



Appeal Decision

Site visit made on 17 March 2022

by Rory MacLeod BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 May 2022

Appeal Ref: APP/F5540/W/21/3283140

Innovation House, 292 Worton Road, Isleworth, London, TW7 6EL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Telefonica UK Limited (O2) against the decision of the London Borough of Hounslow.
 - The application Ref 01239/292/P20, dated 7 May 2021, was refused by notice dated 21 June 2021.
 - The development proposed is the installation of 6no. antennas mounted on 4no. support poles, the installation of 2no. x 600mm microwave dishes & 2no. x 300mm microwave dishes and the installation of 4no. equipment cabinets and ancillary equipment thereto.
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Decision

1. The appeal is allowed, and planning permission is granted for the installation of 6no. antennas mounted on 4no. support poles, the installation of 2no. x 600mm microwave dishes & 2no. x 300mm microwave dishes and the installation of 4no. equipment cabinets and ancillary equipment thereto at Innovation House, 292 Worton Road, London, TW7 6EL in accordance with the terms of the application, Ref 01239/292/P20, dated 7 May 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 100 Rev A, 200 Rev D, 300 Rev D, 301 Rev D, 302 Rev D, 303 Rev D, Supplementary Information, Health and Mobile Phone Base Stations, Covering Letter and The Declaration of ICNIRP Compliance.

Preliminary Matters

2. Innovation House is a 4-storey building recently converted from office use, with the addition of a third floor. Prior to this there had been telecommunication apparatus on the roof of the building. A temporary mast located to the rear of the building to maintain network coverage during building operations has since been removed. Subsequently, permission was refused to a proposal to replace apparatus on the roof (ref.01239/292/P19). In the current appeal the number of antennas is the same as in the preceding application, but all have been located at the same height, about 18.5m to the top, with cladding around the support poles.

Main Issues

3. The main issues are the effect of the development on (a) the character and appearance of the building and (b) on nearby heritage assets.

Reasons

The building

4. Innovation House is located in the south-eastern corner of an industrial estate. Compared with neighbouring buildings, it is higher and has a modern appearance with its top floor recessed from the Worton Road frontage. The telecommunications apparatus would be further set back on a platform at the eastern end of the building. It would barely be visible in close views in front of the building due to the angle of view. The southern antennae would be seen in views along Worton Road from the west and both northern and southern sets would be visible across the open land to the east of the site. The presence of other buildings in the industrial estate would largely preclude views from the north and north-west.
5. The building has previously supported telecommunications apparatus on its roof and the Council's submissions indicate that there would not be an 'in principle' objection to replacements at the building's western end. The building has a consistent design approach to eastern and western ends. The apparatus would not be unduly high or large in relation to the scale of the building. Such roof-top apparatus is becoming more commonplace in the street scene to assist providers in rolling out their networks. In my judgement, the proposal would not detract from the character or appearance of this modern building. There would not be conflict with Policies CC1 or CC2 of the Hounslow Local Plan (2015) (HLP) relating to the context, character and design of buildings.

Heritage Assets

6. The site is outside of but adjacent to the Isleworth Riverside Conservation Area (IRCA). This occupies land to the east and south of the site and includes some listed and locally listed buildings. S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires with respect to any buildings or other land in a conservation area, that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Similarly, S.66 of the Act requires for development which affects a listed building or its setting, that the decision taker shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
7. The IRCA covers an extensive area with a long frontage to the River Thames. The appeal site is adjacent to its south-western corner, set away from the river frontage in an area of pleasant but mixed character comprising open space, school, church and residential buildings mainly along the busy Twickenham Road. The significance of the IRCA lies in the quality of the open space along the river frontage and more locally in the quality of individual buildings.
8. The eastern flank to Innovation House abuts a vehicular access and parking area and alongside this an all-weather pitch to Gumley House School sited further to the north. The antennae to the eastern side of the building would be seen as skyline features across this open land and along parts of Worton Road. Some views would be filtered by the presence of buildings along Twickenham

Road and trees to Worton Road. The open space next to the appeal building is not of particular sensitivity but would afford views of the antennae from within the IRCA. They would be seen as part of a backdrop of buildings just beyond the IRCA which form part of its setting.

9. There are locally listed buildings within Redlees Park to the southern side of Worton Road; these are screened by a high boundary wall and trees filter views of Innovation House from the site. Gumley House School is also locally listed but sited to the north-east at the opposite end of the open space. There are few opportunities from Twickenham Road for Innovation House and the school building to be viewed in the same context. The setting of these locally listed buildings would not be adversely affected by the proposal. The proposal's impact on the significance of this part of the IRCA would therefore be limited.
10. The nearest listed building is Garvin House, to the eastern side of Twickenham Road, south of its junction with Worton Road. Garvin House is not seen in context with Innovation House due to the separation distance and the presence of intervening buildings, particularly the Isleworth Congregational Church on the corner of Worton Road and Twickenham Road. There would be no adverse impact on the setting of Garvin House.
11. The proposal would align with Policy EC4 of the HLP which whilst minding the impact on heritage assets promotes the provision of telecommunications equipment consistent with the policies of the National Planning Policy Framework (the Framework). It would also accord with Policy SI6 of the London Plan (2021) in promoting digital connectivity. However, there would be limited conflict with Policy CC4 of the HLP in conserving heritage assets.
12. Paragraph 199 of the Framework states when considering the impact of a proposal on the significance of a designated heritage asset, that great weight should be given to the asset's conservation. The harm arising to the IRCA would be less than substantial. Paragraph 202 of the Framework requires such harm to be weighed against the public benefits of the proposal. In this instance, in addition to the aspiration to introduce 5G coverage, there is a requirement to reinstate 2G, 3G, 4G coverage diminished for the local community since removal of the temporary facility. Moreover, this benefit would be for two mobile phone operators, Telefónica UK Limited (O2) and Vodafone Limited. The public benefits arising would be significant and in accordance with national and local planning policies on digital connectivity.
13. The Council point out that antennae located to the western side of Innovation House would have a lesser impact on the IRCA. However, the information before me indicates that there may be structural issues with the building for such an arrangement. It is likely that apparatus here would need to be higher to avoid signals clipping the roof to the building's eastern side, thereby negating any benefit from greater separation from the IRCA. The appellant's cell search diagrams confirm that the target area for the facility is mainly to the east across land within the IRCA. Its site finding process confirmed that there were no available mast/site sharing opportunities present within the target area, nor were there any existing structures or buildings that offered a more viable development opportunity. The Council has not suggested an alternative site. But to achieve the same benefit an alternative would be likely to be located within the IRCA itself, which could result in greater conflict with heritage policies.

14. Notwithstanding the proposal's limited impact on the setting of the IRCA, it would comply with the development plan taken as a whole and with the Framework. I have applied the statutory duties set out in paragraph 6 above.

Conditions

15. In addition to the statutory condition limiting the lifespan of the permission, a condition is needed to list the approved plans in the interests of certainty. It is not necessary to include the Council's suggested condition on materials as the poles and antennae are already indicated to be grey in colour.

Conclusion

16. I acknowledge that due to recent building works raising the height of Innovation House that the proposed telecommunications apparatus would be more prominent than that previously mounted on the building. But the proposal still has to be considered on its individual planning merits. The public benefits arising in relation to digital connectivity would clearly outweigh any harm to the appearance of the building or to the setting of the adjacent conservation area. For the reasons given above I conclude that the appeal should be allowed.

Rory MacLeod

INSPECTOR