

Site: West End Lane,
South Hampstead,
London Borough of
Camden,
London,
Greater London,
NW6 4QX

Proposal: Proposed telecommunications
installation: Proposed 18m Phase 8
Monopole C/W wrapround Cabinet at
base and associated ancillary works.

This is an application for the installation of 60 foot (18m) pole atop which will be 5G antennae obliquely outside a nursery school by the mobile operator Hutchinson 3G for the '3' telecom brand. It is the resubmission of an application made for B

I completely object to the proposed 18 meter high telcom mast application on two counts:

- 1) negative potential impact of such a mast on the character and appearance of the surrounding area.
- 2) immense concern about future radiation to be pulsed from antennae on this mast based on current ICNIRP guidelines of up to 300GHz. This would negatively impact my own safety, health and wellbeing both as a resident of Camden and visitor to this area and the health of all working and visiting the area.

This is a resubmission of an application for this equipment on Birchington Road. Camden had refused the application on Birchington Road for the reasons below:

- 1) **The proposed telecoms equipment, by reason of its height, size and location, would form an over dominant feature in the streetscene contributing to visual clutter which would be harmful to the character and appearance of the street scene of both Kilburn High Road and Birchington Road contrary to Policy D1 (Design) of the London Borough of Camden Local Plan 2017.**
- 2) **The proposed monopole and cabinets, by reason of their size and location, would reduce the amount of useable footway and so would be harmful to highway safety and pedestrian movement, contrary to policies A1 (Managing the impact of development), C6 (Access for all) and T1 (Prioritising walking, cycling and public transport) of the London Borough of Camden Local Plan 2017.**

This re-submitted application is one street removed from the previous application but does nothing to address the reasons for previous refusal. The equipment is still massive – a 2 metre drop (effectively just 5 feet) does nothing to address the massive size and over bearing nature of this structure or the reasons for Camden's previous refusal.

NEGATIVE POTENTIAL IMPACT OF SUCH A MAST ON THE CHARACTER AND APPEARANCE OF THE SURROUNDING AREA

Below is a picture of what a 60 foot mast looks like in situ:



Moving this to West End lane does nothing to address the massive impact of this pole and its equipment.

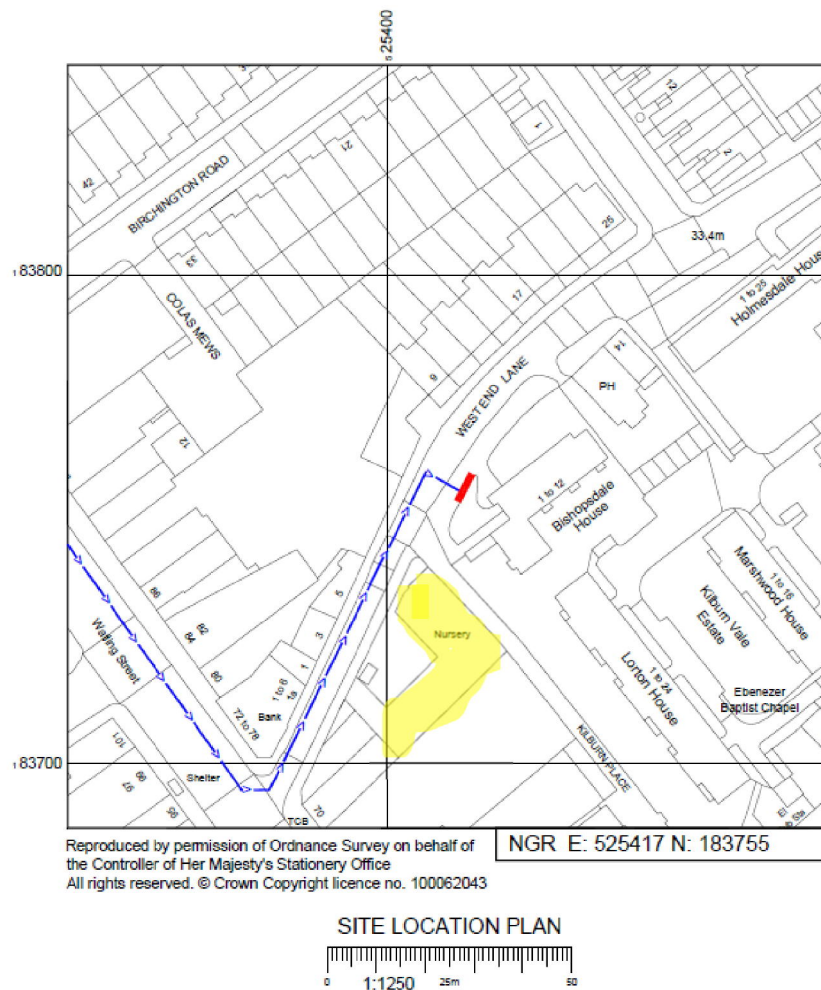
The supplementary information document provides:

"The proposed works on this site would be suitably distant and diminutive in scale and design (when seen in context) as to not be to the detriment of the surrounding area or its character (the visual change would be limited) as well as respecting the integrity of the building..."

How can this monstrosity be considered to be "diminutive"?

The actual site chosen

This the site below as stated in the developers' documents:



You can see where Birchington Road, the site of the previous application is. Here is the site photograph.



SITE PHOTOGRAPH

This is a busy pavement with parents and carers taking children to the nursery which is within 10 metres of the site – you can see the nursery in the photo above which is the dark brown building.

We have highlighted the building on the developers plan in yellow in the photo above. The application referred to it being within 200 metres. It is considerably closer than that as you can see.

You will see from the photo we have provided above of how the actual equipment looks, that it will take up at least half of the pavement at this spot. The pavement is not very wide here and considerably less wide than the pavement in the picture we have provided. There will not be enough room for buggies, parents and of course, the disabled, particularly the sight impaired, who will be substantially disadvantaged by these structures.

There is a blind resident who lives directly opposite to this site and this equipment will cause him particular difficulty in navigating the pavement.

Adjacent to a conservation area

The site is adjacent to the Priory Road conservation area which is shown in the two maps below. You can see the context in which the pole will be placed. At almost 60 feet, it will be visible to and from the Priory Road conservation area.

1. 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. 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.

2. 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.”

3. 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 area.

4. West End Lane heaves with people during its busy school run times. This pole is to be sited with cabinets in the middle of what is a very busy pedestrian way. Just look at the size of the equipment which will be placed in the middle of the pathway.

5. The size of the pole to hold up the weight of the antenna at over 50 feet is considerable. The cabinets to make this work are massive. It is totally unacceptable that this monolith should be placed in the middle of a very busy pedestrian footway in a very busy environment where the movement of people is a real threat on a daily basis. This monolith is not sensitively sited at all.

6. The height of the pole has been reduced to 18m in the current application from 20m in the previous application. But the impact on the surrounding area remains extensive.

7. The height of the nearest building is 9m. This protruberance will be 9m more above the building and will be visible from every angle for miles.
8. There is no information on the kinds of 5G antennae to be placed on the pole and whether or not they are beam forming.
9. There is no information on the height of the "wrap around" cabinet to go around the base of this pole. There is no information on the diameter of the pole so that one can properly understand the visual impact.
10. It is not clear how many antennae will be placed on the pole.
11. There is no impact assessment for the impact on the disabled who may be blind and having to navigate this stretch of footway. This is right on a busy corner.
12. Having such a big obstruction in the middle of the pathway is a health and safety hazard. Camden Council must carry out its public sector equality duty and do an impact assessment in relation to this application. The application should be refused in the meantime.
13. This is the largest structure of this kind proposed in this part of Camden Town. It will be prominent against the skyline and be totally out of character with the area and will detract from it.
14. There are likely to be other masts or base stations in the area. There is no statement with the application on the planning website that cumulative exposure from this antennae with all the other antennae in the area will not exceed ICNIRP guidelines.
15. The area where this massive pole is proposed to be installed is also a residential area. 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:

<https://webarchive.nationalarchives.gov.uk/20100910162959/http://www.iegm-p.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).

16. 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.
17. This mast is above the roofs of buildings around this site. It will be important to know whether the exclusion zones for these antennae impact the roofs of these buildings because it means that workmen on these 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.
18. 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.
19. Para 113 of the NPPF states:

“Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate
20. It cannot be said that these proposals comply with para 113 at all. The pole is not sympathetically designed or camouflaged. It is gigantic and very visible.
21. Camden's planning policies are clearly aimed at achieving the highest standard of design in all developments including developments of the highest urban design quality, which improves the function, appearance and character of the area.
22. Its policies provide that the council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and its settings. This equipment is very prominent and will cause unacceptable visual harm to the area. The cabinets are fully visible from the street and not camouflaged in any way and would cause harm to the character and appearance of the area.
23. The height and location of the pole and equipment will make the equipment very prominent and clearly visible in long and short range views from all directions.
24. The proposed telecommunications equipment will cause unacceptable harm to the character and appearance of the area on account of its prominence in the street scape, where it would be highly noticeable against the skyline and clearly visible from public views.
25. The height of the pole and the antennas would upset the largely uniform, low rise and uncluttered roof scape when viewed from within the adjoining conservation areas and would appear unsightly when viewed from and towards these conservation areas.
26. The bulk of the pole, its base and the cabinets would be clearly visible in views along West End Lane and the adjoining Priory Road conservation area and their overall appearance, quantity and visibility will cause harm to the area.

27. Therefore, from the bulk, height and prominent siting, it is submitted that these proposals will result in a proliferation of harmful visual clutter which would be unattractive and over-dominant in the area and would cause harm to the character and appearance of the adjoining conservation areas and wider townscape.
28. We would invite Camden to refuse this application at present.

Issues about health

29. I now turn to the issues of health.
30. 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.

31. This states that local planning authorities should not “set health safeguards different from the International Commission guidelines for public exposure”.
32. 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;

- (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.]

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

Heath 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.**

34. 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;**

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

36. 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.

37. 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>

38. 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.
39. 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.
40. 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".
41. The council must interpret the law so as to be compatible with human rights. Those in Articles 2, 6 and 8 are relevant here.
42. 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.
43. 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>
44. Schedules to the note are below:
<https://www.scribd.com/document/473893296/5G-health-impact-briefings-schedules-final-as-sent-20-8-20-docx>
45. The first is a report on the health impacts and the second are schedules to support the statements made in the first report.
46. It is important that Camden Council consider the health impacts now. This is not simply about 5G but about manmade radiofrequency radiation (RFR) in general.
47. 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.
48. 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 telecoms 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.

49. 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.

50. 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>

51. 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:

"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."

52. There are a lot of children who visit this area and who live there.

53. 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

54. 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.

SCHEDULE 1

Statement on 5G by Anthony B. Miller, MD, FRCP, CM. Professor Emeritus, Dalla Lana School of Public Health, University of Toronto, Toronto, ON, Canada.

Radiation exposure has long been a concern for the public, policy makers and health researchers. Beginning with radar during World War II, human exposure to radio-frequency radiation (RFR) and associated technologies has grown more than 100,000-fold. In 2011, the *International Agency for Research on Cancer* (IARC) reviewed the published literature and categorized RFR as a 'possible' (Group 2B) human carcinogen. A broad range of adverse human health effects associated with RFR have been reported since the IARC review, including brain cancer. In addition, two large-scale carcinogenicity studies in rodents exposed to levels of RFR that mimic lifetime human exposures have shown significantly increased rates of Schwannomas and malignant gliomas, as well as chromosomal DNA damage.

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. Recent reports also suggest that men who keep cell phones in their trouser pockets have significantly lower sperm counts and significantly impaired sperm motility and morphology, including mitochondrial DNA damage, as well as an increased risk of colon cancer.

Based on the accumulated evidence, I believe that if IARC were to re-evaluate its 2011 classification of the human carcinogenicity of RFR, it would be categorized as Group 1, i.e. carcinogenic to humans. Thus, current knowledge provides justification for governments, public health authorities, and physicians/allied health professionals to support measures to reduce all exposures to RFR to As Low As Reasonably Achievable, something we learnt was necessary for exposures to ionizing radiation (e.g. X-rays) many years ago.

The Telecom industry's fifth generation (5G) wireless service will require the placement of many small antennae/cell towers close to all recipients of the service, because solid structures, rain and foliage block the associated millimeter wave RFR. 5G technology is being developed as it is also being deployed, with large arrays of directional, steerable antennae, operating at higher power than previous technologies. 5G is not stand-alone – it will operate and interface with other (including 3G and 4G) frequencies and modulations to enable diverse devices under continual development for the "internet of things," driverless vehicles and more.

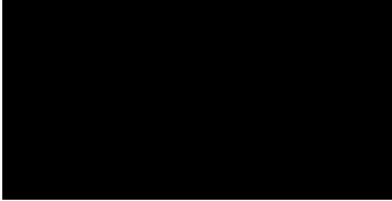
This novel 5G technology is being rolled out in several communities, although potential chronic health or environmental impacts have not been evaluated. The range and magnitude of potential impacts of 5G technology are under-researched, although important biological outcomes have been reported with the associated millimeter wavelength exposure to RFR. These include oxidative stress and altered gene expression, effects on skin and systemic effects such as on immune function, all of which highlight the need for research before population-wide continuous exposures occur.

An individual, if appropriately informed, can reduce her or his exposure to radiofrequency radiation from devices inside their home, but in the case of cell towers and small cell transmitters of 5G the exposure they receive is outside their control. With the people who manufacture these devices and those who promote small cell technology in front of homes failing to issue adequate health warnings, we are reaching a situation where homes, schools, and workplaces are being saturated with radiofrequency radiation.

Thus, to avoid a potential epidemic of cancer caused by radiofrequency radiation from small cell transmitters and other devices, and heart damage, brain damage and infertility, we should introduce means to reduce such exposures to As Low As Reasonably Achievable, something we learnt to do many years ago for ionizing radiation (X-rays). Instead use fiber-optic connections to the home, place small cell transmitters away from residential neighborhoods and schools and strengthen the rules that are meant to protect the public.

Those who support the introduction of 5G should recognize that no insurance agency (including Lloyds of London) will cover them against liability from ill health effects caused by radiofrequency radiation.

A moratorium on the roll-out of 5G is essential.



February 12, 2020