

Report of the Head of Planning, Transportation and Regeneration

Address TELECOMMUNICATIONS MAST AT JUNCTION OF WESTBOURNE ROAD & UXBRIDGE ROAD HILLINGDON

Development: Removal of existing 12m high telecommunications mast and associated equipment, replaced by a 20m streetworks pole with 12 apertures, ground based equipment cabinets and associated works

LBH Ref Nos: 74888/APP/2019/1982

Drawing Nos: 100 Existing Site Plan Issue A
150 Existing Elevation A Issue A
215 MAX Configuration Site Plan Issue A
265 MAX Configuration Elevation Issue A
Declaration of Conformity with ICNIRP Public Exposure Guidelines
002 Site Location Plan Issue A
305 Equipment Schedule & Support Structure Details Issue B
Supplementary Information
Collaborating for Digital Connectivity 7th March 2019
MBNL.Supp.Info.New Tech.06.12.19

Date Plans Received: 12/06/2019

Date(s) of Amendment(s):

Date Application Valid: 26/06/2019

1. SUMMARY

The application seeks full planning permission for the removal the existing 12m high telecommunication mast and associated equipment and installation of a 20m high mast with 12 apertures, ground based equipment and associated works. The proposed new installation will be located some 8m from the existing equipment. The replacement mast and cabinets would provide coverage for Hutchinson 3G UK Limited and EE Limited.

The location of the proposed mast would be with an industrial building as a backdrop and, as such may be considered, in itself acceptable. However, the proposed associated cabinets, by reason of the quantity, size, scale and siting are considered to have a detrimental impact on the character and appearance of the surrounding area. Whilst the proposal is to upgrade and replace the existing apparatus in a similar location, the proposal will add undue clutter to the streetscene which will have a significant negative impact on visual amenity.

This application is recommended for Refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development, by reason of the quantity, size, scale and siting of the equipment cabinets, would create an obtrusive form of development which would add visual clutter to the street scene. As such, the proposal would not harmonise with the character of the area and would be detrimental to local visual amenities, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies

BE13, BE19 and BE37 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policies DMHB 11, DMHB 12 and DMHB 21 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019).

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to REFUSE 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 REFUSE 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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

AM7	Consideration of traffic generated by proposed developments.
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE37	Telecommunications developments - siting and design
DMHB 21	Telecommunications
LPP 4.11	(2016) Encouraging a connected economy
NPPF- 10	NPPF-10 2018 - Supporting high quality communications

3

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>).

3. CONSIDERATIONS

3.1 Site and Locality

The application site is situated south-west of Uxbridge Road/Marlborough Parade, adjacent to Westbourne Road to the east. The existing telecommunication equipment is located along the public pedestrian path in front of the car parking/servicing yard of a commercial laundry and dry cleaning business. The site currently comprises of a 12m high telecommunications pole and 4 associated cabinets that sits in close proximity to the adjacent property fence.

The site is located in a shopping/commercial area with, in the main, commercial at ground level with residential on first and second floor level. The site faces directly onto Uxbridge

Road, which comprises of four lanes with on-street parking. Residential dwellings are located directly behind the shopping area.

3.2 Proposed Scheme

The proposed scheme is to remove the existing 12m high telecommunications mast and 3 associated equipment cabinets and install a 20m replacement mast with 12 apertures, 9 ground based equipment cabinets and associated works. The new telecommunication equipment will be located some 8m north-west of the existing location. The existing equipment is currently located next to a car parking area however the new location will be in front of a commercial building with a windowless facade.

A total of 9 new cabinets will be installed with one cabinet retained from the existing site.

Details of the 9 new cabinets proposed are as follows:

CAB1 - EE-Whiltshire, 2000mm (W) x 750mm (D) x 1850mm (H), RAL- Grey, Steel
CAB2 - EE 3900A, 600mm (W) x 480mm (D) x 1900mm (H), RAL- Grey, Steel
CAB3 - EE - Meter Cabinet, 110mm (W) x 410 (D) x 1286mm (H), RAL- Grey, Steel
CAB4 - H3G - RFC5906, 600mm (W) x 480mm (D) x 1800mm (H), RAL- Grey, Steel
CAB5 - H3G - RFC5906, 600mm (W) x 480mm (D) x 1800mm (H), RAL- Grey, Steel
CAB6 - H3G - PONODA, 600mm (W) x 480mm (D) x 1800mm (H), RAL- Grey, Steel
CAB7 - H3G - AMP5930, 600mm (W) x 480mm (D) x 1200mm (H), RAL- Grey, Steel
CAB8 - H3G - Mk5 Link AC, 1200mm (W) x 500mm (D) x 1500mm (H), RAL- Grey, Steel
CAB9 - Diplexer Cabinet, 1600mm (W) x 600mm (D) x 1600mm (H), RAL - Grey, Steel

Details of support structure:

Equipment - HS2, 20.0m high, RAL Galvanised with Root Foundation.

3.3 Relevant Planning History

1756/APP/2006/2726 Junction Of Westbourne Road And Uxbridge Road Hillingdon
INSTALLATION OF 12 METRE HIGH MONOPOLE MOBILE PHONE MAST AND ANCILLARY
EQUIPMENT CABINETS (RESITING OF MAST RECENTLY ALLOWED AT APPEAL)
(CONSULTATION UNDER SCHEDULE 2, PART 24 OF THE TOWN AND COUNTRY PLANNING
(GENERAL PERMITTED DEVELOPMENT) ORDER 1995)(AS AMENDED).

Decision: 13-11-2006 SD

Comment on Relevant Planning History

Planning permission under reference 1756/APP/2006/2726 was part allowed at appeal dated 18-11-05 for the installation of an 11.7 metre high monopole mobile phone mast and equipment cabinets (Consultation under Schedule 2, Part 24 of the Town and Country Planning (General Permitted Development) Order 1995)(as amended).

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.
BE19 New development must improve or complement the character of the area.
BE37 Telecommunications developments - siting and design
DMHB 21 Telecommunications
LPP 4.11 (2016) Encouraging a connected economy
NPPF- 10 NPPF-10 2018 - Supporting high quality communications

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 between 4-7-19 and 1-8-19 and 13 nearby occupiers/owners were consulted. No public comments were received.

MOD Safeguarding: No comments received.

Heathrow Aerodrome Safeguarding: We have now assessed the above application against safeguarding criteria and can confirm that we have no safeguarding objections to the proposed development.

However, we would like to make the following observation:

Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>).

NATS:

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on

the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Internal Consultees

Highways Officer:

As the proposed apparatus would be set at the back of the significantly wide foot-way, there are no concerns raised on the grounds of highway compromise.

Trees and Landscape Officer:

The site is covered by TPO 255, in particular a Weeping Willow, which I'm pretty certain is no longer present. There are also some alders along the site frontage, which were planted in accordance with previous planning conditions.

Provided that the telecoms mast is within the paved area of the footway, there is no objection on the grounds of tree/landscape concerns.

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 Local Planning Authority will only grant permission for large or prominent structures if there is a need for the development in that location, no satisfactory alternative means of telecommunications is available, there is no reasonable possibility of sharing existing facilities, in the case of radio masts there is no reasonable possibility of erecting antennae on an existing building or other structure and the appearance of the townscape or landscape is not seriously harmed.

The National Planning Policy Framework (2019) stresses the importance of advanced, high quality and reliable communications infrastructures 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.

Government guidance supports the avoidance of proliferation of sites and the sharing of masts between operators. It is clear from this NPPF guidance that existing buildings and structures should always be considered first. In this case, the proposal is to replace and upgrade the existing telecommunication installation for two carriers, H3G (UK) Ltd and EE (UK) Limited. Given the existence of the existing telecommunications equipment close to this location, there is no objection, in principle, to the use of this site for telecommunications equipment.

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

The site is located approximately 2.4km south-west of RAF Northolt and 5.4km north of Heathrow Airport. MOD Safeguarding and NATS have been consulted however, no objections were raised.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP (November 2012) states that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene or other features of the area which the Local Planning Authority considers it desirable to retain or enhance.

Policy BE19 of the Hillingdon Local Plan: Part Two - Saved UDP (November 2012) states new development within residential areas should complement or improve the amenity and character of the area.

Policy DMHB 21 of the Hillingdon Local Plan: Part Two - Development Management Policies With Modifications (March 2019) states that telecommunication development will only be permitted where it is sited and designed to minimise their visual impact; it does not have a detrimental effect on the visual amenity, character or appearance of the building or the local area; it has been demonstrated that there is no possibility for use of alternative sites, mast sharing and the use of existing buildings; and it includes a Declaration of Conformity with the International Commission on Non Ionizing Radiation.

The proposed replacement monopole is 20 metres high, which is 8 metres taller than the existing. The monopole is a replacement and is located adjacent to an existing commercial property with no outlook impact. The appearance of the mast (coloured grey steel) will be in keeping with the existing lamp posts located on either side of Uxbridge Road.

The proposed new cabinets will be located in a row along the edge of the adjacent site's fence. The cabinets range in height from 1.2 to 1.9 metres. The size, height, and the number of cabinets proposed requires a considerably larger footprint than the existing and the number of cabinets at a height of 1.8m or above totals 5, with a further 2 being just below, where currently there are no cabinets of this size and scale. Thus, whilst the location of the proposed mast, with an industrial building as a backdrop, may be considered, in itself acceptable, the proposed associated cabinets, by reason of the quantity, size, scale and siting are considered to have a detrimental impact on the character and appearance of the surrounding area. Whilst the proposal is to upgrade and replace the existing apparatus in a similar location, the proposal will add undue clutter to the streetscene which will have a significant negative impact on visual amenity. As such, the proposal conflicts with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE19 and BE37 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policies DMHB 11, DMHB 12 and DMHB 21 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019).

7.08 Impact on neighbours

Policy BE21 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that planning permission will not be granted for new buildings or extensions which by reason of their siting, bulk and proximity, would result in a significant loss of residential amenity.

The closest residential property is 33m away, directly across Uxbridge Road and Marlborough Parade. The surrounding area is mainly dominated by ground level commercial properties with first to third floor residential above, while the adjacent streets including Westbourne Road, Butler Street and Pole Hill Road comprises of detached and semi-detached residential dwellings.

Redmead House and Delta House currently overlook onto the existing site from across Uxbridge Road and Marlborough Parade. Whilst visible from the residential properties, as the telecommunication equipment is a replacement and the distance is separated by a 5 lane highway, the impact on residential amenity is considered negligible in this instance.

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP (November 2012) considers whether the traffic generated by proposed development is acceptable in terms of the capacity and functions of existing and committed principal roads only, and will wholly discount any potential which local distributor and access roads may have for carrying through traffic.

The Council's Highways Officer was consulted and no objections were raised as the existing and the proposed replacement will be located on a wide foot-way.

It is therefore considered that the proposed development complies with Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.11 Urban design, access and security

Refer to 'Impact on the character and appearance of the area'.

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 site is located on the existing footpath, however proposed is directly adjacent to a TPO site. The Council's Landscape Officer has provided comments to the proposed development. No objections was raised as the proposed development will be located on the paved footway and therefore would not impact on any soft landscaping.

Comment:

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 comments were received during 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 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 this application.

10. CONCLUSION

The proposal seeks permission for the replacement of an existing 12m high telecommunication mast with a 20m high mast with associated equipment. The new installation will comprise of 12 antennas and an additional 9 new associated ground cabinets.

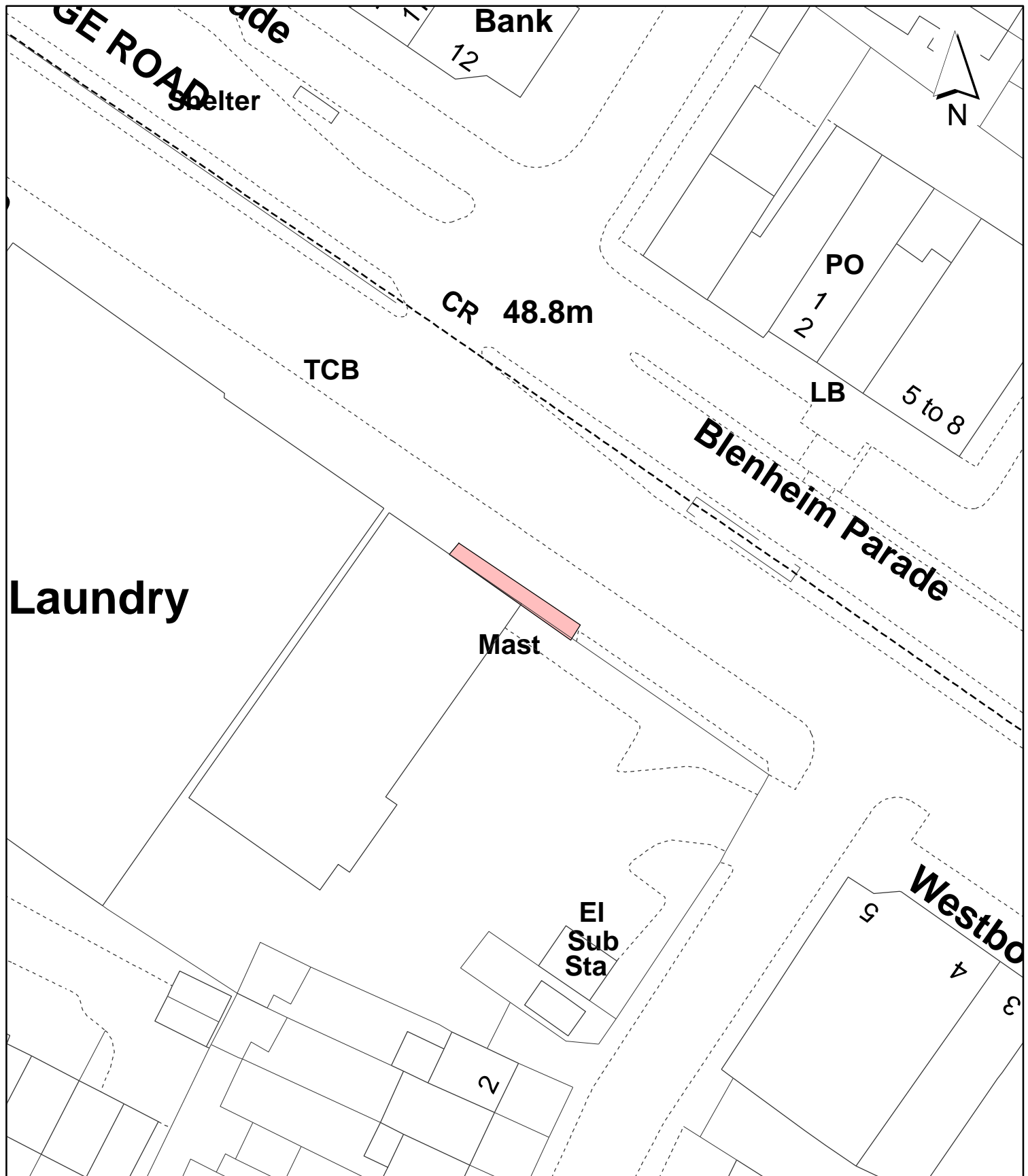
Although the proposed mast and cabinets would not cause harm to pedestrian or highway safety, the proposed cabinets, by reason of the quantity, size, scale and siting would add undue clutter to the street scene. The proposed development is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE19 and BE37 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policies DMHB 11, DMHB 12 and DMHB 21 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019).

11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)
Hillingdon Local Plan: Part Two - Development Management Policies With Modifications (March 2019)
The London Plan (2016)
National Planning Policy Framework (2019)

Contact Officer: Rebecca Lo

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

Telecommunications Mast at Junction of Westbourne Road and Uxbridge Road

Planning Application Ref:

74888/APP/2019/1982

Scale:

1:500

Planning Committee:

Central & South

Date:

September 2019

LONDON BOROUGH OF HILLINGDON

Residents Services
Planning Section

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



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