
Appeal Decision

Site visit made on 16 August 2022

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 August 2022

Appeal Ref: APP/R5510/W/22/3298724

HGN19769 - Hillingdon Road Streetworks, Hillingdon Road, Hillingdon, Uxbridge UB8 2DF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 16, Class A of the Town & Country Planning (General Permitted Development) Order 2015.
 - The appeal is made by CK Hutchison Networks (UK) Ltd against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 76857/APP/2021/4181, dated 12 November 2021, was refused by notice dated 31 December 2021.
 - The development proposed is the installation of an 18 metre monopole supporting 6 no. antennas, 4 no. equipment cabinets and development works ancillary thereto.
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Decision

1. The appeal is dismissed.

Planning Policy

2. 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 Framework¹ only in so far as they are a material consideration relevant to matters of siting and appearance. Amongst other things, Policy DMHB 21 of the Local Plan Part 2 Development Management Policies (2020) requires that telecommunications development does not have a detrimental effect on the character or appearance of an area.

Main Issue

3. The main issues relate to siting and appearance, in terms of the effect of the proposal on the character and appearance of the area and the living conditions of the occupiers of nearby residential properties.

Reasons

4. The monopole and its supporting equipment would be placed on the edge of a wooded grass verge to the west of the busy Hillingdon Road. Housing sits further to the west, set back behind the trees, footway and carriageway of Whitehall Road.
5. To some extent, the monopole and the associated equipment would relate acceptably to the character of the area. The equipment would be sited next to

¹ National Planning Policy Framework 2021.

a busy road, near to an existing bus stop, would share the environment with tall street lighting columns and would be set across from the imposing, tall and bulky Hertz Building on the opposite side of Hillingdon Road.

6. However, while notionally sitting away from the trees on the verge, the monopole and the cabinets and other items such as block paving would be likely to sit within the root protection areas of at least three trees at the site. Along with the rest of the tree cover on the verge, these trees help to provide a pleasant green backdrop to Hillingdon Road, and therefore positively contribute to the character and appearance of the area.
7. The monopole and the cabinets and associated works as a result of being placed within the root protection areas would therefore subsequently threaten the health of the trees. The placing of the equipment in this location could lead to their decline and failure/removal. This would have an adverse impact on the character and appearance of the area. The proposal would not therefore be acceptable in terms of its siting and appearance.
8. Whilst the Council has raised the issue of conditions to deal with this matter, the Order does not provide any specific authority for imposing additional conditions beyond the deemed conditions. I therefore cannot impose conditions to attempt to manage this matter, which in any event is fundamental in relating to the assessment of siting and appearance.
9. The monopole would perhaps be most obvious when viewed from the principal front elevations of properties on the western side of Whitehall Road. The monopole and the associated equipment would however be placed a significant distance to the east of these dwellings and it is unlikely to be an overly imposing feature given that many of those views in any case are taken towards the imposing Hertz Building.
10. The proposal would not therefore adversely affect the living conditions of the occupiers of nearby residential properties with particular regard to overdominance, visual intrusion overbearing impact or loss of outlook.

Other Matters

11. 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.
12. I appreciate that the operator has ruled out alternative sites and that the area is built up and broadly residential. However, the evidence before me to rule out other sites is very limited in detail and I am not persuaded that there is definitively no other site available to secure the required coverage.
13. While discounted (albeit on the basis of limited information), there could be merit in further exploring other areas/locations in greater detail, particularly the location near to Kwik Fit/Trumper Way. The possibility of an upgrade to the existing lattice structure to the rear of the Cowley Road junction is mentioned.

Conclusion

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

T J Burnham INSPECTOR