



Appeal Decision

Site visit made on 17 January 2022

by L Wilson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 February 2022

Appeal Ref: APP/R5510/W/21/3277165

Land Rear of Almond Avenue, Porters Way, West Drayton

- 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 Hutchison UK Ltd against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 75751/APP/2021/1509, dated 10 April 2021, was refused by notice dated 2 June 2021.
 - The development was described as proposed 15m Phase 8 Monopole C/W wraparound cabinet at base and associated ancillary works.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The site address in the heading above has been taken from the Council's decision notice as it is more precise than that given on the application form.
3. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO), 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.
4. The principle of development is established by the GPDO. Notwithstanding the provisions of Schedule 2, Part 16, Class A of the GPDO, 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 material consideration relevant to matters of siting and appearance.

Main Issue

5. There is reference in the officer's report to the effect of the proposal on the living conditions of local residents in terms of their outlook. However, this has not been reflected in the reasons for refusal or addressed substantively at appeal stage by either party. I have limited my considerations to matters of character and appearance and alternative sites.

6. Therefore, the main issue is the effect of the siting and appearance of the proposed installation on the character and appearance of the area and, if any harm would occur, whether this is outweighed by the need for the installation to be sited as proposed taking into account any suitable alternative sites.

Reasons

Character and appearance

7. The scheme would be located on a grass verge close to the bend of Porters Way and Mulberry Parade. It would be adjacent to existing cabinets and a zebra crossing.
8. The surrounding area is primarily characterised by residential dwellings. On the opposite side of the road is a row of local shops with flats above and associated parking. The buildings within the local area are generally 2-3 storeys high. The appeal site is not located within a conservation area and there are no nearby listed buildings.
9. The appeal site has an open and spacious character as a result of the grass verge, nearby open grass area, gap to nearby building and Stockley Park Recreation Ground. The proposed monopole would be significantly higher than the nearby street furniture, including streetlights, CCTV poles and trees. The existing commercial and residential buildings would do little to screen the monopole because there would be a considerable gap between them and the proposal. Thus, the existing buildings and street furniture would not provide effective screening of the monopole due to their height and siting.
10. The monopole would be a dominant addition to the street scene because of the open nature of this part of Porters Way and Mulberry Parade. The scheme would appear as an obtrusive and incongruous addition to the local street scene. This is due to a combination of its siting, height and scale which would be seen in the context of the open character of the immediate surrounding area.
11. Although the appellant highlights that the associated ancillary equipment cabinets are within the size limits to be classified as permitted development without prior approval, the proposal before me relates to the whole installation. Owing to the combination of the existing cabinets, proposed cabinets and monopole, the scheme would add visual clutter to the detriment of the character of the area.
12. For the reasons given above, due to its siting and appearance, the proposal would harm the character and appearance of the area. Consequently, insofar as they are a material consideration, the scheme would be contrary to the design aims of Policy BE1 of the Hillingdon Local Plan: Part 1 – Strategic Policies (2012), Policies DMHB 11, DMHB 12 and DMHB 21 of the Hillingdon Local Plan: Part 2 – Development Management Policies (2020) (LPP2) and the Framework.

Alternative sites

13. Paragraph 117 of the Framework sets out that applications, such as that proposed, should be supported by the necessary evidence to justify the proposed development. For a new mast or base station, this includes evidence

that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure.

14. The appellant states that the site is the only viable solution and is in the most appropriate location which the Site Specific Supplementary Information (SSSI) evidences. It is asserted that the cell search area is extremely constrained.
15. The SSSI shows the discounted options, and an explanation is given to why sites D1-D6 were not chosen. Figure 5 of the appellant's statement also includes labels such as option 1. Option 1 is adjacent to Stockley Road, which is a main road, and close to industrial units rather than predominantly a residential area. I recognise that site D6, which is located near option 1, was discounted due to it being located on private land. However, it is unclear whether the landowner is unwilling to allow their site to be used and why option 1 was discounted. On the basis of the evidence before me, the appellant has not adequately assessed whether there are other more appropriate sites for the proposed development.
16. Accordingly, I am not satisfied that the appellant has conducted a thorough review of possible options within the search area or adequately explored whether there may be less harmful alternative sites. The appellant has not sufficiently justified which alternative sites were considered and why they were rejected in favour of the appeal proposal. As such, I am not satisfied that the harm I have identified above is outweighed by the need for the installation to be sited as proposed. Consequently, insofar as they are a material consideration, the scheme would be contrary to Policy DMHB 21 of the LPP2 and the Framework.

Other matters

17. I acknowledge the other considerations highlighted by the appellant including pre-application requests, future telecoms infrastructure review, condition relating to colouring of the equipment, height essential and letter to chief planning officers: planning for growth. I also recognise the public benefits arising from the provision of a 5G network, such as those set out within figure 3 of the appellant's appeal statement, as well as economic and social benefits and fulfilling the potential of new technologies. However, they are not sufficient either individually or in total to lead me away from my overall conclusion that the proposal would result in unacceptable harm without clear justification.

Conclusion

18. For the reasons given above, the appeal does not succeed.

L M Wilson

INSPECTOR