

Environment Directorate / Development Management

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CK Hutchison Networks (UK) Ltd
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C/O AGENT
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C/O AGENT

Letter Printed 5 November
2021

FOR DECISION DATED
5 November 2021

The Town and Country Planning Act 1990, (as amended)
The Town And Country Planning (General Permitted Development) (England)
Order 2015 (as Amended)
The Town and Country Planning (Development Management Procedure)
(England) Order 2015

Application: 21/3285/TEL
Your ref: RUT12290 Hampton Hill
Our ref: DC/JSI/21/3285/TEL
Applicant: CK Hutchison Networks (UK) Ltd
Agent:

**Telecommunications Apparatus Junction Of High St Hampton And Uxbridge
Road Hampton**

for

Installation of a new monopole 20m in height supporting 6 no. antennas with a wrap around equipment cabinet at the base of the column, installation of 3 no. new equipment cabinets and ancillary development thereto.

I refer to your letter and attached drawings.

This Council does consider that it is necessary for it to consider the siting and appearance of the proposed installation and having done so refuses permission. See the attached schedule for the reasons and informatives for this decision.

Yours faithfully

A handwritten signature in black ink, appearing to read 'R. Angus', with a long horizontal flourish extending to the right.

Robert Angus
Head of Development Management

SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION 21/3285/TEL

APPLICANT NAME

CK Hutchison Networks (UK) Ltd
C/O AGENT
C/O AGENT
C/O AGENT
C/O AGENT
C/O AGENT

AGENT NAME

SITE

Telecommunications Apparatus Junction Of High St Hampton And Uxbridge Road Hampton

PROPOSAL

Installation of a new monopole 20m in height supporting 6 no. antennas with a wrap around equipment cabinet at the base of the column, installation of 3 no. new equipment cabinets and ancillary development thereto.

The reason(s) and/or informatives(s) applicable to this application are as follows:

SUMMARY OF REASONS AND INFORMATIVES

REASONS

U0113165	Refusal - Design/Siting
U0113167	Refusal - Siting/Highways
U0113166	Refusal - Alternative Sites

INFORMATIVES

U0055894	Decision Drawings
U0055893	NPPF Paras 38-42 Refusal

DETAILED REASONS AND INFORMATIVES

DETAILED REASONS

U0113165 Refusal - Design/Siting

By virtue of its combined inappropriate design, excessive height, width, bulk and conspicuous siting and failure to demonstrate the protection of visually important trees, the application would result in a visually prominent, incongruous and overbearing form of development which would cause unacceptable harm to the character and appearance of the CA38 High Street Hampton Hill Conservation Area and the setting of the CA61 Bushy Park Conservation Area Bushy Park, Historic Grade I Registered Bushy Park, Grade II Listed Bushy Park boundary wall, the character of the Longford River and to the openness and character of the adjacent Metropolitan Open Land and Other Open Land of Townscape Importance. As such, the application fails to comply with Sections 66 and 70 of the Act 1990 and the outcomes sought in Paras. 115 and 202 of the NPPF (2021), and policies within the Local Plan (2018), in particular, LP1, LP3, LP5, LP13, LP14, LP16, LP18 and LP33, and the following Supplementary Planning Documents and other guidance: Design Quality (February 2006), Hampton Hill Village Planning Guidance SPD (June 2017), Telecommunications Equipment SPD (June 2006), CA38 High Street Hampton Hill Conservation Area Statement, CA61 Bushy Park Conservation Area Statement.

U0113167 Refusal - Siting/Highways

By virtue of its unacceptable siting, the proposed works would obstruct a tactile paved section of a public pavement, to the detriment of pedestrians who are blind or partially sighted and overall public and highways safety. As such, the application fails to accord with Policy LP44 of the Local Plan (2018), the Telecommunications Equipment SPD (June 2006) and the Hampton Hill Village Planning Guidance SPD (June 2017) and CA38 High Street Hampton Conservation Area Statement.

U0113166 Refusal - Alternative Sites

The application fails to sufficiently demonstrate the need for a tele communications pole and associated equipment in this unacceptable location by virtue of the inadequate information provided to demonstrate that alternative sites have been explored. As such, the application fails to comply with outcomes sought in Para. 115 of the NPPF (2021), Policy LP33 of the Local Plan (2018) and the Telecommunications Equipment SPD (June 2006).

DETAILED INFORMATIVES

U0055894 Decision Drawings

For the avoidance of doubt, the drawing numbers to which this decision relates are as follows: RUT12290_PLANNING_REV_A Existing Site Elevation, RUT12290_PLANNING_REV_A Existing Site Plan, RUT12290_PLANNING_REV_A Location Plan, RUT12290_PLANNING_REV_A Proposed Site Elevation, RUT12290_PLANNING_REV_A Proposed Site Plan - Received 20/09/2021.

U0055893 NPPF Paras 38-42 Refusal

In accordance with paragraphs 38-42 of the National Planning Policy Framework, Richmond upon Thames Borough Council takes a positive and proactive approach to the delivery of sustainable development, by:

- o Providing a formal pre-application service

- o Providing written policies and guidance, all of which is available to view on the Council's website
- o Where appropriate, negotiating amendments to secure a positive decision
- o Determining applications in a timely manner.

In this instance:

- o The applicants did not seek formal pre-application advice, and the scheme was found to be contrary to policy and guidance, and subsequently refused. The Council is ready to enter into discussions to advise the applicants of relevant policy and guidance; and where possible assist in the preparation of a new planning permission.

END OF SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION
21/3285/TEL

TEL Applications

Making an Appeal – Summary Guidance

Whether to appeal

If the Local Planning Authority (LPA) turn down your application, you should look carefully at the reasons why they turned it down before you make an appeal. You should speak to the LPA to see if you can sort out the problem - perhaps by changing your proposal. An appeal should only ever be a last resort.

Type of appeal:

Planning Application

Appeal time:

Within six months of the date of the council's decision letter.

Who can appeal?

The applicant or their agent may lodge an appeal.

The right of appeal:

You can appeal against the council's decision:

- If you applied to the Local Planning Authority and they:
 - Refused permission;
 - Gave permission but with conditions you think are inappropriate;
 - Haven't approved the details of a scheme which they or the Secretary of State have already given outline planning permission for or;
 - Have approved the details of a scheme but with conditions you think are inappropriate or unreasonable.

- If the LPA rejected a proposal arising from a condition or limitation on a planning permission.
- If the LPA don't decide your application within the time allowed. Normally the time allowed is eight weeks from when they accept your application.
- If the LPA told you they needed more information before they could decide your outline planning application, but you do not want to supply this.

You will make your appeal to the Department for Communities and Local Government of which the Planning Inspectorate is a part. Most are decided by specialist officers in the Planning Inspectorate. Only the person or business applying for consent to display an advertisement may appeal. If the council issues a discontinuance notice, only those on whom the notice is served may appeal.

The appeal process:

Appeals must be made

- Online at www.planninginspectorate.gov.uk, or
- Initial Appeals, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

It will be expected that all appeal documentation will be submitted electronically.

The process is fully documented on the website of the Planning Inspectorate www.planninginspectorate.gov.uk, however in summary there are three main types of appeal:

Written procedure:

Written evidence is considered from the applicant/agent/business and the council. The council will send copies of any letters of objection or support they received when considering your application. Within six weeks of the Inspectorate receiving your appeal forms the council will send a copy of their statement to the Inspectorate. You must make any comment on these within three weeks.

Hearing procedure:

Hearings allow you and the council to exchange views and discuss your appeal. Before the hearing the council will send a copy of their statement to you and the Inspectorate. You can comment on their statement in writing otherwise the Inspectorate will treat the reasons given in your appeal form as the basis of your case for discussion.

Hearings are usually held in council offices. The Inspector leads the discussion and invites the people involved to put their points across. The Inspector will visit the site unaccompanied before the hearing and will make a further accompanied visit as part of the hearing.

Inquiry procedure:

Inquiries are normally for large-scale applications. A public inquiry is a formal procedure in which both parties have legal representation.

Making your views known on someone else's appeal:

The LPA will notify anyone who took part in the consultations when you first applied for permission that you are appealing. For appeals decided by hearing or inquiry the LPA will tell interested people when and where this will be and let them know that they can attend. The Inspectorate will also take account of the views of certain groups who have a right to comment, for example, owners of a site, local amenity groups and so on.

Costs:

Normally you and the council will pay for your own expenses in an appeal. You can only claim costs when you can show that the council have behaved in an unreasonable way causing unnecessary expense.

Who to contact?

The Planning Inspectorate

Website www.planninginspectorate.gov.uk

Email enquiries@pins.gsi.gov.uk

Telephone 0303 444 5000

Write to Initial Appeals, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN

London Borough of Richmond upon Thames

Website www.richmond.gov.uk/planning

Email planningappeals@richmond.gov.uk

Telephone 020 8891 1411 for advice

Write to The Appeals Officer, Development Control, Civic Centre, 44 York Street, Twickenham TW1 3BZ