
Appeal Decision

Site visit made on 25 October 2016

by Siobhan Watson BA(Hons) MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 4 November 2016

Appeal Ref: APP/F5540/W/16/3155684

Telecommunications Site 14833, Felthambrook Way, Feltham, Hounslow, London, TW13 7DL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mobile Broadband Network Ltd against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 01490/B/P1, dated 5 February 2016, was refused by notice dated 31 March 2016.
 - The development proposed is the removal of the existing 10 metre high column, the installation of an upgraded 12.5 metre high Phase 5 monopole and BTS3900A stacked cabinet, measuring 600 x 480 x 1600mm, located at ground level, and associated development.
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Decision

1. The appeal is allowed and planning permission is granted for the removal of the existing 10 metre high column, the installation of an upgraded 12.5 metre high phase 5 monopole and BTS3900A stacked cabinet, measuring 600 x 480 x 1600mm, located at ground level, and associated development at Telecommunications Site 14833, Felthambrook Way, Feltham, Hounslow, London, TW13 7DL in accordance with the terms of the application, Ref 01490/B/P1, dated 5 February 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: HSW101-01, HSW101-02, HSW101-03, HSW101-04, HSW101-05, HSW101-06, HSW101-07, HSW101-08, HSW101-09, HSW101-10, HSW101-11, HSW101-13, Design and Access Statement and Declaration of Conformity with ICNIRP Public Exposure Guidelines.

Main Issue

2. The main issue is the effect of the development upon the character and appearance of the area.

Reasons

3. The proposed site is opposite a roundabout at the corner of Poplar Way and Felthambrook Way and is adjacent to a landscaped area containing mature trees. The area has a mixed industrial and residential character; there being modern estate housing and business parks in the vicinity of the roundabout.
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4. The new cabinet would be taller than the existing one but as it would be set amongst other existing cabinets I do not consider that it would make much difference to the street-scene. The proposed monopole would be significantly taller and wider than the one to be replaced. However, given its location near to industrial units, tall railings, lampposts, and the proliferation of roundabout signage, I consider that it would not look unduly out of place. Furthermore, the existence of surrounding trees and buildings would mitigate long range views of it.
5. I therefore conclude that the proposed development would not cause unacceptable harm to the character and appearance of the area. Consequently, I find no conflict with the London Borough of Hounslow Local Plan Policies CC1 and EC4 which, together, seek to promote enhanced connectivity through supporting infrastructure for telecommunications whilst minimising the impact on the visual amenity of surrounding areas. Furthermore, I find no conflict with the National Planning Policy Framework which has similar aims and objectives.

Other Matters

6. I appreciate that some of the residents of Foxwood Close might be able to see the pole but given the distance from their properties and because the pole is a narrow structure, I do not consider that it would harm their outlook. I note comments about the pole obstructing the pavement but enough pavement would remain to avoid a hazard. I have no technical evidence that the development would have a detrimental effect upon biodiversity.
7. As I find that the development would not result in significant harm there is no need for alternative sites to be considered and in any event, the proposal is for the upgrading of an existing site rather than a brand new development.
8. Concerns have been raised about potential effects on health. However, the appellant has provided a certificate to confirm that the proposal has been designed to comply with the guidelines published by the International Commission on Non-Ionizing Radiation Protection (ICNIRP). In these circumstances, the Framework advises that health safeguards are not something which a decision-maker should determine. No sufficiently authoritative evidence has been provided to indicate that the ICNIRP guidelines would not be complied with or that a departure from national policy would be justified.
9. I give little weight to the concern that the proposed development would have a detrimental effect on the value of neighbouring properties as the planning system exists to protect the public interest as opposed to private interests. In any event, I have no real evidence that the development would affect property values.

Conditions

10. I have considered the Council's suggested conditions in accordance with the Planning Practice Guidance. In addition to the standard implementation condition it is necessary, in the interests of proper planning and for the avoidance of doubt, to define the plans with which the scheme should accord.

Conclusion

11. For the above reasons the appeal is allowed subject to the conditions above.

Siobhan Watson

INSPECTOR