



Appeal Decision

Site visit made on 1 June 2020

by B Davies MSc FGS CGeol

an Inspector appointed by the Secretary of State

Decision date: 10 June 2020

Appeal Ref: APP/F5540/W/19/3243677 Staines Road, Feltham, London, TW14 9HD

- 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 MBNL against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 01054/FA/P1, dated 29 May 2019, was refused by notice dated 24 July 2019.
 - The development proposed is the removal and replacement of the existing 11.7 m monopole, with a 20 m monopole, 12 no. antenna apertures, equipment cabinets, the removal of the existing 11.7m monopole, 3no. antennas, redundant equipment cabinets and development ancillary thereto.
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Decision

1. The appeal is allowed and planning permission granted for the removal and replacement of the existing 11.7 m monopole with a 20 m monopole, 12 no. antenna apertures, equipment cabinets, the removal of the existing 11.7 m monopole, 3 no. antennas, redundant equipment cabinets and development ancillary thereto at Staines Road, Feltham, London, TW14 9HD, in accordance with planning application 01054/FA/P1, dated 29 May 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be completed in accordance with details supplied with the application: declaration of conformity with ICNIRP Public Exposure Guidelines dated 2019/05/23; Drawing numbers 002 (Site Location Plan), 100 (Existing Site Plan), 150 (Existing Elevation A), 215 (Max configuration site plan), 265 (Max configuration elevation).
 - 3) The existing monopole and associated cabinets and equipment shall be removed from the site within 60 days of first operation of the proposed monopole and associated equipment.
 - 4) When the electronic communications apparatus provided in accordance with this permission is no longer required for electronic communications purposes, the land shall be restored to its condition before the development took place as soon as reasonably practicable.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The site is adjacent to a wide highway, opposite a small shopping parade and close to large advertising billboards, which together give the immediate surroundings a commercial feel. A small number of residential properties on the opposite side of the road front the site from beyond a large verge. Occupiers of houses on Longford Avenue behind the site would be able to view the mast at a distance over their long rear gardens.
4. On the basis that there is an existing mast and the immediate area is reasonably commercial, there would be no significant change to the character of the area from the development and no conflict with Policy CC1 of the London Borough of Hounslow Local Plan 2015 to 2030 (adopted 2015), which seeks to conserve the character of a place.
5. The new mast would be more noticeable because it would be considerably higher than nearby lampposts, telegraph poles and trees. However, overall the change to appearance would be small, not least because the structure would remain narrow. Views would be short lived when travelling along the main road and residential properties are sufficiently distant that I do not find conflict with the provisions of Policy CC2, which seeks to provide attractive places and protect amenity.
6. I do not have local policies regarding development of communication infrastructure before me. However, paragraph 112 of the more recent National Planning Policy Framework (2019) states that such development is essential and that decisions should support the expansion of electronic networks, including next generation mobile technology. Based on the Framework, there would be public benefits from the proposal.
7. I have also given weight to the fact that the development is a joint venture between two companies, which should reduce the pressure for more masts locally.
8. There would be public benefits from the development of high-quality communications and the effects of change to the appearance of the area are minimal. I therefore conclude that the proposal is consistent with the objectives of local and national policies, and I am satisfied that the proposal accords with the development plan read as a whole.

Conditions

9. The Council have not proposed conditions. One condition was suggested by the appellant regarding removal of existing equipment.
10. I have therefore included a condition to secure development within the standard time limit and a second to ensure it is built in line with the approved plans in the interests of certainty. I have included the condition suggested by the appellant regarding removal of apparatus, which anyway forms part of the basis of the application, with slight amendments to wording for clarity. I have added a fourth condition requiring eventual restoration of the land. This last

condition would have been imposed in any case by the GDPO had the development been permitted development and is necessary in the interests of the character and appearance of the area.

Conclusion

11. For the reasons above, and having regard to all other matters raised, the appeal should be allowed.

B Davies

INSPECTOR