



Appeal Decision

Site visit made on 20 December 2022

by K L Robbie BA (Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 January 2023

Appeal Ref: APP/F5540/W/22/3303895

Water Mill Way SWS, Water Mill Way, Hanworth TW13 5NB

- 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 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Gallivan (Hutchison CK Network UK Ltd) against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 01173/G/COM1, dated 29 April 2022, was refused by notice dated 23 June 2022.
 - The development proposed is telecommunications installation: Proposed 'slim line' phase 8 monopole c/w wraparound cabinet at base, 3no. additional ancillary equipment cabinets and associated ancillary works.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the Order), 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.
3. The principle of development is established by the Order and the provisions of Schedule 2, Part 16, Class A of the Order do not require regard be had to the development plan. I have had regard to the policies of the London Borough of Hounslow Local Plan 2015-2030 Volume One (the Local 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

4. The main issues are 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 account of any suitable alternatives.

Reasons

Character and Appearance

5. The appeal site is situated on a wide pavement on Saxon Avenue in a gap between two four-storey residential blocks. The site is adjacent to a landscaped area of Local Open Space providing pedestrian access to Crane Park and the

River Crane, an area of designated Metropolitan Open Land (MOL). A larger area of designated Local Open Space containing formal planting, hardstanding, a play area and a large oval of amenity grassland lies immediately opposite.

6. The proposed location for the 18m high monopole and associated base cabinets would be prominently sited within an expansive area of hardstanding containing no street furniture other than a bus stop sign of limited proportions. Lamp posts are absent from this section of pavement. Opposite is a bus shelter, lamp post, a stretch of short timber bollards and other items of street furniture. Nevertheless, they are discreetly and logically placed in relation to the design of the open space.
7. The proposed monopole's height and thickness together with the additional bulk of the antennas and GPS module mounted at the top of it when compared with the street lighting columns and other structures such as the nearby bus shelter would appear out of scale and out of keeping in this residential location. The prominence and incongruity of the proposed installation would be worsened by its insensitive and intrusive placement in terms of siting and position in otherwise relatively open surroundings. The base cabinets would further exacerbate the adverse visual impact of the installation appearing bulky and obtrusive in this location. Their appearance would not be mitigated by painting the equipment green as this would not alter the fundamental issue of its scale, height and siting, which set against the backdrop of the surrounding hardstanding, grass, shrubs and trees, would fail to integrate the development into the area. The presence of trees within the open space or further beyond in Crane Park would not reduce the visual impact of equipment. Rather the proposal would stand out as an incongruous feature and would create visual clutter within the locality.
8. The proposal would not hinder the passage of pedestrians along the pavement. However, no obvious attempt has been made to integrate the mast and the associated equipment cabinets into the street scene. Accordingly, having regard to the proposal's scale, height, prominent position, it would be an incongruous feature, which would adversely affect the character and appearance of the street scene and wider area.
9. Therefore, to that extent that they are a material consideration, the proposal would be contrary to the aims of Local Plan policies CC1, GB1, and GB2 insofar as they seek to ensure that development protects the area's character and visual amenity where development is located near MOL and Local Open Space. The proposal would also conflict with Local Plan Policy EC4 specifically aimed at telecommunications infrastructure and ensuring that the impact of the siting and design of installations on the character and appearance of the surrounding area is minimised.
10. The proposal would also conflict with the aims of the Framework in achieving well designed places and would be contrary to the Framework Paragraph 115 which requires new telecommunications sites to be sympathetically designed and camouflaged where appropriate. The Council's decision notice refers to Local Plan Policy EC2 which relates to the local transport network, which is not relevant to the determination of this appeal and therefore I find no conflict with it.
11. I accept that the area is not designated as a conservation area or covered by a Tree Preservation Order and that 18m is the lowest height which could be

considered for the technology proposed. However, these considerations do not outweigh the harm that I have otherwise identified above.

Alternative Sites

12. For a new mast or base station paragraph 117 c) of the Framework requires the developer to submit evidence that they have explored the possibility of erecting antennas on an existing building, mast or other structure. The appellant states that the cell search area is very constrained with options limited, and that the proposed location is the only viable option. The appellant has considered and discounted a number of other sites, which are listed and described and indicated that opportunities for site sharing have been investigated and no suitable structures or properties in the designated search area that could be identified.
13. However, the level of detail for the discounted options is extremely limited. Nor have I have not been provided with persuasive evidence that mast sharing has been fully explored as an option and the appellant does not advise why the discounted sites would be more harmful than the appeal site in this regard. Furthermore, I have not provided sufficient detail as to why the monopole could not be sited more discreetly, albeit within a similar location elsewhere.
14. I am therefore not satisfied that a thorough review of possible site options within the cell search area has been conducted. Moreover, the level of detail for those sites which were explored and discounted is somewhat vague and without robust justification. It therefore follows that I cannot reach a definitive finding as to whether there would be a more suitable location for the installation where it may have a less harmful impact than the proposal before me.
15. I appreciate the need to find a suitable and viable site, however in this case I am not able to conclude that less harmful alternatives have been fully explored. Consequently, based on the evidence before me, even accounting for the importance that the Framework places on the need for high quality mobile communications, the need for the installation in the location proposed has not been sufficiently demonstrated to outweigh the harm to the character and appearance of the area I have identified.

Conclusion

16. In coming to my decision, I have had regard to the advice in the Framework in respect of the installation of telecommunications equipment. Approval of this application would help to provide reliable and efficient digital communications to help meet the needs of businesses and communities, enabling users to work efficiently wherever they are located. However, these benefits would not outweigh the harm that I have identified above.
17. Therefore, for the reasons given, I consider that the siting and appearance of the proposal would be unacceptable. The appeal should therefore be dismissed.

KL Robbie

INSPECTOR