

## Report of the Head of Planning & Enforcement Services

**Address** LAND REAR OF 74 HALLOWELL ROAD NORTHWOOD

**Development:** Installation of railway only communications site comprising a 20 metre high monopole, with a 1 metre high lightning finale, 0.75 metre high ground frame (total height 21.75 metres), radio equipment cabin and equipment on the railway land south of Northwood Station Underground Car-park.

**LBH Ref Nos:** 67679/APP/2011/651

**Drawing Nos:** NTPO/0107/GA/A/004 Rev. A  
NTPO/0107/GA/A/001  
Site Location Plan at Scale 1:1250  
NTPO/0107/GA/A/002  
Supporting Statement 0107 (3)  
Northwood Photomontages and 180 degree photos of surrounding areas  
2 additional photomontages from 2 locations on Hallowell Road  
Datum Points in respect of photomontage locations  
Appendix 1 to 7 to Supporting Statement  
CC30-1050 (tree survey and enabling tree works)  
Statement of Community Involvement  
NTPO/0107/GA/003 Rev. B

<b>Date Plans Received:</b>	15/03/2011	<b>Date(s) of Amendment(s):</b>	15/03/2011
<b>Date Application Valid:</b>	15/03/2011		06/04/2011
			04/05/2011
			06/05/2011
			20/05/2011

### 1. SUMMARY

The application is for erection of 20 metre high monopole mast, topped by a 1 metre lightning finale and a 0.75 metre high base (total height 21.75 metres), serving as a communication mast exclusively for use by the main line railway operators, with an associated ground frame radio equipment equipment situated on the railway land south of Northwood Underground Station car park.

Whilst it is accepted that there is a need for a mast to provide the required communication system, its size, scale, bulk and location is not considered to be acceptable as it would have a detrimental impact on the visual amenities of adjoining occupiers and the wider area including the Old Northwood Area of Special Character. It is for this reason that the application is recommended for refusal.

### 2. RECOMMENDATION

#### 1 NON2 Non Standard reason for refusal

The mast and associated equipment, by reason of its siting, size, scale and bulk would result in a detrimental visual impact on neighbouring residential properties and the area in general including the adjoining Old Northwood Area of Special Local Character contrary to Policies BE5, BE13, BE19 and BE21 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

## INFORMATIVES

### 1

The applicant has provided details and explored alternative locations on the station site that appear may have potentially less immediate impact upon the residential amenity of adjoining residential properties and potentially less visual impact on the Old Northwood Area of Special Character and the wider Northwood area. However, it has not been demonstrated that these are the only 2 feasible locations for a mast within the Northwood Station site and the applicant is advised to provide further evidence to demonstrate that there are no alternative sites available.

### 2 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).

### 3 I53 **Compulsory Informative (2)**

The decision to REFUSE planning permission 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.

BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE37	Telecommunications developments - siting and design
OE1	Protection of the character and amenities of surrounding properties and the local area

## 3. **CONSIDERATIONS**

### 3.1 **Site and Locality**

The application site is located at the southern end of railway land (under Transport for London ownership) south of a former coal yard, presently used as a rail industry staff car park. The proposed base of the mast would be located 5.5 metres away from the boundary fence to the rear garden of 74 Hallowell Road, the equipment cabinet would be located approximately 2.35 metre away from the boundary fence.

The immediate site and the Northwood station site is open in aspect as viewed from the surrounding land located either side of the main railway tracks. This open aspect feature contrasts with many railway lines that might be 'cut' to some degree into the topography and thereby offer a degree of natural screening of the track and its trackside operations from their wider urban surroundings. The open aspect character of the site heightens the visual prominence of the site in the surrounding neighbourhood. A limited degree of screening of the site is provided to the site from hedging and trees located in close proximity to the rear boundary fences of the gardens and properties along Hallowell Road located to the east of the site on this section of Hallowell Road. Other open views of the site are gained from the new homes being erected at the end of Highfield Close

(Mossleigh site), from the rear gardens at 2-16 Highfield Road and from the railway bridge on Highfield Road.

The mast would be located approximately 2 metres outside the eastern edge of the Old Northwood Area of Special Local Character, a boundary that follows the boundary of the gardens on the western side of Hallowell Road.

### **3.2 Proposed Scheme**

The proposed mast structure would be 17m high and would be 1.2m wide at its base and narrowing as a cone to 0.55m at the top. Capping the main mast would be a lighter, but not solid, structure 3m in height and on top of that a thin 1m high lightning finial. The mast will be built on a base that secures it to the ground which is 0.75m in height, 6.4m long and 5.4m wide. The proposed equipment cabinet that would be located alongside the mast (would be comparable to an existing cabinet located just to the south of the site) and would be 3.75m long, 2.5m wide and 3.8m high.

The 21.75 metre mast and related equipment cabinet is required by Network Rail to serve the introduction of a new nationwide capacity for 2 way communication with the drivers on the trains, titled the Railway Communication System (RCS). In southern England the RCS are mandated to be operational by December 2011 and across the whole of UK by 2014.

These masts are usually erected under permitted development rights for railway undertakers statutory operators (under Part 17) of the General Permitted Development Order. This has occurred elsewhere in the Borough, but is not possible in this instance as the site in question is under ownership of Transport for London not Network Rail accordingly permitted development rights do not apply to Network Rail.

The applicant states 5 masts are required between Harrow on the Hill South Junction and Mantles Wood. To the south a mast is set to go in at Pinner Station and to the north Croxley Green. The masts need to be located rail side to provide the necessary coverage to the drivers and to provide a security of access for any emergency maintenance required. Smaller masts were considered, 5 metre in height but this would require 22 sites as opposed to the 5 proposed for the section of rail line in question and the applicant considered it was not feasible due to insufficient space trackside at a variety of locations on this section of track.

### **3.3 Relevant Planning History**

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

No relevant planning history for the site.

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

PPG8: Telecommunications

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

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

Part 1 Policies:

PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.

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:

BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE37	Telecommunications developments - siting and design
OE1	Protection of the character and amenities of surrounding properties and the local area

### 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **19th April 2011**

5.2 Site Notice Expiry Date:- Not applicable

### 6. Consultations

#### External Consultees

Consultation letters were sent to the owner/occupiers of 190 properties in the locality including 3 local schools and educational colleges. The consultees were all re-consulted for a further 14 day period following the applicant submitting amended drawings and an amended description relating to the total height of the mast and its ground fixing structure. London Transport, Northwood Residents Association and the Old Northwood Area of Special Local Character amenity society group were also consulted.

A site notice was displayed on the street outside the front of 74 Hallowell Road.

13 individual letters of objection and a separate petition objecting to the mast signed by 62 residents of the borough have been received. The petition states:

"The siting of the monopole, rising 10m and more above the treeline, results in a considerable loss of residential amenity for adjoining dwellings. The gardens currently have an uninterrupted view of trees and the addition of a 20m pole will damage the character and amenity historically enjoyed and valued by the residents.

Desired Outcome: Re-site the proposed mast to the already commercially developed land in Northwood Station car park. The proposed mast would then be amongst the other tall poles, buildings and hardware of the station car park. If it was located by the car park it would not be adjacent to any residential accommodation."

The 13 individual letter raise the following objection:

- I. The unacceptable height of the mast and its location set away from the station car park, the latter is considered a preferential location for the mast.
- II. Concerns that the mast will be visible from properties on the eastern side of Hallowell Road.
- III. That the mast would tower over adjoining trees and gardens on Hallowell Road most markedly

during the winter months due to the trees in the gardens being deciduous trees.

IV. That the mast would be visually very intrusive.

V. Object to further non-residential development in the area that blights a residential area

VI. Would prefer to see a lower mast.

VII. The mast would detract from the character of Old Northwood Area of Special Local Character

VIII. The mast would directly impact upon No.74 Hallowell Road and neighbouring properties residential amenity at 7a to 7f Highfield Road, to Highfield Close and St Matthews Court, contrary to Councils planning policies.

IX. The mast present a safety hazard as it risks falling on No.74 and/or the adjoining properties.

X. The mast would not benefit Northwood as the Chiltern Line does not stop at Northwood station.

XI. Relocating the mast to the station car park would mean it would be amongst taller structures and commercial buildings and thereby better absorbed into the landscape and also separated from any residential buildings by commercial and religious buildings at the rear of Hallowell Road.

XII. Network Rail should take up the option of installing a series of 5 metre high masts instead on this section of the railway line.

XIII. The amendment are indicative of a lack of forethought by the applicant.

XIV. The applicants photographs are misleading and minimise the visual impact of the mast.

XV. The mast is not respectful of a historic area and designated as an Area of Special Local Character.

XVI. I and other residents would not have purchased our home if we had knowledge such a mast was going to be erected and it will lower the property value of our home.

XVII. The mast will be an eyesore.

XVIII. The mast with its radio electrical waves is a health risk and there are studies to give evidence there are health risks.

XIX. The mast will spoil tree filled vistas from our house both from upstairs and downstairs, including spoiling views of the sun setting.

London Transport: No objection to the application.

Ward Councillors object to the proposal.

The Northwood Residents Association: "that the siting of the monopole, rising some 15 metres above the treeline, results in considerable loss of residential amenity for adjoining dwellings. It could easily be located amongst the other hardware at the eastern edge of the station car park. If it was located by the car park it would not be adjacent to any residential accommodation. I have contacted Network Rail on two occasions to ask to liaise with an agent but received no replies."

Nick Hurd MP has raised concerns over the height of the mast that makes it extremely intrusive to local residents of Hallowell Road and Highfield Road.

### **Internal Consultees**

#### **CONSERVATION & DESIGN OFFICER:**

The proposal is for the installation of a considerably high communication mast and equipment to the rear of Hallowell Road. Given its height it would be very visible from streets and as such would be considered intrusive to the visual amenity of the area.

Recommendation: It is suggested that the equipment should be relocated further away from its current location, perhaps near the Station car park. Whilst closer to the conservation areas, this area is at a lower gradient than the main streets (Green Lane) and may have lesser visual impact on the character and amenity of the area.

To assess the impact of the equipment further, it is suggested that a street view/perspective drawing showing the equipment in relation to the properties should be submitted.

CONCLUSION: Unacceptable at current location.

#### TREES AND LANDSCAPE OFFICER:

Background: The site is an area of trackside railway land south of Northwood Station, behind 74 Hallowell Road. The rear garden of number 74 is almost level with the trackside ground levels. There are no significant landscape features on the site which constitute a constraint on development. There are no Tree Preservation Orders on, or close to, the site, nor does it fall within a designated Conservation Area. However, this residential area lies within the Northwood area of Special Local Character.

Landscape Considerations: Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

- While the proposal involves no loss of hard or soft landscape features, the mast will be very prominent in the landscape and have a detrimental impact on local residents.
- The mast is relatively bulky and, as indicated on drawing No. NTPO/0107/GA/A/003 Rev A, will tower over neighbouring garden trees. Furthermore, the control box will also be visually intrusive, clearly visible above garden boundary fences.
- There is little scope or opportunity to screen the unsightly views or to carry out any mitigation work to reduce the impact of the installation.

Recommendations: This proposal is unacceptable as it fails to harmonise with the adjoining properties and will have a detrimental impact on the amenity and character of this Area of Special Local Character.

## **7. MAIN PLANNING ISSUES**

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

There is considered no objection in principle to the erection of a telecommunications mast located trackside in the Northwood area and within the environs of the Northwood Underground station, to be utilised exclusively for the purposes of meeting a UK wide program of achieving 2 way radio communication across the rail network between the rail drivers and the base rail operators.

Whilst a series of lower and less visually intrusive monopoles would be a preferential option from a visual amenity perspective, it is recognised that given the operational needs of the applicant and the constraints of space found along this particular section of track, that this option is not in this instance technically feasible. A key issue is whether the applicant has fully explored and indeed exhausted the possibility of finding an alternative site for the proposed mast within the station site. Namely to find an alternative location that meets Network Rails operational requirements, which simultaneously is considered less visually intrusive when viewed from the series of homes and gardens backing onto the Northwood station site and the track side to the south and west by being located in a generally less visually prominent location and is less intrusive upon the Old Northwood Area Special of Local Character and the wider area.

The applicants supporting statement makes reference to 2 alternative sites having been considered:

Alternative Site 1- On land behind the blank 2 storey rear elevation of the Northwood Boys Club on Hallowell Road.

Alternative Site 2- Land between the side boundaries of St Matthews Hall.

The applicant has subsequently verbally indicated to the Council that the 'Alternative Site 2' location would not meet its operational requirements.

Alternative Site 1 would meet the operational requirements of Network Rail and would have the merit of the mast and the equipment cabinet, in its entirety, being screened from the closest residential properties by the blank rear wall of the Boys Club building facing onto the station site. Additional screening outside the winter months would also be provided at this alternative location by a series of very substantial trees. 'Alternative site 1' was subsequently discounted by the applicant, as Network Rail were unable to gain consent from Transport for London to build on this land. Transport for London failed to give consent on grounds that this location may prejudice future operational and commercial redevelopment of this section of the station site. However, in your officers view, in planning terms the current location is not the most suitable site for the mast and associated equipment cabinet and it has not been demonstrated by the applicant that the 2 identified alternative sites and the proposed site are an exhaustive list of the potential sites within the larger station yard site that forms part of Northwood Underground Station.

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

Not applicable to this type of application.

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

The site is not located in an area of archaeological interest.

The application site is just outside the border of the Old Northwood Area of Special Local Character (ASCL). The boundary at this juncture of the ASCL is provided by the back fence of the garden at 74 Hallowell Road. However the height and overall bulk of the mast will mean the mast will have considerable detrimental impact upon the setting of the Area of Special Local Character and impact upon properties contained within the Area of Special Local Character as it would be visible from a large number of the residential rear gardens located on the western side of Hallowell Road, most markedly from No. 56 to No. 92 Hallowell Road (even numbers) and upon views into the Old Northwood Area of Special Local Character to the west of the site including the street view between No.3 and No.5 Northwood Drive, from the Mossleigh site at the eastern end of Highfield Close, from views gained of the site from No.2 to No.16 (even numbers), from 1, 2a, 2b, 3, 5 and 7 Highfield Road and the neighbouring road bridge itself across the railway track on Highfield Road.

The applicant has provided photomontages and datum points that demonstrate, with the change of levels from the site to Hallowell Road, that the mast will not be visible over the roof tops of the properties on the western side of Hallowell Road from an individual standing on the pavement on the eastern side of Hallowell Road. However, this demonstrates that the mast would not be visible due to the existing properties on Hallowell Road, but the main issue is the view of the mast from the properties and gardens, as noted above and also the wider views available.

#### **7.04 Airport safeguarding**

Not applicable to this application.

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

Not applicable to this application as the site is not in or within close proximity to designated Green Belt.

#### **7.06 Environmental Impact**

It is not considered, given the nature and size of the development and its location on existing rail side hardstanding that the scheme will not have additional environmental impacts, other than those issues dealt with in other sections of the report.

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.

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

General consideration of the matter of the impact of the development on the character and appearance of the area is dealt with in section 7.03 of the report. Given the height and bulk of the mast combined with the sites proximity to adjoining gardens and the open vistas afforded of the site from across the railway track to the west, it is considered that the mast will have a marked adverse impact upon the visual amenity of the adjoining Old Northwood Area of Special Local Character and the wider locality contrary to Policy BE13 and BE19 of the Hillingdon Unitary Development Plan saved Policies (September 2007).

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

The mast and the associated equipment cabinet will be located approximately 36 metres from the rear wall of the property at No. 74 Hallowell Road and 2.35m metres from the rear garden boundary fence. A limited degree of visual screening will be provided to the scheme outside the winter months by trees and other planting on the rear boundary of this property and its adjacent neighbours. However the tree screening is not considered to be of an adequate order, given the height and general bulk of the mast and the 3.8m high equipment cabinet, to avoid the proposal resulting in an unduly visually obtrusive form of development that would detract from the amenity of adjoining residents. In summary the development in residential amenity terms constitutes an un-neighbourly form of development by reason of visual obtrusiveness and as such is contrary to Policies BE13 and BE19, of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

The mast and the equipment cabinet will provide a degree of overshadowing to the back end of the rear garden at No. 74 Hallowell Road and potentially to a much more limited degree to the house itself. However given the length of the garden, the linear nature of the mast itself and the degree of shadowing that may arise from existing vegetation it is not considered the mast and cabinet would result in an unacceptable degree of overshadowing across the full length of the garden at 74 Hallowell Road and adjacent properties to prove a reason of refusal in respect of loss of daylight/sunlight/overshadowing As such the scheme complies with Policy BE20 of the Hillingdon Unitary Development Plan saved Policies (September 2007).

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

Not applicable to this application.

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

Not applicable to this application.

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

The issues relating to the urban design/visual impact of the proposal are covered in other sections of this report.

#### **7.12 Disabled access**

Not applicable to this application.

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

Not applicable to this application.

#### **7.14 Trees, Landscaping and Ecology**

The application currently is an area of rail side hardstanding. There are no TPO's on the site and the comments of the Council's Landscape Officer indicate that the proposal would



not have any impact upon existing trees and other vegetation in neighbouring gardens.

**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**

The mast and the functioning of the equipment cabinet are not considered to present any significant noise amenity issues to neighbouring properties.

**7.19 Comments on Public Consultations**

Objectors points I- XIX are addressed in the other main report with the exception of points (IX) and (X), (XVI).

With regard to point (IX), the mast is a robust engineered structure and set alongside the fact the nearest house is located a minimum of approximately 36m away is not considered the structure poses a risk of collapsing.

With regard to Points (X), the requirement for introducing a UK wide two way safety communication system with train drivers is independent of whether the specific trains stops at Northwood station.

With regard to point (XVI) the impact of a development scheme on property prices is not a material planning consideration.

**7.20 Planning Obligations**

Not applicable to this application

**7.21 Expediency of enforcement action**

Not applicable to this application

**7.22 Other Issues**

**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 to this application

**10. CONCLUSION**

In conclusion, whilst it is accepted that there is a need for a mast to provide the required communication system, its size, scale, bulk and location is not considered to be acceptable as it would have a detrimental impact on the visual amenities of adjoining occupiers and the wider area including the Old Northwood Area of Special Character. It is for this reason that the application is recommended for refusal.

**11. Reference Documents**


Planning Policy Guidance 8: Telecommunications

**Contact Officer:** Gareth Gwynne

**Telephone No:** 01895 250230



**Notes**

 Site boundary

For identification purposes only.

This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).

Unless the Act provides a relevant exception to copyright.

© Crown copyright and database rights 2011 Ordnance Survey 100019283

Site Address

**Land rear of 74 Hallowell Road,  
Northwood**

Planning Application Ref:  
**67679/APP/2011/651**

Planning Committee

**North**

Scale

**1:1,250**

Date

**June 2011**

**LONDON BOROUGH  
OF HILLINGDON**

**Planning,  
Environment, Education  
& Community Services**

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



**HILLINGDON**  
LONDON