

Report of the Head of Planning, Sport and Green Spaces

Address THE WATER TOWER FIELD, DUCKS HILL FARM DUCKS HILL ROAD
NORTHWOOD

Development: Replacement of existing 20m telecoms mast with 27.5 metre high mast to allow for site sharing, and associated cabinet and apparatus.

LBH Ref Nos: 60901/APP/2016/691

Drawing Nos: 301
400
401 rev A
300
201
200
Site Specific Supplementary Information
Declaration of Conformity
100

Date Plans Received: 19/02/2016 **Date(s) of Amendment(s):**

Date Application Valid: 19/02/2016

1. SUMMARY

This application seeks consent for the replacement of the existing 20m high mast with one that is 27.5 metres in height and relocated 12 metres north of its existing location. The replacement mast will allow all four telecoms operators to share one site.

The proposed replacement mast and associated cabinets/apparatus has been designed and located to have a minimal visual impact on its surroundings and would be largely screened from public areas and is a significant distance from any major residential areas. Tree screening around the site and the Water Tower Field, would reduce the visual impact the proposal would have on the wider Countryside Conservation Area. It is considered that the applicant has demonstrated an appropriate case of very special circumstances to justify the enlargement of the mast in this Green Belt location.

Subject to conditions to ensure that the mast and all equipment is painted in a dark colour and permanently retained as such, the proposal is recommended for approval.

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 permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [301; 400; 401 rev A; 201] and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2015).

3 COM7 Equipment colour

Prior to the installation of the mast and its associated cabinet/apparatus and fencing, details shall be submitted to and approved in writing with the Local Planning Authority of the proposed colour for these. The mast, cabinet, fencing and apparatus shall thereby be finished and retained in this approved colour unless otherwise agreed in writing with the Local Planning Authority.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy OI1, OL15 and BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

4 NONSC Removal

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
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL15	Protection of Countryside Conservation Areas

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located in the northern half of a privately owned field, belonging to Ducks Hill Farm, on the western side of Ducks Hill Road. The mast would be located to the west of a row of mature trees, running north to south through the middle of the field. There is open land to the west of the site and to the east of the trees up to Ducks Hill Road, on the side of which is woodland. Access to the site would be from Ducks Hill Road via a proposed extension of an existing farm track. The nearest residential property is approximately 60m away to the north. The site falls within the Green Belt and Countryside Conservation Area as designated by the Local Plan.

The existing site consists of a 20m high mast incorporating three antennas. Two equipment cabinets are located adjacent to the mast

3.2 Proposed Scheme

This application seeks consent for the refurbishment of the existing telecommunications installation. At present there is a mast that is 20m high and cabinets. The cabinets are all to remain on the site, however the existing mast is to be removed and replaced with a mast 27.5 metres in height. The proposed mast will be located approximately 12 metres north of its existing location, and consist of 9No. antennas on the proposed lower antenna (21.9-23.9m from the ground level) and the existing 6No. antennas relocated above on the pole (25.5m - 27.5m from ground level).

One additional cabinet is proposed and the existing fencing around the site will be extended to enclose the mast and support poles and ladders extended accordingly.

The site is to be used by all four telecoms operators.

3.3 Relevant Planning History

60901/APP/2005/1902 The Water Tower Field, South Of Ducks Hill Grange Ducks Hill Road
INSTALLATION OF A 17.5 METRE HIGH MONOPOLE MOBILE PHONE MAST, GROUND
BASED EQUIPMENT CABINET, FENCED COMPOUND AND ANCILLARY DEVELOPMENT

Decision: 25-08-2005 Refused **Appeal:** 15-02-2006 Dismissed

60901/APP/2006/167 The Water Tower Field, Ducks Hill Farm Ducks Hill Road Northwood
INSTALLATION OF 20 METRE HIGH MONOPOLE MOBILE PHONE MAST, GROUND BASED
EQUIPMENT CABINETS, FENCED COMPOUND AND ANCILLARY DEVELOPMENT.

Decision: 23-03-2006 Approved

Comment on Relevant Planning History

The most relevant planning history for this site is listed below.

In respect of application 60901/APP/2005/1902, this application refused consent, and the application dismissed on appeal, for the erection of a 17.5m high mast with three antennas. The development was proposed within the north east corner of the Water Tower Field adjacent to Ducks Hill Road. Officers considered that the proposed installation would be clearly visible from Ducks Hill Road and could be more sensitively sited in order to reduce its visual impact. The application was refused due to its inappropriate siting and Green Belt location. The decision was appealed and dismissed, and the Inspector was not satisfied that all possible solutions had been fully investigated, including the possible siting of the installation further to the west.

A further application was submitted to the Council (60901/APP/2006/167), which granted consent for a 20m mast, two equipment cabinets and close boarded fence enclosing the compound. The mast proposed within this application was located approximately 45 metres to the west of the 2005 scheme and accessed via a small track from Ducks Hill Road. It was considered that whilst the scheme presented inappropriate development within the Green Belt, that its location behind a row of mature trees, and general low visual impact, and there being no other suitable sites within the surrounding area provided sufficient reasons to justify an exception to Green Belt policy.

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.HE1 (2012) Heritage
- PT1.EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains

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
- OL1 Green Belt - acceptable open land uses and restrictions on new development

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

4 residents and Northwood Residents Association have been notified of the application and no comments received from this consultation.

Internal Consultees

None.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

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.

At present the site is occupied by H3G and EE. It is proposed to upgrade the existing telecommunications apparatus and also allow for both Vodafone and Telefonica, to occupy the site also. This proposal will therefore allow all four of the key telecoms operators to occupy the site so as to avoid the addition of further masts in the area. 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, there is no objection, in principle, to the continued use of this site for telecommunications equipment.

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

Policy OL15 of the Hillingdon Local Plan: Part One - Saved policies states that the LPA will seek to protect the landscape of Countryside Conservation Areas from development and/or activities that would detract from the special character of these landscapes.

The proposed installation has been designed and located to have minimal visual impact on its surroundings. The site would be well screened from public areas and is a significant distance away from any major residential areas. Tree screening around the site and the Water Tower Field would reduce any visual impact the proposal would have on the wider Countryside Conservation Area. The existing mast and associated fencing is finished in brown so as enable it to blend with the surrounding landscape. No detail has been provided of the colour of this mast and a condition is recommended on any consent requiring details of the proposed colour of the mast, ladders, cabinets and fencing.

On balance, it is considered that given the established use of this piece of land for telecommunications, the minimal visual impact and lack of more appropriate alternative sites, and proposed sharing of the mast between four operators, are sufficient reasons to justify an exception to policy OL15.

7.04 Airport safeguarding

The overall height of the mast is such that it would not give rise to any airport safeguarding issues.

7.05 Impact on the green belt

The NPPF seeks to protect Green Belt land from unacceptable development. Inappropriate development is by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any application within the Green Belt, substantial weight should be given to any harm to the Green Belt and 'very special circumstances' will not exist unless the potential harm to the Green Belt is clearly outweighed by other considerations.

Policy OL1 of the Hillingdon Local Plan: Part Two - Saved policies states that within the Green Belt, the following open land uses will be acceptable:

- (i) agriculture, horticulture, forestry and nature conservation;
- (ii) open air recreational facilities;
- (iii) cemeteries.

The LPA will not grant planning permission for new buildings or for changes of existing land and buildings, other than for the purposes essential for and associated with the users specified at (i), (ii), (iii) above. The number and scale of buildings permitted will be kept to a minimum in order to protect the visual amenity of the green belt.

In relation to the proposed application, paragraph 89 of the NPPF includes a list of developments that would be acceptable within the Green Belt. Telecommunication developments are not included within this list, and therefore the proposed installation represents inappropriate development within the Green Belt. It is therefore necessary for the applicant to demonstrate that very special circumstances apply if an exception is to be made to established Green Belt policy.

Paragraph 43 of the NPPF identifies the need to "keep the number of radio and telecommunications masts and the sites for such installations to a minimum consistent with the efficient operation of the network". In doing so, Central Government encourages the use of existing masts, buildings and other structures unless the need for a new site can be justified. Where such new sites are required, it is suggested that, where appropriate, equipment should be sympathetically designed and camouflaged.

At present, there is an existing 20m high mast and cabinets, which are used by H3G and EE. When application 60901/APP/2006/167 was considered, it was concluded that whilst the installation would represent inappropriate development within the Green Belt, the need to provide coverage to the residential area to the north east of the site and lack of alternative available sites, provided very special circumstances to justify an exception to Green Belt policy.

The operators Vodafone and Telefonica require a mast within the area, in order to provide and upgrade their coverage. When searching for a site suitable for both operators, the sequential approach outlined within the NPPF was followed by the applicant. This requires

the applicants to always firstly look at sharing any existing telecommunication structures within the area, secondly, consideration should then be given to utilising any suitable existing structures or buildings and thirdly, sites for freestanding ground based installations should then be investigated.

In line with paragraph 43 of the NPPF and Policy BE37, the applicants have reviewed all options available. There are no large buildings or other existing masts (with the exception of the one identified) within the applicant's search area suitable for telecommunications. The majority of the land surrounding the residential areas of Northwood to the north east, where the coverage is required, is designated as an Area of Special Local Character and is visually sensitive. This area does not contain appropriate buildings where antennas could be located and a streetworks pole is likely to be harmful to its character and appearance. Furthermore, any installation would be in close proximity to many residents. The applicants concluded that whilst the existing site is located within the Green Belt, the least harmful solution would be to utilise and enlarge this site, in order to avoid the addition of further masts/cabinets within the area.

The proposed location of the mast is in a similar location to that permitted within application 60901/APP/2006/167. The installation would be behind a row of mature trees, the tallest of which are comparable to the height of the existing 20m high installation. At present these trees go some way to screen the development from the surrounding area and it is not proposed to remove any of this coverage within this application. It is noted that the installation has increased in height by 7.5 metres, moved slightly in its siting, and the size of the enclosure and number of cabinets has increased. Notwithstanding this, given that this is an established telecommunications site within the Green Belt being enlarged to allow for sharing between 4 operators, the increase in the height and scale of the operations on this site is not considered to erode the openness and character of the area to an unacceptable degree.

Given the lack of availability of alternative appropriate sites to house the two additional operators, Vodafone and Telefonica, the scheme being an upgrade to existing apparatus that will allow all four operators to share the same facility, and provide much needed coverage to the residential area, is considered very special circumstances to justify an exception to Green Belt policy.

7.07 Impact on the character & appearance of the area

Sections 7.03 and 7.05 of the report have addressed the impact of the development on the character and appearance of the area.

7.08 Impact on neighbours

The nearest residential property is approximately 60 metres to the north of the site. It is considered that whilst part of the mast would be visible from the surrounding area that the surrounding trees would screen a substantial amount of the mast the nearby properties, 1 and 2 Ducks Hill Grange. Whilst the increased height of the mast would be visible within the wider area, it is considered that the vegetation surrounding the site would obscure views of the mast. Further, given that a mast has existing in this location for 10 years, the retention of such, albeit in an enlarged form, would not appear as an incongruous addition to the surrounding residents. Overall, the development is not considered to have a detrimental visual impact on the amenities of the surrounding residential occupiers.

7.09 Living conditions for future occupiers

Not applicable to the consideration of this application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The site is served by an established track, accessed from Ducks Hill Road. No alteration is proposed to this access route and given such, the proposal is not considered to have a detrimental impact on highway or pedestrian safety within the surrounding area.

7.11 Urban design, access and security

See sections 7.03 and 7.05.

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

The scheme involving the replacement of one mast with another and the provision of a 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 the consideration of this application.

7.16 Renewable energy / Sustainability

There are no renewable energy or sustainability issues associated with this application.

7.17 Flooding or Drainage Issues

There are no flooding or drainage issues associated with this application.

7.18 Noise or Air Quality Issues

There are no noise or air quality issues associated with this application.

7.19 Comments on Public Consultations

No comments were received from the public consultation.

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 replacement mast and associated cabinets/apparatus has been designed and located to have a minimal visual impact on its surroundings and would be largely screened from public areas and is a significant distance from any major residential areas. Tree screening around the site and the Water Tower Field, would reduce the visual impact the proposal would have on the wider Countryside Conservation Area. It is considered that the applicant has demonstrated an appropriate case of very special circumstances to justify the

enlargement of the mast in this Green Belt location.

Subject to conditions to ensure that the mast and all equipment is painted in a dark colour and permanently retained as such, the proposal is recommended for approval.

11. Reference Documents

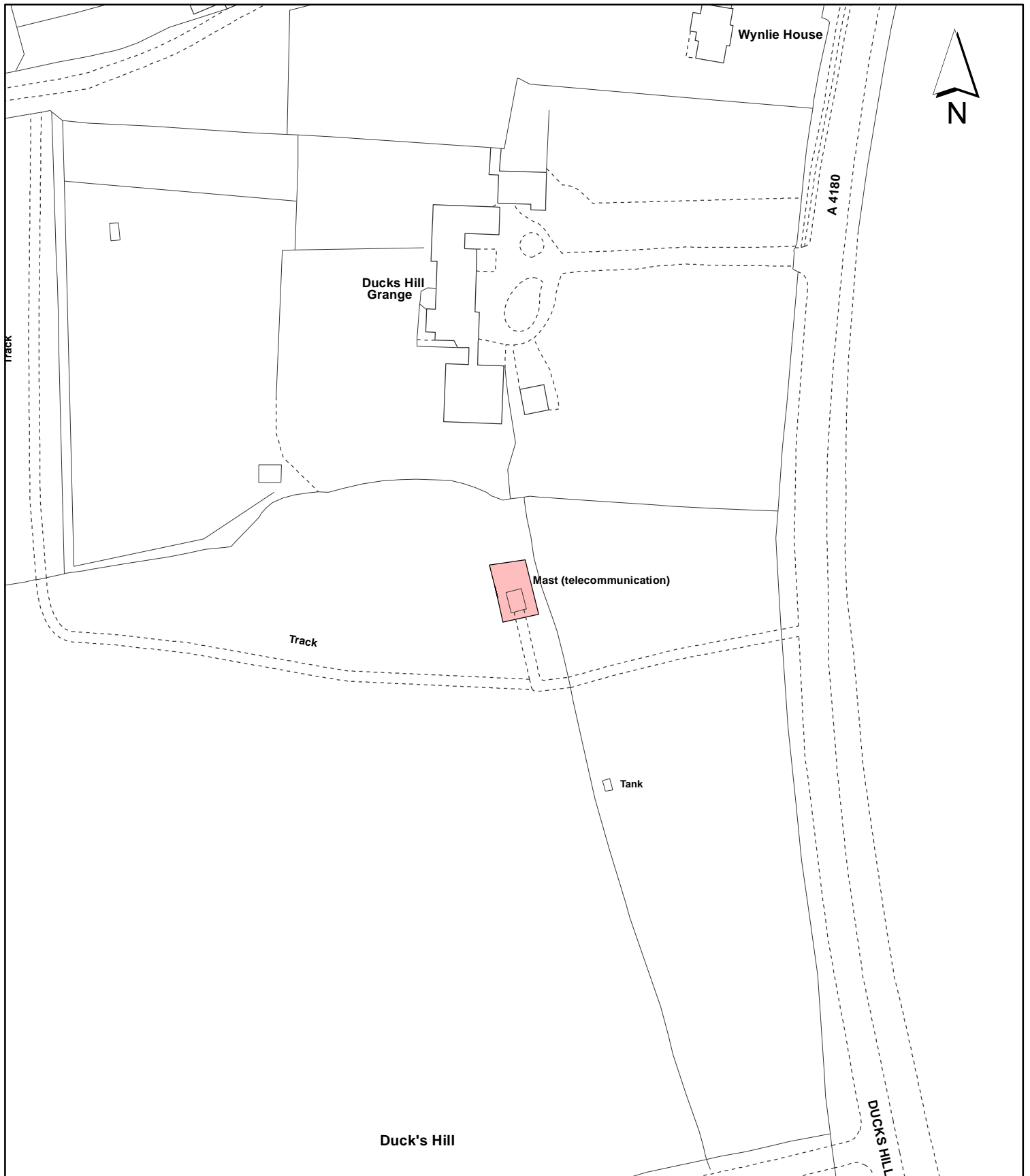
Hillingdon Local Plan: Part One - Strategic Policies (November 2012)

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

National Planning Policy Framework (March 2012) Chapter 5

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Notes:

 Site boundary

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Site Address: **The Water Tower Field
 Ducks Hill Farm
 Ducks Hill Road
 Northwood**

Planning Application Ref:
60901/APP/2016/691

Planning Committee:
North

Scale:
1:1,250

Date:
May 2016

**LONDON BOROUGH
 OF HILLINGDON**
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