



Appeal Decision

Site visit made on 11 October 2022

by R E Jones BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 November 2022

Appeal Ref: APP/F5540/W/22/3298350

Heston Road, Hounslow, Greater London, TW5 0RG 513177, 177861

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under a development order.
 - The appeal is made by CK Hutchison Networks (UK) Ltd against the decision of the London Borough of Hounslow.
 - The application Ref 00600/270/COM2, dated 11 October 2021, was refused by notice dated 1 December 2021.
 - The development proposed is 5G telecoms installation: H3G Phase 8 15m high street pole c/w wrap-around cabinet and 3 further additional equipment cabinets.
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Decision

1. The appeal is allowed and 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 development described as: 5G telecoms installation: H3G Phase 8 15m high street pole c/w wrap-around cabinet and 3 further additional equipment cabinets at land at Heston Road, Hounslow, Greater London, TW5 0RG 513177, 177861, in accordance with the terms of the application Ref 00600/270/COM2, dated 11 October 2022, and the plans submitted with it including: 002 Site Location Plan Rev B, 100 Existing Site Plan Rev B, 150 Existing Site Elevation Rev B, 215 Proposed Site Plan Rev B, 265 Proposed Site Elevation Rev B, 304 Proposed Configuration Antenna Schedule Rev B, and 307 Equipment Schedules & Dependencies Rev B.

Preliminary Matters

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. Part 16 of the Order establishes that the proposal is permitted development and therefore it is accepted in principle by virtue of the legislation. Furthermore, there is no requirement to have regard to the development plan as there would be for any development requiring planning permission.
4. Nevertheless, Policies CC1, CC2, EC2 and EC4 of the Hounslow Local Plan 2015-2030 (the Local Plan) are material considerations as they relate to issues of siting and appearance. In particular, they require development to enhance connectivity, be located appropriately with regard to walking networks, to understand and integrate with local character and where possible add to the natural landscape of

an area without harming visual amenities. Similarly, the National Planning Policy Framework (The Framework) is also a material consideration, where it relates to schemes supporting high quality communications.

Main Issues

5. The main issues are the effect of the siting and appearance of the proposed installation on the character and appearance of the area and safe pedestrian movements along the pavement.

Reasons

6. The appeal site forms part of a wide pavement running along the frontage of a petrol filling station. The site is located adjacent to the A3005, a busy highway lined with tall mature trees, street furniture and a variety of residential properties. A short distance to the south is the Heston Village Conservation Area (CA), notable for its historical architecture, civic buildings and green spaces. The character of the area is therefore defined by its urban setting and mix of commercial and residential uses, as well as trees, green spaces, wide roads and associated infrastructure.
7. The proposed street pole would be placed close to the petrol station's canopy and totem sign. It would be tall and slim, although would incorporate a thicker and visibly distinct headframe in relation to the supporting column. From close range views to the north, south and near the junctions with Ferraro Close and Biscoe Close, the proposed street pole would be conspicuously taller than other buildings. However, it would assimilate well between the existing streetlights and the tall trees that line this part of the A3005, as it would not be significantly taller than those features. Moreover, it would be seen against the colourful and commercial backdrop of the petrol station's canopy and forecourt totem sign. In this context the street pole's appearance would be typical of the infrastructure often experienced in urban areas and would not look visibly alien or discordant.
8. From medium and long range views, to the north, views of the mast would be obscured by the curved alignment of the A3005, the M4 flyover bridge and the tall street trees. From similar distances to the south, the A3005 again curves to distort views of the proposal, while existing buildings screen the lower part of the street pole. Again, the prominent street trees lining the road would filter the street pole's visibility, particularly in summer months when in leaf.
9. Around the junction between the A3005 and Ferraro Close there would be views of the street pole against the background of the imposing Our Lady of the Apostles church. Yet the street pole, would be a shorter structure, with a more streamlined profile, that would not compete or significantly erode views of this local landmark.
10. The Heston Village Conservation Area Appraisal indicates that there are important views of the church to the south of the appeal site with the village green in the foreground. In that context the proposal would be positioned further to the north and be largely concealed by existing buildings and street trees. Therefore, it would not harmfully encroach into the setting of the church or harm the important features that contribute to the significance of the CA.
11. A short distance to the south of the appeal site are Nos 250-264 (Nos 250-264), a group of locally listed terrace dwellings. The adjacent street trees and low boundary wall across the frontage neatly frame the terrace, which derives some of its significance from that setting. Although much taller than Nos 250-264, the proposal's largely slim profile and separation distance from the terrace would ensure it does not encroach harmfully into those important parts of its setting, and therefore harm its significance.

12. There would be sufficient separation distance from other residential buildings to the south, west and east facing the site, such that the proposal would not be unduly conspicuous.
13. The associated equipment cabinets would be grouped closely together near the base of the mast. They would be modest in height compared with the surrounding street furniture and buildings, while the appearance of the cabinets would be seen against the adjacent petrol pumps, signage and other paraphernalia associated with the petrol station. In this context they would assimilate successfully with their surroundings and not appear discordant, overly prominent, or visually obtrusive. Therefore, the proposed equipment cabinets would be acceptable in terms of their appearance.
14. Taking the above into account, the proposal would not result in material harm to the visual amenities of the surrounding area. Any harm to the character and appearance of the area would be limited and outweighed by the clear need for the installation to plug a gap in network coverage.
15. The proposed apparatus would be grouped to the north of the existing telephone kiosk and close to a raised kerb that separates the garage forecourt from the pavement. The apparatus would cover a modest ground area and would not encroach any further into the pavement than the existing telephone kiosk. Given the pavement's generous width I am satisfied, based on my observations on site and the submitted drawings, that the proposal would not obstruct pedestrian movements or lead to safety concerns.
16. Paragraph 114 of the Framework advises that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being, and that planning decisions should support the expansion of electronic communication networks. The appellant has submitted evidence demonstrating the area surrounding the appeal site does not have the required 5G capacity to meet demand, which would be addressed by the proposal.
17. The appellant has also submitted details setting out the sequential approach they have followed before seeking prior approval for the proposal, alongside evidence of the consideration of alternative sites. The evidence suggests there are no suitable alternative sites for the proposal, because of constraints relating to local heritage, highway safety and the impacts on trees. I also note that the appeal scheme for a 15 metre monopole follows a previous refusal of prior approval by the Council for a 20 metre monopole in a similar location¹. It therefore appears that the appellant has exhausted all other reasonable options to solve the identified 5G capacity issues in this particular location.
18. In conclusion, I am satisfied that both the siting and appearance of the proposed development would not result in any harm to the character and appearance of the area and safe pedestrian movements along the pavement.

Other Matters

19. The studies referred to by third parties indicate that telecommunication masts can affect tree growth and health as well as the habitats of animals, birds and bees. Whilst these are noted, I have no specific evidence of how the proposal would impact on trees in the vicinity, nor is there any information on what habitats might be affected. Accordingly, I am unable to find any harm in this respect.

¹ Local Planning Authority Decision Ref - PA/2021/2917/ 00600/270/COM1

20. The proximity of the proposed apparatus to the petrol station access has raised concerns amongst third parties regarding vehicular visibility. However, the wide pavement would allow vehicles to emerge from the petrol station without encroaching onto the highway and obtain clear views of oncoming traffic. The relatively open frontage would also allow drivers to be aware of pedestrians travelling along the pavement. Moreover, there are no concerns presented from the Council's highway safety advisers on this matter.
21. There are concerns regarding the length of the consultation period given to residents. Nonetheless, an opportunity to make representations as well as further comments at the appeal stage has been given. I am satisfied that no prejudice as been incurred.
22. Concerns have been raised about potential effects on health. However, the appellant has provided a certificate to confirm that the proposal has been designed to comply with the guidelines published by the International Commission on Non-Ionizing Radiation Protection (ICNIRP). In these circumstances, the Framework advises that health safeguards are not something which a decision-maker should determine. No sufficiently authoritative evidence has been provided to indicate that the ICNIRP guidelines would not be complied with or that a departure from national policy would be justified.

Conditions

23. Any planning permission granted for antenna and ground based equipment housing under Article 3(1) and Schedule 2, Part 16, Class A is subject to conditions set out in Paragraphs A.3(9), A.3(11) and A.2(2), which specify that the development must, except to the extent that the local planning authority otherwise agree in writing, be carried out in accordance with the details submitted with the application, must begin no later than the expiration of 5 years beginning with the date on which the local planning authority received the application, and must be removed as soon as reasonably practicable after it is no longer required for electronic communications purposes and the land restored to its condition before the development took place.

Conclusion

24. For the reasons given above, I conclude that the appeal should be allowed and prior approval should be granted.

R E Jones

INSPECTOR