

## Report of the Head of Planning & Enforcement Services

**Address** PATH ADJ. RECREATION GROUND OPPOSITE FIELD END JUNIOR SCHOOL FIELD END ROAD RUISLIP

**Development:** Replacement of existing H3G 13m replica telegraph pole telecoms mast, with 15m replica telegraph pole telecoms mast with ancillary cabinets at ground level. Original to be removed (Consultation under Schedule 2, Part 24 of the Town and Country Planning (General Permitted Development) Order 1995) (as amended.)

**LBH Ref Nos:** 61143/APP/2010/2442

**Drawing Nos:** 200 Issue A  
201 Issue C  
100 Issue C  
300 Issue A  
301 Issue C  
400 Issue C  
Design, Access and Supporting Statement  
500 Issue C

**Date Plans Received:** 18/10/2010                      **Date(s) of Amendment(s):**  
**Date Application Valid:** 18/10/2010

### 1. SUMMARY

This application has been submitted by Telefonica O2 UK Ltd and seeks to determine whether prior approval is required for the siting and design of a 15m high imitation telegraph pole design mobile phone mast and ancillary equipment cabinets. The installation will replace the existing 13m high Hutchison 3G installation, which is no longer required by the operator. The applicant has searched the desired coverage area and concluded that there are no other more suitable locations available. In support of the application O2 Ltd have supplied technical details of their search/coverage area plans and justification for their site selection.

The proposed installation would be located on a grass verge next to the existing installation, which will be removed. It is not considered that there are any alternative more appropriate sites which would have less visual harm on the character and appearance of the surrounding area. The proposed installation is considered to be visually acceptable in this location, and officers have been unable to suggest any more appropriate alternative sites. As such, approval is recommended.

### 2. RECOMMENDATION

**(A) That prior approval of siting and design is required.**

**(B) The details of siting and design are approved subject to the following condition:**

#### 1 NONSC Non Standard Condition

The existing 13 Metre high H3G replica telegraph pole, H3G MHA cabinet and H3G NB881 cabinet shall be removed and the land restored to its original condition before that

development took place or to any other condition as may be agreed in writing by the Local Planning Authority, prior to the installation of the telecommunications apparatus hereby approved.

#### REASON

To comply with the terms of the application and to ensure that the development does not result in an incongruous, visually obtrusive form of development and unwanted street clutter, in compliance with Saved Policies pt.1.11, BE13 and BE37 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### INFORMATIVES

#### 1 I52 **Compulsory Informative (1)**

The decision to approve details of siting and design 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 approve details of siting and design has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

AM7	Consideration of traffic generated by proposed developments.
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE37	Telecommunications developments - siting and design
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
PPG8	Telecommunications

#### 3

You are advised that paragraph A.2(2)(a) of Part 24 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) requires the removal of the installation, as soon as is reasonably practicable, after it is no longer required for electronic communications purposes.

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The site comprises a 2.3m wide grass verge which provides a separation between Field End Road and the public footway. The proposed installation would be located in the middle of the verge in line with the existing streetlights. There are several trees located along the verge and a thick screen of trees and vegetation exists at the rear of the footway providing a barrier between Field End Road and the recreation ground to the east

which forms part of a Green Chain. Land belonging to Field End Junior School exists on the opposite side of Field End Road. The site lies within the Developed Area as designated in the Hillingdon Unitary Development Plan Saved Policies September 2007.

### 3.2 Proposed Scheme

The application seeks to determine whether prior approval is required for the siting and design of a 15m high imitation telegraph pole design mobile phone mast incorporating 6 antennas. One equipment cabinet, with dimensions of approximately 1.898m x 0.695m x 1.648m high is proposed adjacent to the mast. The existing electrical cabinet with dimensions 1.0m x 0.45m x 1.2m high, would remain. The mast would be wood effect and the cabinets would be coloured green. The 13m high H3G replica telegraph pole mast and H3G cabinets (0.8m x 0.25m x 1.198m and 1.4m x 1.26m by 0.7m) are to be removed.

### 3.3 Relevant Planning History

61143/APP/2005/2511 Path Adj. Recreation Ground Opposite Field End Junior School Field  
INSTALLATION OF A 13 METRE HIGH IMITATION TELEGRAPH POLE MOBILE PHONE  
MAST AND EQUIPMENT CABINETS (CONSULTATION UNDER SCHEDULE 2, PART 24 OF  
THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER  
1995)(AS AMENDED)

**Decision:** 18-10-2005 Refused

**Appeal:** 16-05-2006 Allowed

61143/APP/2010/2103 Path Adj. Recreation Ground Opposite Field End Junior School Field  
Replacement of existing H3G 13m replica telegraph pole telecoms mast, with 15m replica  
telegraph pole telecoms mast with ancillary cabinets at ground level. Original to be removed  
(Consultation under Schedule 2, Part 24 of the Town and Country Planning (General Permitted  
Development) Order 1995) (as amended.)

**Decision:** 12-10-2010 Withdrawn

#### Comment on Relevant Planning History

An application ref:61143/APP/2005/2511, seeking to determine whether prior approval was required for the siting and design of a 13m high imitation telegraph pole mobile phone mast to incorporate three antennas and three equipment cabinets located adjacent to the mast, was refused on 18/10/2005 for the following reason:

The proposed mast would have an unacceptable impact upon the street scene. Its height and design in this location would be clearly visible and would draw attention to it. As such it is contrary to policies pt1.11, BE13, BE37, and OE1 of the Unitary Development Plan.

The development was, however, allowed on appeal on 16/5/2006. The Inspector concluded that the proposal represented the optimum solution to meeting the appellant's network needs in the area and that the visual impact of the proposed installation would result in no more than slight harm to the visual qualities of the street scene.

An application similar to the current proposal (ref: 61143/APP/2010/2103) was submitted on 7/9/2010, but withdrawn by the applicants on 12/10/2010, as they had failed to notify the Ministry of Defence Airport Safeguarding, as required by legislation.

## 4. Planning Policies and Standards

## **UDP / LDF Designation and London Plan**

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.11 To facilitate the development of telecommunications networks in a manner than minimises the environmental and amenity impact of structures and equipment.

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

BE13 New development must harmonise with the existing street scene.

BE19 New development must improve or complement the character of the area.

BE37 Telecommunications developments - siting and design

BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

OE1 Protection of the character and amenities of surrounding properties and the local area

PPG8 Telecommunications

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

**5.1 Advertisement Expiry Date:- 11th November 2010**

**5.2 Site Notice Expiry Date:- Not applicable**

## **6. Consultations**

### **External Consultees**

66 adjoining occupiers, including Field End Junior and Infant Schools and Roxbourne First school were consulted. Site notices were also erected. No responses have been received.

Ministry of Defence Estates Safeguarding (MOD): We can confirm that the MOD has no safeguarding objections to this proposal.

Ruslip Residents Association: No response.

South Ruislip Residents Association: No response.

### **Internal Consultees**

HIGHWAY ENGINEER:

Field End Road forms part of the Borough's main distributor and local distributor Road network, linking Northolt to Eastcote. Field End Road as the main distributor road, has a relatively high traffic volume with approximately 8.5m wide carriageway and 2.0m wide footway both sides.

The existing mast is sited on the grass verge outside the recreation ground that is opposite Field End Junior School and presently benefits from natural screening afforded by mature trees on both sides of the road.

The proposal is to replace the existing 13m high Mast with a 15m high replica mast within

approximately 3m south of the existing mast location, on the grass verge at the rear edge of footway, complete with its radio equipment cabinet.

Submitted plan shows a 1.9m x 0.7m by 1.6m high equipment cabinet with 700mm opening door width, positioned approximately 2.0m away from the proposed mast and served by an existing small meter cabinet. The current meter cabinet serving the proposed mast will remain on the grass verge at the rear edge of footway,

The equipment housing proposed to be accommodated on the footway will leave sufficient space for pedestrians to comfortably and safely pass each other without stepping on to the carriageway. Consequently no objection is raised on the highways aspect of the proposals.

## **7. MAIN PLANNING ISSUES**

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

The proposed installation does not exceed the limits set out in Part 24 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended). It would not be located in an environmentally sensitive area, such as a conservation area, where more restrictive criteria are applicable. Accordingly, the proposal constitutes permitted development.

In accordance with Part 24 of the Town and Country planning (General Permitted Development) Order 1995 (as amended) Telefonica O2UK Ltd is required to apply to the Local Planning Authority for a determination as to whether prior approval of the details of siting and design is required and, if so, for the Local Planning Authority to either approve or refuse those details.

### **7.02 Density of the proposed development**

Not applicable to this type of development.

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

The site does not fall within a conservation area or area of special local character. The site does not fall within the vicinity of a statutory or locally listed building. As such, there are no impacts on the historic environment.

### **7.04 Airport safeguarding**

The application site is located within 3km of an aerodrome (RAF Northolt) and there is a statutory requirement to consult the airport safeguarding authorities regarding this proposal. The MoD (Safeguarding) has been notified in accordance with these statutory requirements. No objections have been received in this regard.

### **7.05 Impact on the green belt**

The application site is not located near any Green Belt land.

### **7.06 Environmental Impact**

Not applicable to this application.

### **7.07 Impact on the character & appearance of the area**

The proposed mast, with a maximum height of 15 metres (including antennas) would be sited on the north eastern side of Field End Road, approximately 50 metres from the entrance to Field End Infant and Junior Schools, situated on the opposite side of the road. A streetworks cabinet and a smaller meter cabinet (existing) would be sited within the grass verge separating the road carriageway from the footway on the north eastern side of the road.

The proposed mast and cabinets would be visible in oblique views to drivers and pedestrians from the north west, but set against a backdrop of existing trees behind the public footway, and partially masked on the approach by a tree within the grass verge.

Because of its height and location near the brow of a gentle hill approaching the school entrance, the mast would be visible to the left and also in part against the skyline, as it would project slightly above some of the neighbouring trees. On the approach from the south east, The image of the 'telegraph pole' would not be apparent until motorists and pedestrians were close to or past a mature Oak tree which stands within the verge, on the north east side of the road before the brow of the hill. The mast would be slightly thicker and noticeably higher than the existing 8 metre high lamp posts and a telegraph pole of the same height on the opposite side of the road.

The design of the mast as an imitation telegraph pole is considered to be most appropriate for this location, especially given the surrounding vegetation and proximity to nearby schools and open land. It is not considered that the proposal mast would be excessively prominent in the street scene, bearing in mind the presence of trees in the verge and the obliqueness of general views along the road. It is therefore not considered that the proposed mast would have a significant detrimental impact on the character and appearance of the area, sufficient to justify refusal, particularly given that it would be replacing an existing mast, the clear need for the installation and the applicant's thorough site search.

The ground level equipment when viewed from the south east would not be visible until the brow of the hill had been reached, although the meters within the grass verge would be clearly visible to those using the long parking bay in this part of Field End Road, as would any other meter or ground based street furniture. It is noted that as a result of the proposals, there would be a net reduction of one cabinet, as two of the existing cabinets would be removed, to be replaced with one cabinet, thereby reducing street clutter. Whilst the equipment cabinet would be relatively large, it would have the appearance of a standard utility company cabinet, and its visual impact is considered to be acceptable.

Members will note that a previous application close to this site (61143/APP/2005/2511, seeking to determine whether prior approval was required for the siting and design of a 13m high imitation telegraph pole mobile phone mast to incorporate three antennas and three equipment cabinets) was allowed on appeal with the Inspector concluding that the proposal represented the optimum solution to meeting the appellant's network needs in the area and that the visual impact of the proposed installation would result in no more than slight harm to the visual qualities of the street scene. Given this decision, overall it is not considered that the proposal would be excessively prominent in the street scene, bearing in mind the presence of trees in the verge and the obliqueness of general views along the road. It is therefore considered that the proposed mast would not have a significant impact on the visual amenities of the area, in accordance with Saved Policies BE13 and BE37 of the Unitary Development Plan.

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

Although this part of Field End Road is relatively open in character, there are three schools within 500m of the site, two of which are primary schools and one a junior school. The proposed installation is opposite playing fields belonging to Field End Junior and Infants Schools and is approximately 80m away from the nearest school building. A well used recreation ground exists to the east of the site. There is a pedestrian crossing approximately 75m to the south east of the site and the footway adjacent to the proposed installation is well used by school children. At approximately 133m away to the north west, the Whitby Dene Residential Home on Whitby Road is the nearest residential property.

Given that the mast would not be directly overlooked by these properties, it is not considered that the proposed installation would impact on residential amenity sufficient to

justify refusal.

**7.09 Living conditions for future occupiers**

Not applicable to this type of development.

**7.10 Traffic impact, car/cycle parking, pedestrian safety**

Telecommunications installations are visited infrequently for maintenance purposes only. As such, it is not considered that the proposed installation would have a significant detrimental impact on the free flow of traffic or highway safety. No objections have been raised by the Council's Highway Engineer.

**7.11 Urban design, access and security**

The proposed installation would take on the appearance of an imitation telegraph pole. Whilst taller and thicker than a standard pole, this is considered to be the most appropriate design in this location, given the surrounding trees. Overall, it is not considered that the proposal would have a significant detrimental impact on the character and appearance of the area, sufficient to justify refusal, particularly given the clear need for the installation and the applicant's thorough site search.

**7.12 Disabled access**

Not applicable to this type of application.

**7.13 Provision of affordable & special needs housing**

Not applicable to this type of application.

**7.14 Trees, Landscaping and Ecology**

The proposed development would have no impact on nearby trees or landscaping.

**7.15 Sustainable waste management**

Not applicable to this type of application.

**7.16 Renewable energy / Sustainability**

Not applicable to this type of application.

**7.17 Flooding or Drainage Issues**

Not applicable to this type of application.

**7.18 Noise or Air Quality Issues**

Not applicable to this type of application.

**7.19 Comments on Public Consultations**

None.

**7.20 Planning Obligations**

There is no requirement for the applicant to pay any S106 contributions for this type of development.

**7.21 Expediency of enforcement action**

There are no enforcement issues associated with this site.

**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.

**8. Observations of the Borough Solicitor**

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are 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).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

## **9. Observations of the Director of Finance**

Not applicable.

## **10. CONCLUSION**

The proposed installation is considered to be visually acceptable in this location, and officers have been unable to suggest any more appropriate alternative sites. It is considered that the proposal is consistent with advice in Policy BE37 of the Unitary Development Plan Saved Policies September 2007 and Planning Policy Guidance Note 8 and, as such, approval is recommended.

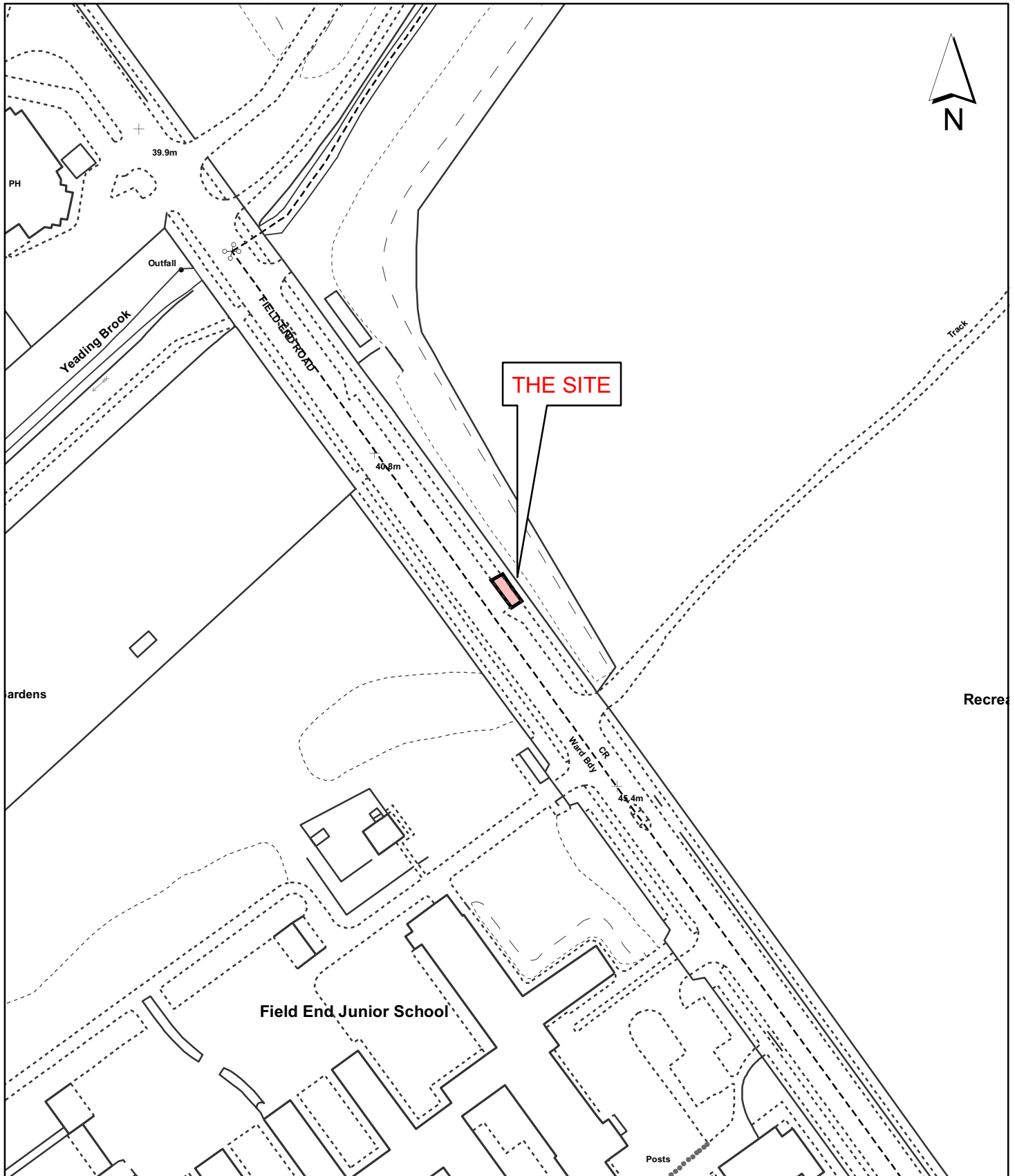
## **11. Reference Documents**

Hillingdon Unitary Development plan Saved Policies (September 2007)  
PPG8: Telecommunications


**Contact Officer:** Karl Dafe

**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. All rights reserved.  
London Borough of Hillingdon  
100019283 2009

Site Address	
<b>Path adjoining recreation ground opposite Field End Junior School Field End Road, Ruislip</b>	
Planning Application Ref:	Scale
<b>61143/APP/2010/2442</b>	<b>1:1,250</b>
Planning Committee	Date
<b>North</b>	<b>November 2010</b>

**LONDON BOROUGH  
OF HILLINGDON**

**Planning, Environment  
& Community Services**

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



**HILLINGDON**  
LONDON