

Report of the Head of Planning, Transportation and Regeneration

Address THE CARPENTERS ARMS PH (1370) UXBRIDGE ROAD HAYES

Development: Installation of a 20m monopole, 12 antenna apertures, 6 equipment cabinets, relocation of 300mm dish and the removal of the existing 18m monopole, 3 antennas, 4 redundant equipment cabinets and development ancillary thereto

LBH Ref Nos: 7073/APP/2020/164

Drawing Nos: 265 Issue A
002 Issue A
100 Issue A
216 Issue A
215 Issue A
150 Issue A
266 Issue A
Councils and Connectivity Document
Connected Growth Manua
Supplementary Information
5G and Future Technology
5G and Health
DCMS - Collaborating for digital connectivity
Declaration of Conformity with ICNIRF

Date Plans Received: 17/01/2020

Date(s) of Amendment(s):

Date Application Valid: 17/01/2020

1. SUMMARY

The application seeks planning permission for the installation of a 20m monopole, 12 antenna apertures, 6 equipment cabinets, relocation of 300mm dish and the removal of the existing 18m monopole, 3 antennas, 4 redundant equipment cabinets and development ancillary thereto. The provision of high quality and reliable telecommunications infrastructure is supported in principle. The proposal is considered acceptable in visual terms and would not detract from residential amenity or highway safety. The application is recommended for approval.

2. RECOMMENDATION

APPROVAL subject to the following:

1 COM3 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 216 Issue A and 266 Issue A and shall thereafter be retained/maintained for as long as the development

remains in existence.

REASON

To ensure the development complies with the provisions Hillingdon Local Plan: Development Management Policies (2020) and the London Plan (2016).

3 NONSC Non Standard Condition

Any apparatus or structure provided in accordance with this approval shall be removed from the land, as soon as reasonably practicable after it is no longer required for electronic communications purposes, and such land, shall be restored to its condition before the development took place, or to any other condition as may be agreed in writing with the Local Planning Authority.

REASON

To ensure that the development is removed as soon as it is no longer required in order to protect the character and appearance of the area in accordance with Policy DMHB 11 of the Hillingdon Local Plan - Development Management Policies (2020).

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 Local Plan Part 1 (2012) and Part 2 (2020) 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.

DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 21	Telecommunications
LPP 4.11	(2016) Encouraging a connected economy
NPPF- 10	NPPF-10 2018 - Supporting high quality communications

3 I60 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)

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises the existing installation on the southern side of the Uxbridge Road, adjacent to the Kingsley Court Care Home and the proposed site, an area of grass verge in front of the crane hire depot and adjacent to the Carpenters Arms public house, on the northern side of the Uxbridge Road. The grass verge is currently enclosed by bollards.

3.2 Proposed Scheme

The application seeks planning permission for the installation of a 20m monopole, 12 antenna apertures, 6 equipment cabinets, relocation of 300mm dish and the removal of the existing 18m monopole, 3 antennas, 4 redundant equipment cabinets and development ancillary thereto.

3.3 Relevant Planning History

Comment on Relevant Planning History

There is no planning history of relevance to this application site.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

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

11 neighbouring properties were consulted by letter dated 28.1.20 and a site notice was displayed at the site which expired on 27.2.20. No response received.

Heathrow Aerodrome Safeguarding: No objection

MOD: No Objection

Internal Consultees

Highways Officer: No highway objections.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

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.

Policy DMHB 21: Telecommunications states:

Telecommunication development will only be permitted where:

- i) it is sited and designed to minimise their visual impact;
- ii) it does not have a detrimental effect on the visual amenity, character or appearance of the building or the local area;
- iii) it has been demonstrated that there is no possibility for use of alternative sites, mast sharing and the use of existing buildings;
- iv) there is no adverse impact on areas of ecological interest, areas of landscape importance, archaeological sites, Conservation Areas or buildings of architectural or historic interest; and
- v) it includes a Declaration of Conformity with the International Commission on Non Ionizing Radiation.

The proposal involves the relocation of telecommunications equipment from a site fronting the Kingsley Court Care Home to site on the opposite side of the Uxbridge Road, fronting a crane hire depot. Given that it is a relocation, there is no objection, in principle, to the use of the proposed 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

Both, Heathrow Aerodrome Safeguarding and the MOD Defence Estate Safeguarding do not object to the proposal.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that: A) All development will be required to be designed to the highest standards and, incorporate principles of good design including: i) harmonising with the local context; ii) ensuring the use of high quality building materials and finishes; iv) protecting features of positive value within and adjacent to the site; and v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure. B) Development proposals should not adversely impact on the amenity of adjacent properties and open space.

Policy DMHB 21 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) 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 justification for the proposal is that the design of the upgrade to accommodate 5G equipment is influenced by the existing and established base station in situ, which is not suitable to accommodate for the new antennas that cater for all technologies and for both operators. While the new antennas will be bigger and so more visible from the surrounding area, it is considered that when viewed in perspective the upgrade proposal will not have an unacceptable impact on the character or visual amenity of the area.

7.08 Impact on neighbours

The proposal would involve the removal of the existing monopole and equipment cabins on the opposite side of Uxbridge Road adjacent to the Kingsley Court Care Home to adjacent properties at 825-851 Uxbridge Road. The monopole and equipment cabins would be sited to the front of non residential uses including a depot, garage and public house. Whilst the proposed development would be 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

No highway issues are raised.

7.11 Urban design, access and security

The issues are addressed in the sections above.

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 DMHB 14: Trees and Landscaping requires:

A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.

B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.

C) Where space for ground level planting is limited, such as high rise buildings, the inclusion of living walls and roofs will be expected where feasible.

D) Planning applications for proposals that would affect existing trees will be required to provide an accurate tree survey showing the location, height, spread and species of trees.

Where the tree survey

identifies trees of merit, tree root protection areas and an arboricultural method statement

will be required to show how the trees will be protected. Where trees are to be removed, proposals for replanting of new trees on-site must be provided or include contributions to offsite provision.

No trees or other landscape features of merit will be affected by the proposal. The location is not particularly damaging to local views or character.

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

None 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

No other issues raised.

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 Probitary 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

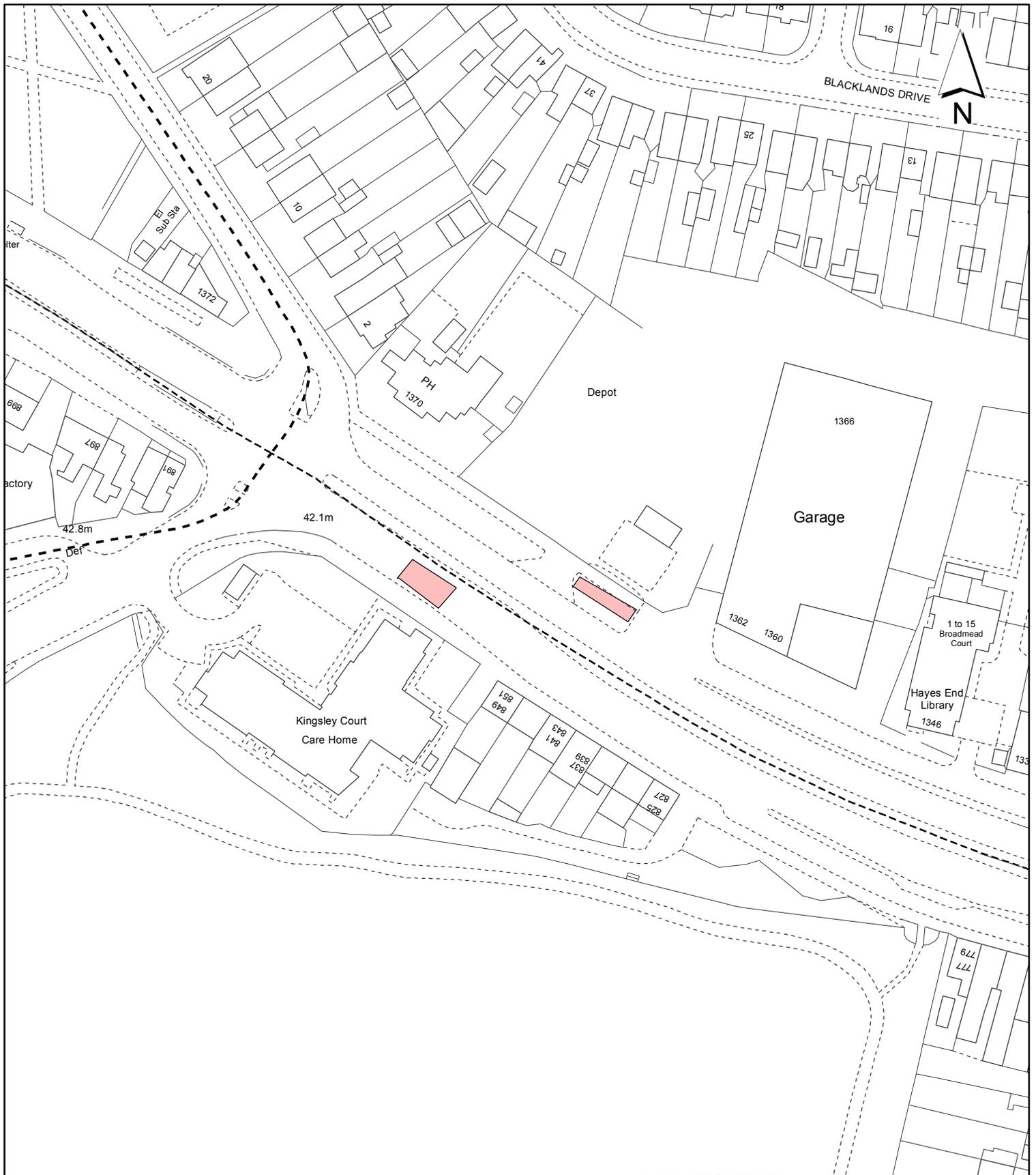
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11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Development Management Policies (2020)
The London Plan (2016)
National Planning Policy Framework (2019)

Contact Officer: Nicola Taplin

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Notes:

 Site boundary

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**LONDON BOROUGH
 OF HILLINGDON**
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 Planning Section

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 Telephone No.: Uxbridge 01895 250111

Planning Application Ref:

7073/APP/2020/164

Scale:

1:1,250

Planning Committee:

Central and South

Date:

May 2020



HILLINGDON
 LONDON