masts, the unnecessary proliferation of mast sites within an area.

Officers previous searches for more appropriate alternative locations which were considered to be less prominent than this site, were previously dismissed by the applicant and the Planning Inspector within the 2005 appeal decision.

Whilst the proposed pole is of the same height albeit with a larger shroud, and clearly will be visible within the street scene, given the lack of more appropriate alternative sites within the surrounding area, and in light of the Inspector's previous appeal decision, it is not considered the variation in design, altered location and replacement equipment cabinet set against the hedge, would provide sufficient reason to justify a refusal on grounds of the additional visual intrusion upon the character of the street scene or adjoining Green Belt.

7.08 Impact on neighbours

The nearest residential properties are located 23 metres away on the opposite side of Joel Street. The existing mast is already visible from the front windows of the properties opposite. There are 3 schools within 500m of the site. In the context of the existing mast on the site, and in light of the Inspector's previous decision on a 15m mast on the site, it is not considered that the proposed replacement would have a significant additional impact on the residential amenity of nearby properties.

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The proposed additional cabinet would be located at the back of the footway in line with the two existing cabinets and given the width of the footway at this point is not considered will impact upon pedestrian or highway safety.

7.11 Urban design, access and security

The telecommunications installation is required to provide 4G coverage for both Vodafone and Telefonica, to the surrounding area.

The design approach adopted permits two operators to have coverage to the surrounding area, thereby minimising overall impact to the area. The slightly larger shroud compared to the existing pole and altered location, is not considered to adequately alter the visual appearance of the proposed mast in a detrimental manner to justify a refusal on design grounds, and the mast would still be seen in the context of other telecommunications apparatus.

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 scheme involving the replacement of one monopole with another and the provision of an replacement cabinet is not considered to have any lasting adverse impact upon any trees, landscaping or existing hedging.

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

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 the consideration of this application.

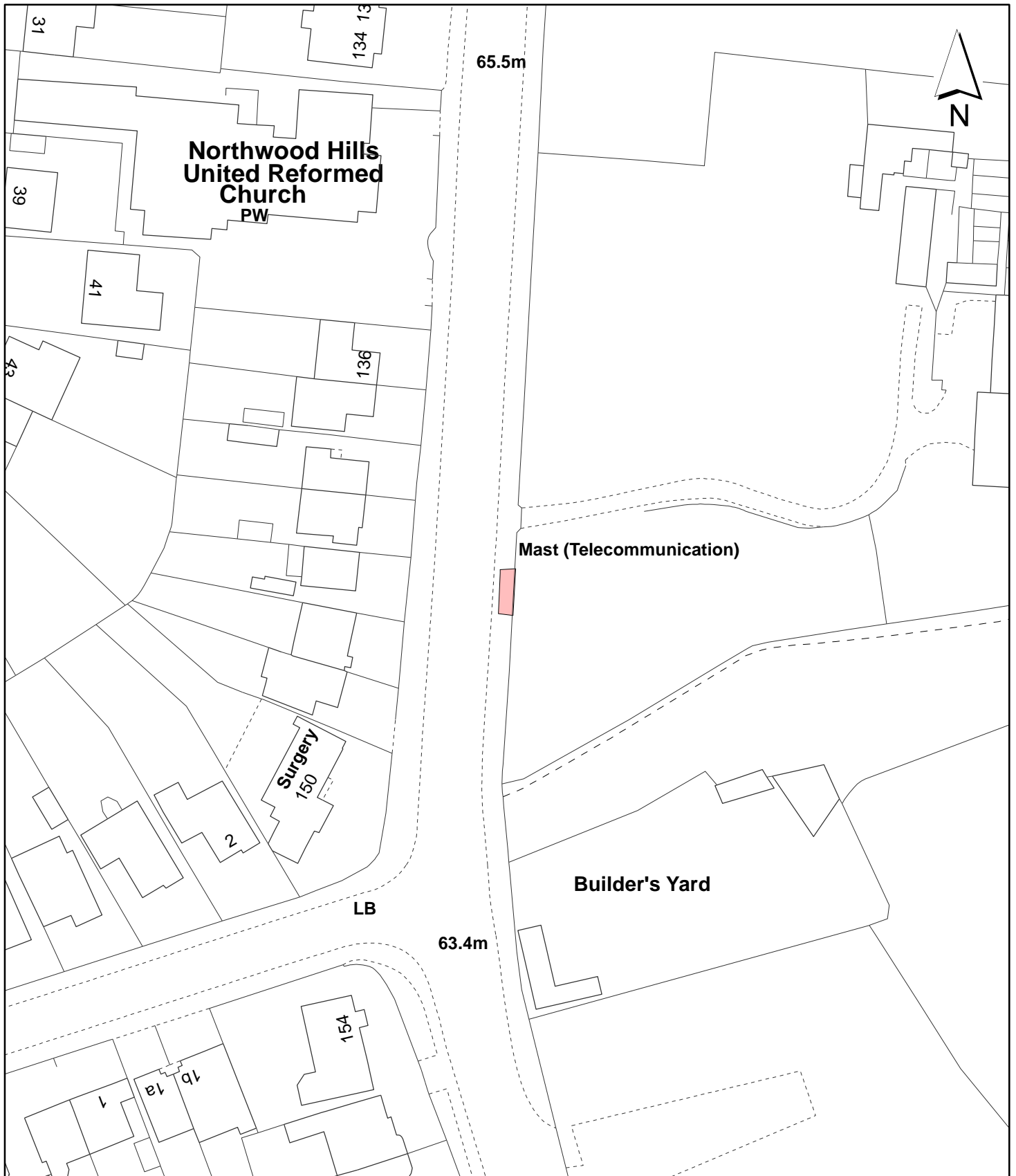
10. CONCLUSION



Whilst, the proposed replacement monopole would be clearly more visible within the street scene and the surrounding vicinity, officers do not consider the altered location and other variations in the design of the monopole or the proposed replacement equipment cabinet provide sufficient material justification to refuse the application upon visual amenity grounds.

Accordingly, it is recommended that details of the siting and design are approved, subject to the relevant conditions.

Contact Officer: Charlotte Bath

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<p>Notes</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 2015 Ordnance Survey 100019283</p>	<p>Site Address</p> <p>Land opposite Northwood Hills United Reform Church Joel Street Northwood</p>		<p>LONDON BOROUGH OF HILLINGDON</p> <p>Residents Services Planning Section</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p>61384/APP/2015/196</p>	<p>Scale</p> <p>1:800</p>	
	<p>Planning Committee</p> <p>North</p>	<p>Date</p> <p>March 2015</p>	