

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

**Address** TERMINAL 2 CAR PARK HEATHROW AIRPORT HOUNSLOW

**Development:** The removal and replacement of 4 existing antennas with 12 antennas located on new support poles to be fixed to the existing pipen steelwork, the removal and replacement of 4 existing equipment cabinets with 8 new equipment cabinets located on the plant room rooftop and ancillary works (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:** 62360/APP/2019/3489

**Drawing Nos:** 150 Existing Elevation A  
215 Max Configuration Site Plan  
265 Max Configuration Elevation  
100 Existing Site Plan  
Covering Letter  
Site specific Supplementary Information  
1098573\_HGN105\_55972\_TW0225\_M002 Rev. E  
Connected Growth Manual Digital Infrastructure  
Mobile UK Councils and Connectivity  
5G and Future Technology  
ICNIRP Certificate  
Developers Notice  
Notice to CAA

**Date Plans Received:** 24/10/2019

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

**Date Application Valid:** 25/10/2019

### 1. SUMMARY

This application seeks Prior Approval for a telecommunications installation under Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) Order 2015) as amended. The proposal seeks to upgrade existing equipment and where necessary provide new equipment to effectively roll out the delivery of the 5G network. The proposal is strongly supported by national, regional and local plan policy.

The proposed equipment would not cause harm to pedestrian or highway safety. Whilst this proposal is proposed to increase the height and number of cabinets, given its siting on the roof of the Terminal Two Car Park, the proposal is unlikely to result in significant visual impact and will only be seen in the context of airport related development. No safeguarding objections have been raised and for the reasons outlined within this report, it is recommended that consent is granted.

### 2. RECOMMENDATION

**That Prior Approval consent is given subject to the following condition and informatives:**

1 NONSC **Non Standard Condition**

Any apparatus or structure provided in accordance with this permission shall be removed

from the land, building or structure on which it is situated, as soon as reasonably practicable after it is no longer required for electronic communications purposes, and the building shall be restored to its condition before the development took place, or to any other condition as may be agreed in writing between the local planning authority.

## **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 - 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
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
DMHB 4	Conservation Areas
DMHB 21	Telecommunications
LPP 4.11	(2016) Encouraging a connected economy
NPPF- 10	NPPF-10 2018 - Supporting high quality communications
NPPF- 6	NPPF-6 2018 - Building a strong, competitive economy

### **3            I59                    Councils Local Plan : Part 1 - Strategic Policies**

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

### **4            I70                    LBH worked applicant in a positive & proactive (Granting)**

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in

order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

## **5            160            Cranes**

Given the nature of the proposed development it is possible that a crane may be required during its construction. The applicant's attention is drawn 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 [www.aoa.org.uk/publications/safeguarding.asp](http://www.aoa.org.uk/publications/safeguarding.asp))

### **3.        CONSIDERATIONS**

#### **3.1       Site and Locality**

The site is located on the rooftop of Heathrow Terminal 2 Car Park to the west of Inner Ring West. The site is surrounding by airport development on all sides and falls entirely within the Heathrow Airport boundary as shown on the Hillingdon Unitary Development Plan Proposals Map.

#### **3.2       Proposed Scheme**

The proposed work comprises the removal and replacement of 4No. existing antennas with 12No. upgraded antennas located on new support poles to be fixed to the existing 'pigpen' steelwork, the removal and replacement of 4No. existing equipment cabinets with 8No. upgraded equipment cabinets located on the plant room rooftop, and ancillary development thereto.

The dimensions are as follows:

Height of existing building: Approx. 20.25 metres

MK 5 Link AC: 1200 x 600 x 1500mm

3G & PSU: 770 x 770 x 2100mm

Unilateral H3G (3x cabs to be installed): 770 x 770 x 2100mm

Unilateral EE (3x cabs to be installed): 770 x 770 x 2100mm

Height of antenna (m above ground level): 24.38 to centre of antennas

#### **3.3       Relevant Planning History**

62360/APP/2011/2774        Satellite T2b, Terminal 2 Heathrow Airport Hounslow

Erection of 2 no. radio masts, located on nodes 232 and 242, Terminal 2, Concourse B (T2B), Heathrow Airport (Consultation under Schedule 2, Part 18 of the Town And Country Planning (General Permitted Development) Order 1995)

**Decision:** 16-12-2011    Approved

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

There is extensive history related to this site, the most relevant is referenced above.

### **4.        Planning Policies and Standards**

Schedule 2, Part 16 of The Town and Country Planning (General Permitted Development)

(England) Order 2015 (as amended) states:

Permitted development

A. Development by or on behalf of an electronic communications code operator for the purpose of the operator's electronic communications network in, on, over or under land controlled by that operator or in accordance with the electronic communications code, consisting of-

- (a) the installation, alteration or replacement of any electronic communications apparatus,
- (b) the use of land in an emergency for a period not exceeding 18 months to station and operate moveable electronic communications apparatus required for the replacement of unserviceable electronic communications apparatus, including the provision of moveable structures on the land for the purposes of that use, or
- (c) development ancillary to radio equipment housing.

Development not permitted

Development not permitted: building-based apparatus

(2) Development is not permitted by Class A(a) if:

(a) in the case of the installation, alteration or replacement of apparatus on a building or other structure, the height of the apparatus (taken by itself) would exceed:

- (i) 15 metres, where it is installed, or is to be installed, on a building or other structure which is 30 metres or more in height; or
- (ii) 10 metres in any other case;

Officer comment: The building does not exceed a height of 30m.

(b) in the case of the installation, alteration or replacement of apparatus on a building or other structure, the highest part of the apparatus when installed, altered or replaced would exceed the height of the highest part of the building or structure by more than:

- (i) 10 metres, in the case of a building or structure which is 30 metres or more in height;
- (ii) 8 metres, in the case of a building or structure which is more than 15 metres but less than 30 metres in height; or
- (iii) 6 metres in any other case;

Officer comment: The equipment and apparatus would not exceed a height of 8m above the existing building.

As the scheme proposes new support poles on a building over 15 metres in height, a prior approval application is required.

### **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:

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
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
DMHB 4	Conservation Areas
DMHB 21	Telecommunications
LPP 4.11	(2016) Encouraging a connected economy
NPPF- 10	NPPF-10 2018 - Supporting high quality communications
NPPF- 6	NPPF-6 2018 - Building a strong, competitive economy

## **5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date:- Not applicable

**5.2** Site Notice Expiry Date:- **21st November 2019**

## **6. Consultations**

### **External Consultees**

This application was consulted on between 30-10-2019 and 20-11-2019. No comments or objections were received.

### STATUTORY CONSULTEE RESPONSES

#### 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 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/>)

### **Internal Consultees**

Highways

No comments received at the time of writing this report.

Design Officer

No comments received at the time of writing this report.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

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.

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. The application seeks to deploy an effective rollout of 5G technology on an existing rooftop where telecommunications equipment already exists. Due to the operational requirements of 5G, additional antennas and new equipment cabinets. The principle of development is supported.

### **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 proposal is situated approximately 3.3km of Heathrow Airport. Heathrow Aerodrome Safeguarding and NATS were consulted on the application. NATS and Heathrow Aerodrome Safeguarding have raised no safeguarding objections with regards to this application.

#### **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 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.

Amongst other criteria, emerging Policy DMHB 21 of the Local Plan: Part Two (2019) notes 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; and
- it includes a Declaration of Conformity with the International Commission on Non Ionizing Radiation.

The proposed upgrade utilises an existing site where possible. Upgrading equipment at this site ensures that a new site is not required in the immediate vicinity. The proposed 12 upgraded antennas will be located on new support poles fixed to existing steelwork on the rooftop, which is necessary as the existing pole mounts are not structurally capable of holding the upgraded antennas. Due to ICNIRP clipping issues on the building and the use of larger antennas, the overall height of the apparatus is required to be increased to 25.48 metres which represents an overall increase of 2.53 metres.

The proposed equipment will be viewed in the context of the airport and car park. The proposal is surrounded by built form and the small increase in height in this location is not considered to result in detrimental harm to the appearance of the area.

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

The application site is surrounded by commercial and airport related development, this proposal is unlikely to result in harm to the amenities of neighbouring occupants.

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

Not applicable to this application.

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

Given the siting of the proposed development on a rooftop, it is unlikely to have a highways impact.

#### **7.11 Urban design, access and security**

Please refer to Paragraph 07.07 of the report.

#### **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**

Not applicable to this application.

**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 received.

**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.

#### **10. CONCLUSION**

This application seeks Prior Approval consent to roll out 5G network on a site with existing equipment. The principle of development is supported nationally, regionally and locally. The proposal would be seen in the context of Heathrow Airport. No aerodrome safeguarding concerns have been raised and so for the reasons outlined within this report, it is recommended that consent is granted.

#### **11. Reference Documents**

National Planning Policy Framework

The London Plan (2016)

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

Hillingdon Local Plan: Part Two - Saved UDP Policies (September 2007)

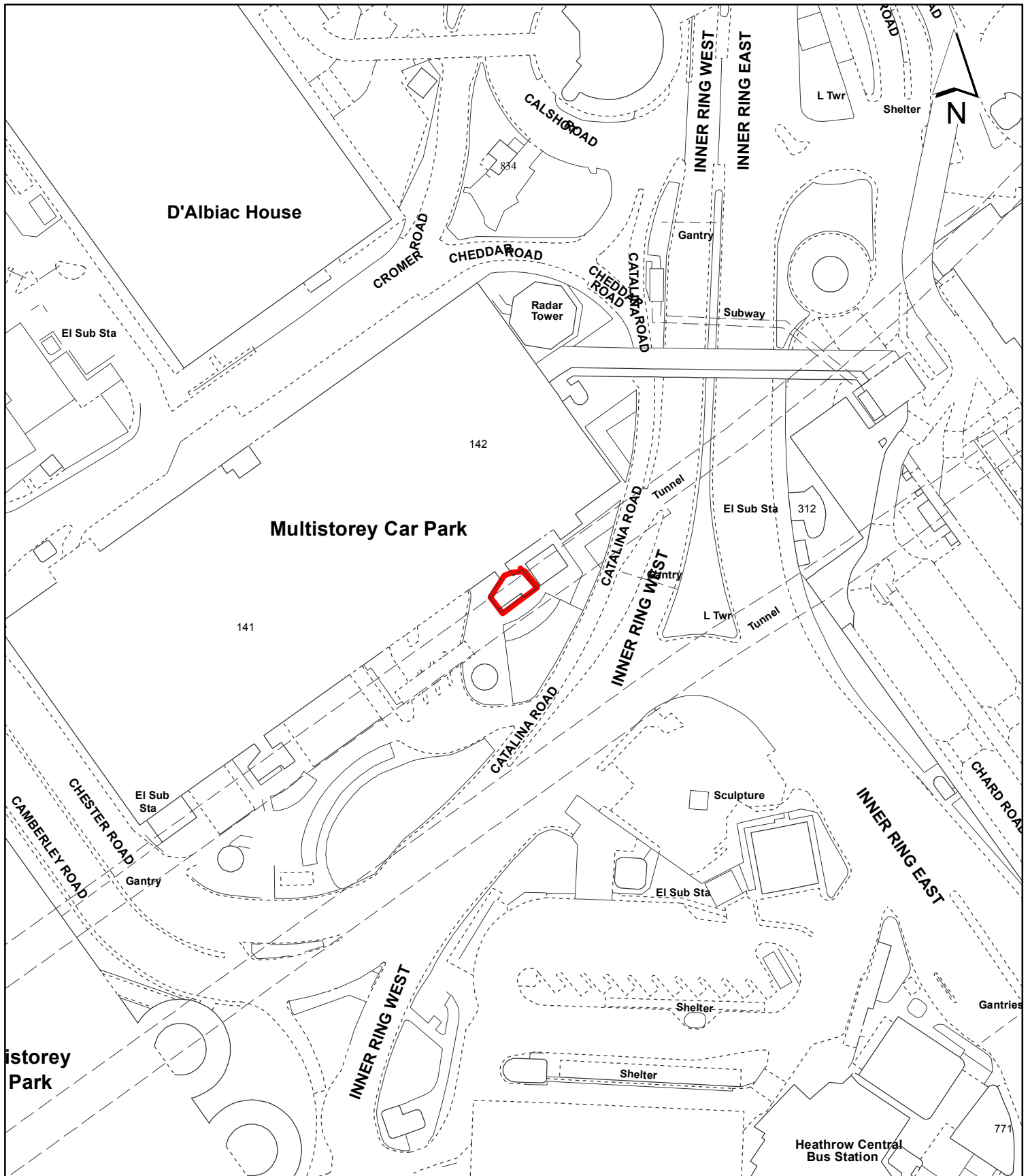
Hillingdon Local Plan: Part Two - Development Management Policies With Modifications (March 2019)

The Town and Country Planning (General Permitted Development) (England) Order 2015

(as amended)

**Contact Officer:** Zenab Haji-Ismail

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

For identification purposes only.  
 This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).  
 Unless the Act provides a relevant exception to copyright.  
 © Crown copyright and database rights 2019 Ordnance Survey 100019283

Site Address:

**Terminal 2 Car Park**

Planning Application Ref:  
**62360/APP/2019/3489**

Planning Committee:  
**Central & South**

Scale:  
**1:1,250**

Date:  
**December 2019**

**LONDON BOROUGH OF HILLINGDON**  
 Residents Services  
 Planning Section  
 Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 01895 250111

