

Application No:	Consultees Name:	Received:	Comment:
2020/1781/P		30/06/2020 00:31:21	OBJNOT

Response:
Application number 2020/1781/P
Site Address: 15 Akenside Road London NW3 5BT

The application is defective in a number of material respects listed below:

Major defects in the application

1. This is an application for six antennae on top of a residential block.
2. But the plans show only 3 antennae to be sited on the roof. Why is there an application for 6 antennae and plans for 3 antennae only shown.
3. Paragraph 115 of the NPPF requires that applications should be supported by the necessary evidence to justify the proposed development which should include
1a) 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)

These antennae will be erected practically almost opposite St Marys school. St Marys school is the site of children ranging from years 2 – 11.

The site is also near to Devonshire School which takes children from 2 and a half years to 13 years.

There is no evidence on the Camden planning site showing the outcome of consultations with 'organisations with an interest in the proposed development'.

Consultation with interested parties is set out in detail in Appendix B of the Code of Best Practice on Mobile Network Development in England (2016 version). The applicant will be well aware of this Code and is bound to comply with best practice in the industry.

This area would be in the red zone of the Traffic Light Rating for Public Consultation. This is because the area is a conservation area, the site is near to two schools with nursery school children and above, there is a lot of concern locally about the siting of masts.

There was only 1 consultation take account of which is with Fitzjohns/Netherhall CAAG. There is no evidence that any conservation area group or residents association in the area have been consulted.

It would appear that no letters were sent to the local councillors, the local MP, the schools nearby, the Heath and Hampstead Society which is a conservation society with an interest in the area, the Netherhall Residents Association or other schools in the area, notably South Hampstead High School or any of the schools in the Netherhall/Maresfield residential area.

We are sure that the parents of these schools would like the opportunity to comment on the application to the Applicant.

Application No: Consultees Name: Received:

Comment:

Response:

If I am wrong in this and such information exists, this should be placed on the site and time given for further comments to be made.

4. The Code contains provisions in Appendix C about consultation with schools. It would seem that none of this took place. Appendix C of the Code states:

{Nevertheless operators recognise that some parents can be concerned about the possible health effects of mobile phone masts, and therefore, as a matter of good practice, carry out a specific pre-application consultation exercise with schools and colleges where appropriate. This will give them the opportunity to feed in their comments and concerns and to have them considered by the operators at an early stage.}

5. There is no planning statement with the application which is usual to provide in the pack for planning. If this exists, please send to us.

6. Para 115 of the NPPF provides:

{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.}

There is no evidence of the above or of any ICNIRP certificates. If it exists, it should be displayed on Camden's planning site and time given to consider the information.

7. There is no information of what kind of antennae are being installed, whether they are 4G or 5G enabled. There is no information about the frequency or power to be used for the equipment or any other information to give interested parties information to be able to comment appropriately on the application. There is, quite frankly, simply no information about these antennae and equipment at all.

8. The Code of Best Practice provides the following but none of this has been provided as they are not on Camden's website for consideration:

{Operators will provide a range of supporting information supporting their planning applications, including a Supplementary Information Template and ICNIRP Declaration (Appendix D)}

9. The plans use jargon which is not decipherable to the lay person such as 'TEF RRU' or 'VF Antenna'. What are these?

10. There is no evidence on Camden's site that structurally, this residential block is capable of taking the increased loadings. There is no structural surveyor's report to confirm this and this should be made available to all to assess the nature of this installation and to make relevant representations in relation to it.

11. The site is in a conservation area. The plans for the antennae and shielding are inadequate. The building lines in this area are low. The proposed structure will be prominent and would be able to be seen from many different directions. It is wholly unsuitable to this area of natural beauty.

Application No: Consultees Name: Received:

Comment:

Response:

12. None of the General Principles for Telecoms Development in the Code have been adhered to. The Code states:

{General Principles for Telecommunications Development

... Sensitivity to context of the proposed development should be considered. In particular, the following general design principles should be regarded as important considerations in respect of telecommunications development:

- ¶ Proper assessment of the character of the area concerned, especially in relation to designated heritage assets and their setting, where more sensitive design solutions may be required
- ¶ Design should be holistic and three dimensional showing an appreciation of context;
- ¶ Analysis of the near and far views of the proposal and to what extent these will be experienced by the public and any residents;
- ¶ Proposals should respect views in relation to existing landmarks and distant vistas;
- ¶ Proposals should seek to consider the skyline and any roofscapes visible from streets and spaces;
- ¶ Choice of suitable designs, materials, finishes and colours to produce a harmonious development and to minimise contrast between equipment and its surroundings.)

13. The height of the proposed structure is out of keeping with the character and setting of the area. The siting is not sensitive to the area. The structure will be able to be seen from many angles and will detract from the character of the area. The skyline of the area will be ruined as the structure will be prominent in this sensitive area.

Issues about health

14. I now turn to the issues of health. The documents provided by the Applicant are untrue.

15. The NPPF states the following:

116. 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.

16. This states that local planning authorities should not 'set health safeguards different from the International Commission guidelines for public exposure'.

17. We appreciate that Camden cannot do that. But, Camden has an obligation to safeguard the health of its constituents by virtue of s. 2B of the National Health Service Act 2006:

2B Functions of local authorities and Secretary of State as to improvement of public health

- (1) Each local authority must take such steps as it considers appropriate for improving the health of the people in its area.
- (2) The Secretary of State may take such steps as the Secretary of State considers appropriate for improving the health of the people of England.

Application No: Consultees Name: Received:

Comment: Response:

- (3) The steps that may be taken under subsection (1) or (2) include—
- (a) providing information and advice;
- (b) providing services or facilities designed to promote healthy living (whether by helping individuals to address behaviour that is detrimental to health or in any other way);
- (c) providing services or facilities for the prevention, diagnosis or treatment of illness;
- (d) providing financial incentives to encourage individuals to adopt healthier lifestyles;
- (e) providing assistance (including financial assistance) to help individuals to minimise any risks to health arising from their accommodation or environment;
- (f) providing or participating in the provision of training for persons working or seeking to work in the field of health improvement;
- (g) making available the services of any person or any facilities.
- (4) The steps that may be taken under subsection (1) also include providing grants or loans (on such terms as the local authority considers appropriate).
- (5) In this section, 'local authority' means—
- (a) a county council in England;
- (b) a district council in England, other than a council for a district in a county for which there is a county council;
- (c) a London borough council;
- (d) the Council of the Isles of Scilly;
- (e) the Common Council of the City of London.]

18. This is a positive duty on Camden Council. This is in conflict with the NPPF. Where there is a conflict, the health considerations take precedence.

19. There are residents in Hampstead and Frognal and Fitzjohns who are electrohypersensitive ('EHS'). Camden has an obligation to safeguard their health.

20. So, while Camden may not 'set health safeguards different from' the International Commission guidelines, it can take health into account in relation to considering whether these antennae are permitted by Camden to be placed around the area.

21. I have set out in the document below concerns about 5G and the health impacts.

<https://www.scribd.com/document/460615982/JLC-Note-Re-5G-Health-Impact-Briefings-4-11-19>

The Schedules to the note are below:

<https://www.scribd.com/document/460616041/JLC-Note-Re-5G-Health-Impact-Briefings-Schedules-4-11-19>

22. Based on this note, it is clear that there are substantial adverse health impacts from EMFs which would include 5G.

23. One of the recent articles (Mar 2020) setting out the adverse health effects of 5G is below:

<https://www.scribd.com/document/463599697/Adverse-Health-Effects-of-5G-Mobile-Networking-Technology>

Application No: Consultees Name: Received:

Comment:

Response:

Under-Real-life-Conditions

24. EMFs are particularly dangerous for children and the route immediately next to this building is used by thousands of children going to and from school every day. A statement from Professor Anthony Miller is at Schedule 1 to this note. Please note his comments as regards children:

'Of particular concern are the effects of RFR exposure on the developing brain in children. Compared with an adult male, a cell phone held against the head of a child exposes deeper brain structures to greater radiation doses per unit volume, and the young, thin skulls bone marrow absorbs a roughly 10-fold higher local dose.'

25. See also this article on the Clear Evidence of Harm to Children from radiofrequency radiation which is produced by the type of antennae to be erected in this application:

https://www.gr3c.com/wp-content/uploads/2019/02/On-the-Clear-Evidence-of-the-Risks-to-Children-from-Smartphone-and-WiFi-Radio-Frequency-Radiation_Final.pdf

26. On the basis of the above and the wholesale failure of the Applicant to comply with the Code of Best Practice, this application must be refused and we call on Camden to refuse this application.
