

Report of the Head of Planning, Sport and Green Spaces

Address FOOTPATH FRONTING QUALITY FOODS UXBRIDGE ROAD HAYES

Development: Installation of 15m street furniture pole with lancaster cabinet with 1 slimline meter cabinet and ancillary development thereto

LBH Ref Nos: 71391/APP/2015/4296

Drawing Nos: 100 Rev. A
201 Rev. A
301 Rev. A
Supplementary Information
Health and Mobile Phone Base Station:
Declaration of Conformity with ICNIRP Guideline
Background Information

Date Plans Received: 23/11/2015 **Date(s) of Amendment(s):**
Date Application Valid: 23/11/2015

1. SUMMARY

The proposed scheme involves the installation of a 15m high telecommunications column and equipment cabinet. It is considered that the proposed column would be acceptable in terms of its location and height, and along with the associated equipment cabinet, would not result in a significantly detrimental increase in street clutter. The proposed telecommunications installation would have an acceptable impact on the character and appearance of the street scene and the surrounding area. The proposal would not cause harm to pedestrian and highway safety.

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

2. RECOMMENDATION

APPROVAL subject to the following:

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 approved shall not be carried out except in complete accordance with the details shown on the submitted plans, 201 Rev. A and 301 Rev. 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 (2015).

3 NONSC Non Standard Condition

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

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) 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 (2015) 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
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
NPPF5	NPPF - Supporting high quality communication infrastructure

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 (2015). 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.

4 I47 Damage to Verge - For Council Roads:

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 the southern side of Uxbridge Road, located adjacent to the bridge over the Grand Union Canal. This part of Uxbridge Road consists mainly of commercial premises, however some residential properties are present to the north and south on Delamere Road and Bankside.

3.2 Proposed Scheme

It is proposed to install new telecoms equipment in the form of a 15 metre high Elara column, a cabinet (1898mm x 798mm x 1645mm) and one slim line meter cabinet.

Telefonica UK Ltd has entered into an agreement with Vodafone Ltd pursuant to which the two companies plan to jointly operate and manage a single network grid across the UK. The site is required in this location as another site nearby is no longer available due to the landlord giving notice on that site. The proposed installation will be a permanent solution to ensuring that the required existing 2G/3G coverage is maintained within the cell area and also enable existing service provision to be upgraded to provide 4G services to the surrounding areas.

3.3 Relevant Planning History

Comment on Relevant Planning History

There is no relevant planning history for this site.

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

BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

NPPF5 NPPF - Supporting high quality communication infrastructure

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

10 local residents were consulted on the application and a site notice displayed at the site. No objections were received to this consultation.

ENVIRONMENT AGENCY: No comments

Internal Consultees

HIGHWAYS: No objections

TREES AND LANDSCAPE: No objections

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Policy BE37 of the Hillingdon Local Plan: Part Two - 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 policy also states that permission for large or prominent structures will only be granted if:

(i) there is a need for the development in that location;

(ii) no satisfactory alternative means of telecommunications is available;

(iii) there is no reasonable possibility of sharing existing facilities;

(iv) in the case of radio masts there is no reasonable possibility of erecting antennae on an existing building or other structure; and

(v) the appearance of the townscape or landscape is not seriously harmed.

The proposed installation would provide 2G, 3G and 4G services for Telefonica and Vodafone. The applicant has carried out a study of alternative sites within the area and has demonstrated that no preferable alternative locations are available or acceptable.

The proposed telecommunications column would be 15m high and the proposed installation would not result in a significant increase in street clutter along this part of Uxbridge Road. As such, the proposed scheme would not cause harm to the character and appearance of the immediate and surrounding area.

It is therefore considered that the proposal would 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 the consideration of this application.

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

Not applicable to the consideration of this application.

7.04 Airport safeguarding

The application is not located within 3km of an airport, and therefore there are no safeguarding issues associated with the application.

7.05 Impact on the green belt

Not applicable to the consideration of 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 application site is located adjacent to the bridge over the Grand Union Canal, in front of 'Quality Foods'. The proposed mast, along with the equipment cabinets, would be located at the back of the footpath facing onto Uxbridge Road.

The design of the proposed telecommunications column would be in keeping with surrounding street light columns and would be at an acceptable height. Given the character of the surrounding area, the proposed column and associated equipment cabinet would not lead to a significant increase in street clutter on the pavement or appear out of scale and character with development nearby. The proposal would therefore not have a detrimental visual impact on the character and appearance of the immediate street scene and surrounding area, thereby complying with Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

The proposed telecommunications site is located adjacent to the bridge over the Grand Union Canal. The nearest residential properties are located to the south of the site in Bankside and at a distance of 65 metres from the site. There are some trees along the backdrop of the proposed mast location, which would provide some screening of the proposed development. Given the siting of the proposed development and screening that exists, it is considered that the proposal would not have a detrimental impact on neighbours.

7.09 Living conditions for future occupiers

Not applicable to the consideration of 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 proposed telecommunications site is located at the back of the pavement facing Uxbridge Road. Whilst there would be some encroachment onto the footpath when the cabinet doors are open for maintenance, sufficient space on the footpath would be retained to allow for use of the footpath during maintenance of the cabinet. As such, there would be no impact on pedestrian and highway safety from the proposed telecommunications installation.

The Council's Highways Engineer raises no objection to the proposal on highway grounds. It is therefore considered that the proposed scheme complies with Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.11 Urban design, access and security

The telecommunications monopole would be 15m high and would hold three antennae at the top within a 0.5m diameter shroud. The mast would be constructed from steel and coloured light grey, and is considered to be acceptable in design terms.

7.12 Disabled access

Not applicable to the consideration of this application.

7.13 Provision of affordable & special needs housing

Not applicable to the consideration of this application.

7.14 Trees, landscaping and Ecology

Not applicable to this application.

7.15 Sustainable waste management

Not applicable to the consideration of this application.

7.16 Renewable energy / Sustainability

Not applicable to the consideration of this application.

7.17 Flooding or Drainage Issues

Not applicable to the consideration of this application.

7.18 Noise or Air Quality Issues

Not applicable to the consideration of this application.

7.19 Comments on Public Consultations

There were no issues raised during the public consultation for the site.

7.20 Planning obligations

Not applicable to the consideration of this application.

7.21 Expediency of enforcement action

Not applicable to the consideration of 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

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

Not applicable to the consideration of this application.

10. CONCLUSION

The proposed scheme involves the installation of a 15m high telecommunications column and equipment cabinet. It is considered that the proposed column would be acceptable in terms of its location and height, and along with the associated equipment cabinet, would not result in a significantly detrimental increase in street clutter. The proposed telecommunications installation would have an acceptable impact on the character and appearance of the street scene and the surrounding area. The proposal would not cause

harm to pedestrian and highway safety.

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

11. Reference Documents

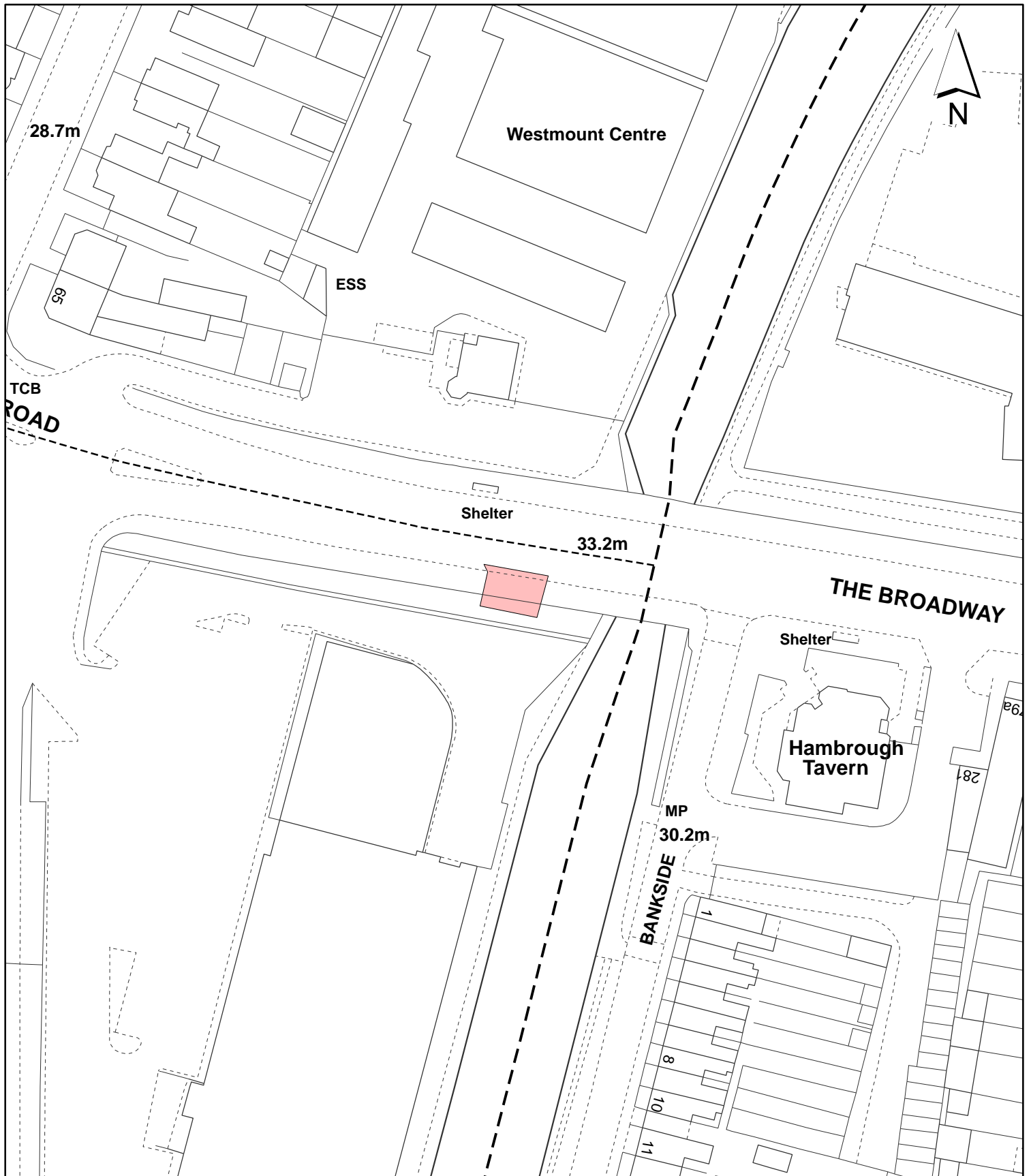
Hillingdon Local Plan: Part One - Strategic Policies (November 2012)

Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

National Planning Policy Framework (March 2012) Chapter 5

Contact Officer: Charlotte Goff

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

**Footpath fronting Quality Foods
 Uxbridge Road
 Hayes**

**LONDON BOROUGH
 OF HILLINGDON**
 Residents Services
 Planning Section

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

Planning Application Ref:

71391/APP/2015/4296

Scale:

1:900

Planning Committee:

Central and South

Date:

February 2016



HILLINGDON
 LONDON