

Appeal Decision

Site visit made on 21 November 2016

by Jonathan Price BA(Hons) DMS DipTP MRTPI

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

Decision date: 19th December 2016

Appeal Ref: APP/R5510/W/16/3156200

Land at the junction of Warren Road/Swakeleys Drive, Ickenham, Hillingdon UB10 8SH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Class A of Part 16 to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
 - The appeal is made by CTIL and Telefonica UK Limited against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 65862/APP/2016/261, dated 21 January 2016, was refused by notice dated 11 March 2016.
 - The development proposed is the installation of a 12.5m telecommunications monopole supporting 6 no. shrouded antennas.
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Decision

1. The appeal is allowed and approval is granted under the provisions of Class A of Part 16 to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 for the siting and appearance of the installation of a 12.5m telecommunications monopole supporting 6 no. shrouded antennas at land at the junction of Warren Road/Swakeleys Drive, Ickenham, Hillingdon UB10 8SH in accordance with the terms of the application Ref 65862/APP/2016/261, dated 21 January 2016, and the plans submitted with it.

Main Issue

2. The effect of the proposal on the appearance of the street scene and whether any harm caused is outweighed by its location having regard to the potential availability of alternative sites.

Reasons

3. The monopole is proposed to be installed adjacent to the road within a quite large triangular area of grass verge, crossed by two surfaced footpaths and containing a small number of trees, located at the junction of Warren Road and Swakeleys Drive. To the rear of this grassed verge is quite dense, mature woodland. On the opposite sides of the road is spacious suburban housing, generally set quite well back from the street.
 4. The Council has refused prior approval for previous installations here and this proposal seeks to address the reasons by maintaining a reduced height of 12.5m and providing for a slimmer monopole, painted dark green to blend in with the woodland backdrop.
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5. The facility would be shared by two operators, which is industry good practice¹, and meets a need to resolve coverage deficiencies for both 3G/4G networks in this locality. A sequential site selection process has been carried out, through which options for sharing an existing installation or siting the facility in a tall structure have not been found.
6. The monopole would be in a quite prominent position but its slim profile would amalgamate visually with surrounding elements with a similarly strong vertical dimension, such as trees, post-mounted street signs, telegraph poles, lamp posts, road crossing beacons and guard railings. Mobile technology is today as much a part of essential infrastructure as transport and power, and the apparatus proposed here would blend in reasonably well with a combination of other utility service features.
7. Consideration as been given to the Council's policies insofar as these are material to siting and appearance; the matters under consideration with an application for prior approval. The Council has saved the policies in the 2007 Unitary Development Plan (UDP) not already replaced by those in the Hillingdon Local Plan: Part 1 Strategic Policies adopted in 2012 (HLP1).
8. HLP1 Policy BE1 refers to the built environment and has limited relevance to this proposal. However, the slim, plain design of the apparatus proposed would not conflict with this policy. The siting of the proposal would avoid conflict with HLP1 Policy HE1 and UDP Policy BE4 by being outside the Ickenham Conservation Area and causing no material harm to its setting or that of any other heritage asset. As the principle of this proposal is not in question the matter of circumstances permitting development in the Green Belt does not apply and consequently there can be no conflict with HLP1 Policy EM2 or UDP Policy OL5.
9. UDP Policy BE37 requires that the siting and design of telecommunications development should minimise the effect on the surrounding area. This policy has been considered in this decision, along with UDP Policy BE13 which resists the appearance of development generally which fails to harmonise with the existing street scene.
10. The appellants have considered other locations within a wider area of search which might also provide the improved network coverage sought. Unlike many of these alternative locations this proposal would not be sited immediately adjacent to houses and therefore would avoid impinging directly on individual residents.
11. The proposed mast is outside the Ickenham Conservation Area and would be a sufficient distance away not to have any material effect on the setting of this heritage asset. Therefore, this choice of location would not result in any material harm to either the Conservation Area or the setting of any listed building.
12. The Council's decision on this matter clearly reflects concerns shared by interested parties, including the Ickenham Residents' Association, in respect of the value placed on this small area of green space. Whilst I appreciate these concerns, for the reasons explained, this slim, dark green coloured mast would be of an acceptable appearance in the site proposed, where it would blend in

¹ Code of Best Practice on Mobile Network Development in England (2013) (COBP)

acceptably with other vertical features. I am not persuaded that there are potentially more suitable sites that would fulfil the need for this installation and result in materially less harm. The harm found in respect of the appearance and siting of this installation is not held to be significant.

Other Matters

13. Concerns are expressed by interested parties over 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 National Planning Policy Framework (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.
14. Interested parties consider this proposal is sited to make use of existing services which is why less convenient sites have been discounted. However, concerns are also expressed over graffiti and harm to nature. I am not persuaded this location would be of harm to the natural environment. Its more visible location would deter graffiti and vandalism whereas a more secluded location within woodland would be more susceptible to this.
15. In addition, locating the mast within or close to trees would cause no less harm to the natural environment and, if anything, have a greater impact. Avoiding areas close to tall trees would allow this proposal to be relatively less tall than might otherwise need to be the case. Regard has been given to the mast installed next to trees at the junction of Swakeleys Road and Harvil Road. However, this is a grey mast which appears less slim-line than that proposed in this application, which would be dark green to blend in more suitably with surrounding greenery.

Conclusion

16. Part 5 of the Framework sets out Government planning policy for supporting high quality communications infrastructure, which is essential for sustainable economic growth and plays a vital role in enhancing the provision of local community facilities and services. The harm found in respect of the siting and appearance of this proposal would be significantly outweighed by the benefits provided by the improved 3G/4G network coverage to households, businesses and visitors in this location.
17. For the reasons set out I conclude that this appeal should be allowed. There is no authority to apply any further conditions, as suggested by the Council, beyond those deemed by the development order for this class of permitted development.

Jonathan Price

INSPECTOR