

Application reference: 19/3151/FUL

Date application received	Date made valid	Target report date	8 Week date
17.10.2019	17.10.2019	12.12.2019	12.12.2019

Site:

Telecommunications Mast Sandy Lane Adj Garages, Shaef Way, Teddington,

Proposal:

Replacement of existing 14m pole with a new 15m pole, the installation of 2no new cabinets, and ancillary works thereto.

Status: Pending Consideration (If status = HOLD please check that all is OK before you proceed any further with this application)

APPLICANT NAME

Cornerstone, Telefonica &
Vodafone
Telefonica UK Limited
260 Bath Road
Slough
Berkshire
SL1 4DX

AGENT NAME

Miss Rhiannon Paracha
Phoenix House, Waldon Telecom
Pyrford Road
West Byfleet
KT14 6RA

DC Site Notice: printed on 31.10.2019 and posted on 08.11.2019 and due to expire on 29.11.2019

Consultations:

Internal/External:

Consultee

LBRUT Transport

Expiry Date

14.11.2019

Neighbours:

6 Harrowdene Gardens, Teddington, TW11 0DH, - 31.10.2019
5 Harrowdene Gardens, Teddington, TW11 0DH, - 31.10.2019
4 Harrowdene Gardens, Teddington, TW11 0DH, - 31.10.2019
3 Harrowdene Gardens, Teddington, TW11 0DH, - 31.10.2019
2 Harrowdene Gardens, Teddington, TW11 0DH, - 31.10.2019
1 Harrowdene Gardens, Teddington, TW11 0DH, - 31.10.2019
250 Harrowdene Gardens, Teddington, TW11 0DP, - 31.10.2019
248 Harrowdene Gardens, Teddington, TW11 0DP, - 31.10.2019
246 Harrowdene Gardens, Teddington, TW11 0DP, - 31.10.2019
243 Harrowdene Gardens, Teddington, TW11 0DP, - 31.10.2019
241 Harrowdene Gardens, Teddington, TW11 0DP, - 31.10.2019
239 Harrowdene Gardens, Teddington, TW11 0DP, - 31.10.2019
236 Harrowdene Gardens, Teddington, TW11 0DP, - 31.10.2019
234 Harrowdene Gardens, Teddington, TW11 0DP, - 31.10.2019
232 Harrowdene Gardens, Teddington, TW11 0DP, - 31.10.2019
230 Harrowdene Gardens, Teddington, TW11 0DP, - 31.10.2019
227 Harrowdene Gardens, Teddington, TW11 0DP, - 31.10.2019
225 Harrowdene Gardens, Teddington, TW11 0DP, - 31.10.2019
254 Harrowdene Gardens, Teddington, TW11 0DP, - 31.10.2019
253 Harrowdene Gardens, Teddington, TW11 0DP, - 31.10.2019
252 Harrowdene Gardens, Teddington, TW11 0DP, - 31.10.2019
251 Harrowdene Gardens, Teddington, TW11 0DP, - 31.10.2019
249 Harrowdene Gardens, Teddington, TW11 0DP, - 31.10.2019
247 Harrowdene Gardens, Teddington, TW11 0DP, - 31.10.2019

245 Harrowdene Gardens, Teddington, TW11 0DP, - 31.10.2019
 244 Harrowdene Gardens, Teddington, TW11 0DP, - 31.10.2019
 242 Harrowdene Gardens, Teddington, TW11 0DP, - 31.10.2019
 240 Harrowdene Gardens, Teddington, TW11 0DP, - 31.10.2019
 238 Harrowdene Gardens, Teddington, TW11 0DP, - 31.10.2019
 237 Harrowdene Gardens, Teddington, TW11 0DP, - 31.10.2019
 235 Harrowdene Gardens, Teddington, TW11 0DP, - 31.10.2019
 233 Harrowdene Gardens, Teddington, TW11 0DP, - 31.10.2019
 231 Harrowdene Gardens, Teddington, TW11 0DP, - 31.10.2019
 229 Harrowdene Gardens, Teddington, TW11 0DP, - 31.10.2019
 228 Harrowdene Gardens, Teddington, TW11 0DP, - 31.10.2019
 226 Harrowdene Gardens, Teddington, TW11 0DP, - 31.10.2019
 60 Shaef Way, Teddington, TW11 0DQ, - 31.10.2019
 57 Shaef Way, Teddington, TW11 0DQ, - 31.10.2019
 64 Shaef Way, Teddington, TW11 0DQ, - 31.10.2019
 63 Shaef Way, Teddington, TW11 0DQ, - 31.10.2019
 62 Shaef Way, Teddington, TW11 0DQ, - 31.10.2019
 61 Shaef Way, Teddington, TW11 0DQ, - 31.10.2019
 59 Shaef Way, Teddington, TW11 0DQ, - 31.10.2019
 58 Shaef Way, Teddington, TW11 0DQ, - 31.10.2019
 24 Harrowdene Gardens, Teddington, TW11 0DH, - 31.10.2019
 22 Harrowdene Gardens, Teddington, TW11 0DH, - 31.10.2019
 20 Harrowdene Gardens, Teddington, TW11 0DH, - 31.10.2019
 17 Harrowdene Gardens, Teddington, TW11 0DH, - 31.10.2019
 15 Harrowdene Gardens, Teddington, TW11 0DH, - 31.10.2019
 13 Harrowdene Gardens, Teddington, TW11 0DH, - 31.10.2019
 23 Harrowdene Gardens, Teddington, TW11 0DH, - 31.10.2019
 21 Harrowdene Gardens, Teddington, TW11 0DH, - 31.10.2019
 19 Harrowdene Gardens, Teddington, TW11 0DH, - 31.10.2019
 18 Harrowdene Gardens, Teddington, TW11 0DH, - 31.10.2019
 16 Harrowdene Gardens, Teddington, TW11 0DH, - 31.10.2019
 14 Harrowdene Gardens, Teddington, TW11 0DH, - 31.10.2019
 12 Harrowdene Gardens, Teddington, TW11 0DH, - 31.10.2019
 11 Harrowdene Gardens, Teddington, TW11 0DH, - 31.10.2019
 10 Harrowdene Gardens, Teddington, TW11 0DH, - 31.10.2019
 9 Harrowdene Gardens, Teddington, TW11 0DH, - 31.10.2019
 8 Harrowdene Gardens, Teddington, TW11 0DH, - 31.10.2019
 7 Harrowdene Gardens, Teddington, TW11 0DH, - 31.10.2019
 55 Shaef Way, Teddington, TW11 0DQ, - 31.10.2019
 56 Shaef Way, Teddington, TW11 0DQ, - 31.10.2019

History: Development Management, Appeals, Building Control, Enforcements:

Development Management

Status: REF Application:15/5431/TEL
 Date:15/02/2016 Replacement of existing column with 12.5m high T Range column. 4no. shrouded antenna with associated ancillary works

Development Management

Status: REF Application:19/2259/FUL
 Date:10/09/2019 Replacement of the existing 14m pole with a new 17.5m pole, and installation of 2no new cabinets and ancillary works.

Development Management

Status: PCO Application:19/3151/FUL
 Date: Replacement of existing 14m pole with a new 15m pole, the installation of 2no new cabinets, and ancillary works thereto.

Appeal

Validation Date: 22.06.2016 Replacement of existing column with 12.5m high T Range column. 4no. shrouded antenna with associated ancillary works
 Reference: 16/0085/AP/REF

Enforcement

Opened Date: 03.10.2017

Enforcement Enquiry

Reference: 17/0517/EN/UBW

Recommendation:

The determination of this application falls within the scope of Officer delegated powers YES / NO

I therefore recommend the following:

- 1. REFUSAL
- 2. PERMISSION
- 3. FORWARD TO COMMITTEE

This application is CIL liable

YES* NO
(*If yes, complete CIL tab in Uniform)

This application requires a Legal Agreement

YES* NO
(*If yes, complete Development Condition Monitoring in Uniform)

This application has representations online (which are not on the file)

YES NO

This application has representations on file

YES NO

Case Officer (Initials): TF

Dated: 02/12/19

I agree the recommendation:

[Signature]
Team Leader/Head of Development Management/Principal Planner - Senior Planner

Dated: 10/12/19

This application has been subject to representations that are contrary to the officer recommendation. The Head of Development Management has considered those representations and concluded that the application can be determined without reference to the Planning Committee in conjunction with existing delegated authority.

Head of Development Management:

Dated:

REASONS:
CONDITIONS:
INFORMATIVES:
UDP POLICIES:
OTHER POLICIES:

The following table will populate as a quick check by running the template once items have been entered into Uniform

SUMMARY OF CONDITIONS AND INFORMATIVES

CONDITIONS

INFORMATIVES

19/3151/FUL

Sandy Lane Adj Garages, Shaef Way, Teddington

Site Description

The siting of the proposal is on the pavement adjoining a series of lock up garages serving nearby properties. On the opposite side of the road is Bushy Park and its associated park wall. The nearest residential properties are located in Shaef Way, approximately 33m away. Currently there is one 14m high telecommunications pole, a redundant 10m high streetworks column, a streetworks cabinet and an associated equipment cabinet. This is located against a backdrop of trees.

There are no specific planning constraints on the site although it is immediately adjacent to the designations listed for Bushy Park and therefore these constraints must be considered as part of this application. In particular, Bushy Park forms a Conservation Area (CA61), Metropolitan Open Land (MOL), and is a Historically Listed Park.

This area of Sandy Lane is mainly residential in nature with pedestrian pavements on both sides of the road, and separated from Bushy Park by the notable boundary wall.

Planning History

19/2259/FUL – Replacement of the existing 14m pole with a new 17.5m pole, and installation of 2no new cabinets and ancillary works – Refused 10.09.2019 for the following reasons:

- The proposal, by virtue of its unacceptable design, height, scale, mass, siting, would cause harm to the character and appearance of the streetscene and visual amenities of the locality, and cause harm to the character of the adjoining Bushy Park Conservation Area (CA61). As such, the application would fail to comply with relevant policies sought in the National Planning Policy Framework, policies LP1, LP3 and LP33 of the Local Plan (2018) and the Council's Telecommunications Equipment SPD (June 2006).

15/5431/TEL - Replacement of existing column with 12.5m high T Range column. 4no. shrouded antenna with associated ancillary works – Refused 12.02.2016 for the following reasons:

- Under Class A, Part 24 of the General Permitted Development Order 1995 (as amended), the Local Planning Authority has determined that Prior Approval is required and hereby REFUSED as to the siting and appearance of the proposed development, for the following reason: It is considered that by reason of its prominent siting and appearance including the height of the column above existing lighting columns, the proposed equipment would result in an unacceptably visually intrusive form of development, detrimental to the visual amenities of the locality. The development is thereby contrary to the NPPF, policy CP7 of the Core Strategy and policies DM DC1 of the Development Management Plan.

Appeal to 15/5431/TEL dismissed (reference: 16/0085/AP/REF) 15.02.2016 for the following conclusions:

- For the above reasons, the proposal would cause unacceptable harm to the character and appearance of the surrounding area. As such it would not comply with policy CP7 of the Council's Local Development Framework Core Strategy and policy DM DC1 of its local Development Framework Development Management Plan which together, amongst other things, require that all new development should recognize distinctive local character and be

of high urban design quality.

Proposal

Removal of existing 14 metre structure and replace with 15 metre monopole, along with the installation of 2 no. additional cabinets and ancillary works.

Planning Policies

National Planning Policy Framework (2018)

Local Plan (2018)

LP 1 - Local Character and Design Quality

LP3 - Designated Heritage Assets

LP 8 - Amenity and Living Conditions

LP 13 - Green Belt, Metropolitan Open Land and Local Green Space

LP 33 - Telecommunications

Supplementary Planning Document

'Telecommunications Equipment' (2006)

Public and other representations:

The occupants of surrounding properties were consulted as part of this application. Consequently, 3 objections have been received by the Council.

The matters raised include:

- Impact of proposal on visual amenity of the area.
- Impact on Bushy Park.
- Health and Safety impacts due to proximity to houses.
- Impact on local bat populations.

Professional comments

The main issues to consider in the assessment of this application are:

- Impact on the character and appearance of the local streetscene and the openness of the MOL;
- Neighbour amenities;
- Health matters.

Character and Appearance

The National Planning Policy Framework advises that the number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate.

Local Plan Policy LP33 states that the Council will promote the enhanced connectivity of the borough through supporting infrastructure for high speed broadband and telecommunications.

Policy LP1 states that development must be of a high architectural and urban design quality. Development must be inclusive, respect local character including the nature of a particular road, and connect with, and contribute positively, to its surroundings based on a thorough understanding of the site and its context. Particular regard should be had to the compatibility with local character, detailing and materials.

The 'Telecommunications Equipment' SPD states that monopole masts are generally not acceptable unless it can be demonstrated they:

- *Will not be prominent in the streetscene or from dwellings;*
- *Will not be detrimental to the character or appearance of important buildings including listed buildings or BTMs*
- *Will not adversely affect the character of a Conservation Area;*
- *Will not adversely affect the character of the Riverside;*
- *Will not affect an important viewpoint or be prominent on the skyline;*
- *Will not be sited so close to other telecommunications equipment or other street furniture, where it would create a cluttered visual appearance.*

The scheme proposes the following:

- Removal of the existing 14m Jupiter stacked street pole and 10m redundant EE pole.
- The erection of a 15m high Elara Dual Stack Light Duty Street Pole.
- Tower/mast to be painted brown (RAL 8014).
- Installation of an additional MK4 equipment cabinet and side pod (painted fir green) to support the operation of Telefonica from this site, constructed on concrete base.

The inspector for the appeal decision to one of the previous applications (15/5431/TEL) on this site noted: "I acknowledge that the minimum possible width and height for the proposed column has been chosen. However, it would still stand out as having a conspicuously thicker profile and being noticeably taller than the nearby slender lamp posts and the column that it would replace, as well as another existing one further to the southeast along Sandy Lane, close to Bushy Park." In relation to the area it stated that "Importantly, the proposed column would draw the eye disproportionately and significantly detract from the existing pleasant open and spacious character of Sandy Lane in the vicinity of the site. As such it would stand out as a jarring, intrusive and dominating feature, regardless of the colour of its finish. It would therefore be unlikely, in time to be considered by onlookers to be not uncommon in the street scene or part of the urban fabric of the area."

As noted above, the appeal to the previous refused application for a 12.5m high telecommunications pole was dismissed. Since then, the permitted development rights have changed to allow for a taller pole, and therefore a 14m high pole was later erected without requiring prior approval or any planning permission. The applicant then proposed a 17.5m high pole (19/2259/FUL) which was refused by virtue of its unacceptable design, height, scale, mass, siting, would cause harm to the character and appearance of the streetscene and visual amenities of the locality, and cause harm to the character of the adjoining Bushy Park Conservation Area (CA61).

The applicant now proposes a 15m monopole, 2.5m lower than that which was previously refused, however it is 1m higher than that which currently exists on the site. Although an improvement on the previous refused application, it is not considered that this would be enough to overcome the previous reasons for refusal. The proposed monopole, although to be set against a backdrop of foliage, would

become one of the more prominent features in the surrounds. At 15m in height, the monopole would be significantly higher than both the lampposts along Sandy lane as well as the trees which the site elevation shows to be a maximum height of approximately 10m. Of note is also its greater diameter in comparison to this street furniture as well as the existing monopole. The top-heavy design would be particularly incongruous in the streetscene. The associated additional cabinets would also give a discordant character with the surrounds, visually jarring the streetscene at this crucial level as appreciated by the general public.

Other vertical structures and trees would provide the backdrop to the proposal helping to limit potential harm. However, because of the height and bulk of the proposed monopole, with the greater bulk at the street level (cabinets) and top-heavy antenna with a diameter of approximately 0.6m the monopole would be conspicuous to the streetscene. Additionally, mitigation offered by nearby foliage would be reduced once trees have dropped their leaves. The impact of the monopole would negatively impact on the streetscene in a manner that is not warranted. Although an existing 14m monopole is located on this site, the proposed monopole is larger in bulk, noting that the existing monopole is proportionately closer in height to the trees behind it. The maximum width of the existing monopole and antenna is also significantly less than the proposed width. Additionally, the existing monopole is supported by only one cabinet while the proposed will result in the placement of two cabinets in addition to the existing. This will result in a cluttered impact upon the street scene in an area which is frequented by a relatively high number of cars, cyclists and pedestrians.

Due to its height and top-heavy shape, the monopole would dominate the vertical emphasis in the particular location and the backdrop of trees and other tall street furniture would do little to soften the impact when viewed at some distance or close up. This is not in keeping with policies aiming to preserve and, where possible, enhance the character and openness of the Metropolitan Open Land (MOL) opposite the site, as it would aesthetically detract from the setting of the MOL.

The NPPF is clear that where new telecommunication sites are required, equipment should be sympathetically designed and camouflaged where appropriate. Whilst it is acknowledged that some efforts to minimise the visual impact of the proposal have been made and to achieve a design that is considered to be sympathetic to its surroundings through the use of brown paint on the monopole, it is however clear that the proposal would appear as an intrusive and incongruous form of development prominently located adjacent to a Conservation Area and nearby residential properties.

Visual Amenity

Recent appeal decisions for similar applications have stated that there is a balancing exercise to be undertaken between the significant benefits of having high quality communications infrastructure with good mobile connectivity and the availability of mobile broadband, against the harm to visual amenity. The sensitivity of the location and harm to designated Conservation Area must also be afforded appropriate weight.

The monopole would be the highest structure to this part of the highway and would dominate the foreground amongst trees. This would intrude on the visual quality of the area, to be visible from the backdrop of the adjacent Conservation Area at Bushy Park as well as a number of residential properties. This would impact on the pleasantness of the scenery within the surrounds in a way that it would be abruptly noticeable and harmful. In this instance, it is considered that the public benefits of the proposal do not outweigh the harm identified.

Other Matters

The NPPF advises at para 115 that applications for electronic communications development should be supported by the necessary evidence to justify the proposed development. Although various evidence is provided within the application, for the above reasons it is not considered that the proposal can be justified due to the impact on the character and appearance of the area.

National and local planning policies state that if the application is accompanied by an ICNIRP certificate the impact on health cannot be a determining factor. An ICNIRP Declaration has been provided.

Conclusion

Whilst the benefits of providing improved infrastructure for the telecommunications network have been taken into account, they are not considered to outweigh the harm that of this proposal would cause to the character and visual amenity of the streetscene.

Given all the above, the proposal would significantly harm the setting and visual amenity. As such, it is contrary to relevant policies and guidance from the Local Plan (2018) and Supplementary Planning Document 'Telecommunications Equipment' (2006).

Recommendation: REFUSE application.