



Appeal Decision

Site visit made on 21 September 2021

by Graeme Robbie BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th October 2021

Appeal Ref: APP/R5510/W/21/3278477

Holloway Lane streetworks proposal, Holloway Lane, London UB7 0HN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Tom Gallivan (Three) against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 75742/APP/2021/1029, dated 17 March 2021, was refused by notice dated 4 May 2021.
 - The development proposed was described as '*15m Phase 8 Monopole C/W wraparound cabinet at base and associated ancillary works*'.
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Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the siting and appearance of 15m Phase 8 Monopole with wraparound cabinet at base, 3 equipment cabinets and associated ancillary works on land at Holloway Lane streetworks proposal, Holloway Lane, London UB7 0HN in accordance with the terms of the application Ref 75742/APP/2021/1029, dated 17 March 2021, and the plans submitted with it, subject to the following conditions.
 - 1) The monopole and cabinets hereby permitted shall be painted in RAL6009 and shall be retained in this colour thereafter.
 - 2) The approved equipment cabinets shall be treated with a corrugated anti-graffiti finish.

Procedural Matters

2. Various differing descriptions of the proposed development have been adopted by both appellant and Council in describing the appeal scheme. I have adopted the description set out in the Council's decision notice in my decision above as it more accurately reflects not only the monopole itself but also the nature and extent of cabinets proposed. I am satisfied that in so doing neither party would be disadvantaged.
3. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the Order), under Article 3(1) and Schedule 2, Part 16, Class A, Paragraph A.3(4) require such proposals to be assessed on the basis of the proposal's siting and appearance, taking into account any representations received, and the policies of the development

plan¹ and National Planning Policy Framework (the Framework) only in so far as they are material considerations in relation to siting and appearance.

Main Issue

4. The main issue is the effect of the proposal's siting and appearance on the character and appearance of the surrounding area.

Reasons

5. The proposed monopole and its wraparound cabinet, together with three further associated cabinets, would be set towards the rear of a wedge-shaped grassed area on the outside of the Holloway Lane / Sipson Road roundabout's southeast quadrant. Behind it extends a substantial and dense area of woodland planting which extends back towards the M4 motorway over-bridge.
6. To varying degrees, the roundabout's other quadrants are also marked by grass verges and roadside hedges, albeit that the approaches from the south and west have a more open feel to them than those from the north and east. At 15 metres in height including antennae, the proposed monopole would be comfortably taller than the multitude of streetlights in the vicinity of the appeal site.
7. Approaching the roundabout from the west, the installation would be clearly visible and would, as the Council state in their officer report, be exposed and highly visible. However, this would not be the case on other approaches to the roundabout and, even from the more open western approach, it would be seen in the vertical context of the plethora of nearby streetlight columns and against the partial backdrop of the substantial slab-sided hotel building behind.
8. From the south, longer views towards the installation would be impeded by the hotel's strident entrance signage and by the tip of the wooded area. From the east, the installation would not be a significant factor in longer views due to the alignment of the road, verge and wooded area, and would only really become evident at closer quarters. Even here, it would be a peripheral image in the setting of the landscape and neither the monopole or its associated cabinets would be intrusive or incongruous features.
9. I accept that the installation would be comfortably taller than other existing nearby street furniture. But that does not make the proposal harmful to the character or appearance of the surrounding area. The monopole and cabinets would be set back from the pavement and carriageway at the rear edge of the wedge-shaped grass verge. Adjacent to a line of low timber bollards and the dense, wooded area I am satisfied that the proposal would not compromise the open nature of this open verge.
10. Nor would the proposal compromise the character or appearance of the surrounding area around the appeal site and nearby roundabout. Although the roadside hedgerows combine with the open fields to the southwest of the roundabout, they do not wholly disguise the prevailing character and nature of the surrounding area which is heavily influenced by the ever-present motorway, and the presence of the coach depot and hotel. Neither the siting nor the appearance of the monopole and its associated cabinets would be unduly intrusive or lead to excessive clutter or, crucially in the context of the

¹ Local Plan: Part 1 – Strategic Policies (LP1) and Local Plan: Part 2 – Development Management Policies (LP2)

Council's reasoning, harmful to the character or appearance of the appeal site and surrounding area.

11. For the reasons I have set out above, I am satisfied that the proposal has been sited and designed in such a way as to minimise its visual impact, which I find to be acceptable and would avoid harm to the character and appearance of the surrounding area. There would, as a consequence of my conclusion, be no conflict with LP2 policies DMHB21, DMHB11 or DMHB12, or with LP1 policy BE1, and would be consistent with the aims and provisions of the Framework.

Other Matters

12. I have noted the Council's concerns regarding the role of pre-application discussions between appellant and local planning authority and the appellant's consideration of alternative sites. However, as I find the siting and appearance of the proposed monopole and cabinets to be acceptable, I have not considered any further the matter of alternative sites. The approach of both parties to pre-application discussions is a matter for them and not a material consideration to which I give any significant weight in this instance.

Conditions

13. The Council have submitted a list of suggested conditions in the event that the appeal should succeed. The first three of the suggested conditions largely replicate the conditions set out within paragraphs A.3(9), A.3(11) and A.2(2) of the Order and I have not applied them here. However, I agree that, in the interests of character and appearance directly related to the siting and appearance of the proposed monopole and cabinets, conditions regarding the final colour and paint finish are both necessary and reasonable. I have attached these conditions accordingly.

Conclusion

14. For the reasons set out, and having regard to all other matters raised, I conclude that the appeal should be allowed.

Graeme Robbie

INSPECTOR