

Item No. **Report of the Head of Planning, Transportation and Regeneration**

Address LAND ADJ TO 38 TORCROSS ROAD JUNCTION WITH APPLEDORE AVENUE APPLEDORE AVENUE RUISLIP

Development: Proposed new 18m monopole, antenna apertures, equipment cabinets and associated 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: 75724/APP/2020/2194

Drawing Nos: 100 Existing Site Plan Rev. A
150 Existing Site Elevation Rev. A
215 Proposed Site Plan Rev. A
265 Proposed Site Elevation Rev. A
304 Proposed Configuration Antenna Schedule Rev. A
305 Proposed Line Configuration Rev. A
306 Equipment Schedules & Dependencies Rev. A
HGN12188 Developer's Notice
HGN12188 Signed Declaration of Conformity with ICNIRP Public Exposure Guidelines
HGN12188 SSSI and Planning justification (received 20.7.20)
Aerodrome Developer's Notice
002 Site Location Plan Rev. A

Date Plans Recieved: 16/07/2020 **Date(s) of Amendment(s):** 16/07/2020
Date Application Valid: 16/07/2020 20/07/2020

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 is for the installation of a 18m monopole, antenna apertures, equipment cabinets and associated ancillary works. The new mast is to provide new 5G coverage for Hutchison 3G UK Limited (H3G).

The proposal is considered to be an obtrusive form of development which would add visual clutter to the street scene. The proposal would not harmonise with the character of the area and would be detrimental to local visual amenities. As such, it fails to comply with Policies DMHB 11 and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2019).

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 its siting and overall height in a prominent location, would result in an incongruous and visually obtrusive form of development, which would add visual clutter to the area in general. It would harm the character and

appearance of the street scene, which is characterised by only two storey high buildings, and the adjacent Metropolitan Open Land and Yeading Brook Open Space which is a Nature Conservation Site of Borough Grade II Importance. The proposal is therefore contrary to Policies BE1 of The Local Plan: Part 1 - Strategic Policies (2012), Policies DMHB 11, DMHB 12, DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020) and Chapter 12 of the National Planning Policy Framework (February 2019).

2 NON2 Non Standard reason for refusal

The applicant has failed to recognise that the application site is located within 3km of the perimeter of an aerodrome and has failed to notify the Civil Aviation Authority, the Secretary of State for Defence or the aerodrome operator of the proposal prior to the submission of this application as specified in Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

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 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
DMHB 14	Trees and Landscaping
LPP 4.11	(2016) Encouraging a connected economy
NPPF- 10	NPPF-10 2018 - Supporting high quality communications

3 I71 LBH worked applicant in a positive & proactive (Refusing)

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 Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

3. CONSIDERATIONS

3.1 Site and Locality

The applicant site is located north of Appledore Avenue, just south-east of the junction with Torcross Road. The equipment is proposed to be situated on the triangular shaped open grass area adjacent to the pedestrian footpath. The site is next to residential dwellings no. 1A Appledore Avenue on the south-west and no. 38 Torcross Road on the north.

The surrounding area is predominately residential in nature with mainly terrace housing that are 2-storeys high fronting onto a narrow 2-way street with kerb side parking. Street furniture is obvious in the area however they are relatively modest in size and shape, for instance, street lights and overhead power cable poles are shorter than the height of dwelling houses.

To the west, approximately, 70m away is the Metropolitan Open Land and Yeading Brook Open Space which is a Nature Conservation Site of Borough Grade II or Local Importance.

3.2 Proposed Scheme

This application seeks to install a new 18m monopole, antenna apertures, equipment cabinets and associated ancillary works.

The proposed cabinet dimensions:

- 600mm (W) x 500mm (D) x 1585mm (H) = 0.4755 cubic metres
- 600mm (W) x 600mm (D) x 1200mm (H) = 0.432 cubic metres
- 1900mm (W) x 600mm (D) x 1752mm (H) = 1.99728 cubic metres

Material:

Monopole - Phase 8 pole, Grey-7035 with wraparound cabinet
Equipment Housing - Steel, Grey-7035

3.3 Relevant Planning History

Comment on Relevant Planning History

No planning history relevant to the application.

4. Planning Policies and Standards

Policy DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020) states that 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.

Chapter 10 of the National Planning Policy Framework (2019) stresses the importance of advanced, high quality and reliable communications infrastructure 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.

The aim of this application is to provide 5G network and improve coverage and capacity for one operator, Hutchison 3G UK Limited (H3G) in the area. A cell search has indicated that a total of 6 sites has been examined including the site selected.

It is noted that the other sites were discounted due to the following reasons:

- Torcross Road - Residential, lots of overhead power cables and narrow pavements with scarring.
- Bideford Road - wider pavements but lots of scarring and existing furniture.
- Hartland Drive - Residential, overhead power lines and driveways render location unsuitable.
- Victoria Road - Main road, good locations to the north but 250m away from the nominal, with many of the suitable pavement locations having existing furniture and tall trees blocking coverage to the south
- Barnstaple Road - Residential, on pavement parking and driveways make it unsuitable.

A signed Declaration of Conformity has been provided as part of this submission.

Local Plan 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

DMHB 14 Trees and Landscaping

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 total of 46 neighbouring owners/occupiers was consulted. 61 objections from 52 households and 1 comment in support of the application have been received. A site notice was displayed.

A valid petition has been received and the desired outcome is for the council to reject the application to install a 5G mast on Appledore Avenue as it would cause significant impact to residents, and nearby homes. It states that 'we the undersigned petition Hillingdon Council to reject the application to install a 5G mast on Appledore Avenue. This will cause significant impact to the residents'.

Summary of comments from public consultation:

Health:

- About one third coverage of the mast is green belt land so not optimising max coverage. I am really worried about Health issues to myself, residents and large family's with children close by. I Have received in post today a questionnaire asking about Frequency of Brain tumours in Hillingdon and my address-is this part of the deployment plan?
- We are opposed to this construction on many grounds we are Foster carers with children with autism and they are worried about the conspiracy around 5G so having a 60ft pole directly in view from their bedroom will be very disturbing for the children also it will tower above all the surrounding properties and thirdly the council have all the space over at the Brook or surrounding green spaces to install this.
- The health risks of 5G, which will lead to a massive increase in involuntary exposure to electromagnetic radiation have not been scientifically or adequately proved to be anything other than a serious potential and dangerous risk to human health - especially where the young are concerned. Additionally, the ICNIRP Public Exposure Guidelines the HGN12188 cited in the Signed Declaration of Conformity with ICNIRP Public Exposure Guidelines appears to pre-date many later international concerns on this issue. Also, the increasing widely held distrust of Huawei components in UK networks bring potential security risks to personal household data.
- Unknown dangers of electrical and radio wave pollution.
- This is unknown Technology, with unknown side effects. I am not happy to have this mast build near me. This is a lovely green space, please don't let people spoil it .
- 5G safety has not been fully assessed. Do you have any evidence to prove the safety?
- I oppose the installation of the 5g mast are military grade with more powerful radiation but they will also still give off 3g and 4g signals making even more radiation. I'm no scientists but my children are young and years of radiation in my eyes is not good for any of us especially our children

Case Officer's Comments:

The applicant has submitted a signed Declaration of Conformity with ICNIRP Public Exposure Guidelines therefore acknowledging the proposal would be in full compliance with the requirement of the Radio Frequency (RF) Public Exposure.

Siting and Appearance:

- This mast is massive and intrusive, absolutely no way should this be placed on a residential road.
- This has always been a pleasant green space in the 29 years we have lived here and it should remain as such.
- The green space was left there for enjoyment and tranquillity of residents which will be spoilt, is there any covenant on this parcel of land?
- It will be directly in front of my view from my house.
- The height of the proposed mast - being nearly twice the height of the residential properties and other features in the surrounding area - is visually out of keeping with the surrounding residential area.
- We are not happy that an ugly 18m mast be put up on the only small piece of grassy triangle we have. I thought 5G were looking for areas with bigger space A-road not in the middle of a normal residential street.
- This is a small green area with 3 trees (the existing site plan drawing is incorrect) designed to provide a small amount of 'breathing space' in an already heavily developed area. These small areas help to make south Ruislip a pleasant area to live in. The proposed structure is huge in comparison to the surrounding houses and trees and will cause significant visual impact and damage to this area. It should also be noted that the number of supporting cabinets will have a detrimental effect.
- Surrounding the proposed site there is already an abundance of street furniture and the addition of this mast (which due to its size and grouping with its cabinetry, will not be in keeping with the area) will cause the area to look very cluttered and at odds with the current character of the road - giving the area an 'industrial' look, rather than its current green and leafy appearance which is in keeping with the rest of the street.
- Placing such a large 5G mast will overshadow houses close to it.

- It will be a ridiculously eyesore in a pleasant residential road.
- Its positioning will leave it towering over the entire area.
- Three refers to assimilating with vertical street furniture however the area only houses standard streetlights and telephone poles which are 5-6 metres in height - at 18m it would not conform to existing structures. As such, resulting in a significant visual detriment to the area and entirely out of character from the existing urban zone. This area is characterised by standard terrace / semi-detached houses and the mast will become an obtrusive presence, adding visual clutter to the detriment of the character, appearance and visual amenities on the street not just the homes nearby but the entire area.
- This is a dense residential setting as acknowledged by Three in their planning application. It is unsuited to structures like this and there are a number of industrial areas and open spaces in the vicinity that are more suitable to hosting such infrastructure (4G Masts can be seen in local industrial parks). In addition, the proposed site is on a piece of greenery that is important to local residents, it is an open area used by children to play and acts to ensure the area does not feel overdeveloped. The local council recently installed a tree on this green to enhance the space.
- In section 7 (Additional Relevant Information) it states that "the application is located within an industrial estate and therefore will have no detrimental impact upon any residual amenity or indeed the appearance of the surrounding area" - validating residents' concerns about placing this in this residential area surrounded by schools, children's centres and nurseries.
- I think such a development will adversely impact on the open aspect of the road, which is a cherished characteristic of the "Manor Homes Estate" and the open aspect must be maintained for the quiet enjoyment of existing and future residents.
- The erection of the mast and associated equipment will remove a valuable play area for children and not be in keeping in a residential setting. It will also interrupt the view from gardens in a number of local roads. It would also I imagine set a precedent in that other mobile phone operators might consider other green spaces in South Ruislip are ripe for erection of their masts.
- I see no material reason to object to this. It will benefit the community for minimal visual impact.
- This mast will be seen from every road in the area and will cause significant detriment to the local appearance, causing uglification of the neighbourhood.

Case Officer's Comments:

Concerns in relations to appearance and impact of the neighbours is addressed in the main body of this report.

Nature:

- The Radio interference may interfere with the wild life and birds in and around Yeading brook.
- Appledore Avenue is in very close proximity to the Site of Importance for Nature Conservation (as per Hillindon Borough Council's website) that is Yeading Brook and the surrounding wooded areas. This site is full of birds and wildlife and sitting in our back garden we see bats flying over. Whilst I appreciate that the council has said that they can only take in to consideration objections regarding the visual impact of the mast, I feel that you are duty bound to consider the environmental ramifications too. I feel that the council should involve conservation groups and take advice from them regarding any impact on wildlife before proceeding further - especially regarding the bats as they are a protected species. I do not know how the radiation from mobile masts affects bats echolocation, but I think you should provide us with data proving negative impact if you decide to support this proposal.
- Considering the environment we should try to retain this green area without placing a large electronic structure.
- This is a small avenue that has lost many trees over the years so for these to be replaced by a 5G mast feels quite insulting to those of us that have lived here for many years.

Amenity:

- The mast will cast shadow over the gardens of some houses in Torcross Road / Appledore Avenue and other roads at certain times of day and interfere with peoples access to natural light.
- I work in this field and have concern about the noise that this equipment gives off...also with the bad publicity that these mast are getting i'm deeply concerned about the effect this will have on the

house prices for this and the surrounding streets.

- The presence of this installation can lead to many safety risks for the youngsters and cause unwanted dangers.
- The ground units will be a magnet for vandalism/graffiti and anti social behaviour.
- Not happy with the placement so close to the house and security still with 5G and working from home full time allows reason to question my security for work. With what has happened within COVID has also caused vandalism and attacks to 5G masks which in a residential area scary for families and residents. Also 5G's policy on other scientifically unjustified claims about 5G remain unclear to what damage it causes.
- Our landscape is important and we need to keep as many green spaces as possible.
- I am also seriously concerned about the issues with light restrictions to our garden.

Other:

- If the government has rejected Huawei, why is this even a consideration.
- Address on applications is Eastcote which is incorrect.
- The RAF base is within 1km their report says not within 3km.
- It is also of some concern that the London Borough of Hillingdon appears not to have been adequately consulted regarding the Site Selection because "It was felt that the industry database was a more up-to-date source of information".
- If I was to apply to Hillingdon Council to erect a 18m construction of any kind on my property, this would clearly be flatly denied on the grounds of it being such an eyesore. Why is it OK for Hillingdon Council to even consider allowing this network three to erect a monstrosity which is clearly NOT in keeping with the residential area. We are 3 doors away from the green and were not consulted on this and it would impact on our property and devalue properties concerned. Whoever it is considering this as an acceptable construction, should volunteer to have it constructed outside there house.
- These small green spaces should be looked after and cared for by the council and protected against this type of development. There are other areas nearby that could be used to site this mast (the Area site for example) where the equipment could be placed on the roof of the building. I would urge the council to support the fact that the visual impact and pollution of this mast in this location is unsuitable and will affect the resident living in this area. Please protect this (and other) small green spaces, plant more trees and keep large mobile phone masts off!
- The presence of a mast will also lead to a decrease in house prices on the street which I am very concerned about, apart from damaging the image of a healthy residential community and degrade it to an industrial looking road without the feel of a residential community. I believe there are enough spaces in Ruislip where these hideous masts can be placed where they will not pose the above stated risks and damage.
- Three have stated that the search area is severely restricted but have not demonstrated why it must be in this location. The argument that this structure will resolve a large black spot in coverage (as shown in Fig 2) needing to be within this small search area has not been adequately demonstrated in the technical summary. Given this small search area, it is difficult to demonstrate that they could follow the sequential approach for the NPPF and look at Mast and Site Sharing or Existing Building Structures in this case. Further, it does not provide sufficient comfort that they could ever follow this framework if they arbitrarily define a cell search area of just 50 metres (their average as stated in the application). The above suggests they have merely picked the dot most convenient for themselves and chosen this site (an argument that seems supported by Fig 3). Justification: Three's application has stated that this mast design is not suitable for sharing with other carriers. This means that any improvement derived from the mast would only benefit Three customers, not the wider local residential community who are so impacted by the proposal. Three is a distant fourth behind the three main UK network providers (BT, Vodafone and O2) who hold 75% of the market share between them - Three holds a mere 12%, further reducing the wider benefit. From a review of the planning application and supporting documents, I am concerned at the lack of due diligence conducted by Three. The application has a number of inaccuracies (e.g referring to improving coverage in Harrow and the reference to this being in an industrial area to name but two) but the glaring omission of the aerodrome in the original submission further evidences the inappropriateness of the location selected.

- Due to the short range nature of the 5G signal this mast has no commercial benefit for us in our very residential area and we don't want it.
- There are many commercial buildings and brown field sites where the erection of a mast would be a better placed.
- The mast will not be good for our community.
- We have a considerable number of low flying aircraft in the area and considering the height of the proposal and it's mass I would expect that this will require a mandatory indicator light at the apex. This, though not bright, will create local light pollution, and for those nearest the proposed site this is absolutely unacceptable.
- Can this be not placed in a more industrial estate area on Vitoria road or Old Dairy retail park? If such plan is to go ahead then respectively we need to get a heavy reduced levy on council tax on the account of having this monstrosity placed here!
- A very sneaky move by Hillingdon council, just the fact of the lack of information tell's you this is so wrong, I bet the person/people who gave the go ahead for this development wouldn't have this at the end of their road.
- While various maps and images are provided in the documentation, it is telling to note that no easily generated image of what the 20m mast would look like in situ have been provided! I would suggest that the 5G developers be requested to provide such an image or that LB Hillingdon planners produce one for themselves when considering the application. I believe that various other locations in the area are available such as near the stream that flows parallel to Torcross Road, various parks and the carpark of the Black Bull Tavern at the junction of Torcross and Victoria Road (an area of increased traffic and noise as well as the location of a large building) where a mast might be less noticeable. While I accept that there will usually be a price for progress I believe that the proposed location for the mast is not correct.

Case Officer's Comment:

The agent has since acknowledged the location of the aerodrome airfield is within 3km and has amended the relevant documents. Surrounding owners/occupiers to the site has been notified by mail and a site notice has been displayed in accordance to the GDPO requirements.

MOD SAFEGUARDING - RAF NORTHOLT:

No comments were received at the time this report was written.

Internal Consultees

HIGHWAYS OFFICER:

This is an application for the installation of a 5G mast and related equipment on an area of highways grass verge. The site is located on Appledore Avenue which has no parking restrictions on the highway by the proposed location allowing the limited servicing and maintenance requirements to be undertaken. The equipment will be located on the grass verge not impacting on the footpath or pedestrian desire lines. There are no highway objections to this application.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

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 6 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: ground-based apparatus

A.1 - (1) Development consisting of the installation, alteration or replacement of electronic communications apparatus (other than on a building) is not permitted by Class A(a) if:

(a) in the case of the installation of electronic communications apparatus (other than a mast), the apparatus, excluding any antenna, would exceed a height of 15 metres above ground level;

(b) in the case of the alteration or replacement of electronic communications apparatus (other than a mast) that is already installed, the apparatus, excluding any antenna, would when altered or replaced exceed the height of the existing apparatus or a height of 15 metres above ground level, whichever is the greater;

(c) in the case of the installation of a mast, the mast, excluding any antenna, would exceed a height of:

(i) 25 metres above ground level on unprotected land; or

(ii) 20 metres above ground level on article 2(3) land or land which is on a highway; or

(d) in the case of the alteration or replacement of a mast, the mast, excluding any antenna, would when altered or replaced;

(i) exceed the greater of the height of the existing mast or a height of;

(aa) 25 metres above ground level on unprotected land; or

(bb) 20 metres above ground level on article 2(3) land or land which is on a highway; or

(ii) together with any antenna support structures on the mast, exceed the width of the existing mast and any antenna support structures on it by more than one third, at any given height.

Case Officer's Comments:

The proposed monopole is 18m and is not located within article 2(3) land or land which is on highway. As such, it is in accordance with Condition A.1 - (1)(c)(i) of Schedule 2, Part 16 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Development not permitted: radio equipment housing

(9) Development consisting of the installation, alteration or replacement of radio equipment housing is not permitted by Class A(a) if:

(a) the development is not ancillary to the use of any other electronic communications apparatus;

(b) the cumulative volume of such development would exceed 90 cubic metres or, if located on the roof of a building, the cumulative volume of such development would exceed 30 cubic metres; or

(c) on any article 2(3) land, or on any land which is, or is within, a site of special scientific interest, any single development would exceed 2.5 cubic metres, unless the development is carried out in an emergency.

Case Officer's Comments:

The total accumulative radio equipment housing would be 2.9 cubic metres, therefore the proposal is in accord with Condition A.1 - (9)(b) of Schedule 2, Part 16 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

7.02 Density of the proposed development

Not applicable to the consideration of this application.

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

The site is not located in an archaeology priority area, a conservation area or in an area of special character. The site is not a listed building or near one.

7.04 Airport safeguarding

Policy DMAV1 of The Local Plan: Part 2 - Development Management Policies (2020) states that proposals that may be hazard to aircraft safety will not be permitted.

The site is located 900m from RAF Northholt and a consultation has been issued by the LPA. At the time of the submission of this report, no response has been received.

It should be noted that prior to the submission of this application, the agent has failed to notify the aerodrome operator which is required as per the GDPO.

7.05 Impact on the green belt

Not applicable to the consideration of this application. The site is not located within the Green Belt.

7.06 Environmental Impact

Not applicable to the consideration of this application.

7.07 Impact on the character & appearance of the area

Policy DMHB 11 of the The Local Plan: Part 2 - Development Management Policies (2020) states that all development, will be required to be designed to the highest quality standards and, incorporate principles of good design including: harmonising with the local context by taking into account the surrounding scale of development, considering the height, mass and bulk of adjacent structures; local topography, views both from and to the site; impact on neighbouring open spaces and their environment; and ensuring the use of high quality building materials and finishes.

Policy DMHB 12 of the The Local Plan: Part 2 - Development Management Policies (2020) states that development should be well integrated with the surrounding area and accessible. It should: i) improve legibility and promote routes and wayfinding between the development and local amenities; ii) ensure public realm design takes account of the established townscape character and quality of the surrounding area; iii) include landscaping treatment that is suitable for the location, serves a purpose, contributes to local green infrastructure, the appearance of the area and ease of movement through the space; iv) provide safe and direct pedestrian and cycle movement through the space; v) incorporate appropriate and robust hard landscaping, using good quality materials, undertaken to a high standard; vi) where appropriate, include the installation of public art; and vii) deliver proposals which incorporate the principles of inclusive design. Proposals for gated developments will be resisted.

Policy DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020) states that 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 proposed new mast is 18 metres high with 3 cabinets located on a corner grass verge. The cabinets range in height from 1.2 to 1.75 metres and has an overall footprint of 2.9 cubic metres.

The site is set back from the highway, however it remains fairly exposed and is therefore highly visible when viewed from the immediate street scene and the surrounding area. The proposed 18m high telecommunications mast would appear as a prominent feature on Appledore Avenue and would have a detrimental impact on the openness, character and appearance of the street scene. In addition, due to the open nature and high visibility of the site, the proposed telecommunications installation would appear as an incongruous addition to the neighbourhood.

There is currently no street furniture of this size and height. When compared to the adjacent light pole and overhead electricity pole and the streetscene, the 18m high monopole will appear unduly dominant and intrusive. The overall height would be significantly over and above the surrounding area that consists generally of 2 storeys high residential dwellings.

Whilst the mast is to provide 5G services, the proposal will add undue clutter to the streetscene which will have a significant negative impact on the visual amenity of adjacent residents and to the area in general. It would harm the character and appearance of the street scene and as such, the proposal is contrary to Policy BE1 of The Local Plan: Part 1 - Strategic Policies (2012) and Policies DMHB 11, DMHB 12 and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020).

7.08 Impact on neighbours

Policy DMHB 11 of The Local Plan: Part 2 - Development Management Policies (2020) seeks to ensure that developments do not adversely impact on the amenity of adjacent properties, and seeks to protect outlook for residents, defined as the visual amenity enjoyed by occupants when looking out of their windows.

The application site is located immediate south-west to no. 1A Appledore Avenue on the south-west and north of no. 38 Torcross Road. The distance to the nearest residential dwelling is 4 metres. The rear habitable rooms to no. 38-46 Torcross Road will have a direct line of sight to the monopole. Due to its proximity, size and overall height of the equipment, the proposal would be highly visible and intrusive to the immediate adjacent residents and surrounding area in general. As such, the proposal would severely impact the outlook of the existing residents and therefore fails to accord with Policy DMHB 11 of The Local Plan: Part 2 - Development Management Policies (2020).

7.09 Living conditions for future occupiers

Not applicable to the consideration of this application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The Council's Highway's Officer has commented on this application and no objections has been raised. The site is located on the grass verge therefore will not impact on the footpath, pedestrian or highways safety.

7.11 Urban design, access and security

Refer to Section 7.07 of this report.

7.12 Disabled access

Not applicable to the consideration of this application.

7.13 Provision of affordable & special needs housing

Not applicable to the consideration of this application.

7.14 Trees, Landscaping and Ecology

Policy DMHB 14 of The Local Plan: Part 2 - Development Management Policies (2020) states that all developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.

The site is located on the triangular grass verge adjacent to no. 1A Appledore Avenue and no. 38 Torcross Road. There are two trees identified to the west of the application site on the grass verge that are unlikely to be impacted. However, the small tree directly north-east of the proposed location is situated in proximity to the equipment therefore, may be affected by the proposed. The small tree adjacent to equipment was not noted on the plans provided, however was recognised by the officer at the time of the site visit.

7.15 Sustainable waste management

Not applicable to the consideration of this application.

7.16 Renewable energy / Sustainability

Not applicable to the consideration of this application.

7.17 Flooding or Drainage Issues

Not applicable to the consideration of this application.

7.18 Noise or Air Quality Issues

Not applicable to the consideration of this application.

7.19 Comments on Public Consultations

Refer to Section 6.1 of this report.

7.20 Planning Obligations

None.

7.21 Expediency of enforcement action

None.

7.22 Other Issues

HEALTH:

In terms of potential health concerns, the applicant has confirmed that the proposed installation complies with the ICNIRP (International Commission for Non Ionising Radiation Protection) guidelines. Accordingly, in terms of Government policy advice, there is not considered to be any direct health impact. Therefore, further detailed technical information about the proposed installation is not considered relevant to the Council's determination of this application.

OTHER:

Under section A.3, Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), it states the following:

"(3) where the proposed development consists of the installation, alteration or replacement of a mast within 3 kilometres of the perimeter of an aerodrome, the developer must notify the Civil Aviation Authority, the Secretary of State for Defence or the aerodrome operator, as appropriate, before making the application required by subparagraph (4).

4) Before beginning the development described in paragraph A.2(3), the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting and appearance of the development."

At the time of the submission, the application has failed to recognise that the site is

located within 3km of the perimeter of an aerodrome and has fail to notify the Civil Aviation Authority, the Secretary of State for Defence or the aerodrome operator prior to the submission of this application as specified in Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). As such, a second refusal reason has been recommended.

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

The application seeks prior approval for the installation of a ground-base apparatus consisting of 1 x 18m monopole and 3 cabinets and ancillary works under Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

At the time of submission, this application fails to comply with the pre-requisite requirements specified under Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) to recognise and notify the Civil Aviation Authority, the Secretary of State for Defence or the aerodrome operator that are located within 3km of the application before making the application to the LPA. It should be highlighted that the application site is approximately 900m from RAF Northolt.

Furthermore, the the siting of the proposal would result in an unacceptable impact on visual amenity particularly to the adjacent residential dwellings, and the character and appearance of the area. Therefore, it is contrary to Policy BE1 of The Local Plan: Part 1 - Strategic Policies (2012) and Policies DMHB 11, DMHB 12 and DMHB 21 of The Local Plan: Part 2 - Development Management Policies (2020).

It is recommended that prior approval be required and that permission be refused.

11. Reference Documents

The Local Plan: Part 1 - Strategic Policies (2012)

The Local Plan: Part 2 - Development Management Policies (2020)

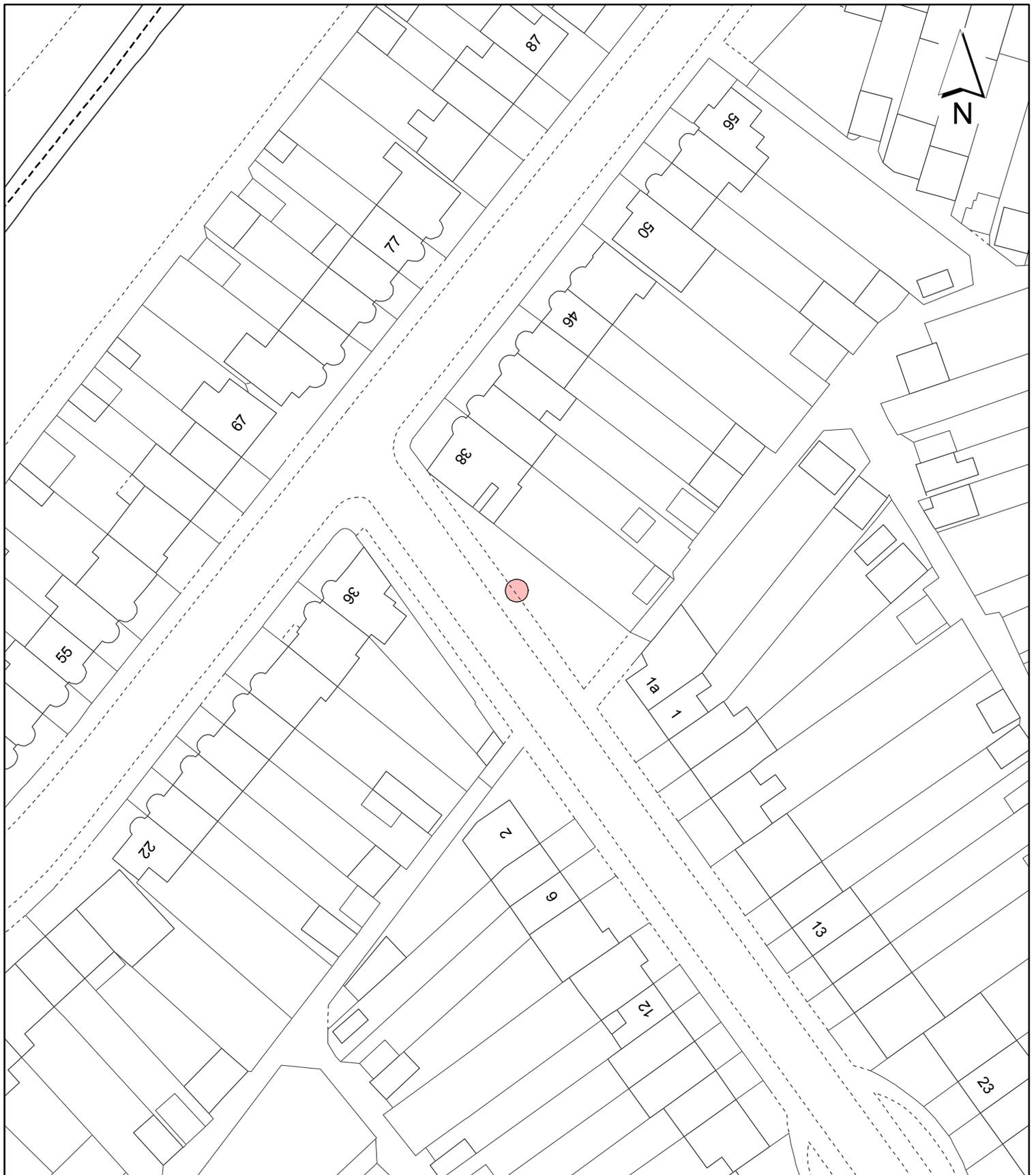
The London Plan - Consolidated With Alterations (2016)

National Planning Policy Framework (2019)

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

Contact Officer: Rebecca Lo

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Notes:

 Site boundary

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Site Address:
**Land Adj to 38 Torcross Road
 Junction with Appledore Avenue
 Ruislip**

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

Planning Application Ref:
75724/APP/2020/2194

Scale:
1:750

Planning Committee:
North

Date:
August 2020

