

PLANNING REPORT

Printed for officer by Jack Davies on 14 September 2020

Application reference: 20/2044/TEL MORTLAKE, BARNES COMMON WARD

Date application received	Date made valid	Target report date	8 Week date
23.07.2020	23.07.2020	16.09.2020	16.09.2020

Site:

Telecommunications Site 78217, Old Mortlake Bus Depot, North Worple Way, East Sheen

Proposal:

Installation of a telecommunications base station and 1 x 12.5m high monopole

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

APPLICANT NAME

NA Trident Place Mosquito Way Hatfield AL10 9BW Hertfordshire AGENT NAME
Miss Mandy Poon
3rd & 4th Floor Norfolk House
7 Norfolk Street
Manchester

M2 1DW

DC Site Notice: printed on 28.07.2020 and posted on 07.08.2020 and due to expire on 28.08.2020

Consultations: Internal/External:

 Consultee
 Expiry Date

 14D Urban D
 11.08.2020

 LBRUT Transport
 11.08.2020

Neighbours:

4 Victoria Road, Mortlake, London, SW14 8EX -

14 Rock Avenue, East Sheen, London, SW14 8PG -

8 Ripley Gardens, Mortlake, London, SW14 8HF -

3 Alder Road, Mortlake, London, SW14 8ER -

76 South Worple Way, East Sheen, London, SW14 8NG -

Flat 1,49 Sheen Lane, East Sheen, London, SW14 8AB -

8, Boat Race Court, 69 Mortlake High Street, London, SW14 8 HL -

58 Alder Road, Mortlake, London, SW14 8ER -

23 Princes Road, East Sheen, London, SW14 8PE -

79 Queens Road, East Sheen, London, SW14 8PH -

B,117 Mortlake high street, London, Sw148hq -

52 Cowley Road, Mortlake, London, SW14 8QB -

9 Queens Road, East Sheen, London, SW14 8PH -

25 Worple Street, Mortlake, London, SW14 8HE -

70A White Hart Lane, Barnes, London, SW13 0PZ -

72 Westfields Avenue, Barnes, London, SW13 0AU -

70 South Worple Way, East Sheen, SW148PA -

318 Cowley Mansions, Cowley Mansions, Mortlake High Street, London, SW14 8SL -

27 White Hart Lane, Barnes, London, SW13 0PU -

9 Howgate Road, East Sheen, London, SW14 8NQ -

9 Worple Street, Mortlake, London, SW14 8HE -

11 Queens Road, East Sheen, London, SW14 8PH -

18 GROVELAND WAY, NEW MALDEN, KT3 5BT -

16 Avondale House, Mortlake High Street, Mortlake, London, SW14 8SQ -

1 Ripley Gardens, Mortlake, London, SW14 8HF -

17 Worple Street, Mortlake, London, SW14 8HE -

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9 Ripley Gardens, Mortlake, London, SW14 8HF -
34 Ripley Gardens, Mortlake, London, SW14 8HF -
59 Victoria Road, Mortlake, London, SW14 8EX -
56 Castelnau, Barnes, London, SW13 9EX -
53B Madrid Road, Barnes, London, SW13 9PQ -
22 Victoria Road, Mortlake, London, SW14 8EX -
42 Ripley Gardens, Mortlake, London, SW14 8HF -
21 Avondale Road, Mortlake, London, SW14 8PU -
36 Cowley Road, Mortlake, London, SW14 8QB -
40 Victoria Road, Mortlake, London, SW14 8EX -
28 Victoria Road, Mortlake, London, SW14 8EX -
13 Avondale Road, Mortlake, London, SW14 8PU
45 Queens Road, East Sheen, London, SW14 8PH -
7 Elm Grove Road, Barnes, London, SW13 0BU -
5 Ripley Gardens, Mortlake, London, SW14 8HF -
31 Alder Road, Mortlake, London, SW14 8ER -
12 Lodge Avenue, East Sheen, London, SW14 8PQ -
St Mary Magdalen Primary School, Worple Street, Mortlake, London, SW14 8HE -
11 Trehern Road. East Sheen. London. SW14 8PD -
1A Worple Street, Mortlake, London, SW14 8HE -
2 Lodge Avenue, East Sheen, London, SW14 8PQ -
FLAT 13,LONGVIEW COURT 61,SOUTHVILLE ROAD,FELTHAM,TW14 8FN -
82,82 Ashleigh Road, mortlake, london, sw14 8px -
26 Princes Road, East Sheen, London, SW14 8PE -
17 Queens Road, East Sheen, London, SW14 8PH -
14 Worple Street, Mortlake, London, SW14 8HE -
71 Cowley Road, Mortlake, London, SW14 8QD -
31 Alexandra Road, East Sheen, London, SW14 8DL -
26 North Worple Way, Mortlake, London, SW14 8QA -
52 South Worple Way, East Sheen, London, SW14 8PB, - 28.07.2020
51 Essex Court, Station Road, Barnes, London, SW13 0ER, - 28.07.2020
82 WEST HILL, LONDON, SW15 2UJ - 28.07.2020
72 North Worple Way, Mortlake, London, SW14 8PR, - 28.07.2020
10 Ripley Gardens, Mortlake, London, SW14 8HF, - 28.07.2020
27 27 Ripley Gardens, London, SW148HF - 28.07.2020
22 Fitzgerald Road, Mortlake, London, SW14 8HA, - 28.07.2020
20 Ripley Gardens, Mortlake, London, SW14 8HF, -
38 First Avenue, Mortlake, London, SW14 8SR, -
29 North Worple Way, Mortlake, London, SW14 8QA, - 28.07.2020
53 Ashleigh Road, London, Sw148py - 28.07.2020
106 Ashleigh Road, Mortlake, London, SW14 8PX, - 28.07.2020
5 Second Avenue, Mortlake, London, SW14 8QF, - 28.07.2020
15 Ripley Gardens, Mortlake, London, SW14 8HF, - 28.07.2020
31 Dovecote Gardens, Mortlake, London, SW14 8PN, - 28.07.2020
81 South Worple Way, East Sheen, London, SW14 8NG, - 28.07.2020
2 Ripley Gardens, Mortlake, London, SW14 8HF, -
5 Kings Ride House, 289 Sheen Road, Richmond, TW10 5AW, - 28.07.2020
18 Dovecote Gardens, Mortlake, London, SW14 8PN, -
21 Dovecote Gardens, Mortlake, London, SW14 8PN, -
6 Lodge Avenue, East Sheen, London, SW14 8PQ, -
24 Ripley Gardens, Mortlake, London, SW14 8HF, -
95 Avondale Road, Mortlake, London, SW14 8PU, - 28.07.2020
124 Ashleigh Road, Mortlake, London, SW14 8PX, - 28.07.2020
11 Lodge Avenue, East Sheen, London, SW14 8PQ, -
54 North Worple Way, Mortlake, London, SW14 8PS, - 28.07.2020
23 Ripley Gardens, Mortlake, London, SW14 8HF, - 28.07.2020
6 Shelley House, 34 South Worple Way, East Sheen, London, SW14 8PB, - 28.07.2020
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33 South Worple Way, East Sheen, London, SW14 8PB, - 28.07.2020
39 South Worple Way, East Sheen, London, SW14 8PB, - 28.07.2020
38 South Worple Way, East Sheen, London, SW14 8PB, -
37 South Worple Way, East Sheen, London, SW14 8PB, -
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47 North Worple Way, Mortlake, London, SW14 8PZ, - 28.07.2020
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11 Dovecote Gardens, Mortlake, London, SW14 8PN, - 28.07.2020
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4 Dovecote Gardens, Mortlake, London, SW14 8PN, - 28.07.2020
2 Dovecote Gardens, Mortlake, London, SW14 8PN, - 28.07.2020
Omnibus Garage, Avondale Road, Mortlake, London, Surrey, SW14 8PT - 28.07.2020
125 Avondale Road, Mortlake, London, SW14 8PU, - 28.07.2020
121 Avondale Road, Mortlake, London, SW14 8PU, -
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17 First Avenue, Mortlake, London, SW14 8SP, - 28.07.2020
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33 Ripley Gardens, Mortlake, London, SW14 8HF, - 28.07.2020
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61 Avondale Road, Mortlake, London, SW14 8PU, -
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36 Richmond Park Road, East Sheen, London, SW14 8JT -
49 South Worple Way, East Sheen, London, SW14 8PB -
15 Cowley Road, Mortlake, London, SW14 8QD -
Flat 15, Addington Court, 29 Mullins Path, Mortlake, London, SW14 8EZ -
Kings Ride House, 289 Sheen Road, Richmond, TW10 5AW -
4 Queens Road, East Sheen, London, SW14 8PJ -
1B Worple Street, Mortlake, London, SW14 8HE -
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58 Ashleigh Road, Mortlake, London, SW14 8PX, - 28.07.2020
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97 Avondale Road, Mortlake, London, SW14 8PU. -
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8 Queens Road, East Sheen, London, SW14 8PJ, -
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7 Ripley Gardens, Mortlake, London, SW14 8HF, -
40 South Worple Way, East Sheen, London, SW14 8PB, -
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1 Lodge Avenue, East Sheen, London, SW14 8PQ, -

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9 Lodge Avenue, East Sheen, London, SW14 8PQ, -
24 Queens Road, East Sheen, London, SW14 8PJ, -
44 Ripley Gardens, Mortlake, London, SW14 8HF, -
21 Ashleigh Road, Mortlake, London, SW14 8PY, - 28.07.2020
91 Ashleigh Road, Mortlake, London, SW14 8PY, -
210 Huntingfield Road, London, Sw155es - 28.07.2020
12 Avondale Road, Mortlake, London, SW14 8PT, - 28.07.2020
38 Beards Hill, Hampton, TW12 2AQ, -
2 Rock Avenue, East Sheen, London, SW14 8PG, - 28.07.2020
19 Parkfield Avenue, East Sheen, London, SW14 8DY, -
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18 First Avenue, Mortlake, London, SW14 8SR, - 28.07.2020
Flat 2,76 White Hart Lane, Barnes, London, SW13 0PZ, - 28.07.2020
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8 Lodge Avenue, East Sheen, London, SW14 8PQ, -
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5 James Terrace, Mortlake, London, SW14 8HB, - 28.07.2020
32 Dovecote Gardens, Mortlake, London, SW14 8PN, -
43 Ripley Gardens, Mortlake, London, SW14 8HF, -
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41 South Worple Way, East Sheen, London, SW14 8PB, -
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3 Fitzgerald Road, Mortlake, London, SW14 8HA, - 28.07.2020
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26 Queens Road, East Sheen, London, SW14 8PJ, - 28.07.2020
64 First Avenue, Mortlake, London, SW14 8SR, - 28.07.2020
31 Queens Road, East Sheen, London, SW14 8PH, - 28.07.2020
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52 Ashleigh Road, Mortlake, London, SW14 8PX, - 28.07.2020
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15 Avondale Road, Mortlake, London, SW14 8PU, -
29 Ashleigh Road, Mortlake, SW14 8PY - 28.07.2020
115 Cowley Road, Mortlake, London, SW14 8QD, -
36 Ashleigh Road, Mortlake, London, SW14 8PX, -
9 First Avenue, Mortlake, London, SW14 8SP, -
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29 Ripley Gardens, Mortlake, London, SW14 8HF, - 28.07.2020
20 Cowley Road, Mortlake, London, SW14 8QB, - 28.07.2020
13 Avondale House, Mortlake High Street, Mortlake, London, SW14 8SQ, - 28.07.2020
5 Kings Road, East Sheen, London, SW14 8PF, -
16 BEL LANE, FELTHAM, TW13 6BY - 28.07.2020
13 Cowley Road, Mortlake, London, SW14 8QD, - 28.07.2020
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22 Ashleigh Rd, Mortlake, SW14 8PX - 28.07.2020

56 Cowley Road, Mortlake, London, SW14 8QB, - 28.07.2020

Church Hall (St Mary Magdalene Church), North Worple Way, Mortlake, London, SW14 8PR, - 28.07.2020 6 Avondale Road, Mortlake, London, SW14 8PT, - 28.07.2020 4 Worple Street, Mortlake, London, SW14 8HE, - 28.07.2020 253 VARSITY DRIVE, TWICKENHAM, TW1 1AP - 28.07.2020 8 Richmond Park Road, East Sheen, London, SW14 8JT, - 28.07.2020 11 Rock Avenue, East Sheen, London, SW14 8PG, - 28.07.2020 26 Ripley Gardens, Mortlake, London, SW14 8HF, -22 Ashleigh Road, Mortlake, London, SW14 8PX, -40 Alder Road, Mortlake, London, SW14 8ER, -128 Ashleigh Road, Mortlake, London, SW14 8PX, -29 Ashleigh Road, Mortlake, London, SW14 8PY -3 Worple Street, Mortlake, London, SW14 8HE -23 Glendower Road, East Sheen, London, SW14 8NY -48 Manor Road, Richmond, TW9 1YB -73 North Worple Way, Mortlake, Sw14 8pr - 28.07.2020 145 Kingsway, Mortlake, London, SW14 7HN, - 28.07.2020 42 Cowley Road, Mortlake, London, SW14 8QB, - 28.07.2020 62 White Hart Lane, Barnes, London, SW13 0PZ, - 28.07.2020 120 Ashleigh Road, Mortlake, London, SW14 8PX, - 28, 07, 2020 73 North Worple Way, Mortlake, London, SW14 8PR, - 28.07.2020 1 Fitzgerald Road, Mortlake, London, SW14 8HA, - 28.07.2020 27 Dovecote Gardens, Mortlake, London, SW14 8PN, - 28.07.2020 2 WOODLANDS AVENUE, WEST BYFLEET, KT14 6AT - 28.07.2020 28 Ripley Gardens, Mortlake, London, SW14 8HF, -The Studio,7A Queens Road, East Sheen, London, SW14 8PH, -59 Cowley Road, Mortlake, London, SW14 8QD, -65 Ashleigh Road, Mortlake, London, SW14 8PY, - 28.07.2020 56 Ashleigh Road, Mortlake, London, SW14 8PX, -66A,66 White Hart Lane, London, SW13 0PZ - 28.07.2020 66 White Hart Lane, Barnes, London, SW13 0PZ, - 28.07.2020 312 Cowley Mansions, Mortlake High Street, Mortlake, London, SW14 8SL, - 28.07.2020 22 Ripley Gardens, London, SW14 8HF - 28.07.2020 45 First Avenue, Mortlake, London, SW14 8SP, - 28.07.2020 102 Cowley Road, Mortlake, London, SW14 8QB, - 28.07.2020 37 North Worple Way, Mortlake, London, SW14 8QA, -19 Dovecote Gardens, Mortlake, London, SW14 8PN, -15 Worple Street, Mortlake, London, SW14 8HE -8 Langdon Place, Mortlake, London, SW14 7HQ -

40 Ripley Gardens, Mortlake, London, SW14 8HF -

23 Victoria Road, Mortlake, London, SW14 8EX -

23 Dovecote Gardens, Mortlake, London, SW14 8PN -

104 Ashleigh Road, Mortlake, London, SW14 8PX -

25 Kings Road, East Sheen, London, SW14 8PF -

Lambourn House, 17B Sheen Lane, East Sheen, London, SW14 8HY -

69 Cowley Road, Mortlake, London, SW14 8QD -

7 Trehern Road, East Sheen, London, SW14 8PD -

28 Alexandra Road, East Sheen, London, SW14 8DN -

96 Cowley Road, Mortlake, London, SW14 8QB -

1A, Worple Street, Mortlake, London, SW14 8HE -

History: Planning - Appeal - Enforcement - Building Control

Development Management

Status: REF Application:20/1206/TEL

Installation of 1 x 15m high monopole and 3 x equipment cabinets on new Date:23/06/2020

concrete base (address correction location previously stated as South

Worple Way)

Development Management

Status: PDE Application:20/2044/TEL

Date: Installation of a telecommunications base station and 1 x 12.5m high

monopole

Site address: Telecommunications Site 78217, Old Mortlake Bus Depot, North Worple Way, East Sheen

Proposal

Installation of 1 x 12.5m high monopole and base station

An ICNIRP certificate is included with the application, to confirm that the proposal complies with current health requirements.

Site description key designations

The application site is located close to an intersection between Avondale Road and North Worple Way on the Southern side of Mortlake Bus Station. Although the site is not within a Conservation Area, it is noted that the site is located adjacent to the Queens Road Mortlake Conservation Area the boundary of which lies to the south side of the railway on South Worple Way. Further Conservation Areas encompass North Worple Way some 100m to the West (CA33 Mortlake) and 150m to the East (A79 Cowley Road), indicated by the hatched areas on the map below.



The site is also located within Floodzones 2, 3 and 3a as well as being designated with archaeological priority.

Planning history

20/1206/TEL - Installation of 1 x 15m high monopole and 3 x equipment cabinets on new concrete base (address correction location previously stated as South Worple Way). **Refused**

Reasons:

The application fails to sufficiently demonstrate the need for an additional telecommunications pole and associated equipment in this location and does not demonstrate that adequate consultation has been undertaken. As such the application fails to comply with outcomes sought in Paras. 113 and 115 in Chapter 10 of the National Planning Policy Framework (2019) and Policy LP33 of the Local Plan.

The proposal, by reason of its prominent siting, height and design would result in an unduly dominant, incongruous and visually intrusive form of development that would adversely affect the character, appearance and the visual amenity of the streetscene in general and the setting of the Queens Road Conservation Area resulting in harm that would not be outweighed by the public benefits of the scheme. As such, the proposal is considered contrary to the National Planning Policy Framework and the Local Plan (2018) in particular LP1, LP3 and LP33 and Supplementary Planning Document 'Telecommunications Equipment' (2006) and Mortlake Village Planning Guidance (2015) and the Queens Road Conservation Area Study and Statement.

11/0062/TEL - Proposed installation of telecommunication mast outside Bus Depot. **Refused**

Reasons:

The proposed column, by reason of its size, siting and design, would appear visually intrusive and result in a detrimental impact on the character and appearance of the area, including the nearby Queens Road Conservation Area. The proposal would therefore be contrary to policies BLT 2, 11, 13 and 24 of the London Borough of Richmond upon Thames Unitary Development Plan - First Review Adopted March 2005, policies DC1 and HD1 of the emerging Development management Plan and the Council's Supplementary Planning Guidance: Telecommunications Equipment' adopted June 2006.

The proposed colomn, by reason of its size and location would give rise to a perception of health risk to neighbouring residents. It would thereby be contrary to policy BLT 16 of the London Borough of Richmond upon Thames Unitary Development Plan - First Review Adopted March 2005, policy DC5 of the emerging Development management Plan and the Council's Supplementary Planning Guidance: Telecommunications

Equipment' adopted June 2006.

The proposed colomn and ancillary equipment, by reason of its size and location would adversely impact on the free passage of pedestrians along this footpath without obstruction and would result in an unacceptable impact on highway safety in the area. The proposal would therefore be contrary to policy TRN 2 of the London Borough of Richmond upon Thames Unitary Development Plan - First Review Adopted March 2005 and policy TP2 of the emerging Development management Plan

Policies

As an electronic communications code operator, the appellant benefits from deemed planning permission for telecommunications equipment under Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) Order 2015 ('GPDO'), subject to prior approval by the local planning authority of siting and appearance. The provisions of the GPDO require the local planning authority to assess the proposed development solely upon the basis of its siting and appearance, taking into account any representations received.

The proposal has been considered having regard to the policies within the Council's Local Plan, in particular:

National Planning Policy Framework (2012) London Plan (Consolidated)

Local Plan (2018)

- LP 1 Local Character and Design Quality
- LP3 Designated Heritage assets
- LP4 Non-Designated heritage assets
- LP 8 Amenity and Living Conditions
- LP 33 Telecommunications
- LP 44 Sustainable Travel Choices
- LP 45 Parking standards and servicing

Supplementary Planning Documents / Guidance

'Telecommunications Equipment' (2006)

Material representations

The application has been subject to very high number objections from third parties, the full details of which are available to view on the Council's website.

Approximately 172 objections have been received, predominantly from local residents and local amenity and society groups, as well as Local Councilors. The objections are wide ranging and full details of all the comments received are available to view online, but the main points could be summarized as:

- Visually intrusive
- Overly bulky
- Out of character
- Additional street clutter
- Health risks due to radiation
- Unknown health implications
- Danger of arson attacks
- Harmful to sparrow population
- More suitable locations elsewhere where masts are already in use
- Inappropriately located near a school
- Concerns of children and vulnerable populations
- Highway safety due to the obstruction of free passage to the bus stop
- Harmful to surrounding conservation area
- Harmful to nearby heritage assets
- Out of scale with surrounding residential buildings
- Mast will dominate the skyline
- Traffic Congestion
- Insufficient and inaccurate information
- Has not addressed previous reasons for refusal
- Reduced public transport use due to pandemic undermines purpose for construction

- Harm outweighs benefit

The application was also subject to 3 x letters of support which were in favour of the design, location and benefits of improved communication.

3 x general observations were also received from members of the public, however these were mostly echoes of received objections, and states that the information submitted is not adequate.

Amendments

All representations have been taken into consideration throughout this assessment.

There have been no amendments to the scheme received during the course of this planning application. An additional drawing was received which showed an elevation from a different direction.

Professional comments

This is an application to determine if prior approval is required for the proposed development. It is not a full planning application. Under Part 16 Class A of the General Permitted Development Order (as amended) the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting and appearance of the development. As such, siting and appearance are the only considerations applicable in the assessment of an application which meets the criteria set out in the GPDO for this process, and not the principle of development.

Policy Background

The National Planning Policy Framework confirms the presumption in favour of sustainable development but reiterates that applications must be determined in accordance with the development plan unless material considerations dictate otherwise. It particularly stresses the importance of design in the consideration of development proposals.

Section 10 of the NPPF deals with supporting high quality communications infrastructure. Paragraph 112 states that:

Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.

Paragraph 113 states:

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.

Paragraph 116 states:

Local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure.

Section 16 of the NPPF deals with conserving and enhancing the historic environment. Paragraph 193 states:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).

Paragraph 196 deals with the assessment of proposals in relation to designated heritage assets and states:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Prior Approval Required

The monopole would not exceed a height of 12.5m above ground level and is in accordance with Schedule 2, Part 16, Class A, A.1(1) of the GPDO. Under conditions A.2(3) the installation of the mast requires prior approval.

The conditions of A.3 are set out below in italics with the Local Planning Authority's assessment interspersed.

A.3.

- (1) Before making the application required by sub-paragraph (4), the developer must give notice of the proposed development to—
 - (a) any person (other than the developer) who is an owner of the land to which the

development relates, or

(b) a tenant of an agricultural holding any part of which is comprised in the land to which the application relates.

The application for prior approval was accompanied by a copy of the email with the Developers Notice sent to TfL as owner of the land in question on 22nd July 2020.

- (2) Notice must be given by or on behalf of the developer as follows—
 - (a) by serving a signed and dated notice on every person described in subparagraph (1) whose name and address is known to the developer, stating— (i) the name of the developer;
 - (ii) the address or location of the proposed development;
 - (iii) a description of the proposed development (including its siting and appearance which includes the height of any mast);
 - (iv) a statement that the developer will apply to the local planning authority for
 - determination as to whether the prior approval of the authority will be required as to the siting and appearance of the development;
 - (v) the name and address of the local planning authority to whom the application will be made;
 - (vi) a statement that the application is available for public inspection at the offices of the local planning authority during usual office hours;
 - (vii) a statement that any person who wishes to make representations about the siting and appearance of the proposed development may do so in writing to the local planning authority;
 - (viii)the date by which any such representations should be received by the local planning authority, being a date not less than 14 days from the date of the notice; and
 - (ix) the address to which such representations should be made; or
 - (b) if the developer has been unable to ascertain the names and addresses of every such person after taking reasonable steps, by local advertisement.

A copy of the Developers Notice has also been provided with the appropriate details.

(3) Where the proposed development consists of the installation, alteration or replacement of a mast within 3 kilometres of the perimeter of an aerodrome, the developer must notify the Civil Aviation Authority, the Secretary of State for Defence or the aerodrome operator, as appropriate, before making the application required by sub-paragraph (4).

The site is not within 3km of an aerodrome.

(4) Before beginning the development described in paragraph A.2(3), the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting and appearance of the development.

This is the prior approval application to address this criterion.

- (5) The application must be accompanied by-
 - (a) a written description of the proposed development and a plan indicating its proposed location together with any fee required to be paid;
 - (b) the developer's contact address, and the developer's email address if the developer is content to receive communications electronically;
 - (c) evidence that the requirements of sub-paragraph (1) have been satisfied where applicable; and
 - (d) where sub-paragraph (3) applies, evidence that the Civil Aviation Authority, the Secretary of State for Defence or the aerodrome operator, as the case may be, has been notified of the proposal.

The application was accompanied by a covering letter. This includes a written description of the proposed development and plans indicating its proposed location. The letter set out the relevant contact details and the application is accompanied by a copy of the covering letter to the Developers Notice sent to TfL. The fee was received on 23/07/2020.

Siting and Appearance

Policy LP 1 seeks to protect areas of high quality such as this from inappropriate development. All new development should recognise distinctive local character and contribute to creating places of a high architectural and urban design quality that are well used and valued, sustainable, to respect the space between buildings and relationship with the public realm and use appropriate detailing and materials.

Policy LP 3 seeks to protect, and where possible enhance, the character and appearance of conservation areas. Policy LP4 sets out the council will seek to preserve, and where possible enhance, the significance, character and setting of non-designated heritage assest, including Buildings of townscape Merit (BTM)

Policy LP 33 deals with telecommunications and states that the Council will promote the enhanced connectivity of the borough through supporting infrastructure for high speed broadband and telecommunications. The policy confirms that applications will be determined in accordance with national policy and guidance, that the sharing and utilization of existing structures will be encouraged but also that the visual impacts of telecommunications proposals should be minimised in accordance with policy LP 1.. The policy also requires confirmation that proposals will comply with the International Commission on Non-Ionizing Radiation Protection Guidelines (ICNIRP) for public exposure.

Objections have been received arguing that the chosen location is not suitable due to the potential impacts it would have on the adjacent conservation area and residential character of the locality.

The site is within Character Area 2 within the Mortlake Village Planning Guidance (SPD). This document notes that the area is characterised by small to medium sized terraced housing although "There is some recent infill on Avondale Road where the former Mortlake bus depot was located. The bus depot had opened in the early twentieth century originally for horse buses and was closed in 1983. A small area at the southern end of the site has been retained as a turning point for buses. The spur footbridge on North Worple Way, an unusual semi-circular iron structure of 1902, provides an important link from Mortlake to East Sheen." The SPD identifies the 'improvement of public realm setting and treatment, particularly around the bus depot' as an opportunity. At section 2.3 the SPD notes the planning policy aim to relocated the Avondale Road bus terminus.

It is noted that the application for a 12.5m monopole which was previously refused on this site under application 11/0062/TEL, was not supported due to the impact it would have on the immediate locality and the Queens Road Conservation Area that is adjacent to the site. The previous officers report explained that the height of the previously proposed monopole, within its context of a predominately low set residential area, would create an overly exposed mast which would adversely impact on the character and appearance of the area.

Likewise, the recently refused scheme (20/1206/TEL), which proposed a 15m monopole with ancillary equipment was refused on similar grounds.

The NPPF is clear that where new telecommunication sites are required, equipment should be sympathetically designed and camouflaged where appropriate. To this extent, it is noted that EE have compromised some mobile coverage to reduce the height of the monopole. Particularly in comparison to the previously refused application.

The supporting information refers to the monopole being painted brown and light grey to ameliorate its presence against adjacent street furniture. The intention of blending the monopole in with the existing street furniture such as streetlights is accepted. However, it is observed that the streetlights are low in height and given the predominantly two storey residential nature of the area, and the siting of the monopole within a relatively open area, it is considered that there is little within the immediate context to soften the impact of the considerably higher monopole proposed. This will make the monopole conspicuous in both close- and longer-range views, including from the opposite side of the railway line. Given the conspicuous size of the proposal it is clear that the scheme, in this location, would appear as a dominant and incongruous form of development in the area.

It is accepted that the reduced height of the monopole is much improved from the previously refused scheme (20/1206/TEL). However, the siting and appearance of the proposed development would still result in harm to the character and appearance of the area (albeit not as significant as in the previous application). It would therefore conflict with Policy LP1 of the London Borough of Richmond Upon Thames Local Plan Adopted July 2018 which requires, among other things, that development should improve the quality and character of spaces and the local area.

Pre-application advice was provided to the applicant and it is noted that similarities were discussed regarding this application site and the recently allowed appeal (APP/L5810/W/17/3184353) at the Mortlake Cemetery. The appeal was allowed as the Inspectorate found that the 'less than substantial harm' to the Conservation Area and locality would be outweighed by the potential benefits.

Although this appeal was allowed, it should be appreciated that the monopole proposed under the appeal application benefits from a backdrop of relatively mature trees, whereas the scheme proposed under this application is much more 'exposed', as was established in the 2011 refusal. Given such, although there are similarities between the two schemes, there are also notable differences which require their own assessment of the harm against the benefits.

The proposal would be clearly visible from the nearby Queens Road Conservation Area and although separated by the railway line, the site falls within the wider setting of the CA. The CA Statement notes that the "adjoining terraces of small Victorian cottages, some of which face onto narrow alleyways and have unusual embellishments, possess a charming sense of space." The area is characterised by two storey development in a fine urban grain and the wider setting on North Worple Way continues the relatively low-level predominantly two-storey built form. The CA Study notes in particular that "as a local landmark at the end of Queens Road the spur railway footbridge of 1902 is an exceptional semi-circular iron structure providing a vital pedestrian connection between the Queens Road area and Mortlake. It is heavily used, particularly at school times, and an undoubted feature of interest in the local scene." As set out above, the mast would appear overly exposed and have a high degree of prominence given the absence of other structures or vegetation to provide some mitigating context. The height of the mast would therefore be a notably discordant element in this wider setting that would result in less than substantial harm to the character and appearance of the Queens Road Conservation Area.

There are a number of BTMs within the Queens Road Conservation Area although as individually designated locally listed buildings, the mast would not be so apparent within their closer setting.

The site is sufficiently separated from Conservation Area CA33 Mortlake and CA79 Cowley Road so as not to affect their setting.

As above, the proposal is an improvement to the previously refused scheme, however is still considered to be harmful. The proposal would therefore be contrary to policies LP1, LP3 and LP33. Any harm must be weighed against the benefits of the scheme, which will be discussed further throughout this report.

The proposed cabinets will not be prominent within the streetscene and no objections are raised to these.

Amenity

Policy LP8 of the Local Plan (2018) requires that developments do not cause harm to neighbouring amenities in terms of daylight/sunlight, outlook, privacy, noise and disturbance. Policy LP10 of the Local Plan (2018) specifically sets out the that local environmental impacts of all development proposals should not lead to detrimental effects on the health, safety and the amenity of existing and new users or occupiers of the development site, or the surrounding land.

Recent appeal decisions 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 must also be afforded appropriate weight.

The equipment and monopole will be visible from residential buildings along North Worple Way, South Worple Way and Avondale Road. However, the monopole is sited approximately 18m away from the closest residential window, and whilst harm is identified to the character and appearance of the area which by definition will be noticeable to local residents and some visual amenity would be compromised, it is not considered that the scheme is in close enough proximity to warrant a refusal on the grounds of harm to residential amenity in particular. Whilst is conspicuously tall structure in its surrounds, it is of the slimmer variety and is sited far enough from residential developments so as not to be overbearing or result in a loss of sunlight. Given such the scheme is considered to satisfy Local Plan Policy LP 8.

Pedestrian/Highway Safety

It is noted that several objections were received from members of the public voicing concern over pedestrian and highways safety.

Council's Transport Officer reviewed the scheme and had no objection to the location of the monopole and ancillary equipment subject to TfL's approval.

TfL has not opted to comment on this scheme, however TfL commented on the previously refused scheme, stating that had the scheme been considered acceptable they would have no objection to the proposal to build on TfL property subject to the TfL project team being involved with all aspects of installation.

Given that this application has been submitted in quick succession to that previously refused and that there is no material difference between applications that would further compromise highway/pedestrian safety, there remains no objection to the scheme in terms of highway and pedestrian safety.

Health

Paragraph 116 of the NPPF makes it clear that local authorities should not seek to determine health safeguards if the proposal meets International Commission guidelines for public exposure.

The currently proposed installation would comply with the ICNIRP guidance and, where such compliance is certified by the operator (as it is in this case), the NPPF indicates that a Local Planning Authority should not seek to set additional health standards. The NPPF states that Local Planning Authority must determine applications on planning grounds. They should not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards if the proposal meets International Commission guidelines.

The applicant has provided the Council with the requisite ICNIRP (International Commission for Non-Ionising Radiation) declaration for public exposure and consequently an objection on public health grounds is not tenable. This position is established in planning law and in this respect the proposal is in accordance with this part of policy LP33 of the Local Plan (2018) and SPD 'Telecommunications Equipment' (2008).

Other matters

Para 115 of the NPPF states that "Applications for electronic communications development (including applications for prior approval under the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development. This should include:

a) the outcome of consultations with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed near a school or college, or within a statutory safeguarding zone surrounding an aerodrome, technical site or military explosives storage area; and

The previous application was refused on grounds that the inadequate consultation had taken place. The applicant sought contact with the LPA prior to the submission of the current scheme requesting Pre-application advice. It appears that the same contact was sought with Local Councillors and also St Mary Magdalene's Catholic Primary School and also St Mary Magdalene Montessori Nursery School. This satisfies the previous reason of refusal in this respect.

Para 115 of the NPPF states that "Applications for electronic communications development (including applications for prior approval under the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development. This should include:

c) for a new mast or base station, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure and a statement that self-certifies that, when operational, International Commission guidelines will be met."

Policy LP33 of the Local Plan also requires the applicant to demonstrate that all options for sharing of existing equipment, including with other operators, and erecting masts on existing tall buildings or structures, have been fully explored before considering the erection of new structures or facilities

This application is submitted by Everything Everywhere, which it is explained is a joint venture between Deutche and France telecom and others. The submission documentation includes information of an alternative fourteen sites, including six existing sites and seven new sites. The submission explains how the applicant adopted a sequential approach to site selection which is encouraged in the Code of Best Practice for Mobile Operators and the NPPF and advised that efforts have been made to utilise existing telecommunications sites wherever possible to prevent the proliferation of base stations. It is advised in this instance there was no existing sites situated within the search area. As a result, there was a requirement to identify alternative options for a new base station.

In the selection process of this application site, the applicant has taken into account the site's effectiveness within the overall network on balance with design considerations for its siting and appearance. A number of alternative options were identified which are also listed in the SSSI document. Each option has been discounted in favour of the application site for a variety of reasons which are detailed in this accompanying document.

However, on this point several objections were received arguing that the chosen location is not suitable due to the potential impacts it would have on the adjacent conservation area and residential character of the locality. Criticisms have also been made of the lack of transparent information to fully justify why sites have been discounted. The representation received from Knights PLC is notable in this regard, as was previously raised within the previous refusal. This representation highlights a number of concerns over the consideration of alternatives identified which have not been addressed within this resubmission.

In particular, within the earlier refusal, the LPA found that it was insufficiently clear why the appealed site alongside the Burial Ground could not be a shareable structure. Further commentary has been provided with this application which would appear to indicate that this site could host a shareable structure. The applicant notes that a significant redevelopment would be required to facilitate this but provides no further information to enable the LPA to understand the implications on the size of the monopole or in regards to equipment cabinets and impact on pedestrian flows. In the absence of such information, the applicant has failed to demonstrate to the LPAs

satisfaction that there is a not a sequentially more preferable existing site to the proposed new site as required by the Local Plan which notes at para 8.6.2 that:

"It is important to keep the number of masts and sites to a minimum as an overconcentration of equipment and installations can have harmful impacts on the borough's unique and distinctive character. Therefore, there is an expectation that existing masts, buildings and other structures are used wherever possible, which includes sharing facilities with other operators, unless the need for a new site has been justified and accepted by the Council. Where new sites or structures are required, equipment should be sympathetically designed and camouflaged where possible."

The Council is not satisfied that the applicant has met the terms of Policy LP33 in demonstrating that all options for sharing of existing equipment, including with other operators, and erecting masts on existing tall buildings or structures, have been fully explored before considering the erection of new structures or facilities. The policy requirement is explicit that the applicant will need to "submit evidence to demonstrate that all options for sharing of existing equipment, including with other operators, and erecting masts on existing tall buildings or structures, have been fully explored before considering the erection of new structures or facilities" (Council's emphasis).

The National Planning Policy Framework (the Framework) recognises that high quality and reliable communications infrastructure is essential for economic growth and social well-being. However, while planning decisions should support the expansion of communications networks, paragraph 113 of the Framework advises that the number of masts and the sites for such installations should be kept to a minimum. Use of existing masts, buildings and other structures is encouraged. The LPA is not satisfied from the information provided that no alternative sites would be available to provide the required coverage. This is a material consideration which affects the planning balance.

Conclusion and Planning Balance

It is acknowledged that the proposal would bring public benefits in enhancing the telecommunications infrastructure and enhancing the network provision. The applicant has certified that the installation would comply with ICNIRP.

It is also acknowledged that the scheme is improved from the earlier refusal and the degree of harm is lessened by the reduction in height to the monopole. However it remains that the introduction of the proposed telecommunications equipment, by reason of its size and siting, would result in an incongruous form of development which would have a detrimental impact on the character and appearance of the area, including less than substantial harm to the setting of the nearby Queens Road Conservation Area, with consequent conflict with the development plan. The evidence does not make a convincing case that no suitable alternative sites exist, and this weighs against the proposal.

The benefits of providing improved infrastructure for the telecommunications network have been taken into account and acknowledged. The lesser degree of harm shifts the weight on the scales as compared with the refused scheme 20/1206/TEL but it remains that in the absence of satisfactory information to demonstrate that there are no more sequentially preferable sites, the LPA is not able to conclude that the benefits outweigh the harm.

Overall, the application fails to sufficiently demonstrate the need for an additional telecommunications pole and associated equipment in this location and the benefits are not considered to outweigh the visual harm that of this proposal would cause to the local area and nearby Queens Road Conservation Area. As such, it is contrary policies and guidance from the Local Plan (2018) in particular LP1, LP3, LP 33, outcomes sought in Paras. 113 and 115 in Chapter 10 of the National Planning Policy Framework (2019), and Supplementary Planning Document 'Telecommunications Equipment' (2006) and Mortlake Village Planning Guidance (2015) and the Queens Road Conservation Area Study and Statement.

Recommendation

REFUSE.

Recommendation:

1.	REFUSAL	\boxtimes					
2. 3.	PERMISSION FORWARD TO COMMITTEE						
This application is CIL liable		YES* (*If yes, complete C	NO CIL tab in Uniform)				
This applica	ation requires a Legal Agreement	YES* (*If yes, complete D	NO Development Condition Monitoring in Uniform)				
	ation has representations online not on the file)	⊠ YES	NO				
This applica	ation has representations on file	YES	⊠ NO				
Case Office	er (Initials):DAV	Dated:14/0	09/20				
I agree the recommendation:							
This application has been subject to representations that are contrary to the officer recommendation. The Head of Development Management / Team Manger has considered those representations and concluded that the application can be determined without reference to the Planning Committee in conjunction with existing delegated authority.							
Team Manager / Head of Development Management:							
Dated:	15.09.2020						

I therefore recommend the following: