

## **Report of the Head of Planning, Transportation and Regeneration**

**Address** SOUTH OF M4 HARMONDSWORTH ROAD WEST DRAYTON

**Development:** Removal of existing 17.5m high telecommunications monopole and installation of a new 20m high slimline monopole with feeder cabinet at base and two 0.6m diameter dishes, installation of an equipment cabinet and ancillary development (Application under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 for determination as to whether prior approval is required for siting and appearance)

**LBH Ref Nos:** 70429/APP/2018/2629

**Drawing Nos:** HGN023-01 Issue A1  
HGN023-02 Issue A1  
HGN023-03 Issue A1  
HGN023-04 Issue A1  
HGN023-05 Issue A1  
Supplementary Information  
Covering Letter/Planning Statement  
Developer's Notice  
Notice to Civil Aviation Authority  
ICNIRP Declaration  
Developer's Notice Cover Letter to Highways

**Date Plans Received:** 16/07/2018

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

**Date Application Valid:** 18/07/2018

### **1. SUMMARY**

The applicant seeks prior approval for an upgrade to an existing telecommunication site under Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) Order 2015). The proposed upgrade would provide an improved network for EE and H3G to allow for faster downloading and a reduction in call drop outs.

The proposed scheme involves the removal of an existing 17.5m high telecommunications monopole and the installation of a replacement 20m high slimline telecommunications monopole with a feeder cabinet at the base and two 0.6m diameter dishes; the replacement monopole would be located approximately 6m to the south of the existing monopole. The scheme also includes the installation of an equipment cabinet (measuring 0.6m wide x 0.48m deep x 0.9m high) and ancillary development.

The proposed scheme would not result in a detrimental impact on the character and appearance of the street scene, or on the visual amenity of the adjoining Green Belt and would not cause harm to pedestrian or highway safety. The proposed development complies with Policies AM7, BE13, BE37 and OL5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

However, the proposal would breach aircraft safeguarding limits and no evidence is before the Authority to indicate the siting of the column would not be detrimental to aircraft safety.

The proposed development conflicts with Policy A6 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Chapter 10 of the National Planning Policy Framework (July 2018). It is therefore recommended that prior approval be required in this instance and that permission is refused.

## **2. RECOMMENDATION**

**REFUSAL for the following reasons:**

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

In the absence of any evidence that the proposed telecommunications column does not cause an aircraft safety issue, the siting of a telecommunications column at this height in this location is considered to be unsafe and contrary to Policy A6 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Chapter 10 of the National Planning Policy Framework (July 2018).

## **INFORMATIVES**

### **1 152 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).

### **2 153 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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

A6	Development proposals within the public safety zones around Heathrow or likely to affect the operation of Heathrow or Northolt airports
AM7	Consideration of traffic generated by proposed developments.
BE13	New development must harmonise with the existing street scene.
BE37	Telecommunications developments - siting and design
OL5	Development proposals adjacent to the Green Belt
LPP 7.16	(2016) Green Belt
NPPF- 10	NPPF-10 2018 - Supporting high quality communications
NPPF- 13	NPPF-13 2018 - Protecting Green Belt land

### **3**

Telecommunications operators, where they seek pre-application advice, are always advised to obtain feedback from air safeguarding authorities, before submitting prior approval applications. In this case, the operator has not provided evidence of positive pre-application feedback from safeguarding authorities.

## **3. CONSIDERATIONS**

### **3.1 Site and Locality**

The application site comprises an existing telecommunications site located on the western side of Harmondsworth Road. The M4 is located to the north. Areas of Green Belt are located either side of Harmondsworth Road. Holloway Farm, which comprises a number of commercial units, is located to the east.

### **3.2 Proposed Scheme**

The applicant seeks prior approval for an upgrade to an existing telecommunication site under Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) Order 2015). The proposed upgrade would provide an improved network for EE and H3G to allow for faster downloading and a reduction in call drop outs.

The proposed scheme involves the removal of an existing 17.5m high telecommunications monopole and the installation of a replacement 20m high slimline telecommunications monopole with a feeder cabinet at the base and two 0.6m diameter dishes; the replacement monopole would be located approximately 6m to the south of the existing monopole. The scheme also includes the installation of a replacement stacked equipment cabinet (measuring 0.6m wide x 0.48m deep x 0.9m high) and ancillary development.

### **3.3 Relevant Planning History**

70429/APP/2014/4032      South Of M4 Harmondsworth Road West Drayton

Installation of a replacement 14m high telecommunications mast, associated ground based equipment cabinets and ancillary development (Consultation Under Schedule 2, Part 24 of the Town and Country Planning (General Permitted Development) Order 1995) (as amended.)

**Decision:** 29-12-2014      Approved

70429/APP/2015/3015      South Of M4 Harmondsworth Road West Drayton

Removal of existing 14m high telecoms pole and installation of a new 17.5m high telecoms pole and one additional associated equipment cabinet (Application under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 for determination as whether prior approval is required for siting and appearance)

**Decision:** 22-09-2015      Approved

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

## **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:

A6	Development proposals within the public safety zones around Heathrow or likely to affect the operation of Heathrow or Northolt airports
AM7	Consideration of traffic generated by proposed developments.
BE13	New development must harmonise with the existing street scene.
BE37	Telecommunications developments - siting and design
OL5	Development proposals adjacent to the Green Belt
LPP 7.16	(2016) Green Belt
NPPF- 10	NPPF-10 2018 - Supporting high quality communications
NPPF- 13	NPPF-13 2018 - Protecting Green Belt land

## 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. No responses were received during the public consultation.

Harmondsworth and Sipson Residents Association: No response was received

Heathrow Airport Limited: No response was received

NATS Safeguarding: No response was received

### Internal Consultees

Highways Officer: There are no highway, traffic or transport concerns with this application.

## 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 application site already comprises a 17.5m high telecommunications monopole. The existing monopole would be removed and replaced with a new 20m high telecommunications monopole with a feeder cabinet at the base and two 0.6m diameter dishes. An additional equipment cabinet would also be installed, underneath an upgraded equipment cabinet. The proposed monopole would be installed approximately 6m south of the existing telecommunications monopole.

The proposed location of the replacement telecommunications monopole is considered to be acceptable. The proposed monopole would be 2.5m taller than the existing monopole which extends 8.5m above the tree line. Whilst the proposed replacement monopole is taller than the existing, it is considered that the slimline design of the replacement monopole would not have a negative impact on the appearance on the surrounding area. The proposed dishes, located at a height of 14m, would be small in scale and would not

impact on the surrounding area.

The proposed feeder cabinet at base, and the replacement stacked equipment cabinet are considered to be acceptable in terms of their size and location. The stacked equipment cabinet would be at the same height as the existing sacked cabinet whilst the feeder cabinet would have a height similar to other equipment cabinets on the site.

The proposed scheme therefore accords 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**

Policy A6 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the Local Planning Authority will not grant planning permission for development likely to interfere with the safe and efficient operation of Heathrow or Northolt Airports.

The proposed 20m telecommunications monopole would be located within 3km of Heathrow Airport. Heathrow Airport Limited and NATS Safeguarding were therefore consulted on the application.

Telecommunications operators, where they seek pre-application advice, are always advised to obtain feedback from air safeguarding authorities, before submitting prior approval applications. In this case, the operator has not provided evidence of positive pre-application feedback from safeguarding authorities.

Furthermore, to date, no comments have been received from Heathrow Airport Limited or NATS Safeguarding, in response to consultation, to indicate the proposed column does not cause a safeguarding issue. In the absence of any evidence that the proposed column does not cause an aircraft safety issue and given the importance of this matter, the siting of a column at this height in this location is considered to be unsafe and contrary to Policy A6 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Chapter 10 of the National Planning Policy Framework (July 2018).

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

Policy OL5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) does not allow developments adjacent to or conspicuous from the Green Belt that would injure the visual amenities of the Green Belt.

Green Belt land is located either side of Harmondsworth Road. The existing monopole and equipment cabinets have a limited impact on the visual amenity of the adjoining Green Belt due to the existing trees (approximately 9m high) and vegetation which provides some screening of the telecommunications equipment. The existing trees and vegetation would provide screening to the new replacement stacked equipment cabinet and to the lower part of the replacement monopole.

Despite the increase in overall height of the monopole and the feeder cabinet at the base of the monopole, the slimline design would not have a negative impact on the amenity of the Green Belt. The replacement stacked equipment cabinet would have a limited impact on the Green Belt. The proposed scheme thereby complies with Policy OL5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### **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 or other features in the area.

The site is located at the back of the public footpath along Harmondsworth Road and already comprises a 17.5m high telecommunications monopole and a number of equipment cabinets.

The proposed replacement monopole would be located approximately 6m south of the existing monopole, which is considered acceptable; although it is taller than the existing 17.5m monopole, the proposed slimline design would not have a detrimental impact on the character and appearance of the surrounding area. The replacement stacked equipment cabinet is considered to be acceptable in regards to its bulk, scale and location.

The proposed scheme thereby complies with Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

The nearest properties to the telecommunications site are commercial units and as the equipment cabinets are only visible when viewed along the highway, they would not visually impact on these properties. It is considered that the proposed replacement mast would not have a detrimental impact on residential amenity.

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

Not applicable to this application.

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

The telecommunications site is located on a grass verge at the back of the public footpath along Harmondsworth Road. The proposed telecommunications monopole and replacement stacked equipment cabinet would be in line with the existing telecommunications equipment on the site. The front of the cabinet would be 0.5m away from the edge of the grass verge.

As the telecommunications site does not encroach onto the public footpath there would be no impact on pedestrian and highway safety. 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 replacement telecommunications monopole would be 20m high containing three antennae within a slimline monopole. The telecommunications monopole would be constructed from steel with a grey finish to match the existing telecommunications mast (which is to be removed). The two 0.6m diameter dishes would be located on the side of the monopole. The replacement equipment cabinet would be coloured grey as per the existing cabinet which it would replace.

The proposed replacement telecommunications monopole, the two new dishes and the new equipment cabinet are considered to be acceptable in design terms.

#### **7.12 Disabled access**

Not applicable to this application.

#### **7.13 Provision of affordable & special needs housing**

Not applicable to this application.

#### **7.14 Trees, landscaping and Ecology**

There are several trees and a thick screen of vegetation located along the rear of the grass verge which provides some screening of the existing telecommunications equipment. It is considered that the proposed replacement monopole, the two new dishes and the replacement cabinet would not have a detrimental impact on the existing trees and vegetation along the grass verge, which would continue to provide some screening of the telecommunications installation. The proposal therefore complies with Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### **7.15 Sustainable waste management**

Not applicable to this application.

#### **7.16 Renewable energy / Sustainability**

Not applicable to this application.

#### **7.17 Flooding or Drainage Issues**

Not applicable to this application.

#### **7.18 Noise or Air Quality Issues**

Not applicable to this application.

#### **7.19 Comments on Public Consultations**

No responses were received during the public consultation.

#### **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**

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 this application.

#### **10. CONCLUSION**

The applicant seeks prior approval for an upgrade to an existing telecommunication site under Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) Order 2015). The proposed upgrade would provide an improved network for EE and H3G to allow for faster downloading and a reduction in call drop outs.

The proposed scheme involves the removal of an existing 17.5m high telecommunications monopole and the installation of a replacement 20m high slimline telecommunications monopole with a feeder cabinet at the base and two 0.6m diameter dishes; the replacement monopole would be located approximately 6m to the south of the existing monopole. The scheme also includes the installation of an equipment cabinet (measuring 0.6m wide x 0.48m deep x 0.9m high) and ancillary development.



The proposed scheme would not result in a detrimental impact on the character and appearance of the street scene, or on the visual amenity of the adjoining Green Belt and would not cause harm to pedestrian or highway safety. The proposed development complies with Policies AM7, BE13, BE37 and OL5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

However, the proposal would breach aircraft safeguarding limits and no evidence is before the Authority to indicate the siting of the column would not be detrimental to aircraft safety.

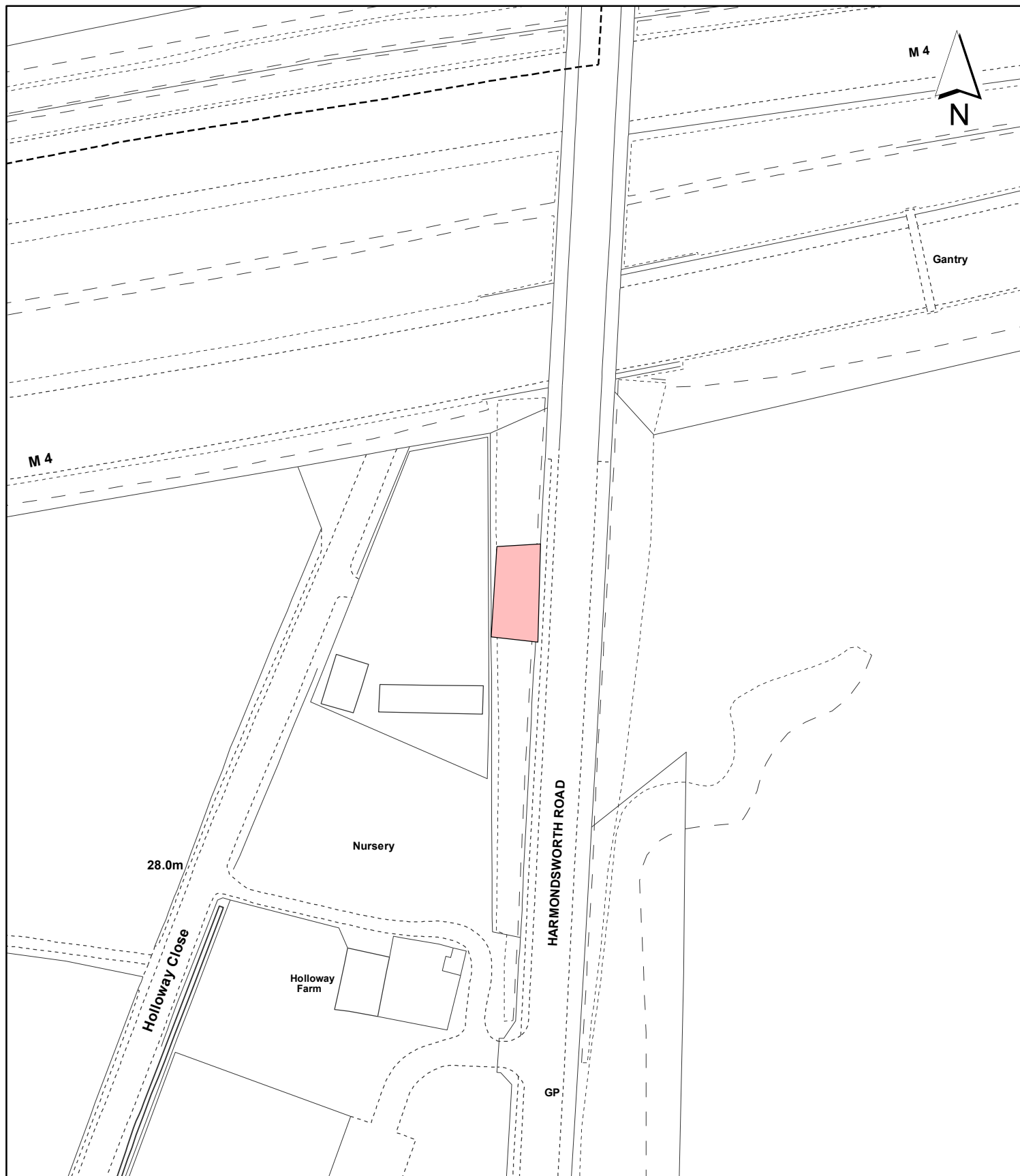
The proposed development conflicts with Policy A6 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Chapter 10 of the National Planning Policy Framework (July 2018). It is therefore recommended that prior approval be required in this instance and that permission is refused.

#### **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 (July 2018) Chapter 10 and Chapter 13

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# Notes:

 Site boundary

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Site Address:

**South of M4  
Harmondsworth Road  
West Drayton**

Planning Application Ref:

**70429/APP/2018/2629**

Scale:

**1:1,250**

Planning Committee:

**Central & South**

Date:

**August 2018**

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

Civic Centre, Uxbridge, Middx. UB8 1UW  
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