

Application No:	Consultees Name:	Received:	Comment:	Response:
2020/5515/P	Lesley Stevas	19/02/2021 12:08:58	OBJ	<p>I strongly object to this planning application</p> <p>It is not very clear that it is a 5G upgrade only a small note seen on the corner of the pages of planning drawings.</p> <p>There does not seem to have been any consultation with local residents. I do not see a heritage statement on this application. St. Anne's is an important listed building. More consultation is needed with local residents. I do not see any evidence of this.</p> <p>https://www.camden.gov.uk/heritage-statements See Camden's own planning page on the website.</p> <p>Camden has an obligation to safeguard the health of its residents as provided for in Section 2B of the National Health Service Act 2006:</p> <p>"2B Functions of local authorities and Secretary of State as to improvement of public health</p> <p>(1) Each local authority must take such steps as it considers appropriate for improving the health of the people in its area."</p> <p>5G is a newer type of telecommunication and should be a special case. It should not be lumped together with prior legislation which was relevant to previous types of masts for 2G, 3G and 4G.</p> <p>Any change to an existing base station which increases its size, or the overall power radiated, should be subject to the normal planning process as if it were a new development.</p> <p>If this application is granted it will set the most dangerous precedent and the legislation will be misinterpreted. The Stewart Report on which Public Health England relies, recommends that operators should provide information about the frequency and modulation characteristics and the power output of antennae. None of this has been provided.</p> <p>5G has never been tested. Even the new Covid-19 vaccines are being put through rigorous tests before being released to the public. So why a frequency which will affect all life?</p> <p>See 5 G Wireless Telecommunications Expansion: Public Health and Environmental Implications https://pubmed.ncbi.nlm.nih.gov/29655646/</p> <p>On line 17: "Because this is the first generation to have cradle-to-grave lifespan exposure to this level of man-made microwave (RF EMR) radiofrequencies, it will be years or decades before the true health consequences are known. Precaution in the roll out of this new technology is strongly indicated".</p> <p>This installation would be erected within 10 meters of the windows of the bedroom of two concerned local residents. There are other dwelling houses close by.</p> <p>This total loss of personal amenity would change the quality of residents' lives in their own home. Also, there is no justification to double the output of radio wave by having those masts already there upgraded to 5G - especially in the much-publicized health hazards about mobile masts.</p> <p>Who will be liable for damages should low-level electromagnetic proved to be dangerous to health? It is a fact that many insurance companies including Lloyds of London are now excluding Public liability covers in respect of Telecommunications masts and all ill health effects caused by the radiofrequency radiation.</p> <p>According to The Human Rights Act – 1998, Article 8 – Right to respect for private and family life covers a vast range of issues and subject, including..... the right to be free from severe environmental pollution....'</p> <p>I fully accept that it is not the role of the planning officers or the councillors on the planning committees to consider the health risks, nor to consider the validity of health issues or their personal beliefs in those issues. However, it is their responsibility to consider the vast amounts of new research pointing to serious health implications affecting the lives of residents near to mobile phone masts. It is clear that worrying about the implications to one's health from mobile phone masts, especially if the mast is 5G which has caused many</p>

Application No:	Consultees Name:	Received:	Comment:	Response:
				<p>concerns lately and it is going to be situated on top of or close to one's home, is going to affect the person's quality of life - thus leading to a loss of amenity to the residents.</p> <p>Many children come to this area. EMFs are particularly harmful to children. Please see the notes here on Children and reproduction.</p> <p>https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6701402/</p> <p>There are residents of Camden who have electrical sensitivity. I walk on Hampstead Heath and by this area to on my way to Highgate and to visit friends in the area. I have attended services at St. Anne's and several community events there. If this planning application is approved it would mean that I shall not be able to go there again because I have electrical hyper sensitivity. This would be a loss of an amenity for me and cause me great inconvenience.</p> <p>See the National Policy Planning Framework</p> <p>8 promoting healthy and safe communities: Paras 91 to 101</p> <p>91. Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:</p> <p>(a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;</p> <p>(b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas; and</p> <p>(c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.</p> <p>92(c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;</p> <p>Residents with electrical sensitivity would not be able to attend services or attend any social events provided by the church, such as partaking of a community meal</p> <p>Just because a precedent is set with the masts already installed, it does not make it right to install more.</p> <p>I understand that Mobile UK has launched a 5GChecktheFacts Campaign being sent to all council planning departments, of course this is weighted on their side, they have a vested interest in promoting 5G. The ICNIRP guidelines, mentioned within it, such as they are, pertain to a 'general population' and make no allowance for particular and vulnerable groups who will be found in many communities.</p> <p>Camden must refuse this application.</p>
2020/5515/P	Highgate Conservation Area Advisory Committee	21/02/2021 20:03:52	COMMIT	<p>This does not fall within Highgate Conservation Area however Highgate Conservation Area Advisory Committee have looked at these proposals.</p> <p>Since all the replacement equipment is in the same place as the previous aerals etc: inside the tower, we have no comment to make on conservation grounds.</p> <p>Neighbours' interests should be taken into account.</p>

Application No:	Consultees Name:	Received:	Comment:
2020/5515/P	Jessica Learmond-criqui	20/02/2021 01:42:25	COMNOT

Response:

Re: Planning application no. 2020/5515/P

The upgrade of 3 No. existing antennas and the installation of 3No. additional antennas to be located behind replica replacement Glass Reinforced Plastic (GRP) louvres and ancillary development thereto

Site Address: St Annes Church Address line 1 Highgate West Hill, Highgate N6

There are a number of material defects with this application.

1. There is no ICNIRP certificate with the application. If one has been provided, please put on the website.

2. Paragraph 115 of the NPPF requires that applications should be supported by the necessary evidence to justify the proposed development which should include

“b) for an addition to an existing mast or base station, a statement that self-certifies that the cumulative exposure, when operational, will not exceed International Commission guidelines on non-ionising radiation protection”

3. There is no statement with the application on the planning website that cumulative exposure from 6 antennae will not exceed ICNIRP guidelines.

4. There is no evidence that correspondence has been sent to nearby schools – indeed the application confirms that no correspondence has been sent to them. The large secondary school La Sainte Union Catholic School is very near to this site and they should have been consulted. There is also William Ellis school, Parliament Hill School and Brookfield Primary School,

5. Schools are considered to be sensitive sites. These children are in the most vulnerable age group in relation to electromagnetic fields generated by these antennae, more below.

6. Para 115 of the NPPF also provides that such evidence 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”

7. There is no evidence on the Camden planning site showing the outcome of consultations with “organisations with an interest in the proposed development”. This would include, any Conservation Area Advisory Committees, neighbourhood forums or residents associations in the area.

8. There is a CAAC for Dartmouth Park which can be found below:

[http://www.dartmouthpark.org/DPCAAC#:~:text=Dartmouth%20Park%20was%20designated%20a%20conservation%20area%20under,Heath%20in%20the%20west%20\(including%20Lissenden%20Gardens](http://www.dartmouthpark.org/DPCAAC#:~:text=Dartmouth%20Park%20was%20designated%20a%20conservation%20area%20under,Heath%20in%20the%20west%20(including%20Lissenden%20Gardens)

9. Its site states:

The Conservation Area Advisory Committee is a group made up of local residents and representatives of street, tenant and community associations. The Council consults the CAAC on planning applications that may affect the character or appearance of a conservation area, on the formulation of conservation and design policies and on its structure plans as these affect the area.

Dartmouth Park was designated a conservation area under the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 on the 1st February 1992.

The Conservation Area, in Camden, London, runs from Swains Lane and St Anne's Church in the north to the Gospel Oak/Barking railway in the south, with a southwards extension embracing the historic College Lane/Highgate Road strip; and from Dartmouth Park Hill in the east to Hampstead Heath in the west (including

Application No: Consultees Name: Received:

Comment: Response:

Lissenden Gardens and Haddo House) extending west to include Gordon House Road, Wesleyan Place and Mortimer Terrace. To the east the Conservation area extends to the boarder between Camden and Islington and includes Highgate Newtown. Most of the Conservation Area is within the NW5 and N19 postcodes.

The Committee aims to preserve and enhance the character of the area.

The Council, assisted by the Advisory Committee and after extensive consultation, have produced a detailed appraisal and management strategy for the area. This was adopted by the Council on 22 January 2009. It explains why Dartmouth Park is special, provides a detailed history of the area's built heritage and gives a detailed guidance on its preservation and enhancement.

10. If consultation has taken place with the Dartmouth CAAC, please provide such information on Camden's website.

11. The Dartmouth Park Conservation and Area Management Statement states about the road on which St Anne's is situated:

7.93 Highgate West Hill

The southern end on the east side is included in the Conservation Area, as the hill begins the long climb up to Highgate. St. Anne's Church (George Plucknett, 1852-3) and its former Vicarage form the frontage. Both are listed. The church, in revived Early English Gothic style, is set back from Highgate West Hill with a gently rising drive leading to the western end of the Church and its south-west tower crowned by a broach spire; built in coursed rubble

with Bath stone dressings. It has interesting stained glass windows by a wide range of Victorian artists. The Vicarage, built c.1850 for the family of the church's foundress, of grey brick in an Italianate style, is set back behind a long brick wall topped by railings, with piers. The slate hipped roof and overhanging bracketed eaves can be seen from the street.

12. There is nothing in application to deal with listed building consent for the changes which are proposed in the application.

13. Para 115 of the NPPF provides:

"b) for an addition to an existing mast or base station, a statement that self-certifies that the cumulative exposure, when operational, will not exceed International Commission guidelines on non-ionising radiation protection"

14. There is no evidence that the cumulative exposure, when operational, of the 6 antennae using 5G will not exceed ICNIRP guidelines. If it exists, it should be displayed on Camden's planning site and time given to consider the information.

15. There is no evidence that the Diocese has given permission for this addition. It is a criminal offence to attach items to a church without the Diocese's authority. That authority should be displayed with the application so that those reviewing the application are clear that a criminal offence is not about to be committed.

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

17. It may be helpful to set out some of the guidance of the Stewart Report in relation to its advice to the UK government.

You can see the summary and recommendations below:

Application No: Consultees Name: Received:

Comment:

Response:

<https://webarchive.nationalarchives.gov.uk/20100910162959/http://www.iegmp.org.uk/report/text.htm>

Planning issues

1.31 ...

Adverse impacts on the local environment may adversely impact on the public's well-being as much as any direct health effects.

1.34 We perceive a lack of clear protocols to be followed in the public interest prior to base stations being built and operated and note that there is significant variability in the extent to which mobile phone operators consult the public on the siting of base stations. We have heard little specific criticism of most of the network operators, apart from Orange. The Department of the Environment, Transport and the Regions and the National Assembly for Wales (DETR, 1998) produced a Code of Best Practice: Telecommunications prior approval procedures as applied to mast/tower development. We understand that consideration is being given to extending this to include health concerns (paragraphs 6.104–6.109). We support this development.

1.35 Overall we consider that public concerns about the siting of base stations demand changes in the planning process. Thus:

...

1.37 We recommend that, at national Government level, a template of protocols be developed, in concert with industry and consumers, which can be used to inform the planning process and which must be assiduously and openly followed before permission is given for the siting of a new base station (paragraphs 6.58–6.62). We consider the protocol should cover the following issues.

...

- The operator should provide to the local authority a statement for each site indicating its location, the height of the antenna, the frequency and modulation characteristics, and details of power output.

1.38 We recommend that a robust planning template be set in place within 12 months of the publication of this report. It should incorporate a requirement for public involvement, an input by health authorities/health boards and a clear and open system of documentation which can be readily inspected by the general public (paragraphs 6.55–6.62).

1.39 We recommend that a national database be set up by Government giving details of all base stations and their emissions. This should include the characteristics of the base stations as described in paragraphs 6.47 and 6.48 and should be an essential part of the licence application for the site.

1.40 We recommend that an independent random, ongoing, audit of all base stations be carried out to ensure that exposure guidelines are not exceeded outside the marked exclusion zone and that the base stations comply with their agreed specifications. If base station emissions are found to exceed guideline levels, or if there is significant departure from the stated characteristics, then the base station should be decommissioned until compliance is demonstrated (paragraphs 6.53 and 6.54).

1.43 We recommend that in making decisions about the siting of base stations, planning authorities should have the power to ensure that the RF fields to which the public will be exposed will be kept to the lowest practical levels that will be commensurate with the telecommunications system operating effectively (paragraphs 6.55–6.62).

18. There is no information about the exclusion zone which will apply to these antennae. The propagation of waves of 5G masts are different to 2G – 4G masts and have a wider exclusion zone. It is important to see the diagram with the propagation of waves from these antennae.

19. This mast is above the roofs of the nearby houses. It will be important to know whether the exclusion zones for these antennae impact the roofs of the nearby buildings because it means that workmen on these

Application No: Consultees Name: Received:

Comment: Response:

roofs will be subject to excessive levels of radiation if they are within the exclusion zones for these antennae. There is no information in the application about this potential health hazard.

20. Apart from the Code, there is no proper guidance to a local council about how to consider applications for masts. At present, the information which is being presented by all operators is inadequate to permit a proper consultation with the public through the planning permission structure. The lack of information is systemic and pervasive.

21. There is insufficient information to determine this application and we would invite Camden Council to refuse this application.

22. The Code of Best Practice on Mobile Network Development in England has a traffic light model which developers are required to use. This is a sensitive site being close to a college and more consultation with the local community should have taken place. This did not happen. Appendix 4 of the Code requires service providers to consult with colleges and schools. This type of consultation did not take place with La Sainte Union or Brookfield Primary School.

23. On the basis of the above, we invite the Council to refuse this application on the grounds of inappropriate siting and design.

Issues about health

24. I now turn to the issues of health.

25. 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.

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

27. We appreciate that the council cannot do that. But, the council has an obligation to safeguard the health of its constituents by virtue of s. 2B of the National Health Service Act 2006 (bold is my emphasis):

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.

(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;

Application No: Consultees Name: Received:

Comment:

Response:

- (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.]

28. Your council also has obligations to safeguard the health and safety of its residents under the following (bold is my emphasis):

Health and Safety at Work Act 1974

3 General duties of employers and self-employed to persons other than their employees.

(1) It shall be the duty of every employer to conduct his undertaking in such a way as to ensure, so far as is reasonably practicable, that persons not in his employment who may be affected thereby are not thereby exposed to risks to their health or safety.

29. It must also promote the wellbeing of its residents under (again bold is my emphasis):

(a) Care Act 2014

Promoting individual well-being

(1) The general duty of a local authority, in exercising a function under this Part in the case of an individual, is to promote that individual's well-being.

(2) "Well-being", in relation to an individual, means that individual's well-being so far as relating to any of the following—

- (a) personal dignity (including treatment of the individual with respect);
- (b) physical and mental health and emotional well-being;

30. These are positive duties on the council. This is in conflict with the NPPF. Where there is a conflict, the health considerations take precedence.

31. The government is not indemnifying Councils and its councillors against action taken against them for failure to safeguard the health and safety of their constituents, a duty which all councils have under the legislation set out above.

32. A Court of Appeal decision confirmed that it is a human right under Article 6 of the Human Rights Convention for a resident to make representations about health to its council – Nunn, R (on the application of) v First Secretary of State and Ors England and Wales Court of Appeal (Civil Division) (8 Feb, 2005).

<https://www.casemine.com/judgement/uk/5a8ff71360d03e7f57ea72fd>

Application No: Consultees Name: Received:

Comment: Response:

33. This decision refused the right of appeal to the Supreme Court so stands as the law of the UK. Councils in the UK have been interpreting the NPPF incorrectly by considering that they cannot consider issues of health when considering planning appeals.

34. The case of Nunn is clear that, regardless of the national planning policy framework (NPPF) it is a human right under Article 6 to make representations about health and the value of one's home and the homes in the local area.

35. In this case the judges confirmed that it "was right to make representations to the LPA on effects on health and on the appearance of masts as it affected them and the value of their homes".

36. The council must interpret the law so as to be compatible with human rights. Those in Articles 2, 6 and 8 are relevant here.

37. So, while the council may not "set health safeguards different from" the International Commission guidelines, it can take health into account in relation to considering whether these proposals are permitted by the council.

38. Please see in the document below concerns about 5G and the health impacts.
<https://www.scribd.com/document/473893147/5G-health-impact-briefing-final-as-sent-20-8-20-docx>

39. Schedules to the note are below:
<https://www.scribd.com/document/473893296/5G-health-impact-briefings-schedules-final-as-sent-20-8-20-docx>

40. The first is a report on the health impacts and the second are schedules to support the statements made in the first report.

41. It is important that Hammersmith & Fulham Council consider the health impacts now. This is not simply about 5G but about manmade radiofrequency radiation (RFR) in general.

42. The current ICNIRP electromagnetic frequency radiation (EMR) also known as radiofrequency radiation (RFR) guidelines are not fit for purpose in that they only address EMF heating (thermal) effects and not the many other potential effects at cellular or physiological level.

43. The ICNIRP certificate attached to the application for this mast is laying the groundwork for a massive expansion of man-made radiation. The government and the telcoms industry are presenting 5G roll out as just more of the same as with 2G-4G with no further radiation risk. For comparison purposes a microwave oven uses 2.5 GHz as do Apple airpods.

44. Based on the information in the links above, it is clear that there are substantial adverse health impacts from electromagnetic radiation ("EMR") which includes 5G.

45. 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-Under-Real-life-Conditions>

Application No:	Consultees Name:	Received:	Comment:	Response:
				<p>46. EMR is particularly dangerous for children and the route immediately next to this proposed site is used by thousands of children going to and from college and the Lamda school every day. Professor Anthony Miller has written:</p> <p>"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 skull's bone marrow absorbs a roughly 10-fold higher local dose."</p> <p>47. There are a lot of children who visit this area and who live there.</p> <p>48. 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:</p> <p>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</p> <p>49. 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 the council to refuse this application.</p>

20.2.21
