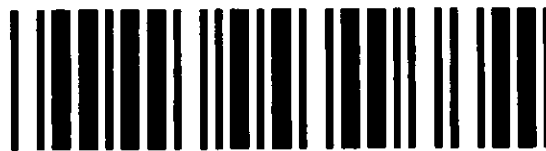
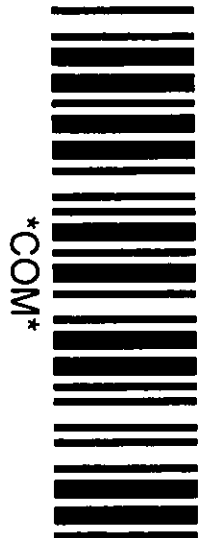


**ROYAL BOROUGH  
OF  
KENSINGTON & CHELSEA**

**DOCUMENT SEPARATOR**

**DOCUMENT TYPE:**

**COMMITTEE REPORT**



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**ROYAL BOROUGH OF KENSINGTON & CHELSEA**

**REPORT BY THE EXECUTIVE DIRECTOR, PLANNING & CONSERVATION**

**PLANNING & CONSERVATION COMMITTEE  
PLANNING SERVICES COMMITTEE  
DELEGATED**

**APP NO. PP/02/00439  
AGENDA ITEM NO.**

**ADDRESS/SUBJECT OF REPORT:**

**9 Wilbraham Place,  
London,  
SW1X9AE**

**APPLICATION DATED 21/02/2002**

**APPLICATION REVISED**

**APPLICATION COMPLETE 01/03/2002**

**APPLICANT/AGENT ADDRESS:**

**Waldon Telecom,  
Centennium House,  
Pyrford Road,  
West Byfleet  
KT14 6LD**

**CONS. AREA 14B CAPS Yes**

**ARTICLE '4' No WARD U**

**LISTED BUILDING II**

**HBMC DIRECTION**

**CONSULTED OBJ.**

**SUPPORT PET.**

**RECOMMENDED PROPOSAL:**

**RBK& C DRAWING NO(S):**

**RECOMMENDED DECISION:**

**CONDITIONS/REASONS FOR THE IMPOSITION OF CONDITIONS:**

**THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA**  
**MEMORANDUM - SECTION 101 - LOCAL GOVERNMENT ACT, 1972**

Ar DP2

To: Chief Administrative Officer (Planning) Date: 17 April 2002  
From: The Executive Director, Planning & Conservation Our Ref: PP/02/00439

Application Date: 21/02/2002 Complete Date: 01/03/2002  
Revised Date:

Agent: Waldon Telecom, Centennium House, Pyrford Road, West Byfleet KT14 6LD  
Address: 9 Wilbraham Place, Chelsea, SW1X9AE

This application is for a class of development to be determined under powers delegated to me by the Council on 18th July, 2001 and is not a major, controversial or sensitive application nor one which a Ward Councillor has asked to be considered by Planning Services Committee.

Class - 8th Schedule development

Class - Listed building consent for above Classes.

Class - shop fronts

Class - Conservation area consent

Class - conversion from non  
s/c dwellings etc

Class - approval of facing materials

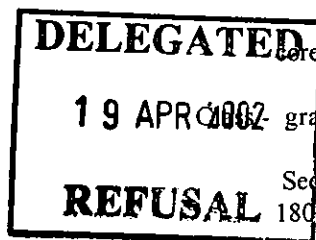
Class - amendments as required  
by T.P. Committee

Class - grant of planning permission for a change  
from one kind of non-residential use to  
another non-residential use except where this  
would involve the loss of a shop in a

Principal

Class - grant or refuse certificates of  
Lawful development  
under

Class - Crossover under S.108 of the  
Highways Act 1980



here shopping frontage.

grant permission license or no objection

Sections 73, 74, 138, 143, 152, 153, 177 &  
180 of the Highways Act

Consent under T&CP Control of Advertisement Regulations 1984-90; incl. refusal of consent for Reg. 15 applications.

**DESCRIPTION OF PROPOSED DEVELOPMENT**

**Erection of a telecommunication base station consisting of 6 no. tripod-mounted antennae, 2 tripods, 3 Nokia Ultrasite outdoor cabinets, 2 Nortel BTs outdoor cabinets and one external Diplexer cabinet, along with associated feeders and ancillary development.**

**RECOMMENDED DECISION Refuse planning permission**

RBK&C drawing(s) No. PP/02/00439

Applicant's drawing(s) No. 32404-001, 32404-002A, 32404-003A, 32404-004A and 32404-005A

**Number of Objections - 7**

I hereby determine and refuse this application under the powers delegated to me by the Council, subject to the condition(s) indicated below imposed for the reason(s) appearing thereunder, or for the reasons stated.

Exec. Director, Planning and Conservation

Head of Development Control

Area Planning Officer

PP/02/00439:1

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19/4

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17/4/02

*[Handwritten signature]*  
17/4

## **REASON FOR REFUSAL**

**The proposed telecommunications equipment, by virtue of its bulk and height and prominent position on a highly visible roof would result in significant harm to the special architectural character of the listed building and to the character and appearance of the conservation area contrary to the Council's policies as set out in the Conservation and Development chapter of the Unitary Development Plan, in particular policies CD25, CD44, CD52, CD53 and CD58.**

## **INFORMATIVES**

1. You are advised that a number of relevant policies of the Unitary Development Plan were used in the determination of this case, in particular, Policies CD25, CD44, CD52, CD53 and CD58. (I51)
2. You are advised that insufficient information was submitted to enable an assessment of the health risk of the proposed equipment.

**1.0 THE SITE**

- 1.1 9 Wilbraham Place is a large mansion block located at the junction of Wilbraham Place and D'Oyley Street.
- 1.2 The property is listed grade II and is within the Sloane Square conservation area.

**2.0 THE PROPOSAL**

- 2.1 Planning permission and listed building consent are sought for the erection of a telecommunications base station comprising 6 tripod mounted antennae, two tripods, one to each long elevation of the roof, three Nokia Ultrasite outdoor cabinets, two Nortel BT outdoor cabinets, one external diplexer cabinet and associated feeders and ancillary development.

**3.0 PLANNING HISTORY**

- 3.1 A certificate of lawful existing use was granted on 5th December 2000 in respect of the use of the ground floor of the premises as a doctor's surgery within class D1 of the Town and Country Planning (Use Classes) Order 1987, comprising 5 consulting rooms and two treatment rooms.
- 3.2 Listed building consent was granted on 20th April 2001 for internal alterations within the top floor flat.
- 3.3 There is a current application for alterations and refurbishment of the lift.

**4.0 PLANNING CONSIDERATIONS**

- 4.1 The main considerations are the bulk and height and prominent position of the equipment and its effect on the special architectural character of the listed building and the character and appearance of the conservation area. together with the effect of the proposal upon levels of amenity enjoyed by the occupiers of neighbouring properties.
- 4.2 The relevant policies within the Conservation and Development chapter of the Unitary Development Plan are CD25, CD44, CD52, CD53 and CD58.
- 4.3 The proposed telecommunications base station is intended to be placed on the main roof of the building.
- 4.4 The cabinets would be placed behind a decorative front parapet detail adjacent to one of the large chimney stacks and the existing tank room. This will screen the tanks on three sides, but they will still be visible from neighbouring buildings of similar height to to south west of the site.

- 4.5 One of the tripods carrying the antennae would be placed at the front of the roof, where it would stand almost as tall as the chimney stack. In this position, it would be visible from street level and from the upper floors of all of the surrounding buildings.
- 4.6 The second tripod would be placed at the rear of the roof. This elevation is visible for long distances across the open green enclosed by Cadogan Place as the intervening buildings are lower. Four antennae are proposed, again on a tripod of a similar height to the chimney stack.
- 4.7 It is considered that due to the height of the tripods and their positions on the roof, they would result in significant harm to its character as a listed building. They would also be visible across long distances and would result in significant harm to the character and appearance of the conservation area.
- 4.8 English Heritage was not required to be consulted in this case. The conservation officer has prepared formal observations which conclude that the proposal would harm the special architectural character of the listed building.
- 4.9 The Directorate of Environmental Services have commented that insufficient information has been supplied for them to make a full risk assessment of the equipment. These details include the frequency at which the equipment will operate and the power density that will be emitted from the installation at various distance across the roof top from the antennae. The second item should be compared with international guidelines. No details of the maximum power output or details of where the beam of greatest intensity falls from each set of antennae has been supplied. There are no details of any condensers within the equipment cabins to keep the equipment cool.
- 4.10 In addition, there is no map submitted with the application which identifies potential receptors such as any hospitals or schools in the vicinity, and no details of the estimated power densities at these locations and the possible hazards that they represent. Nor is there any method statement regarding how the applicant would minimise the risks including risks that personnel maintaining the site and other contractors or visitors may be exposed to.
- 4.11 There are residential flats within the building itself and in the building opposite the front set of antennae. Access to the site is via the fire escape stair of a mansion block. The equipment cabins will be mounted on the roof above residential properties. It is considered that without full details which confirm that the risks have been assessed, no planning permission for installation of the units should be granted.
- 4.12 The applicants have commented in a letter supporting the application that the site is necessary to benefit businesses and other mobile telephone users in the area. These include people involved in motor accidents, people needing to keep in touch with teenage children or people running late.

- 4.13 These are all common uses for mobile telephones. Mobile telephones are a well used item in everyday life. However, it is considered that while there is a demonstrable need for base stations to serve the network, in this case, the building and site is one which is not appropriate because it is a listed building, the masts would be prominently sited and that they would result in significant harm to the special architectural character of the building and would fail to preserve the character or appearance of the conservation area.

## **5.0 CONSULTATION**

- 5.1 Occupiers of 87 neighbouring properties in Wilbraham Place, Sloane Terrace, Ellis Street and D'Oyley Street have been notified of the proposal.
- 5.2 Seven letters raising objection to the scheme have been received. Concern is raised from a resident within the building that the appearance of the listed building would be harmed. In addition, concern is raised that the safety of these installations with regard to radiation is not proven.
- 5.3 Similar concerns are raised by the occupier of the adjacent building, no 7 Wilbraham Place. Another occupier of no 9 comments that the installation represents a health hazard for the residents of the building. He also comments that the scheme is inappropriate on a listed building.
- 5.4 A resident of 10 Wilbraham Place opposite also comments on the risk of radiation and also possible interference with television signals.
- 5.5 A letter on behalf of the freeholders of no 7 Wilbraham Place also refers to the possible health hazard caused by the installation. This issue is also made by a resident of flat 10 within no. 7. A resident of flat 9 at no. 7 also protests that they do not wish to have the installation on no. 9.
- 5.6 Whilst insufficient information is submitted to make an assessment of the health risk of the proposed equipment, the impact on the character of the Listed Building is reflected in the recommended reason for refusal.

**M. J. FRENCH**  
**EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION**

### **Background Papers**

**The contents of file PP/02/00439 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.**

**Report Prepared By: ALS**  
**Report Approved By: BC/LAWJ**  
**Date Report Approved: 17/04/2002**  
**PP/02/00439: 5**