



Appeal Decision

Site visit made on 22 June 2021

by Jonathon Parsons MSc BSc(Hons) DipTP Cert(Urb) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th July 2021

Appeal Ref: APP/R5510/W/20/3264128

Joel Street, Eastcote Village, Northwood, London, HA6 1LU

- The appeal is made under 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required in accordance with Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) Order (England) 2015 (as amended).
 - The appeal is made by Hutchinson 3G UK Ltd against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 75917/APP/2020/3160, dated 27 September 2020, was refused by notice dated 24 November 2020.
 - The development proposed is telecommunications installation: 18m phase 8 monopole c/w wrapround cabinet at base and associated ancillary works.
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Decision

1. The appeal is dismissed.

Procedural Matters

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. Therefore, whilst the appellant has referred to the purported benefits of the proposed kiosk, I have not taken these matters into account.
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 (the Framework) only in so far as they are a consideration relevant to matters of siting and appearance.

Main Issue

4. The main issue is the effect of the siting and appearance of the proposed telecommunications installation upon the character and appearance of the area.

Reasons

Character and appearance

5. The appeal site comprises an area of paved hardstanding in front of Ryefield Parade. The parade has number of commercial units on both sides of the road and has recently been enhanced with new pavement, designated parking spaces and landscaping, mainly dispersed trees within a central highway reservation. Despite the plainness of the parade's design, the area is attractive due to this enhancement and vibrancy because of its busy nature.
6. Policy DMHB 11 of the Hillingdon Local Plan (LP) : Part 2 - Development Management Policies (2020) requires all development to be designed to the highest quality standards, harmonising with the local context by taking into account the surrounding scale of development, height, mass and bulk of adjacent structures, views both from and to the site, and impact on open spaces and environment. LP Policy DMHB 12 requires development to be well integrated with the surrounding area and accessible. Amongst other matters, public realm design should ensure established townscape character and quality of the surrounding are taken into account.
7. For telecommunications, LP Policy DMHB 21 states development will only be permitted where it is sited and designed to minimise visual impact and does not have a detrimental effect on the visual amenity, character or appearance of the building or the local area. It also requires that there is no possibility for use of alternative sites, mast sharing and the use of existing buildings. These policies provide pointers to inform the siting and appearance assessment for the prior approval proposal for the monopole and cabinets.
8. The site has also been carefully selected in a position capable of providing the essential new 5G coverage and associated internet provision for the area whilst being situated within a high street setting and as far away as technically possible away from high density residential areas. The monopole and cabinets would be seen against the backdrop of commercial units and there would be trees, part of the enhancement, within the foreground and background of views. The appellant's site search indicates that no other site is available within the required coverage area and has confirmed the height is the minimum necessary from an operational point of view.
9. However, the monopole would be prominent, towering over the top of the nearby streetlight column and the parade itself. It would appear bulky, in relation to the column, due to its width especially in relation to its apparatus at the top of the monopole. The cabinets have been minimised in their size and extent, aligned parallel to the edge of the highway to reduce field of view, and they could be coloured to the Council's satisfaction. Nevertheless, the cabinets would clutter a generally open paved amenity area, with only an information pillar present. The trees would only offer partial screening of them and the monopole in certain directions and therefore, they would be of limited value. For all these reasons, the siting and appearance of the development would be particularly intrusive to people using the parade.
10. The associated ancillary equipment cabinets are within the size limits to be classified as permitted development but my role is to determine the proposal as submitted for consideration to the Council. Notwithstanding this, the

significant adverse harm on the character and appearance of the area, by reason of the inappropriate siting and appearance of the monopole, remains.

Other matters

11. The Framework supports high quality communications infrastructure and requires that local planning authorities must determine applications on planning grounds only. In accordance with the provisions of Schedule 2, Part 16 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and subject to any relevant exception, limitation or condition specified therein, development by or on behalf of an electronic communications code operator for the purpose of the operator's electronic communications network is permitted development. Therefore, matters such as the need for the development are not at issue in this type of appeal.

Conclusion

12. For the reasons given above and having regard to all other matters raised, the appeal should be dismissed.

Jonathon Parsons

INSPECTOR