



Appeal Decision

Site visit made on 06 February 2024

by N Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 February 2024

Appeal Ref: APP/F5540/W/23/3323292

Popham Close street works, Popham Close, Hounslow TW13 6BL

- 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) (England) Order 2015 (as amended).
 - The appeal is made by CK Hutchison Networks (UK) Ltd against the decision of Council of the London Borough of Hounslow.
 - The application Ref 01405/E/PA1, dated 14 December 2022, was refused by notice dated 06 February 2023.
 - The development proposed is Proposed 5G telecoms installation: H3G 20m street pole and additional equipment cabinets.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the Order) Part 16 Class A Para A.3 (1) states that "The developer must give notice of the proposed development to any person (other than the developer) who is an owner of the land to which the development relates."
3. The submission sets out that the appellant gave notice of a proposed development at Popham Close. However, the plans indicating the location of the proposed installation show a different site. Consequently, it has not been shown that the correct notification has been carried out as required by the Order or that the proposal is accompanied by appropriate plans of the site. Therefore, the requirements of Part 16 Class A Para A.3 (1) of the Order do not appear to have been met and prior approval cannot be granted.
4. It has not been shown that the correct notification has been carried out. Given the procedural problems and the injustice that could arise from the uncertainties this creates, I have not gone on to deal with the merits of the proposal.

Conclusion

5. For the reasons given above the appeal is dismissed.

N Robinson

INSPECTOR