



Appeal Decision

Site visit made on 25 January 2022

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 January 2022

Appeal Ref: APP/R5510/W/21/3283025

Stanwell Moor Road, Harmondsworth, London UB7 0EF Easting: 504651, Northing: 176732

- 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 CK Hutchinson Networks (UK) Ltd against the decision of London Borough of Hillingdon.
 - The application Ref 76349/APP/2021/2440, dated 13 June 2021, was refused by notice dated 6 August 2021.
 - The development proposed is a 15.0m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works.
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Decision

1. The appeal is dismissed.

Preliminary 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 to be had to the development plan. I have had regard to the policies of the development plan and the revised National Planning Policy Framework 2021 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 siting and appearance of the proposed installation on the character and appearance of the area and with respect to safeguarding matters relating to the operation of Heathrow Airport.

Reasons

5. Although the reasons for refusal refer to matters relating to the location of the appeal site in the Green Belt, permitted development rights pertaining to the

erection of telecommunications installations are not restricted in such designated areas. Therefore, the principle of the development in a Green Belt location has already been established by the relevant legislation and it is only those matters that arise from the specific siting and appearance of the proposal on the appeal site that fall to be considered as part of this appeal.

6. In that respect, the appeal site is located alongside a busy dual-carriageway close to Heathrow Airport, on the edge of the settlement of Longford. Whilst there are areas of countryside close to the appeal site, due to its built and functional surroundings and in particular the vast expanse of the road network in proximity to it, the proposal would integrate into its surroundings in a visually appropriate manner. There would as a result be no harm to the character and appearance of the area, even though the proposed mast would stand higher than existing street furniture and trees.
7. However, there was an objection to the proposal made by Heathrow Airport's Safeguarding Specialist on the ground that there would be a penetration to the surfaces of two instrument flight procedures due to the height of the proposed mast. The appellant's appeal case does not provide any detailed commentary or substantive evidence with which to address this objection, and further correspondence from the airport in response to the appeal notification reiterates their objection. Whilst the appellant states that the appeal site is the only viable solution, even if this were to be the case it would not outweigh the likelihood that the safe operation of the airport would be compromised.
8. In conclusion, it has not been demonstrated that the proposed mast could be installed on the appeal site without causing harm to the safe operation of Heathrow Airport. The siting of the proposed installation is therefore not acceptable on this ground alone, notwithstanding that I have found an absence of harm in other respects. Furthermore, the proposal would fail to accord with Policy DMAV 1 of the Local Plan 2 Development Management Policies 2020, which supports the continued safe operation of airports and is therefore in this instance material to the consideration of siting.

Other Matters

9. Reference has been made to various social and economic benefits but these have not been taken into account in considering the matters of siting and appearance.

Conclusion

10. For the reasons given above, I conclude that the appeal should be dismissed.

Graham Wraight

INSPECTOR