Report of the Head of Planning, Transportation and Regeneration

- Address BETWEEN SIPSON ROAD & HARMONDSWORTH ROAD WEST DRAYTON
- **Development:** Installation of a 20m monopole, 12 antenna apertures, 8 equipment cabinets and 10 concrete bollards and the retention of 2 equipment cabinets following the removal of the existing 14.7m monopole, 3 antennas and redundant equipment cabinets
- **LBH Ref Nos:** 4634/APP/2019/2717

Drawing Nos: 5G and Future Technology Streetworks Declaration of Conformity with ICNIRP Public Expos Highway Notice Covering Letter Connected Growth Manual Article 13 Notice Supplementary Information Letter to LPA DCMS MHCLG Collaborating for Digital Connectivity 002 100 150 215 265

Date Plans Received:	14/08/2019
Date Application Valid:	15/08/2019

Date(s) of Amendment(s):

1. SUMMARY

This application seeks full planning permission for the removal of an existing 14.7m telecommunication pole and associated equipment. The equipment would be replaced with a monopole upto 20m and a wraparound cabinet at the base, 8 new cabinets and 10 concrete bollards. The existing site is located on a grass verge between Harmondsworth Road to the west and Sipson Road to the east, and the proposed new location is 10m further to the south along Harmondsworth Road. The replacement mast and cabinets would provide 5G coverage.

Whilst the provision of high quality and reliable telecommunications infrastructure is supported in principle, the increase in height and bulk of the equipment, together with the concrete bollards and associated cabinets, would result in visual clutter to the detriment of the character and appearance of the West Drayton Green Conservation Area. For the reasons outlined within this report, 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 size, design and siting of the proposed monopole and the quantity, size, scale and siting of the equipment cabinets and concrete

bollards, would create an obtrusive form of development which would add visual clutter to the detriment of the character, appearance and visual amenities of the street scene and would fail to either preserve or enhance the character or appearance of the surrounding West Drayton Green Conservation Area. The proposal is therefore contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE4, BE13 and BE37 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies DMHB 1, DMHB 4, DMHB 11, DMHB 12 and DMHB 21 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019), Policy 7.8 of the London Plan (2016) and the NPPF.

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).

2 153 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 (November 2012) 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.
BE4	New development within or on the fringes of conservation areas
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
BE38	Retention of topographical and landscape features and provision of
	new planting and landscaping in development proposals.
DMHB 1	Heritage Assets
DMHB 4	Conservation Areas
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 21	Telecommunications
LPP 4.11	(2016) Encouraging a connected economy
LPP 7.8	(2016) Heritage assets and archaeology
NPPF- 10	NPPF-10 2018 - Supporting high quality communications
NPPF- 16	NPPF-16 2018 - Conserving & enhancing the historic environment

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on a grass verge between Harmondsworth Road to the west and Sipson Road to the east, and is located on the eastern fringe of the West Drayton Green Conservation Area as identified in the Hillingdon Local Plan: Part Two - Saved UDP

Policies (November 2012). A service road lies south-east of the site and a community centre is opposite the site to the west. Residential properties are located to the east and a parade of shops lies south of the application site. An existing telecommunications site, comprising a 15m high telecommunications mast and two associated equipment cabinets along with a nearby CATV cabinet, is located to the north of the site.

3.2 Proposed Scheme

The proposal seeks to replace the existing 14.7m monopole and 3 cabinets with a new 20m monopole, 8 new cabinets, 10 new concrete bollards and 2 retained cabinets. The works are proposed approximately 10m to the south of the existing equipment to provide a 5G network.

Details of the 8 new cabinets proposed are as follows:

CAB1 - MK5 Link AC Cabinet, 1200mm (W) x 2200mm (H) CAB2 - HUAWEI Cabinet, 600mm (W) x 2300mm (H) CAB3 - WILTSHIRE Cabinet, 2000mm (W) x 2000mm (H) CAB4 - DIPLEXER Cabinet, 1800mm (W) x 1800mm (H) CAB5 - HUAWEI Cabinet 1000 (W) x 1800mm (H) CAB6 - HUAWEI Cabinet 1000 (W) x 1800mm (H) CAB7 - AMP5930, 600mm (W) x 1200mm (H) CAB8 - H3G - Mk5 Link AC, 1200mm (W) x 1500mm (H)

3.3 Relevant Planning History

56867/APP/2012/2409 Land At Junction Of Harmondsworth Road And Sipson Road West Dr

Installation of new telecommunications equipment cabinet and ancillary works (Application for prior approval made under Part 24 of the Town and Country Planning (General Permitted Development Order) (as amended).

Decision: 27-11-2012 Refused

56867/APP/2014/2732 Land At Junction Of Harmondsworth Road And Sipson Road West Dr

Additional ground level equipment cabinet and replacement of existing 14.7m high mast with ne 14.7m high telecommunication mast (application under Part 24 of schedule 2 to the Town and Country Planning (General Permitted Development) Order for determination as to whether prior approval is required for siting and appearance)

Decision: 23-09-2014 Refused

56867/APP/2015/2910 Land At Junction Of Harmondsworth Road And Sipson Road West Dr

Installation of a 15m high street works pole supporting 6 antennas, 2 ground based cabinets and development ancillary thereto

Decision: 22-09-2015 Refused Appeal: 14-06-2016 Allowed

Comment on Relevant Planning History

A planning application was allowed at appeal under application ref: APP/R5510/W/16/3143922 (14/06/2016) for a 15m monopole further to the north of the site. However, there are material differences between this application and the application

that was allowed at appeal. Under this application, the proposal involves the erection of a monopole that is 5m higher than the previous appeal application. It also includes an increased number of larger cabinets and 10 concrete bollards that the appeal application did not include.

4. Planning Policies and Standards

The Local Plan Part 2 Draft Proposed Submission Version (2015) was submitted to the Secretary of State on 18th May 2018. This comprises of a Development Management Policies document, a Site Allocations and Designations document and associated policies maps. This will replace the current Local Plan: Part 2 - Saved UDP Policies (2012) once adopted.

The document was submitted alongside Statements of Proposed Main and Minor Modifications (SOPM) which outline the proposed changes to submission version (2015) that are being considered as part of the examination process.

Submission to the Secretary of State on 18th May 2018 represented the start of the Examination in Public (EiP). The public examination hearings concluded on the 9th August 2018. The Inspector submitted a Post Hearing Advice Note outlining the need to undertake a final consultation on the updated SOPM (2019) only. The Council undertook this consultation between 27th March 2019 and 8th May 2019. All consultation responses have been provided to the Inspector for review, before the Inspector's Final Report is published to conclude the EiP process.

Paragraph 48 of the NPPF (2019) outlines that local planning authorities may give weight to relevant policies in emerging plans according to:

a) The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

b) The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

c) The degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

On the basis that the public hearings have concluded and the Council is awaiting the final Inspector's Report on the emerging Local Plan: Part 2, the document is considered to be in the latter stages of the preparation process. The degree to which weight may be attached to each policy is therefore based on the extent to which there is an unresolved objection being determined through the EiP process and the degree of consistency to the relevant policies in the NPPF (2019).

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

Part 2 Policies:

- AM7 Consideration of traffic generated by proposed developments.
- BE4 New development within or on the fringes of conservation areas
- 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
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- DMHB 1 Heritage Assets
- DMHB 4 Conservation Areas
- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 21 Telecommunications
- LPP 4.11 (2016) Encouraging a connected economy
- LPP 7.8 (2016) Heritage assets and archaeology
- NPPF- 10 NPPF-10 2018 Supporting high quality communications
- NPPF- 16 NPPF-16 2018 Conserving & enhancing the historic environment

5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- 9th October 2019
- 5.2 Site Notice Expiry Date:- 9th October 2019

6. Consultations

External Consultees

This application was consulted on between 18-09-19 and 09-10-19. One objection to the application was received which is summarised below:

West Drayton Conservation Area Advisory Panel:

This open site is in the West Drayton Green Conservation Area, visible to traffic on the two busy roads on either side and from adjacent residential properties. This proposal to double the number of cabinets that are already at this location and to add a large (20m high) monopole would be to the detriment of the street scene in this part of the Conservation Area.

STATUTORY CONSULTEES

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.

Heathrow Airport 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 the following informative should be attached to any future consents.

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/)

Internal Consultees

Conservation Officer:

The existing site is a small pocket of land which is located within the West Drayton Green Conservation Area. The application site forms part of a grass verge which acts as a buffer between the main road and slip road providing access to the small parade of shops. The site is in close proximity to a busy junction which benefits from various street clutter as existing.

This pocket of land currently has a collection of masts, associated equipment cabinets and street lighting, which detracts from the suburban character of the surrounding environment.

Whilst the removal of the existing pole would be beneficial, the proposed installation of a 20m high mono pole, associated ground base equipment cabinets and 10 x concrete bollards would be considered unacceptable.

The site and width of the grass verge at this point is relatively narrow and modest in area. It is a

highly exposed site which acts as one of the gateways into the conservation area. The proposed pole would be significantly taller in height allowing for views of the structure from further afield. Furthermore the associated collection of proposed and retained cabinets would detrimentally sprawl equipment across the green verge. It is not clear why 10 x concrete bollards are required in this instance. The concrete bollards would fail to relate to the conservation area and add unnecessary, incongruous structures to the site.

Overall the proposed development would be considered wholly unacceptable and result in detracting, clutter within the designated heritage asset. The proposal would be considered harmful to the conservation area and street scene. The application lacks justification as to why this is the only site suitable. It is felt in this instance such harm to the heritage asset could be avoided or reduced if an alternative location for such infrastructure is considered. Clear, robust evidence as to why alternative sites in a less sensitive location would not be appropriate would be required.

Trees and Landscaping Officer

This site occupies an area of highway verge between Harmondsworth Road and Dell Road which is a service road in front of a local shopping parade. There is already street clutter in this area comprising a 14.7m monopole and a number of equipment cabinets. There are no trees or TPO's affecting the site, however, the site lies on the the edge of the West Drayton Green Conservation Area.

The existing monopole was installed following an appeal decision. The monopole and associated (increased number of) cabinets will be unsightly and constitute street clutter within the Conservation Area. Furthermore, it is understood that there are alternative sites, close by, which would be less sensitive to this intervention. The proposal is, therefore, unacceptable.

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.

Whilst consideration is given to the fact that the this is an existing site, the replacement telecommunications apparatus is considered to materially alter the visual amenity of the area due to its increased height from 14.7 metres to 20 metres. The top of the of the pole would would be prominently visible due to the extra mass and size of the proposed structure. At street level, the large footprint and size of the cabinets would impact the character and appearance of the existing street scene.

It is therefore considered that the proposed would be detrimental to the appearance of the surrounding area in general and would fail to 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 this application.

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

Paragraph 193 of the National Planning Policy Framework (2019) notes that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Paragraph 196 of the National Planning Policy Framework (2019) notes that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Policy BE4 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) requires new developments within Conservation Areas to preserve or enhance those features which contribute to their special architectural and visual qualities.

Policy BE13 of the Hillingdon Local Plan: Part 2 - 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. Saved Policy BE37 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) advises of the desirability of operators to share existing facilities.

Policy DMHB 4 of the emerging Local Plan: Part Two (2019) notes new development within Conservation Areas will be expected to preserve or enhance the character and appearance of the area.

Policy DMHB 21 of the emerging Local Plan: Part Two (2019) allows telecommunication development only where:

- it is sited and designed to minimise their visual impact;

- it does not have a detrimental effect of the visual amenity, character and appearance of 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;

- there is no adverse impact on areas of ecological interest, areas of landscape importance, Conservation Areas; and

- it includes a Declaration of Conformity with the International Commission on Non Ionizing Radiation.

The application seeks to erect a 20m monopole with associated cabinets and concrete bollards on the grass verge between Sipson Road and Harmondsworth Road. The application site is wholly within the West Drayton Green Conservation Area. There is an

existing monopole with 2 cabinets and nearby ac equipment on the same verge to the north of the application site.

It is noted that whilst the site currently comprises telecommunications equipment 10m to the north of the proposed site, this is at a height of 14.7m and comprises 4 cabinets at ground floor level. However, under this application, the applicant seeks to increase the height of the monopole, the number of associated equipment cabinets and introduce concrete bollards.

The proposed new cabinets will be located in a row. The cabinets ranges in height from 1.2 to 1.9 metres. The 10 proposed concrete bollards would measure 1.2m in height. All the associated equipment and monopole is proposed to be grey in colour and steel finish. Although the agent confirmed in correspondence that the colour of the cabinets can be amended.

The size, height, and the number of cabinets proposed requires a larger footprint than the existing and when viewed from the surrounding conservation area, it would be an incongruous addition to the existing streetscene. The cabinets would add undue clutter to the street and would result in demonstrable harm to the West Drayton Green Conservation Area.

As part of the assessment of the application, the applicant was asked if alternative sites within close proximity to the application site outside the Conservation Area had been reviewed. The applicant has failed to produce any evidence that alternative options and sites had genuinely been considered.

The proposed installation due to its height and design in this location would be clearly visible and would appear as an incongruous addition within the West Drayton Green Conservation Area. As such, it conflicts with Policies BE13 and BE37 of the Hillingdon Local Plan: Part Two - Saved UDP (November 2012) and Policies DMHB 4 and DMHB 21 of the emerging Local Plan: Part Two (November 2012). In accordance with Paragraph 196 of the NPPF (2019) the degree of harm has been weighed against the public benefits of high quality digital connectivity. It is considered that the benefits of the proposal does not outweigh the significant harm to this part of the West Drayton Green Conservation Area.

7.04 Airport safeguarding

NATS and Heathrow Airport Aerodrome Safeguarding were consulted on this application and raised no objections.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

Please refer to 07.3 of this report.

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 numbers 1-3 Harmondsworth Road which are approximately 11 meters away from the proposed installation. There is a road separating the residents and the equipment cabinets and the new monopole and therefore whilst the proposed development would be highly visible, its impact on neighbouring amenity would

be limited.

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 or commented were raised. The proposal would be located within an open grass verge area and would therefore not impinge on a footpath or road itself. It is therefore considered that the proposed pole and cabinet 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' section.

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

Policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate. The Council's Landscape officer was consulted and stated that there are no trees or TPO's affecting the site.

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

Comments have been addressed within the main body of the report.

7.20 Planning obligations

Not applicable to this application.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

No other issues identified.

8. Observations of the Borough Solicitor

General

Members must determine planning applications having due regard to the provisions of the

Central & South Planning Committee -

PART 1 - MEMBERS, PUBLIC & PRESS

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

To conclude, this application seeks to provide a monopole upto 20m in height with associated cabinets and concrete bollards. The existing site is located on a grass verge between Harmondsworth Road to the west and Sipson Road to the east, and the proposed new location is 10m further to the south along Harmondsworth Road.

Whilst the principle of providing high quality and reliable telecommunications infrastructure is supported, the increase in height and bulk of the monopole, together with the concrete bollards associated cabinets, would result in visual clutter to the detriment of the character and appearance of the West Drayton Green Conservation Area. The benefits of the proposal do not outweigh the significant harm to this part of West Drayton Green Conservation Area and for the reasons outlined within this report, this application is recommended for refusal.

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)

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