

## Report of the Head of Planning & Enforcement Services

**Address** LAND AT JUNCTION OF A40 AND SWAKELEYS ROAD ICKENHAM

**Development:** Replacement of existing 12.5 metre high monopole with a 15 metre high monopole mobile phone mast, one replacement and one additional radio equipment cabinet with ancillary works (Consultation under Schedule 2, Part 24 of the Town and Country Planning (General Permitted Development) Order 1995) (as amended.)

**LBH Ref Nos:** 56342/APP/2010/2732

**Drawing Nos:** Site Specific Supplementary Information  
Cornerstone: Supporting Technical Information prepared 19th November 2010  
100 Rev. A  
200 Rev. A  
300  
301 Rev. A  
500 Rev. B  
400 Rev. A

**Date Plans Received:** 25/11/2010                      **Date(s) of Amendment(s):**  
**Date Application Valid:** 25/11/2010

### 1. SUMMARY

The scheme involves the replacement of a dual user 12.5m mast with a dual user 15m mast, involving the slight relocation of the mast, the installation of two associated cabinets and the removal of one existing cabinet. The application seeks to determine in the context of the consultation procedure laid out in Part 24 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (As Amended) whether prior approval is required for the relocation and the increase in height of the existing 12.5m high monopole mobile phone mast to 15m.

The installation will replace the existing installation. 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 the footpath, some 5m from 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, and in light of the information the applicant has provided in support of the application it is considered that prior approval of siting and design is not required.

### 2. RECOMMENDATION

**Prior approval of siting and design is not required.**

### INFORMATIVES

**1** 152 **Compulsory Informative (1)**

The decision not to require prior approval of the 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** 153 **Compulsory Informative (2)**

The decision not to require prior approval of the 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.

OL1	Green Belt - acceptable open land uses and restrictions on new development
BE13	New development must harmonise with the existing street scene.
BE37	Telecommunications developments - siting and design

**3. CONSIDERATIONS**

**3.1 Site and Locality**

The site comprises an existing 12.5m high monopole mobile phone mast and equipment cabinet on the footway adjacent to a grass verge on the north side of Swakeleys roundabout. The A40 runs underneath the roundabout and the mast is located between the A40 exit slip road and Swakeleys Road. The site falls within the Green Belt 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 replacement and re-location of the of the existing 12.5m high monopole mobile phone mast with a 15m mast. The existing column would be replaced with a new column re-located 5.2 metres to the north west, closer to the exit of the roundabout with Swakeleys Road. There are two existing equipment cabinets, one 1.36 x 0.35m x 1.48m high, and the other 1.4m x 0.79m x 1.30m high, adjacent to the existing mast. The lower of these two cabinets would be removed. Two new cabinets would be located either side of an existing lamp post and would be 1.9m x 0.8m x 1.65m high and 1.3x x 0.93m x 1.9m.

**3.3 Relevant Planning History**

**Comment on Relevant Planning History**

56342/APP/2005/1720: Increase in height of existing 12.5m high monopole phone mast to 15m (consultation under Schedule 2, Part 24 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended). Prior Approval Not required - 04/08/2005

56342/APP/2003/2291: Installation of 12.5m high street works column/telecommunications mast and additional cabinet, involving removal of existing 12.5m high street column (consultation under Schedule 2, Part 24 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended). - Approval

26/11/2003

56342/APP/2001/1290: Installation of 12.5m high telecommunications column, incorporating three tri-sector antennas and one omni antenna, ground based equipment cabins together with ancillary development (consultation under Schedule 2, Part 24 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).  
- Prior Approval Not required 08/08/2001.

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

The application has been assessed against Policy OL1 of the Unitary Development Plan, which seeks to protect the Green Belt from inappropriate development. It has also been assessed against policy BE37 of the Unitary Development Plan and Planning Policy Guidance Note 8: Telecommunications. Both seek to find solutions, which minimise the impact of telecommunications development on the appearance of the surrounding area.

#### **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:

OL1 Green Belt - acceptable open land uses and restrictions on new development

BE13 New development must harmonise with the existing street scene.

BE37 Telecommunications developments - siting and design

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

**5.1 Advertisement Expiry Date:- 20th December 2010**

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

#### **6. Consultations**

##### **External Consultees**

43 adjoining occupiers and the Ickenham Residents Association consulted. A Site notice was also displayed. No responses have been received.

TRANSPORT FOR LONDON: Subject to the following conditions being met TfL would not object to the proposal:

1. The proposed equipment should be with a minimum of 450mm clearance from the edge of the carriageway kerb.

2. The footway and carriageway on Swakleys roundabout must not be blocked during the construction and maintenance of the proposal. Temporary obstruction during the construction must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians, or obstruct the flow of traffic Swakleys roundabout.

3. All construction/installation/servicing work to the proposed equipment must be undertaken during

off-peak periods, preferably at night time. This is to minimise highway and traffic impact to the Swakleys roundabout.

4. Plantation/trees adjacent to the site must not be tempered with/alterd without prior consent from the local highway authority.

MINISTRY OF DEFENCE(Safeguarding Section): No safeguarding objections to this proposal.

### **Internal Consultees**

HIGHWAY ENGINEER:

The existing mast is located on the North West side of Swakeleys roundabout junction with North West approach slip Road, which is Local Distributor Road and is part of Transport for London TfL roads. The proposal is to replace the existing 12.5m high mast with a 15.0m high mast, replacement of one radio equipment cabinet and addition of one extra cabinet, on the north east side of Swakeleys roundabout at the rear of footway. The radio equipment cabinet is proposed to be accommodated at the rear of the footway and will leave sufficient space for pedestrians to safely pass each other without stepping on to the carriageway. Maintenance of the radio component will effectively require parking the maintenance vehicle in a safe section of highway in the near vicinity of the roundabout. However, considering that there are two existing radio equipment cabinets, and the frequency of the maintenance requirement, this is not considered to be detrimental to road safety. The mast is approximately 3.0m away from the nearest 12m street lighting column. It is advisable to consider sharing the new 15m mast with the nearby street lighting column to avoid street cluttering. Consequently no objection is raised on the highways aspect of the proposals. It is however advisable to consult Transport for London and seek their approval prior to replacing the mast.

## **7. MAIN PLANNING ISSUES**

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

Planning Policy Guidance Note 8: Telecommunications and Policy BE37 of the Hillingdon Unitary Development Plan Saved Policies September 2007 are supportive of telecommunications development providing the visual impact is minimised. In particular they seek to minimise the visual impact of telecommunications antennas by locating them at less sensitive locations, including existing telecommunications sites before considering alternative, and often more visually obtrusive options. However, notwithstanding this, the installation represents inappropriate development within the Green Belt and it is therefore necessary for the applicant to demonstrate that very special circumstances apply if an exception is to be made to established Green Belt policy.

Given the existence of the existing telecommunications equipment in this location, and the minor visual impact the replacement mast would have on the overall appearance of area, it is not considered that refusal could be justified on visual grounds, despite the installation's Green Belt location.

The applicant has searched the local area and concluded that there are no other more suitable locations available. In support of the application O2 have supplied copies of technical details of their search/coverage area plans and justification for their site selection.

The proposal is consistent with advice in Policy BE37 of the Unitary Development Plan and Planning Policy Guidance Note 8 and visual impacts are considered to be minor.

Accordingly, there is no objection to the principle of the proposed development, providing site specific issues can be satisfactorily addressed.

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

Not applicable.

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

The proposed installation is not located in an a conservation area or an ASLC, where more restrictive criteria are applicable.

#### **7.04 Airport safeguarding**

Ministry of Defence have stated they have no objection on airport safeguarding grounds.

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

Policy OL1 seeks to protect the Green Belt from inappropriate forms of development in order to preserve its openness and visual amenity. Whilst a telecommunications installation would not usually be considered an acceptable form of development within a Green Belt location but the presence of an existing installation here, which is to be removed need to be considered.

Whilst the mast would be visible from surrounding views, it would be seen in the context of the existing equipment, the A40, and the roundabout. The proposal would increase the number of cabinets by one, however this would have a limited impact on the openness of the Green Belt. The replacement mast would be of a similar size and design to the existing and it is not considered that a 2.5m increase in height would have a significant impact on the character or appearance of the area or the openness and visual amenity of the surrounding Green Belt. As such, it is not considered that refusal could be justified on Green Belt grounds.

#### **7.06 Environmental Impact**

The applicant has provided details that the installation is designed to be fully compliant with the public exposure guidelines established by the International Commission on Non-Ionising Radiation Protection (ICNIRIP) scheme.

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

The proposed mast is considered to be an improvement, in terms of design, than the existing one. Unusually, the existing mast has a wide lower section, a narrow central section and a wider top section. It is considered that this gives it a somewhat odd appearance. The proposed design has a consistent width for the bottom 10.4 of the mast, which widens for the top 4.6m. Its more conventional design is less eye catching and is considered to be an improvement in visual terms, despite the increase in height.

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

The areas to the north and south of the A40 are characterised by 2 storey residential dwellings. The nearest property is approximately 36m away to the north west, however any views of the mast from nearby residential properties are well screened by the mature trees to the north of the mast. Although the mast is visible to users of Swakeleys roundabout, it is considered that an increase in height would only have a minimal impact in this location.

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

Not applicable.

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

The Highway Engineer considers the slight relocation of the mast and the siting of the new cabinets will have no adverse impact on pedestrian or highway safety. The equipment would achieve the minimum 450mm clearance from the edge of the carriageway kerb as required by Transport for London.

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

The telecommunications installation is proposed by O2 UK Ltd in order to provide the local

area with future 2G and 3G video coverage by means of three O2 antennas on the mast and three Vodaphone antenna on the mast.

The design approach adopted is to permit two operators to gain coverage to the surrounding area, thereby minimising overall impact to the area. This approach accords with PPG8. The slight relocation of the pole and height is to increase coverage and to take it away from the existing lamp post thereby avoiding health and safety issues surrounding maintenance of the lamp post.

**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**

The scheme is not in close proximity to any trees and is not considered will have any adverse impact upon any trees or existing landscaping.

**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 responses 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 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**

## **10. CONCLUSION**

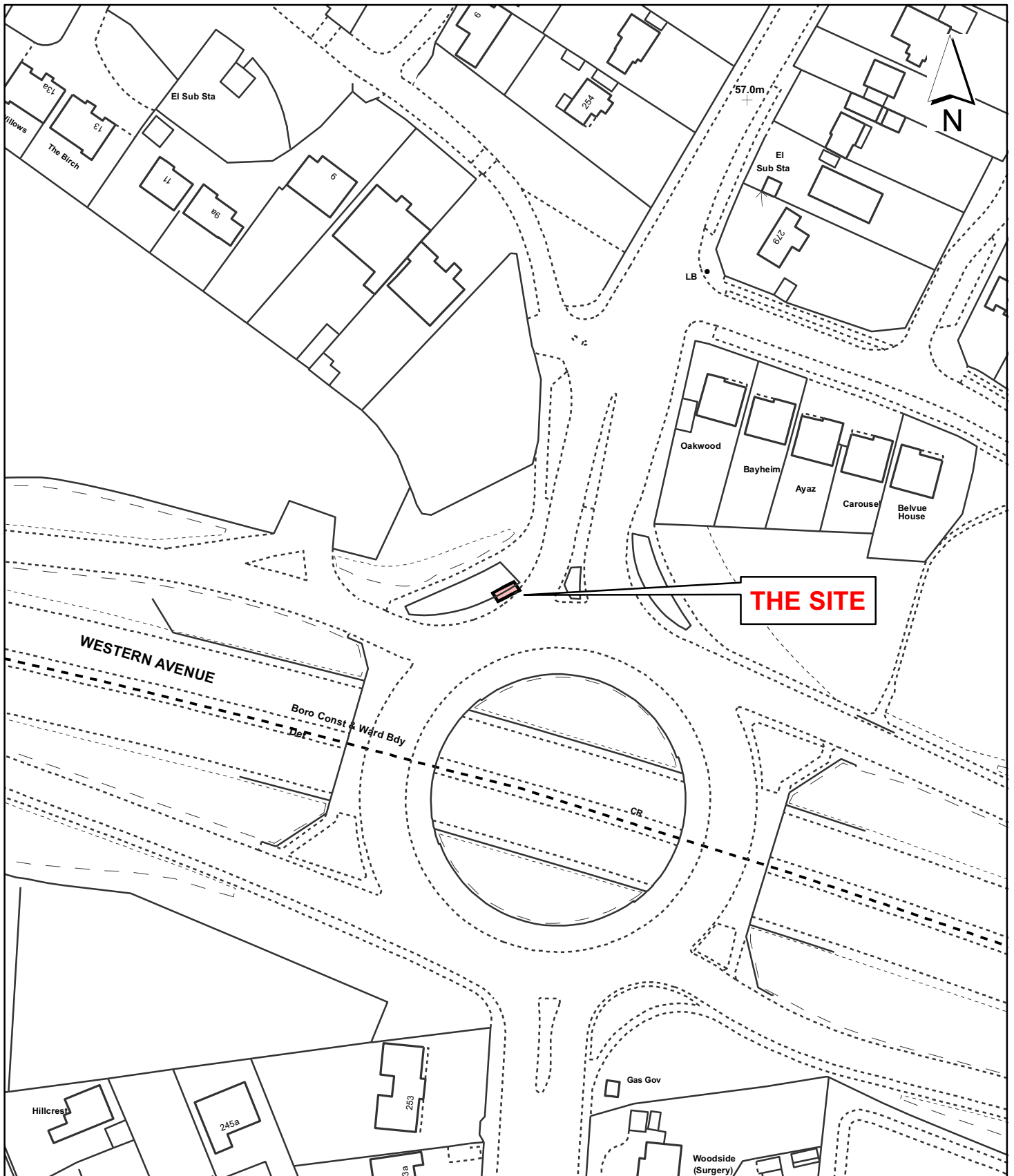
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## **11. Reference Documents**

Hillingdon Unitary Development Plan Saved Policies September 2007  
PPG8: Telecommunications

**Contact Officer:** Gareth Gwynne

**Telephone No:** 01895 250230



<p><b>Notes</b></p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>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.</p> <p>© Crown Copyright. All rights reserved. London Borough of Hillingdon 100019283 2010</p>	<p>Site Address</p> <p style="text-align: center;"><b>Land at junction of A40 and Swakeleys Road Ickenham</b></p>		<p><b>LONDON BOROUGH OF HILLINGDON</b></p> <p><b>Planning, Environment &amp; Community Services</b></p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>	
	<p>Planning Application Ref:</p> <p style="text-align: center;"><b>56342/APP/2010/2732</b></p>	<p>Scale</p> <p style="text-align: center;"><b>1:1,250</b></p>	 <p style="text-align: center;"><b>HILLINGDON</b> LONDON</p>	
	<p>Planning Committee</p> <p style="text-align: center;"><b>North</b></p>	<p>Date</p> <p style="text-align: center;"><b>December 2010</b></p>		