



Appeal Decision

Site visit made on 19 January 2021

by J P Longmuir BA (Hons) DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 February 2021

Appeal Ref: APP/R5510/W/20/3259931

Long Lane/Weald Road SW, Long Lane, Hillingdon, London UB10 0AP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under a development order.
 - The appeal is made by MBNL against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 60754/APP/2020/1467, dated 7 May 2020, was refused by notice dated 26 June 2020.
 - The development proposed is the prior approval for the installation of 20m monopole, 12 antenna apertures, 9 equipment cabinets and development ancillary thereto.
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Decision

1. The appeal is allowed and approval is granted under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO 2015) for the siting and appearance, of 20m monopole, 12 antenna apertures, 9 equipment cabinets and development ancillary thereto at Long Lane/Weald Road SW, Long Lane, Hillingdon, London UB10 0AP in accordance with the terms of the application Ref 60754/APP/2020/1467, dated 7 May 2020, and the plans submitted with it.

Procedural Matter

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO 2015), under Article 3(1) and Schedule 2, Part 16, Class A, Paragraph A.3(4) require the local planning authority to assess the proposed development solely on the basis of its siting and appearance, taking into account any representations received. My determination of this appeal has been made on the same basis.

Planning Policy

3. The principle of development is established by the GPDO 2015 and the provisions of Schedule 2, Part 16, Class A of the GPDO 2015 do not require regard be had to the development plan. I have had regard to the policies of the development plan and the National Planning Policy Framework (Framework) only in so far as they are a material consideration relevant to matters of siting and appearance.

Main Issue

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

Reasons

5. Long Lane is a busy arterial road, with pavements alongside. On the west side there is a wide grass verge which includes a row of evergreen trees and the houses are set back behind a secondary access road. The houses are long established and have a typical suburban appearance. The appeal site is to the west of the main road, on the grass verge, in between two tall street lights. There is an existing monopole and several cabinets.
6. The proposed monopole would be prominent from both directions on Long Lane. However, it would be seen in conjunction with the street lights and so would not appear out of place. There are also sufficient gaps between these structures to avoid a cramped appearance. The proposal would also be a replacement for the existing pole 11.8m away.
7. The proposed monopole has a simple and slimline appearance which would not attract attention. In any event it would appear as functional infrastructure and seen as such particularly at the side of a busy road. Whilst it would be 20m high, 8m higher than the existing pole, it would not obstruct any notable view and would be softened by the backdrop of the evergreen trees. Similarly, the proposed cabinets would replace existing ones albeit that there would be a few more. However, they would appear functional, associated with the mast and not obtrusive.
8. I therefore conclude that the proposal would not harm the character and appearance of the area.
9. Policy BE1 of the Hillingdon Local Plan seeks to protect the public realm and requires design to respect the sense of place. Policies DMHB 11, DMHB 12 and DMHB 21 of The Hillingdon Local Plan Part 2 – Development Management Policies 2020, require high standard design, protect the public realm, and that telecommunications equipment minimises visual impact. Paragraph 112 of the Framework emphasises the economic importance of telecommunications infrastructure. Paragraph 113 of the Framework mentions the need for sympathetic design. I have had regard to these policies but do not find any conflict.

Other matters

10. The proposal is intended to improve the digital capacity of the area, serving two networks. It is clear that the appellants have looked at alternative sites. I find that these aspects add support to the proposal.

Conditions

11. The GPDO does impose a condition at A.2 (2) (b) that the equipment is removed if no longer required. The appellants confirm their acceptance of this requirement and would be agreeable to such a condition. However as this is stipulated in the GPDO such a condition would be unnecessary. Additionally, the existing structures are at least in part outside the red line of the application site. Therefore, having regard to the tests for the imposition of conditions in paragraph 55 of the Framework and the Planning Practice Guidance (PPG), a condition here is therefore unnecessary and inappropriate.

Conclusion

12. I therefore conclude that the appeal should be allowed.

John Longmuir

INSPECTOR