

Application form

Please Index As

File Number

TOWN & COUNTRY PLANNING ACT 1990

APPLICATION FOR PERMISSION TO DEVELOP LAND AND / OR E
 BOROUGH OF BROMLEY LONDON

FOR OFFICE USE ONLY

Fee £ 95.00 P.P.011614

Cheque / Postal Order / Cash 011630

Receipt No. Issued 0278766

RECEIVED BY TOWN PLANNING SERVICES	
APPLICANT	COMPLETE
Borough	Bromley
Registered	18 JUL 2001
Date Recd	

PLEASE READ CAREFULLY THE GENERAL NOTES BEFORE FILLING IN THE FORM

PART ONE	To be completed by or on behalf of all applicants as far as applicable
FEE (where applicable)	£

1. APPLICANT (in block capitals)

Name BT CELLNET

Address C/O AGENT

Tel. No.

AGENT (if any) to whom correspondence should be sent

Name JAMES BARR CONSULTANTS

Address 32-34 GREAT TITCHFIELD STREET
LONDON W1W 8BG

Tel. No. 0207 462 6940 Ref. ALWYN HORGENDY

2. PARTICULARS OF PROPOSAL FOR WHICH PERMISSION IS SOUGHT

(a) Full address or location of the land to which this application applies
CHELSEA A.T.E., MALLORD STREET
KENSINGTON & CHELSEA
LONDON SW3 6AP

(b) Site area
CHELSEA

(c) Give details of proposal indicating the purpose for which the land/buildings are to be used and including any change(s) of use
UPGRADE OF EXISTING TELECOMMUNICATIONS
ROOFTOP INSTALLATION BY ADDING 3ND
PANEL ANTENNAS.

(d) State whether applicant owns or controls any adjoining land and if so, give it's location.
N/A

(e) State whether the proposal involves:-

State Yes or No

(i) New buildings(s) or extension(s) to existing building(s)

NO

► If "Yes" state gross floor area of proposed building(s). ▼ m²

If residential development state number of dwelling units proposed and type if known, e.g. houses, bungalows, flats.

RECEIVED BY PLANNING SERVICES									
EX DIR	HDC	N	C	SW	SE	ENF	AP ACK		
(35)		17 JUL 2001		Internal Alterations.....					
(ii)		External Alterations.....							
Change of use									
APPROS	IO	REC	ARB	PLN	DES	VEES			

(iv) Construction of new access to a highway } vehicular pedestrian

NO
 YES

► If "Yes" state gross area of land or building(s) affected by proposed change of use (if more than one use involved state gross area of each use).

 Hectares/m²

(v) Alteration of an existing access to a highway } vehicular pedestrian

NO
 NO
 NO
 NO

Strike out whichever is inapplicable

3. PARTICULARS OF APPLICATION

State whether this application is for: State Yes or No

- (i) Outline planning permission NO
- (ii) Full planning permission YES
- (iii) Renewal of temporary permission or permission for retention of building or continuance of use without complying with a condition subject to which planning permission has been granted. NO

If "Yes" strike out any of the following which are not to be determined at this stage

- | | |
|----------------|------------------------|
| 1. Siting | 4. External appearance |
| 2. Design | 5. Means of access |
| 3. Landscaping | |

If "Yes" state the date and number of previous permits and identify the previous condition.

Date.....Number.....
The Condition.....

4. PARTICULARS OF PRESENT AND PREVIOUS USE OF BUILDINGS OR LAND

State :-

- (i) Present use of buildings/land BUSINESS USE + TELECOMMUNICATIONS
- (ii) If vacant the last previous use and period of use with relevant dates.

5. LIST ALL DRAWINGS, CERTIFICATES, DOCUMENTS, ETC; forming part of this application

SUPPORTING STATEMENT ; DRAWINGS NO'S M22025 01 REV. D, - 02 REV. H AND - 03 REV. G ; CERTIFICATE B (T.P.1 / PART 2)

6. ADDITIONAL INFORMATION

State Yes or No

- (a) Is the application for non-residential development YES If "Yes" complete PART THREE of this form (See PART THREE for exemptions)
- (b) Does the application include the winning and working of minerals NO If "Yes" complete PART FOUR of this form
- (c) Does the proposed development involve the felling of any trees NO If "Yes" state numbers and indicate precise position on plan
- (d) (i) How will surface water be disposed of ? N/A
- (ii) How will foul sewage be dealt with ? N/A
- (e) Materials - Give details (unless the application is for outline permission) of the colour and type of materials to be used for:
- (i) Walls N/A
- (ii) Roof N/A
- (iii) Means of enclosure N/A

We hereby apply for (strike out whichever is inapplicable)

- (a) Planning permission to carry out the development described in this application and the accompanying plans in accordance therewith
- ~~(b) Planning permission to retain the building(s) or work(s) already constructed or carried out, or a use of the land already instituted as described in this application and accompanying plans.~~

Signed JAMES BARR CONSULTANTS on behalf of BT CELLNET LTD Date 13/7/2001

AN APPROPRIATE CERTIFICATE MUST ACCOMPANY THIS APPLICATION (See Notes For Applicants)

Certificate A: Where all the land/building is owned* by the applicant

Certificate B: Where some or all of the land/building is not owned* by the applicant but the name and address of the owner(s) is known.

Certificate C: Where some or all of the land is not owned* by the applicant and where the ownership of only part of the remainder is known.

Certificate D: Where some or all of the land/building is not owned* by the applicant and the applicant has not been able to find out who owns it.

* Freeholder or leaseholder with more than 7 years to run.

THE ROYAL BOROUGH OF KENSINGTON & CHELSEA

TOWN AND COUNTRY PLANNING ACT 1990
 TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT
 PROCEDURE) ORDER 1995
 CERTIFICATE UNDER ARTICLE 7

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Complete only one certificate, either A, **B**, C or D to accompany your application
 (see notes for applicants)

CERTIFICATE A

I certify that:

- No person other than the applicant was an owner (a) of any part of the land to which the application relates at the beginning of the period 21 days before the date of this application.
- None of the land to which this application relates constitutes or forms part of an agricultural holding.

Signed:

On behalf of:

Date:

CERTIFICATE B

I certify that:

- I have/The applicant has given requisite notice to the persons specified below, being persons who on the day 21 days before the date of the application were owners (a) of any part of the land to which the application relates.
- None of the land to which the application relates constitutes or forms part of an agricultural holding.

Owner's name	Address at which notice was served	Date on which notice was served
BT PROPERTY	ATTENTION: DAVID MAIDLOW AP 08/P03 PROSPECT WEST (PSP-CR) STATION ROAD CROYDEN SURREY CR0 2RD	

Signed: JAMES BARR CONSULTANTS On behalf of: BTCELLNET LTD Date: 13/7/2001 *

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AH/PL/TPL36840/9051FP

11 July 2001

Director of Planning
Royal Borough of Kensington & Chelsea
Planning Services
South West Area Team
Town Hall
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Dear Sir or Madam

BT CELLNET CELL NO: 9051 (CHELSEA A.T.E)
PROPOSED BT CELLNET INSTALLATION AT CHELSEA A.T.E.,
MALLORD STREET, LONDON SW3 6AP.

Please find attached Supporting Statement, Full Planning submission and associated enclosures relating to the proposed BT Cellnet radio base station installation at Chelsea A.T.E.

Please do not hesitate to contact the undersigned in the first instance should you require any further information or if there is any difficulty in registering this application. We will be pleased to discuss any details of this application on our client's behalf.

We look forward to hearing from you.

Yours sincerely
On behalf of BT Cellnet

Alwyn Hoogendyk
Planning Consultant

Phone: 0207 462 6968
Fax: 0207 462 6941
Mobile: 0788 763 5695
E-mail: ahoogendyk@jamesbarr.co.uk

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Registered in Scotland No 175320
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226 West George Street Glasgow G2 2LN



Proposed upgrade of existing BT Cellnet site at...
CHELSEA A.T.E, MALLORD STREET, LONDON SW3 6AP

C.S 9051

Supporting Statement

11 July 2001

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APPENDICES

1.0 Background

We refer to our telephone conversation with an officer at your department on 26 June 2001 and to our letter dated 27 June 2001 explaining our intention to submit a planning application on behalf of our client, BT Cellnet, for the development/upgrade of an existing rooftop telecommunications installation at the **Chelsea Telephone Exchange building, Mallord Street, Kensington & Chelsea, London SW3 6AP**. Enclosed with our letter of 27 June were drawings detailing the proposed upgrade.

Further to the above, we now write enclosing a Full Planning application relating to the proposal.

2.0 Submissions and Enclosures

The proposed upgrade of the existing BT Cellnet installation at this location requires the benefit of Full Planning consent in accordance with Class A.1 (h) (i) of Part 24 of the Town and Country Planning (General Permitted Development) Order (as amended).

You would appreciate therefore, that the proposal necessitates the submission of the following constituent parts, and should be considered as a whole within this context:

- *4 Copies of the relevant application forms;*
- *4 sets of drawings (No's: M22025 01Rev. D, -02 Rev. H and -03 Rev. G;*
- *A cheque for £95-00 made payable to the Royal Borough of Kensington & Chelsea.*

A site-specific ICNIRP Compliance Certificate has been requested and upon receipt will be forwarded to your Council in support of this application.

3.0 Purpose of the proposed installation

The purpose of the proposed upgrade of the existing BT Cellnet site is to accommodate both GSM digital (2nd Generation) and the UMTS (Universal Mobile Telecommunications System, 3rd Generation) Systems. The proposed upgrade would also improve coverage and increase BT Cellnet's capacity in the Chelsea area.

4.0 Proposal

The proposal comprises the installation of 3 no. additional pole mounted antennas (one additional antenna at each of the existing three cells) to the existing rooftop telecommunications installation. Subsequently each of the three cells would comprise 2 no. panel antennas. Two of the cells' antennas will be pole mounted to the lift

motor room located on the north-eastern side of the building's rooftop, while the third cell's antennas will be pole mounted to the existing chimney near the western corner of the building. All antennas will be painted to match the existing backgrounds.

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5.0 Benefits of Telecommunications Facilities

Our client, BT Cellnet Ltd, considers modern telecommunications to be an essential and beneficial element in the local and national economy. Fast, reliable and cost effective communications can attract businesses to an area and help companies remain competitive, thus contributing to the achievement of other policy goals including increased employment opportunities. This is particularly important in the development of the single European market and in the creation of an environment in which major national and international companies would want to expand.

Good communications can also bring the benefit to the environment by reducing the need to travel, thus reducing vehicle emissions.

The aim of Government telecommunications policy is therefore to ensure that in future, people have more choice as to who provides their telecommunication service and a wider range of services from which to choose.

The BT Cellnet network is a land based mobile cellular radio telecommunications system. It operates utilising part of the UHF radio spectrum allocated by the Government under a Licence issued by the Department of Trade and Industry via their Executive Agency, the Radio Communications Agency.

6.0 Telecommunications and National Planning Legislation

PPG8 and DETR Circular 04/99 – Telecommunications

Planning Policy Guidance and Telecommunications (PPG8), Technical Advice Note (Wales) 19 – on telecommunications, supplemented by circular 4/99 on Planning for Telecommunications represent the most up to date policy guidance for England and Wales for the installation of telecommunications apparatus. Current Government policy as laid in this guidance is to “facilitate the growth of new and existing systems” (PPG 8 paragraph 5) with respect to telecommunications development. The spirit of this guidance is that Planning Authorities should not place unnecessary obstructions to the development of telecommunications networks, although it is recognised that the development of such networks should not be undertaken to the detriment of the environment. The emphasis in the legislation is placed upon achieving a balance between the socio-economic benefits of telecommunications and the protection of the environment.

"The government believes that the planning framework it has put in place for development by telecommunications code system operators strikes the right balance between facilitating the rollout of competitive and modern national telecommunications network and the protection of amenity" (circular 4/99 paragraph 5).

The applicants would encourage the Planning Authority to consider this application within this context.

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PPG15 Planning and the Historic Environment

PPG15 provides guidance regarding development within conservation areas.

Paragraph 4.20 provides clarification to the interpretation of 'preserve or enhance', and advises that there is no requirement in the legislation that conservation areas should be protected from all development which does not enhance or positively preserve, and that the object of preservation can be achieved by a development which leaves character and appearance unharmed.

Whilst it could not be argued that the proposal would enhance the character of the area, we do not believe that this upgrade would compromise the character or appearance of the Chelsea Park/Carlyle Conservation Area and would thus preserve the character owing to the sensitive design and the de minimis nature of the proposal.

7.0 Site Sharing

It is in the interest of all operators to share existing structures, particularly radio masts, subject to technical and commercial constraints. To this end BT Cellnet has a specialist department dealing with applications to and from other operators for mast and site sharing. National reciprocal agreements have been established with other UK cellular operators.

The proposed installation of replacement BT Cellnet apparatus at this site would not compromise opportunities for other prospective operators to locate apparatus at this site.

8.0 Removal of Equipment

The Government has placed a legal obligation on all telecommunications operators to remove apparatus "when it is no longer used for the purpose of the operators system" (1984 Telecommunications Act, Telecommunications Code, Schedule 2). BT Cellnet will adhere to this obligation when, and if, the antennas are no longer required.

9.0 ENVIRONMENTAL CONSIDERATIONS

9.1 Health and Safety

With regard to health and safety issues and human exposure to electro magnetic fields, all electrical apparatus (TV's, microwave ovens, radios, etc) emit electro magnetic radiation and cellular phones and their masts are no exception.

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The effects of the radiation levels encountered in everyday life are to produce a normally imperceptible, non-harmful effect on the body, significantly less than is experienced from direct sunlight. In the UK, guidance as to the acceptable levels of electro magnetic radiation is produced by the National Radiological Protection Board, an independent statutory body set up by the Radiological Protection Act 1970 to conduct research and provide information on all types of radiation.

Worldwide, the International Committee on Non-Ionising Radiation Protection of the International Radiation Protection Association in co-operation with the Environmental Health Division of the World Health Organisation has developed documents and a database on non-ionising radiation. A guideline has been developed based on all this work.

All equipment used in the UK including handsets and masts are designed to operate at frequencies and power levels within these guidelines. The radiated power of all equipment used by BT Cellnet falls within the internationally recognised safety levels. The recommendations of the two associations above conclude that with the current state of knowledge there are no harmful effects through the normal use of cellular phones or transmission equipment, i.e. masts and antennas.

At all locations where members of the public come into close proximity with the radio base stations, my client ensures that there is no danger to health due to the transmission from such base stations. Both calculations and measurements have been made to set a distance from the base station aerials outside which signal levels will be lower than the most stringent case set by the NRPB. This distance will of course depend on the power and number of transmissions being radiated from the station but is generally about 3m in front of a directional antenna. Above, below and behind such an antenna the distance reduces to about 0.3m. The base stations now being built are usually for a lower power level and with fewer channels than in earlier types of antennas.

As these antennas are to be placed at the top of the building, it would be extremely difficult for people to place themselves in a position where the recommended limits are exceeded. In the extreme cases where somebody is tempted and able to place himself/herself inside the recommended limit, a warning notice is displayed on the site. It should also be recognised that the power output from a base station

for a mobile phone network is very much less than for a TV or radio broadcaster transmitter.

My client's licensing procedure also includes the notification of the Health and Safety Executive who states that there is no reason to object to the installation of antennas on the grounds of public safety. We would also refer to PPG8 (Telecommunications), which states "*radiation safety is a matter for the Health and Safety Executive*". Health and safety is therefore not material to the determination of a planning application and this principle has been established through appeal. In paragraph 9 of Appeal Reference T/APP/Q4625/A/91/187072/P4 the Inspector states:

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"...I have noted the concerns expressed regarding the possible adverse effect of health on the residents. However, as PPG8 explains, radiation safety is a matter for the Health and Safety Executive and not a matter for the planning system ..."

The most recent governmental advice regarding mobile telephone technology and health issues is included within Mr Nick Rainsford's paper of the 16th March 2001 outlining the proposed legislative changes to the prior approval procedures for telecommunications.

Mr Rainsford states that, "*it remains the Government's firm view that the planning system is not the appropriate mechanism for determining health safeguards*". The paper then re-confirms that if a proposed development meets the ICNIRP guidelines it should not be necessary for a local planning authority, in processing an application, to consider the health aspects further. The Government will reiterate this guidance in their revised planning policy Guidance.

BT Cellnet's upgrade program has been designed to ensure that all existing sites will comply with ICNIRP Public Exposure guidelines in accordance with the precautionary principle as recommended by the Independent Expert Group for Mobile Phones (Stewart report).

* A site-specific ICNIRP Compliance Certificate has been requested from an independent consultant for your information and on receipt will be forwarded to your Council in support of this application.

9.2 Visual Impact Assessment

As you would be aware, the proposed upgrade of the existing telecommunication site at Chelsea A.T.E. comprises the addition of 1no. telecommunications antenna at each of the three existing antennas on the rooftop of the building to add up to a total of 6no. antennas. Four antennas will be pole mounted and fixed to the corners of the existing lift motor room, while the remaining 2no. antennas will be pole mounted and fixed to the existing chimney near the western corner of the building. The proposal will result in the addition of 3no. antennas to the site.

All antennas will be painted to match its existing backgrounds.

BT Cellnet consider that the proposed upgrade is of de minimis nature which is sympathetic to and would not compromise the existing historic or aesthetical value of the building, nor of the Chelsea Park/Carlyle Conservation Area in which it is located.

The necessary equipment ancillary to the proposed upgrade can be accommodated in the existing equipment cabinets and therefore no additional cabinets are required. The existing cabinets are located on the centre of the roof between existing plant rooms located to the northeast and southwest on the rooftop. Views of the existing cabinets from ground level are limited.

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10.0 Pre-application Consultation

James Barr discussed BT Cellnet's intention to upgrade their existing telecommunications facility at Chelsea A.T.E. during a telephone conversation with a planning officer at Kensington & Chelsea Council on 26 June 2001.

Details of the proposed upgrade and of James Barr's intention to submit a planning application for the proposal was sent to the Kensington & Chelsea Council in a subsequent letter dated 27 June 2001. Enclosed with this letter were copies of drawings detailing the proposed upgrade.

We therefore consider that BT Cellnet have adhered to the current pre-application requirements as outlined within governmental guidance.

11.0 Conclusion

The proposal comprises the addition of 3 no. telecommunications antennas to an existing telecommunications site located on the rooftop of the Chelsea Telephone Exchange building. The purpose of the proposal is to upgrade the existing site in order to improve BT Cellnet's existing coverage within this area and to accommodate both GSM digital (2nd Generation) and the UMTS (Universal Mobile Telecommunications System, 3rd Generation) Systems.

It is considered that the proposal is of such a nature that it will not impinge on the existing architectural values of the building nor the Conservation Area in which it is located. Your favourable assessment of this application is therefore requested.

Appendices

Appendix 1 – Full Planning application forms

Appendix 2 – Drawings

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Appendix 1

Planning Application Forms