

Application No:	Consultees Name:	Received:	Comment:	Response:
2020/5996/P	Rachel Samuel	22/05/2021 23:50:16	OBJ	<p>Dear Sir/Madam, ¿</p> <p>I am writing to voice my strong objection to planning application reference: 2020/5996/P on the following grounds:</p> <p>Legislative breaches</p> <p>Adverse visual impact and destruction of skyline views from Ingham Road and surrounding area.</p> <p>Loss of amenity</p> <p>Poorly understood long-term health implications of radiofrequency emissions on nearby residents, particularly children. ¿</p> <p>Additionally, in supporting technical information (file: 81552_Planning_Plot.pdf) it is stated "81552 is required to provide coverage and capacity to this area north of West Hampstead". I have never experienced any issues with my telephone signal in this area, and do not believe this to be adequate justification. As a resident of Ingham Road, living in extreme proximity to the proposed site, I categorically state that: ¿</p> <p>I do NOT need or want 'enhanced' mobile signal in this area.¿</p> <p>I have never been consulted by Cornerstone and Telefonica UK Ltd regarding mobile signal in this area.¿</p> <p>I consider that the many detrimental effects of this proposal FAR OUTWEIGH any 'benefits', as identified in the proposal.¿</p> <p>I go to great lengths to limit the exposure of myself and my family to mobile phone radiation and consider this proposal an infringement of my right to do so.¿</p> <p>1) Legislative breaches:</p> <p>FOR AN APPLICATION OF THIS IMPACT AND PROMINENCE, CAMDEN COUNCIL HAVE NOT PROPERLY CONSULTED: Local residents are reporting lack of and removal of public notices in nearby streets and no public notices anywhere on Fortune Green Road or Joan Court. This breaches Article 15(4) in Part 3 of the Town and Country Planning (Development Management Procedure) Order 2015 and constitutes unlawful consultation.</p> <p>CORNERSTONE AND TELEFONICA UK LTD HAVE NOT PROPERLY CONSULTED: As evidenced in their submitted documentation (file: 23704120_TEF_81552 Consultation Letter to pre-school 09.11.20.pdf). They undertook pre-application consultation with the local manager of Montessori Nursery adjacent to Joan Court, rather than the parent company, Busy Bees Childcare, as would have been appropriate according to Camden's Planning Guidance: Digital Infrastructure March 2018 [paragraph 14], which states that consultation must be with the "relevant body where a mast is to be installed near a school or college".</p> <p>PLANNING LEGISLATION BREACH: ¿Legislative breach of paragraph A1(2)(c) of Part 16 of the Town and</p>

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Country Planning (General Permitted Development) Order 2015, which does not permit installation, alteration or replacement of a mast on a building which is less than 15 metres in height, if the mast will be within 20 metres of the highway, in recognition of public safety and the adverse visual impact of telecommunications infrastructure. Weech Hall is 12.15 metres in height and far less than 20 metres away from Fortune Green Road. As such it is unlawful to erect a telecommunications mast at this site.

2) Significant adverse visual impact:

The proposed structure, including its supporting scaffold, would cause significant and unacceptable adverse visual impact to Fortune Green residents, being wholly visible from the North, South, East and West aspects, both at ground level and from surrounding residential buildings and gardens. The significant visual impact is compounded by the low height of Weech Hall (12.15 m above ground level, four storeys). The dramatic impact of such an imposing structure on Fortune Green has been grossly misrepresented by Cornerstone and Telefonica UK Ltd in their artistic submissions; the mast has been coloured white and set (conveniently) against a large white cloud. The photographs of the site are of front and side elevations only, from considerable distance, and no photographic evidence has been included from the rear of Weech Hall, where my garden and home would back onto this monstrosity at very close quarters. It's impact and intrusiveness for the homes and gardens of Weech and Ingham Roads cannot be overstated and is ignored by the photographic evidence.

Disfigurement of Weech Hall itself: The mast would tower over Weech Hall which is a building of only moderate height and would be completely out of scale with Weech Hall as well as the modest-sized terraced houses and gardens of Ingham Road. The detrimental visual impact is recognised by the Local Planning Authority (Camden Council), as evidence by their pre-application comments documented in file: Weech Hall SSSI v2 (Redacted).pdf. It is clear that the Council is aware of the significant visual impact and detrimental effect on local residents of permitting the installation of this telecommunications mast: "This block is merely 4 storeys in height and therefore visual impacts are considered to be significant" and "the proposed bulk to the roof top is unacceptable".

Effect on Hampstead Cemetery and Conservation Areas nearby: The proposed telecommunications mast, 19.5 metres above ground level, will be visible from Hampstead Cemetery and impact on the character and serenity of this historic site. Additionally, Weech Hall is in close proximity to the Redington and Froggnal Conservation Area, and the mast would additionally infringe on its character. ;

3) Loss of Amenity:

This large, imposing and unsightly structure which would be not only visible but dominant from many surrounding homes (including my own), constitutes a serious loss of amenity for local residents such as myself. It would dominate the view from every rear facing room in my home as well as from my garden which is a fundamental and much used part of my living space, used for recreation, exercise, socialising, children's play, gardening, photography, outdoor cooking and dining and other activities, all of which would be detrimentally affected by such a large, unsightly structure towering over us. Cornerstone and Telefonica UK

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Ltd have not included any photographic evidence of the proximity of the site to ground, first and second floor level of properties to the rear of Weech Hall, such as mine.

4) Health and environmental implications:

I have concerns regarding the impact of 5G on health and the environment. The World Health Organisation together with the International Agency for Research on Cancer (IARC) has classified all radio frequency radiation (of which mobile signals are a part) as “possibly carcinogenic”. The proposed site is in the heart of a family-friendly residential area with many children living here, is opposite a Nursery school, in close proximity to Fortune Green which contains a further Nursery/Play Centre and busy playground and is also close to several other schools and a school sports ground. This mast would unnecessarily expose the children of Fortune Green to radiation whose long-term health impacts are not fully understood and are consistently glossed over by those who have an interest in this proposal and other similar developments going ahead. UK Government Research in the Stewart Report (2000) advocated a precautionary approach to telecommunications development. It recommended that the beam of greatest intensity from mobile phone masts should not fall on any part of a school’s grounds or buildings without the agreement of the school and parents and identified that children are more susceptible to telecommunications radiation. Whether or not the Planning Committee can consider the health implications of this proposal directly, it must consider the reasonable concerns of the Camden residents whose interests it should protect.

I note that a recently upheld appeal was submitted in supporting evidence (file: 240295 APPEAL DECISION 3246710.pdf). This decision relates to the installation of telecommunications equipment on an existing rooftop enclosure in Eton, and not to the installation of a telecommunications mast rising to 19.5 metres above ground level. In addition, the antennas would be hidden within two structures that would be coloured and textured so to appear as chimneys. A second upheld appeal was submitted, file: Winchester NTQ.pdf, which relates to the installation of a ground level telecommunications mast. Therefore, both appeals are inconsequential to the current proposal by Cornerstone and Telefonica UK Ltd. ¿

In light of all that is discussed above, it is incumbent upon Camden Council to reject this proposal. ¿

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2020/5996/P	R.Elezi	22/05/2021 22:28:07	OBJ	

Dear Sir/Madam,

I am writing this letter to express my deepest concerns regarding the proposed scheme of the installation of this massive antenna on the terrace of my Block at Weech Hall. What shocked me was the lack of street notices or any communication from the council to inform us about this.

I strongly object to the proposal of having this antenna on top of my block because of the following reasons:

1. Visual appearance - the height of the antenna is more than half the height of Weech Hall building, which will be easily visible from street level. Weech Hall is a low rise charming building and is surrounded by beautiful existing and new buildings and the presence of this antenna will be an unbearable visual pollution.
2. Fire Hazard - Weech Hall building is built circa 1930s and the roof floor construction is of timber joist and bitumen waterproofing membrane, both pretty flammable. These antennas attract lightning strikes and lots of fire accidents have happened in the past due to other reasons. This will increase the premium of our building insurance.
3. Health related issues - current and future residents have the perception that antennas with these parameters are unhealthy and they would keep away from areas where these antennas are located.

Me and my young family have saved up for so long so we could buy a nice place in a nice and safe area and we would do whatever it takes for these two things not to be taken away from us.

Because of the three points raised above residents would be discouraged to live in near proximity of this antenna and the value of Weech Hall and surrounding properties will drop.

I urge Camden Council to reject this proposal.

Sincerely yours,
Weech Hall Flat Owner

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2020/5996/P	Ionna Anderson	21/05/2021 20:33:34	COMMNT	

I am writing to voice my strong objection to planning application reference: 2020/5996/P for its legislative breaches, significant adverse visual impact, destruction of skyline views from Joan Court and poorly understood long-term health implications of high-intensity radiofrequency, particularly on the children who live and attend nurseries/schools in the immediate vicinity of this site.

In terms of application handling it should be noted that, for an application of this obvious prominence, Camden have not properly consulted:

Poor consultation practice

First, it is deeply concerning that not a single resident in Joan Court (directly across the street from Weech Hall) was aware of planning application 2020/5996/P. There are no public notices anywhere on Fortune Green Road, either on the Weech Hall side or Joan Court side. The proposed application should have been publicised in a manner that would reasonably bring it to the attention of the majority of persons living in the vicinity of Weech Hall. This is not the case and as this conduct breaches Article 15(4) in Part 3 of the Town and Country Planning (Development Management Procedure) Order 2015, it constitutes unlawful consultation.

The lack of publicity is evidenced by the mere eight objections submitted to date and only days away from the end of the consultation period. This reflects the lack of transparency and failure of Camden Council not only to adhere to its legislative obligations but also to abide by HM Government Code of Practice on Consultation.

Consultation poor practice further extends to Cornerstone and Telefonica UK Ltd, as evidenced in their submitted documentation (file: 23704120_TEF_81552 Consultation Letter to pre-school 09.11.20.pdf). They undertook pre-application consultation with the Montessori Nursery adjacent to Joan Court. As stated in Camden Planning Guidance: Digital Infrastructure March 2018 [paragraph 14], consultation must be with the "relevant body where a mast is to be installed near a school or college". It is highly questionable whether the local manager of a nursery that forms one of four hundred others under the company Busy Bees Childcare (www.busybeeschildcare.co.uk) constitutes the "relevant body", and good practice would necessitate that pre-application consultation be undertaken with the parent company that is equipped to consider and response to an important consultation. This conduct is indicative of an attempt by Cornerstone and Telefonica UK Ltd to circumvent open, honest and transparent consultation.

Planning objections:

Significant visual impact

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The proposed structure including its supporting scaffold would cause an unacceptable and significant adverse visual impact to Fortune Green residents. The telecommunications mast would be wholly visible from the North, South, East and West aspects, both at ground level and from surrounding residential buildings, and its impact and intrusiveness cannot be limited. The significant visual impact is compounded by the low height of Weech Hall (12.15 m above ground level, four storeys). As such the effect of the visual damage to the local area and skyline views that many residents enjoy in Fortune Green would greatly outweigh any benefits from improved telephonic coverage.

The dramatic impact of such an imposing structure on Fortune Green has been grossly misrepresented by Cornerstone and Telefonica UK Ltd in their artistic submissions of the appearance of this telecommunications mast from street level (file: E340535_CITL_237041_20_TEF_81552_VF_NA_PHOTOMONTAGE-compressed.pdf). It is disingenuous in its representation of the mast; the mast has been coloured white and set (conveniently) against a large white cloud. Furthermore, the photo montages do not adequately represent the visual impact of this proposal, showing only perspective views from ground level near Weech Hall. Despite these efforts by Cornerstone and Telefonica UK Ltd, the mast remains an undisputed large, imposing and unsightly structure that would be visible from many surrounding locations and by the road-side residents of Joan Court, all of whom have balconies overlooking Fortune Green Road with beautiful views and views of the London skyline. A effect on these views would constitute a loss of amenity. A telecommunications mast on Weech Hall would additionally disfigure the building itself.

The detrimental visual impact is supported by the Local Planning Authority (Camden Council), as evidenced by their pre-application comments documented in file: Weech Hall SSSI v2 (Redacted).pdf. It is clear that the Council is aware of the significant visual impact and detrimental effect on local residents of permitting the installation of this telecommunications mast: "This block is merely 4 storeys in height and therefore visual impacts are considered to be significant" and "the proposed bulk to the roof top is unacceptable".

Therefore, in light of the above and the documented evidence of Camden Council of the significant and unacceptable visual impact of the telecommunications mast, it is then only reasonable and rational that the Council takes heed of its own concerns and refuse planning permission for application 2020/5996/P.

Effect on Hampstead Cemetery and Conservation Areas nearby

Although Hampstead Cemetery, across the street from Weech Hall, is not a conservation area, it is a place of historic importance and as such holds an almost equivalent status. The proposed telecommunications mast, 19.5 metres above ground level, will be visible from Hampstead Cemetery and impact on the character and serenity of this historic site. Additionally, Weech Hall is in close proximity to the Redington and Froggnal Conservation Area,

Submission in supporting evidence of successful appeals to the Planning Inspectorate by Cornerstone and Telefonica UK Ltd

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Legislative breach (GDPO)

I understand the requirement to expand telecommunications infrastructure, however, this planning application is in breach of paragraph A1(2)(c) of Part 16 of the Town and Country Planning (General Permitted Development) Order 2015 (henceforth, GDPO), which does not permit installation, alteration or replacement of a mast on a building which is less than 15 metres in height, if the mast will be within 20 metres of the highway. Weech Hall is 12.15 metres above ground level (a mere four storeys high) and far less than 20 metres away from Fortune Green Road. Correctly, there are legal restrictions upon the height and location of electronic communications apparatus permitted under Class A of Part 16, in recognition of public safety and the adverse visual impact of telecommunications infrastructure – of which, planning application 2020/5996/P breaches.

The proposal is that of a telecommunications base station consisting of a 7 metre stub tower supporting three Telefonica antennae, reaching a total height of 19.5 metres above ground level. The stub station supports antennae that will be transmitting and receiving radio waves, as such the entire structure constitutes a radio mast as definitively determined by Justice Lang and supported by the Secretary of State for Communities and Local Government, in *Mawbey R v Lewisham Council* [2018] EWHC 263. In this judgement, the Secretary of State submits that the broad definition of 'mast' in the GDPO is intended to capture all support structures, whether building-based or ground-based [paragraph 45]. Furthermore, the industry is led by a Code of Best Practice on Mobile Network Development in England, that contains a general definition of a 'mast' as "...a freestanding structure that supports antennas at a height where they can transmit and receive radio waves".

Importantly, the interpretation, reasoning and judgment of Justice Lang was subsequently upheld in the Court of Appeal by Lord Justice Lindblom in *Mawbey R and Ors v Cornerstone Telecommunications Infrastructure Ltd* [2019] EWCA Civ 1016. As Lord Justice Lindblom summarised in his judgement: "Thus the task of a local planning authority in determining whether a particular structure is a "mast" within the reach of paragraph A.1(2)(c) [GDPO] is simply to ascertain whether, as a matter of fact and degree, it is an upright pole – or another structure to which the definition in paragraph A.4 applies – whose function is to support an antenna or arial; whether the building is less than 15 metres in height; and whether the structure would be within 20 metres of the highway"

Therefore, in this planning application, the structure supporting (and together with) the antennae, constitutes a mast and is not permitted development in accordance with paragraph A1(2)(c) of Part 16 GDPO as it is less than 20 meters away from Fortune Green Road on a building less than 15 metres in height. As such it is

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unlawful to erect a telecommunications mast at this site. The cases cited above involve Cornerstone Telecommunications, and I am very surprised that they have, once again, submitted planning application in breach of GDPO legislation.

Camden Council will be vulnerable to legal proceedings for misinterpretation of the law should they permit planning application 2020/5996/P.

Other relevant reasons for objection:

Mobile signal

In supporting technical information (file: 81552_Planning_Plot.pdf) it is stated "81552 is required to provide coverage and capacity to this area north of West Hampstead". I have never experienced any issues with my telephone signal in this area, and do not believe this to be adequate justification. This document shows a projection of the strength of mobile signal both before and after installation of the telecommunications mast – it does not provide any details of how the signal strength post-installation was calculated and we are informed that Radio Planners have used "advanced computer modelling software", which does not mean anything. More importantly however, Cornerstone and Telefonica UK Ltd have not produced empirical data evidencing a genuine concern by the local residents of poor mobile signal in the Fortune Green area. Therefore, even if the projected increased signal coverage in the area is accurate, for which we have no evidence, this remains a moot point.

Health and environmental implications

I also have concerns regarding 5G on the impact of health and the environment, although research to date has been inconclusive on this matter, the World Health Organisation together with the International Agency for Research on Cancer (IARC) has classified all radio frequency radiation (of which mobile signals are a part) as "possibly carcinogenic". Furthermore, in the Council's Camden Planning Guidance: Digital Infrastructure March 2018 [paragraph 14], there is a requirement for Cornerstone and Telefonica UK Ltd to produce a statement that certifies that the "cumulative exposure, when operational, will not exceed International Commission on non-ionising radiation protection guidelines" – I have seen no evidence of such a submission in the supporting documentation submitted with this planning application.

Thus, in view of the Montessori Nursey opposite Weech Hall, that Joan Court and Alfred Court directly across the street house many young children, the close proximity to Fortune Green Park that is busy daily with children and additionally contains a Nursery/Play Centre, this mast would unnecessarily expose the children of Fortune Green to radiation whose long-term health impacts are incompletely understood. In addition, UK Government Research in the Stewart Report (2000) advocated a precautionary approach to telecommunications development, recommends that the beam of greatest intensity from mobile phone masts

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should not fall on any part of a school's grounds or buildings without the agreement of the school and parents, and identified that children are more susceptible to telecommunications radiation.

I would, therefore, urge Camden Council to prioritise the safety of its residents, the safety of our children and reject planning application 2020/5996/P.

Due diligence in considering alternative sites

An additional important note, as shown in file: 23704120_TEF_81552 pre-con to London LPA 06.11.20 (Redacted).pdf, Cornerstone and Telefonica Ltd considered four other sites on Fortune Green Road. The reasons given for not choosing these alternative sites do not provide sufficient detail or plausible justification to show that a sequential approach and due diligence has been undertaken. In fact, quite the opposite is evident - a hastily thrown together box-ticking exercise. One such example of a reason for rejection being "construction on the roof".

Summary

In summary, application 2020/5996/P breaches GDPO legislation as supported by a recent high court judgement ([2018] EWHC 263) and subsequently upheld in the Court of Appeal ([2019] EWCA Civ 1016), would cause a significant adverse and unacceptable visual impact as admitted by Camden Council, is in very close proximity to two nurseries and a busy children's park and impacts on the character of Hampstead Cemetery, a site of historic importance. Therefore, in light of all that is discussed above, it is incumbent upon Camden Council to reject this proposal.

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2020/5996/P	Arvinder & Giulia Sura	22/05/2021 11:33:14	OBJ	<p>I am writing to voice my strong objection to planning application reference: 2020/5996/P for its legislative breaches, significant adverse visual impact, destruction of skyline views from Joan Court and poorly understood long-term health implications of high-intensity radiofrequency, particularly on the children who live and attend nurseries/schools in the immediate vicinity of this site.</p>

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Therefore, in this planning application, the structure supporting (and together with) the antennae, constitutes a mast and is not permitted development in accordance with paragraph A1(2)(c) of Part 16 GDPO as it is less than 20 meters away from Fortune Green Road on a building less than 15 metres in height. As such it is unlawful to erect a telecommunications mast at this site. The cases cited above involve Cornerstone Telecommunications, and I am very surprised that they have, once again, submitted planning application in breach of GDPO legislation.

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Application No:	Consultees Name:	Received:	Comment:	Response:
2020/5996/P	Samuel Kinshuck	22/05/2021 08:07:11	PETITNOBJ E	I am writing to voice my strong objection to planning application reference: 2020/5996/P for its legislative breaches, significant adverse visual impact, destruction of skyline views from Joan Court and poorly understood long-term health implications of high-intensity radiofrequency, particularly on the children who live and attend nurseries/schools in the immediate vicinity of this site.

In terms of application handling it should be noted that, for an application of this obvious prominence, Camden have not properly consulted:

Poor consultation practice

First, it is deeply concerning that not a single resident in Joan Court (directly across the street from Weech Hall) was aware of planning application 2020/5996/P. There are no public notices anywhere on Fortune Green Road, either on the Weech Hall side or Joan Court side. The proposed application should have been publicised in a manner that would reasonably bring it to the attention of the majority of persons living in the vicinity of Weech Hall. This is not the case and as this conduct breaches Article 15(4) in Part 3 of the Town and Country Planning (Development Management Procedure) Order 2015, it constitutes unlawful consultation.

The lack of publicity is evidenced by the mere eight objections submitted to date and only days away from the end of the consultation period. This reflects the lack of transparency and failure of Camden Council not only to adhere to its legislative obligations but also to abide by HM Government Code of Practice on Consultation.

Consultation poor practice further extends to Cornerstone and Telefonica UK Ltd, as evidenced in their submitted documentation (file: 23704120_TEF_81552 Consultation Letter to pre-school 09.11.20.pdf). They undertook pre-application consultation with the Montessori Nursery adjacent to Joan Court. As stated in Camden Planning Guidance: Digital Infrastructure March 2018 [paragraph 14], consultation must be with the "relevant body where a mast is to be installed near a school or college". It is highly questionable whether the local manager of a nursery that forms one of four hundred others under the company Busy Bees Childcare (www.busybeeschildcare.co.uk) constitutes the "relevant body", and good practice would necessitate that pre-application consultation be undertaken with the parent company that is equipped to consider and response to an important consultation. This conduct is indicative of an attempt by Cornerstone and Telefonica UK Ltd to circumvent open, honest and transparent consultation.

Planning objections:

Significant visual impact

The proposed structure including its supporting scaffold would cause an unacceptable and significant adverse

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visual impact to Fortune Green residents. The telecommunications mast would be wholly visible from the North, South, East and West aspects, both at ground level and from surrounding residential buildings, and its impact and intrusiveness cannot be limited. The significant visual impact is compounded by the low height of Weech Hall (12.15 m above ground level, four storeys). As such the effect of the visual damage to the local area and skyline views that many residents enjoy in Fortune Green would greatly outweigh any benefits from improved telephonic coverage.

The dramatic impact of such an imposing structure on Fortune Green has been grossly misrepresented by Cornerstone and Telefonica UK Ltd in their artistic submissions of the appearance of this telecommunications from street level (file: E340535_CITL_237041_20_TEF_81552_VF_NA_PHOTOMONTAGE-compressed.pdf). It is disingenuous in its representation of the mast; the mast has been coloured white and set (conveniently) against a large white cloud. Furthermore, the photo montages do not adequately represent the visual impact of this proposal, showing only perspective views from ground level near Weech Hall. Despite these efforts by Cornerstone and Telefonica UK Ltd, the mast remains an undisputed large, imposing and unsightly structure that would be visible from many surrounding locations and by the road-side residents of Joan Court, all of whom have balconies overlooking Fortune Green Road with beautiful views and views of the London skyline. A effect on these views would constitute a loss of amenity. A telecommunications mast on Weech Hall would additionally disfigure the building itself.

The detrimental visual impact is supported by the Local Planning Authority (Camden Council), as evidence by their pre-application comments documented in file: Weech Hall SSSI v2 (Redacted).pdf. It is clear that the Council is aware of the significant visual impact and detrimental effect on local residents of permitting the installation of this telecommunications mast: "This block is merely 4 storeys in height and therefore visual impacts are considered to be significant" and "the proposed bulk to the roof top is unacceptable".

Therefore, in light of the above and the documented evidence of Camden Council of the significant and unacceptable visual impact of the telecommunications mast, it is then only reasonable and rational that the Council takes heed of its own concerns and refuse planning permission for application 2020/5996/P.

Effect on Hampstead Cemetery and Conservation Areas nearby

Although Hampstead Cemetery, across the street from Weech Hall, is not a conservation area, it is a place of historic importance and as such holds an almost equivalent status. The proposed telecommunications mast, 19.5 metres above ground level, will be visible from Hampstead Cemetery and impact on the character and serenity of this historic site. Additionally, Weech Hall is in close proximity to the Redington and Frogna Conservation Area,

Submission in supporting evidence of successful appeals to the Planning Inspectorate by Cornerstone and Telefonica UK Ltd

I note, a recently upheld appeal was submitted in supporting evidence (file: 240295 APPEAL DECISION

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3246710.pdf). This decision relates to the installation of telecommunications equipment on an existing rooftop enclosure in Eton, and not to the installation of a telecommunications mast rising to 19.5 metres above ground level. In addition, the antennas would be hidden within two structures that would be coloured and textured so to appear as chimneys. A second upheld appeal was submitted, file: Winchester NTQ.pdf, which relates to the installation of a ground level telecommunications mast. Therefore, both appeals are inconsequential to the current proposal by Cornerstone and Telefonica UK Ltd, and appear to represent thinly veiled intimidation to support planning application 2020/5996/P.

Legislative breach (GDPO)

I understand the requirement to expand telecommunications infrastructure, however, this planning application is in breach of paragraph A1(2)(c) of Part 16 of the Town and Country Planning (General Permitted Development) Order 2015 (henceforth, GDPO), which does not permit installation, alteration or replacement of a mast on a building which is less than 15 metres in height, if the mast will be within 20 metres of the highway. Weech Hall is 12.15 metres above ground level (a mere four storeys high) and far less than 20 metres away from Fortune Green Road. Correctly, there are legal restrictions upon the height and location of electronic communications apparatus permitted under Class A of Part 16, in recognition of public safety and the adverse visual impact of telecommunications infrastructure – of which, planning application 2020/5996/P breaches.

The proposal is that of a telecommunications base station consisting of a 7 metre stub tower supporting three Telefonica antennae, reaching a total height of 19.5 metres above ground level. The stub station supports antennae that will be transmitting and receiving radio waves, as such the entire structure constitutes a radio mast as definitively determined by Justice Lang and supported by the Secretary of State for Communities and Local Government, in *Mawbey R v Lewisham Council* [2018] EWHC 263. In this judgement, the Secretary of State submits that the broad definition of ‘mast’ in the GDPO is intended to capture all support structures, whether building-based or ground-based [paragraph 45]. Furthermore, the industry is led by a Code of Best Practice on Mobile Network Development in England, that contains a general definition of a ‘mast’ as ...”a freestanding structure that supports antennas at a height where they can transmit and receive radio waves”.

Importantly, the interpretation, reasoning and judgment of Justice Lang was subsequently upheld in the Court of Appeal by Lord Justice Lindblom in *Mawbey R and Ors v Cornerstone Telecommunications Infrastructure Ltd* [2019] EWCA Civ 1016. As Lord Justice Lindblom summarised in his judgement: “Thus the task of a local planning authority in determining whether a particular structure is a “mast” within the reach of paragraph A.1(2)(c) [GDPO] is simply to ascertain whether, as a matter of fact and degree, it is an upright pole – or another structure to which the definition in paragraph A.4 applies – whose function is to support an antenna or arial; whether the building is less than 15 metres in height; and whether the structure would be within 20 metres of the highway”

Therefore, in this planning application, the structure supporting (and together with) the antennae, constitutes a mast and is not permitted development in accordance with paragraph A1(2)(c) of Part 16 GDPO as it is less than 20 meters away from Fortune Green Road on a building less than 15 metres in height. As such it is unlawful to erect a telecommunications mast at this site. The cases cited above involve Cornerstone Telecommunications, and I am very surprised that they have, once again, submitted planning application in

Application No: **Consultees Name:** **Received:****Comment:** **Response:**

breach of GDPO legislation.

Camden Council will be vulnerable to legal proceedings for misinterpretation of the law should they permit planning application 2020/5996/P.

Other relevant reasons for objection:

Mobile signal

In supporting technical information (file: 81552_Planning_Plot.pdf) it is stated "81552 is required to provide coverage and capacity to this area north of West Hampstead". I have never experienced any issues with my telephone signal in this area, and do not believe this to be adequate justification. This document shows a projection of the strength of mobile signal both before and after installation of the telecommunications mast – it does not provide any details of how the signal strength post-installation was calculated and we are informed that Radio Planners have used "advanced computer modelling software", which does not mean anything. More importantly however, Cornerstone and Telefonica UK Ltd have not produced empirical data evidencing a genuine concern by the local residents of poor mobile signal in the Fortune Green area. Therefore, even if the projected increased signal coverage in the area is accurate, for which we have no evidence, this remains a moot point.

Health and environmental implications

I also have concerns regarding 5G on the impact of health and the environment, although research to date has been inconclusive on this matter, the World Health Organisation together with the International Agency for Research on Cancer (IARC) has classified all radio frequency radiation (of which mobile signals are a part) as "possibly carcinogenic". Furthermore, in the Council's Camden Planning Guidance: Digital Infrastructure March 2018 [paragraph 14], there is a requirement for Cornerstone and Telefonica UK Ltd to produce a statement that certifies that the "cumulative exposure, when operational, will not exceed International Commission on non-ionising radiation protection guidelines" – I have seen no evidence of such a submission in the supporting documentation submitted with this planning application.

Thus, in view of the Montessori Nursey opposite Weech Hall, that Joan Court and Alfred Court directly across the street house many young children, the close proximity to Fortune Green Park that is busy daily with children and additionally contains a Nursery/Play Centre, this mast would unnecessarily expose the children of Fortune Green to radiation whose long-term health impacts are incompletely understood. In addition, UK Government Research in the Stewart Report (2000) advocated a precautionary approach to telecommunications development, recommends that the beam of greatest intensity from mobile phone masts should not fall on any part of a school's grounds or buildings without the agreement of the school and parents, and identified that children are more susceptible to telecommunications radiation.

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I would, therefore, urge Camden Council to prioritise the safety of its residents, the safety of our children and reject planning application 2020/5996/P.

Due diligence in considering alternative sites

An additional important note, as shown in file: 23704120_TEF_81552 pre-con to London LPA 06.11.20 (Redacted).pdf, Cornerstone and Telefonica Ltd considered four other sites on Fortune Green Road. The reasons given for not choosing these alternative sites do not provide sufficient detail or plausible justification to show that a sequential approach and due diligence has been undertaken. In fact, quite the opposite is evident - a hastily thrown together box-ticking exercise. One such example of a reason for rejection being "construction on the roof".

Summary

In summary, application 2020/5996/P breaches GDPO legislation as supported by a recent high court judgement ([2018] EWHC 263) and subsequently upheld in the Court of Appeal ([2019] EWCA Civ 1016), would cause a significant adverse and unacceptable visual impact as admitted by Camden Council, is in very close proximity to two nurseries and a busy children's park and impacts on the character of Hampstead Cemetery, a site of historic importance. Therefore, in light of all that is discussed above, it is incumbent upon Camden Council to reject this proposal.

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2020/5996/P	Esteban Rubini	21/05/2021 13:53:48	OBJ	<p>I am writing to voice my strong objection to planning application reference: 2020/5996/P for its legislative breaches, significant adverse visual impact, destruction of skyline views from Joan Court and poorly understood long-term health implications of high-intensity radiofrequency, particularly on the children who live and attend nurseries/schools in the immediate vicinity of this site.</p>

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Planning objections:

Significant visual impact

The proposed structure including its supporting scaffold would cause an unacceptable and significant adverse visual impact to Fortune Green residents. The telecommunications mast would be wholly visible from the North, South, East and West aspects, both at ground level and from surrounding residential buildings, and its impact and intrusiveness cannot be limited. The significant visual impact is compounded by the low height of Weech Hall (12.15 m above ground level, four storeys). As such the effect of the visual damage to the local area and skyline views that many residents enjoy in Fortune Green would greatly outweigh any benefits from improved telephonic coverage.

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Therefore, in this planning application, the structure supporting (and together with) the antennae, constitutes a mast and is not permitted development in accordance with paragraph A1(2)(c) of Part 16 GDPO as it is less than 20 meters away from Fortune Green Road on a building less than 15 metres in height. As such it is unlawful to erect a telecommunications mast at this site. The cases cited above involve Cornerstone Telecommunications, and I am very surprised that they have, once again, submitted planning application in breach of GDPO legislation.

Camden Council will be vulnerable to legal proceedings for misinterpretation of the law should they permit planning application 2020/5996/P.

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2020/5996/P	Katy Cresner	21/05/2021 15:30:19	OBJ	<p>I am writing to voice my strong objection to planning application reference: 2020/5996/P for its legislative breaches, significant adverse visual impact, destruction of skyline views from Joan Court and poorly understood long-term health implications of high-intensity radiofrequency, particularly on the children who live and attend nurseries/schools in the immediate vicinity of this site.</p>

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Therefore, in this planning application, the structure supporting (and together with) the antennae, constitutes a mast and is not permitted development in accordance with paragraph A1(2)(c) of Part 16 GDPO as it is less than 20 meters away from Fortune Green Road on a building less than 15 metres in height. As such it is unlawful to erect a telecommunications mast at this site. The cases cited above involve Cornerstone Telecommunications, and I am very surprised that they have, once again, submitted planning application in breach of GDPO legislation.

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Other relevant reasons for objection:

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In supporting technical information (file: 81552_Planning_Plot.pdf) it is stated "81552 is required to provide coverage and capacity to this area north of West Hampstead". I have never experienced any issues with my telephone signal in this area, and do not believe this to be adequate justification. This document shows a projection of the strength of mobile signal both before and after installation of the telecommunications mast – it does not provide any details of how the signal strength post-installation was calculated and we are informed that Radio Planners have used "advanced computer modelling software", which does not mean anything. More importantly however, Cornerstone and Telefonica UK Ltd have not produced empirical data evidencing a genuine concern by the local residents of poor mobile signal in the Fortune Green area. Therefore, even if the projected increased signal coverage in the area is accurate, for which we have no evidence, this remains a moot point.

Health and environmental implications

I also have concerns regarding 5G on the impact of health and the environment, although research to date has been inconclusive on this matter, the World Health Organisation together with the International Agency for Research on Cancer (IARC) has classified all radio frequency radiation (of which mobile signals are a part) as "possibly carcinogenic". Furthermore, in the Council's Camden Planning Guidance: Digital Infrastructure March 2018 [paragraph 14], there is a requirement for Cornerstone and Telefonica UK Ltd to produce a statement that certifies that the "cumulative exposure, when operational, will not exceed International Commission on non-ionising radiation protection guidelines" – I have seen no evidence of such a submission in the supporting documentation submitted with this planning application.

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Thus, in view of the Montessori Nursey opposite Weech Hall, that Joan Court and Alfred Court directly across the street house many young children, the close proximity to Fortune Green Park that is busy daily with children and additionally contains a Nursery/Play Centre, this mast would unnecessarily expose the children of Fortune Green to radiation whose long-term health impacts are incompletely understood. In addition, UK Government Research in the Stewart Report (2000) advocated a precautionary approach to telecommunications development, recommends that the beam of greatest intensity from mobile phone masts should not fall on any part of a school's grounds or buildings without the agreement of the school and parents, and identified that children are more susceptible to telecommunications radiation. I would, therefore, urge Camden Council to prioritise the safety of its residents, the safety of our children and reject planning application 2020/5996/P.

Due diligence in considering alternative sites

An additional important note, as shown in file: 23704120_TEF_81552 pre-con to London LPA 06.11.20 (Redacted).pdf, Cornerstone and Telefonica Ltd considered four other sites on Fortune Green Road. The reasons given for not choosing these alternative sites do not provide sufficient detail or plausible justification to show that a sequential approach and due diligence has been undertaken. In fact, quite the opposite is evident - a hastily thrown together box-ticking exercise. One such example of a reason for rejection being "construction on the roof".

Summary

In summary, application 2020/5996/P breaches GDPO legislation as supported by a recent high court judgement ([2018] EWHC 263) and subsequently upheld in the Court of Appeal ([2019] EWCA Civ 1016), would cause a significant adverse and unacceptable visual impact as admitted by Camden Council, is in very close proximity to two nurseries and a busy children's park and impacts on the character of Hampstead Cemetery, a site of historic importance. Therefore, in light of all that is discussed above, it is incumbent upon Camden Council to reject this proposal.

Application No:	Consultees Name:	Received:	Comment:	Response:
2020/5996/P	Samuel Kinshuck	22/05/2021 08:07:16	PETITNOBJ E	I am writing to voice my strong objection to planning application reference: 2020/5996/P for its legislative breaches, significant adverse visual impact, destruction of skyline views from Joan Court and poorly understood long-term health implications of high-intensity radiofrequency, particularly on the children who live and attend nurseries/schools in the immediate vicinity of this site.

In terms of application handling it should be noted that, for an application of this obvious prominence, Camden have not properly consulted:

Poor consultation practice

First, it is deeply concerning that not a single resident in Joan Court (directly across the street from Weech Hall) was aware of planning application 2020/5996/P. There are no public notices anywhere on Fortune Green Road, either on the Weech Hall side or Joan Court side. The proposed application should have been publicised in a manner that would reasonably bring it to the attention of the majority of persons living in the vicinity of Weech Hall. This is not the case and as this conduct breaches Article 15(4) in Part 3 of the Town and Country Planning (Development Management Procedure) Order 2015, it constitutes unlawful consultation.

The lack of publicity is evidenced by the mere eight objections submitted to date and only days away from the end of the consultation period. This reflects the lack of transparency and failure of Camden Council not only to adhere to its legislative obligations but also to abide by HM Government Code of Practice on Consultation.

Consultation poor practice further extends to Cornerstone and Telefonica UK Ltd, as evidenced in their submitted documentation (file: 23704120_TEF_81552 Consultation Letter to pre-school 09.11.20.pdf). They undertook pre-application consultation with the Montessori Nursery adjacent to Joan Court. As stated in Camden Planning Guidance: Digital Infrastructure March 2018 [paragraph 14], consultation must be with the "relevant body where a mast is to be installed near a school or college". It is highly questionable whether the local manager of a nursery that forms one of four hundred others under the company Busy Bees Childcare (www.busybeeschildcare.co.uk) constitutes the "relevant body", and good practice would necessitate that pre-application consultation be undertaken with the parent company that is equipped to consider and response to an important consultation. This conduct is indicative of an attempt by Cornerstone and Telefonica UK Ltd to circumvent open, honest and transparent consultation.

Planning objections:

Significant visual impact

The proposed structure including its supporting scaffold would cause an unacceptable and significant adverse

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visual impact to Fortune Green residents. The telecommunications mast would be wholly visible from the North, South, East and West aspects, both at ground level and from surrounding residential buildings, and its impact and intrusiveness cannot be limited. The significant visual impact is compounded by the low height of Weech Hall (12.15 m above ground level, four storeys). As such the effect of the visual damage to the local area and skyline views that many residents enjoy in Fortune Green would greatly outweigh any benefits from improved telephonic coverage.

The dramatic impact of such an imposing structure on Fortune Green has been grossly misrepresented by Cornerstone and Telefonica UK Ltd in their artistic submissions of the appearance of this telecommunications from street level (file: E340535_CITL_237041_20_TEF_81552_VF_NA_PHOTOMONTAGE-compressed.pdf). It is disingenuous in its representation of the mast; the mast has been coloured white and set (conveniently) against a large white cloud. Furthermore, the photo montages do not adequately represent the visual impact of this proposal, showing only perspective views from ground level near Weech Hall. Despite these efforts by Cornerstone and Telefonica UK Ltd, the mast remains an undisputed large, imposing and unsightly structure that would be visible from many surrounding locations and by the road-side residents of Joan Court, all of whom have balconies overlooking Fortune Green Road with beautiful views and views of the London skyline. A effect on these views would constitute a loss of amenity. A telecommunications mast on Weech Hall would additionally disfigure the building itself.

The detrimental visual impact is supported by the Local Planning Authority (Camden Council), as evidence by their pre-application comments documented in file: Weech Hall SSSI v2 (Redacted).pdf. It is clear that the Council is aware of the significant visual impact and detrimental effect on local residents of permitting the installation of this telecommunications mast: "This block is merely 4 storeys in height and therefore visual impacts are considered to be significant" and "the proposed bulk to the roof top is unacceptable".

Therefore, in light of the above and the documented evidence of Camden Council of the significant and unacceptable visual impact of the telecommunications mast, it is then only reasonable and rational that the Council takes heed of its own concerns and refuse planning permission for application 2020/5996/P.

Effect on Hampstead Cemetery and Conservation Areas nearby

Although Hampstead Cemetery, across the street from Weech Hall, is not a conservation area, it is a place of historic importance and as such holds an almost equivalent status. The proposed telecommunications mast, 19.5 metres above ground level, will be visible from Hampstead Cemetery and impact on the character and serenity of this historic site. Additionally, Weech Hall is in close proximity to the Redington and Frogna Conservation Area,

Submission in supporting evidence of successful appeals to the Planning Inspectorate by Cornerstone and Telefonica UK Ltd

I note, a recently upheld appeal was submitted in supporting evidence (file: 240295 APPEAL DECISION

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3246710.pdf). This decision relates to the installation of telecommunications equipment on an existing rooftop enclosure in Eton, and not to the installation of a telecommunications mast rising to 19.5 metres above ground level. In addition, the antennas would be hidden within two structures that would be coloured and textured so to appear as chimneys. A second upheld appeal was submitted, file: Winchester NTQ.pdf, which relates to the installation of a ground level telecommunications mast. Therefore, both appeals are inconsequential to the current proposal by Cornerstone and Telefonica UK Ltd, and appear to represent thinly veiled intimidation to support planning application 2020/5996/P.

Legislative breach (GDPO)

I understand the requirement to expand telecommunications infrastructure, however, this planning application is in breach of paragraph A1(2)(c) of Part 16 of the Town and Country Planning (General Permitted Development) Order 2015 (henceforth, GDPO), which does not permit installation, alteration or replacement of a mast on a building which is less than 15 metres in height, if the mast will be within 20 metres of the highway. Weech Hall is 12.15 metres above ground level (a mere four storeys high) and far less than 20 metres away from Fortune Green Road. Correctly, there are legal restrictions upon the height and location of electronic communications apparatus permitted under Class A of Part 16, in recognition of public safety and the adverse visual impact of telecommunications infrastructure – of which, planning application 2020/5996/P breaches.

The proposal is that of a telecommunications base station consisting of a 7 metre stub tower supporting three Telefonica antennae, reaching a total height of 19.5 metres above ground level. The stub station supports antennae that will be transmitting and receiving radio waves, as such the entire structure constitutes a radio mast as definitively determined by Justice Lang and supported by the Secretary of State for Communities and Local Government, in *Mawbey R v Lewisham Council* [2018] EWHC 263. In this judgement, the Secretary of State submits that the broad definition of ‘mast’ in the GDPO is intended to capture all support structures, whether building-based or ground-based [paragraph 45]. Furthermore, the industry is led by a Code of Best Practice on Mobile Network Development in England, that contains a general definition of a ‘mast’ as ...”a freestanding structure that supports antennas at a height where they can transmit and receive radio waves”.

Importantly, the interpretation, reasoning and judgment of Justice Lang was subsequently upheld in the Court of Appeal by Lord Justice Lindblom in *Mawbey R and Ors v Cornerstone Telecommunications Infrastructure Ltd* [2019] EWCA Civ 1016. As Lord Justice Lindblom summarised in his judgement: “Thus the task of a local planning authority in determining whether a particular structure is a “mast” within the reach of paragraph A.1(2)(c) [GDPO] is simply to ascertain whether, as a matter of fact and degree, it is an upright pole – or another structure to which the definition in paragraph A.4 applies – whose function is to support an antenna or arial; whether the building is less than 15 metres in height; and whether the structure would be within 20 metres of the highway”

Therefore, in this planning application, the structure supporting (and together with) the antennae, constitutes a mast and is not permitted development in accordance with paragraph A1(2)(c) of Part 16 GDPO as it is less than 20 meters away from Fortune Green Road on a building less than 15 metres in height. As such it is unlawful to erect a telecommunications mast at this site. The cases cited above involve Cornerstone Telecommunications, and I am very surprised that they have, once again, submitted planning application in

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breach of GDPO legislation.

Camden Council will be vulnerable to legal proceedings for misinterpretation of the law should they permit planning application 2020/5996/P.

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An additional important note, as shown in file: 23704120_TEF_81552 pre-con to London LPA 06.11.20 (Redacted).pdf, Cornerstone and Telefonica Ltd considered four other sites on Fortune Green Road. The reasons given for not choosing these alternative sites do not provide sufficient detail or plausible justification to show that a sequential approach and due diligence has been undertaken. In fact, quite the opposite is evident - a hastily thrown together box-ticking exercise. One such example of a reason for rejection being "construction on the roof".

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In summary, application 2020/5996/P breaches GDPO legislation as supported by a recent high court judgement ([2018] EWHC 263) and subsequently upheld in the Court of Appeal ([2019] EWCA Civ 1016), would cause a significant adverse and unacceptable visual impact as admitted by Camden Council, is in very close proximity to two nurseries and a busy children's park and impacts on the character of Hampstead Cemetery, a site of historic importance. Therefore, in light of all that is discussed above, it is incumbent upon Camden Council to reject this proposal.

Application No:	Consultees Name:	Received:	Comment:	Response:
2020/5996/P	A Johnson	22/05/2021 12:35:35	COMMNT	<p>I am writing to voice my strong objection to planning application reference: 2020/5996/P for its legislative breaches, significant adverse visual impact, destruction of skyline views from Joan Court and poorly understood long-term health implications of high-intensity radiofrequency, particularly on the children who live and attend nurseries/schools in the immediate vicinity of this site.</p> <p>In terms of application handling it should be noted that, for an application of this obvious prominence, Camden have not properly consulted:</p> <p>Poor consultation practice</p> <p>First, it is deeply concerning that not a single resident in Joan Court (directly across the street from Weech Hall) was aware of planning application 2020/5996/P. There are no public notices anywhere on Fortune Green Road, either on the Weech Hall side or Joan Court side. The proposed application should have been publicised in a manner that would reasonably bring it to the attention of the majority of persons living in the vicinity of Weech Hall. This is not the case and as this conduct breaches Article 15(4) in Part 3 of the Town and Country Planning (Development Management Procedure) Order 2015, it constitutes unlawful consultation. The lack of publicity is evidenced by the mere eight objections submitted to date and only days away from the end of the consultation period. This reflects the lack of transparency and failure of Camden Council not only to adhere to its legislative obligations but also to abide by HM Government Code of Practice on Consultation. Consultation poor practice further extends to Cornerstone and Telefonica UK Ltd, as evidenced in their submitted documentation (file: 23704120_TEF_81552 Consultation Letter to pre-school 09.11.20.pdf). They undertook pre-application consultation with the Montessori Nursery adjacent to Joan Court. As stated in Camden Planning Guidance: Digital Infrastructure March 2018 [paragraph 14], consultation must be with the "relevant body where a mast is to be installed near a school or college". It is highly questionable whether the local manager of a nursery that forms one of four hundred others under the company Busy Bees Childcare (www.busybeeschildcare.co.uk) constitutes the "relevant body", and good practice would necessitate that pre-application consultation be undertaken with the parent company that is equipped to consider and response to an important consultation. This conduct is indicative of an attempt by Cornerstone and Telefonica UK Ltd to circumvent open, honest and transparent consultation.</p> <p>Planning objections:</p> <p>Significant visual impact</p> <p>The proposed structure including its supporting scaffold would cause an unacceptable and significant adverse visual impact to Fortune Green residents. The telecommunications mast would be wholly visible from the North, South, East and West aspects, both at ground level and from surrounding residential buildings, and its impact and intrusiveness cannot be limited. The significant visual impact is compounded by the low height of Weech Hall (12.15 m above ground level, four storeys). As such the effect of the visual damage to the local area and skyline views that many residents enjoy in Fortune Green would greatly outweigh any benefits from improved telephonic coverage.</p> <p>The dramatic impact of such an imposing structure on Fortune Green has been grossly misrepresented by Cornerstone and Telefonica UK Ltd in their artistic submissions of the appearance of this telecommunications from street level (file: E340535_CITL_237041_20_TEF_81552_VF_NA_PHOTOMONTAGE-compressed.pdf). It is disingenuous in its representation of the mast; the mast has been coloured white and set (conveniently) against a large white cloud. Furthermore, the photo montages do not adequately represent the visual impact of this proposal, showing only perspective views from ground level near Weech Hall. Despite these efforts by</p>

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Submission in supporting evidence of successful appeals to the Planning Inspectorate by Cornerstone and Telefonica UK Ltd

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Therefore, in this planning application, the structure supporting (and together with) the antennae, constitutes a mast and is not permitted development in accordance with paragraph A1(2)(c) of Part 16 GDPO as it is less than 20 meters away from Fortune Green Road on a building less than 15 metres in height. As such it is unlawful to erect a telecommunications mast at this site. The cases cited above involve Cornerstone Telecommunications, and I am very surprised that they have, once again, submitted planning application in breach of GDPO legislation.

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Thus, in view of the Montessori Nursey opposite Weech Hall, that Joan Court and Alfred Court directly across the street house many young children, the close proximity to Fortune Green Park that is busy daily with children and additionally contains a Nursery/Play Centre, this mast would unnecessarily expose the children of Fortune Green to radiation whose long-term health impacts are incompletely understood. In addition, UK Government Research in the Stewart Report (2000) advocated a precautionary approach to telecommunications development, recommends that the beam of greatest intensity from mobile phone masts should not fall on any part of a school's grounds or buildings without the agreement of the school and parents, and identified that children are more susceptible to telecommunications radiation. I would, therefore, urge Camden Council to prioritise the safety of its residents, the safety of our children and reject planning application 2020/5996/P.

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In summary, application 2020/5996/P breaches GDPO legislation as supported by a recent high court judgement ([2018] EWHC 263) and subsequently upheld in the Court of Appeal ([2019] EWCA Civ 1016), would cause a significant adverse and unacceptable visual impact as admitted by Camden Council, is in very close proximity to two nurseries and a busy children's park and impacts on the character of Hampstead Cemetery, a site of historic importance. Therefore, in light of all that is discussed above, it is incumbent upon Camden Council to reject this proposal.

Application No:	Consultees Name:	Received:	Comment:	Response:
2020/5996/P	Graham Bradshaw	23/05/2021 15:02:21	OBJ	Objection

Dear Sir/Madam, ¿

¿ I am writing to voice my strong objection to planning application reference: 2020/5996/P on the following grounds:

Legislative breaches

Adverse visual impact and destruction of skyline views from Ingham Road and surrounding area.

Loss of amenity

Poorly understood long-term health implications of radiofrequency emissions on nearby residents, particularly children. ¿

Additionally, in supporting technical information (file: 81552_Planning_Plot.pdf) it is stated "81552 is required to provide coverage and capacity to this area north of West Hampstead". I have never experienced any issues with my telephone signal in this area, and do not believe this to be adequate justification. As a resident of Ingham Road, living in extreme proximity to the proposed site, I categorically state that: ¿

I do NOT need or want 'enhanced' mobile signal in this area. ¿

I have never been consulted by Cornerstone and Telefonica UK Ltd regarding mobile signal in this area. ¿

I consider that the many detrimental effects of this proposal FAR OUTWEIGH any 'benefits', as identified in the proposal. ¿

I go to great lengths to limit the exposure of myself and my family to mobile phone radiation and consider this proposal an infringement of my right to do so. ¿

1) Legislative breaches:

FOR AN APPLICATION OF THIS IMPACT AND PROMINENCE, CAMDEN COUNCIL HAVE NOT PROPERLY CONSULTED: Local residents are reporting lack of and removal of public notices in nearby streets and no public notices anywhere on Fortune Green Road or Joan Court. This breaches Article 15(4) in Part 3 of the Town and Country Planning (Development Management Procedure) Order 2015 and constitutes unlawful consultation.

CORNERSTONE AND TELEFONICA UK LTD HAVE NOT PROPERLY CONSULTED: As evidenced in their submitted documentation (file: 23704120_TEF_81552 Consultation Letter to pre-school 09.11.20.pdf). They undertook pre-application consultation with the local manager of Montessori Nursery adjacent to Joan Court, rather than the parent company, Busy Bees Childcare, as would have been appropriate according to Camden's Planning Guidance: Digital Infrastructure March 2018 [paragraph 14], which states that consultation must be with the "relevant body where a mast is to be installed near a school or college".

PLANNING LEGISLATION BREACH: ¿ Legislative breach of paragraph A1(2)(c) of Part 16 of the Town and Country Planning (General Permitted Development) Order 2015, which does not permit installation, alteration or replacement of a mast on a building which is less than 15 metres in height, if the mast will be within 20 metres of the highway, in recognition of public safety and the adverse visual impact of telecommunications infrastructure. Weech Hall is 12.15 metres in height and far less than 20 metres away from Fortune Green Road. As such it is unlawful to erect a telecommunications mast at this site.

2) Significant adverse visual impact:

The proposed structure, including its supporting scaffold, would cause significant and unacceptable adverse visual impact to Fortune Green residents, being wholly visible from the North, South, East and West aspects,

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Comment: Response:

both at ground level and from surrounding residential buildings and gardens. The significant visual impact is compounded by the low height of Weech Hall (12.15 m above ground level, four storeys). The dramatic impact of such an imposing structure on Fortune Green has been grossly misrepresented by Cornerstone and Telefonica UK Ltd in their artistic submissions; the mast has been coloured white and set (conveniently) against a large white cloud. The photographs of the site are of front and side elevations only, from considerable distance, and no photographic evidence has been included from the rear of Weech Hall, where my garden and home would back onto this monstrosity at very close quarters. It's impact and intrusiveness for the homes and gardens of Weech and Ingham Roads cannot be overstated and is ignored by the photographic evidence.

Disfigurement of Weech Hall itself: The mast would tower over Weech Hall which is a building of only moderate height and would be completely out of scale with Weech Hall as well as the modest-sized terrace houses and gardens of Ingham Road. The detrimental visual impact is supported by the Local Planning Authority (Camden Council), as evidence by their pre-application comments documented in file: Weech Hall SSSI v2 (Redacted).pdf. It is clear that the Council is aware of the significant visual impact and detrimental effect on local residents of permitting the installation of this telecommunications mast: "This block is merely 4 storeys in height and therefore visual impacts are considered to be significant" and "the proposed bulk to the roof top is unacceptable".

Effect on Hampstead Cemetery and Conservation Areas nearby: The proposed telecommunications mast, 19.5 metres above ground level, will be visible from Hampstead Cemetery and impact on the character and serenity of this historic site. Additionally, Weech Hall is in close proximity to the Redington and Frogna Conservation Area, and the mast would additionally infringe on its character. ı

3) Loss of Amenity:

This large, imposing and unsightly structure which would be not only visible but dominant from many surrounding homes (including my own), constitutes a serious loss of amenity for local residents such as myself. It would dominate the view from every rear facing room in my home as well as from my garden which is a fundamental and much used part of my living space, used for recreation, exercise, socialising, children's play, gardening, photography, outdoor cooking and dining and other activities, all of which would be detrimentally affected by such a large, unsightly structure towering over us. Cornerstone and Telefonica UK Ltd have not included any photographic evidence of the proximity of the site to ground, first and second floor level of properties to the rear of Weech Hall, such as mine.

4) Health and environmental implications:

I have concerns regarding the impact of 5G on health and the environment. The World Health Organisation together with the International Agency for Research on Cancer (IARC) has classified all radio frequency radiation (of which mobile signals are a part) as "possibly carcinogenic". The proposed site is in the heart of a family-friendly residential area with many children living here, is opposite a Nursery school, in close proximity to Fortune Green which contains a further Nursery/Play Centre and busy playground and is also close to several other schools and a school sports ground. This mast would unnecessarily expose the children of Fortune Green to radiation whose long-term health impacts are not fully understood and are consistently glossed over by those who have an interest in this proposal and other similar developments going ahead. UK Government Research in the Stewart Report (2000) advocated a precautionary approach to

Application No:	Consultees Name:	Received:	Comment:	Response:
2020/5996/P	Dariusz Zablocki	22/05/2021 12:42:33	OBJ	<p>telecommunications development. It recommended that the beam of greatest intensity from mobile phone masts should not fall on any part of a school's grounds or buildings without the agreement of the school and parents and identified that children are more susceptible to telecommunications radiation. Whether or not the Planning Committee can consider the health implications of this proposal directly, it must consider the reasonable concerns of the Camden residents whose interests it should protect.</p> <p>I note that a recently upheld appeal was submitted in supporting evidence (file: 240295 APPEAL DECISION 3246710.pdf). This decision relates to the installation of telecommunications equipment on an existing rooftop enclosure in Eton, and not to the installation of a telecommunications mast rising to 19.5 metres above ground level. In addition, the antennas would be hidden within two structures that would be coloured and textured so to appear as chimneys. A second upheld appeal was submitted, file: Winchester NTQ.pdf, which relates to the installation of a ground level telecommunications mast. Therefore, both appeals are inconsequential to the current proposal by Cornerstone and Telefonica UK Ltd. ¿</p> <p>In light of all that is discussed above, it is incumbent upon Camden Council to reject this proposal. ¿</p>
2020/5996/P	nicola tager	23/05/2021 17:34:11	OBJ	<p>As a resident of Weech Hall I oppose this application as the mast would be unsightly and not in keeping with the style and character of this beautiful 1930s block. The deco style of the building, including rounded window bays and original entry ways would be ruined by the addition of unsightly industrial mast and antennae as well as ladders on the side of the building. Weech Hall is part of the vista of Fortune Green Road and a well known landmark (which is eg included on the London Taxis ¿the Knowledge¿). It¿s position at the top of a hill will cause the masts to be visible from a distance, generally spoiling the look and feel of this pleasant part of north London.</p> <p>This unfortunate action is in keeping with the landlords disregard and neglect for the building (e.g. the felling of old trees on dubious grounds - no doubt in preparation for the mast and a poor electric and fire safety record).</p> <p>Although I appreciate these will not be considered as part of the planning application, the above concerns are in addition to entirely founded health concerns (e.g. my wife¿s pregnancy) and the likely negative impact the development will have on the property values in Weech Hall and the wider area.</p> <p>I sincerely hope that this development can be stopped.</p> <p>I object to this application for the following reasons:</p> <ol style="list-style-type: none"> 1) potential health risks to residents; 2) ugly and oppressive structure of an industrial nature which pays no heed to the architectural style of the neighbourhood; 3) being of a disproportionate height as compared to surrounding buildings.

Application No:	Consultees Name:	Received:	Comment:	Response:
2020/5996/P	Melina Fourmidou	22/05/2021 09:24:41	COMMNT	I object to this for many reasons, including health and aesthetics, but as we were asked to only coent on aesthetics I will focus on that. The mast which will reach 19m in total will ruim completely the look of this beautiful building which is already protected from alterations. The residents are asked to keep everything externally the same, including the colour of the windows etc, and therefore preserving the art-deco look. But now you want to install an awful looking tower with anntenae, and completely change and ruin the look. Also, it will be visible from buildings near by, and it will change the look of West Hampstead. We object to this and ask for an alternative to be found.

Application No:	Consultees Name:	Received:	Comment:	Response:
2020/5996/P	Ian Dow	21/05/2021 15:28:54	OBJ	<p>I am writing to voice my strong objection to planning application reference: 2020/5996/P for its legislative breaches, significant adverse visual impact, destruction of skyline views from Joan Court and poorly understood long-term health implications of high-intensity radiofrequency, particularly on the children who live and attend nurseries/schools in the immediate vicinity of this site.</p> <p>In terms of application handling it should be noted that, for an application of this obvious prominence, Camden have not properly consulted:</p> <p>Poor consultation practice</p> <p>First, it is deeply concerning that not a single resident in Joan Court (directly across the street from Weech Hall) was aware of planning application 2020/5996/P. There are no public notices anywhere on Fortune Green Road, either on the Weech Hall side or Joan Court side. The proposed application should have been publicised in a manner that would reasonably bring it to the attention of the majority of persons living in the vicinity of Weech Hall. This is not the case and as this conduct breaches Article 15(4) in Part 3 of the Town and Country Planning (Development Management Procedure) Order 2015, it constitutes unlawful consultation. The lack of publicity is evidenced by the mere eight objections submitted to date and only days away from the end of the consultation period. This reflects the lack of transparency and failure of Camden Council not only to adhere to its legislative obligations but also to abide by HM Government Code of Practice on Consultation. Consultation poor practice further extends to Cornerstone and Telefonica UK Ltd, as evidenced in their submitted documentation (file: 23704120_TEF_81552 Consultation Letter to pre-school 09.11.20.pdf). They undertook pre-application consultation with the Montessori Nursery adjacent to Joan Court. As stated in Camden Planning Guidance: Digital Infrastructure March 2018 [paragraph 14], consultation must be with the "relevant body where a mast is to be installed near a school or college". It is highly questionable whether the local manager of a nursery that forms one of four hundred others under the company Busy Bees Childcare (www.busybeeschildcare.co.uk) constitutes the "relevant body", and good practice would necessitate that pre-application consultation be undertaken with the parent company that is equipped to consider and response to an important consultation. This conduct is indicative of an attempt by Cornerstone and Telefonica UK Ltd to circumvent open, honest and transparent consultation.</p> <p>Planning objections:</p> <p>Significant visual impact</p> <p>The proposed structure including its supporting scaffold would cause an unacceptable and significant adverse visual impact to Fortune Green residents. The telecommunications mast would be wholly visible from the North, South, East and West aspects, both at ground level and from surrounding residential buildings, and its impact and intrusiveness cannot be limited. The significant visual impact is compounded by the low height of Weech Hall (12.15 m above ground level, four storeys). As such the effect of the visual damage to the local area and skyline views that many residents enjoy in Fortune Green would greatly outweigh any benefits from improved telephonic coverage.</p> <p>The dramatic impact of such an imposing structure on Fortune Green has been grossly misrepresented by Cornerstone and Telefonica UK Ltd in their artistic submissions of the appearance of this telecommunications from street level (file: E340535_CITL_237041_20_TEF_81552_VF_NA_PHOTOMONTAGE-compressed.pdf). It is disingenuous in its representation of the mast; the mast has been coloured white and set (conveniently) against a large white cloud. Furthermore, the photo montages do not adequately represent the visual impact of this proposal, showing only perspective views from ground level near Weech Hall. Despite these efforts by</p>

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Cornerstone and Telefonica UK Ltd, the mast remains an undisputed large, imposing and unsightly structure that would be visible from many surrounding locations and by the road-side residents of Joan Court, all of whom have balconies overlooking Fortune Green Road with beautiful views and views of the London skyline. A effect on these views would constitute a loss of amenity. A telecommunications mast on Weech Hall would additionally disfigure the building itself.

The detrimental visual impact is supported by the Local Planning Authority (Camden Council), as evidence by their pre-application comments documented in file: Weech Hall SSSI v2 (Redacted).pdf. It is clear that the Council is aware of the significant visual impact and detrimental effect on local residents of permitting the installation of this telecommunications mast: "This block is merely 4 storeys in height and therefore visual impacts are considered to be significant" and "the proposed bulk to the roof top is unacceptable". Therefore, in light of the above and the documented evidence of Camden Council of the significant and unacceptable visual impact of the telecommunications mast, it is then only reasonable and rational that the Council takes heed of its own concerns and refuse planning permission for application 2020/5996/P.

Effect on Hampstead Cemetery and Conservation Areas nearby

Although Hampstead Cemetery, across the street from Weech Hall, is not a conservation area, it is a place of historic importance and as such holds an almost equivalent status. The proposed telecommunications mast, 19.5 metres above ground level, will be visible from Hampstead Cemetery and impact on the character and serenity of this historic site. Additionally, Weech Hall is in close proximity to the Redington and Frogna Conservation Area,

Submission in supporting evidence of successful appeals to the Planning Inspectorate by Cornerstone and Telefonica UK Ltd

I note, a recently upheld appeal was submitted in supporting evidence (file: 240295 APPEAL DECISION 3246710.pdf). This decision relates to the installation of telecommunications equipment on an existing rooftop enclosure in Eton, and not to the installation of a telecommunications mast rising to 19.5 metres above ground level. In addition, the antennas would be hidden within two structures that would be coloured and textured so to appear as chimneys. A second upheld appeal was submitted, file: Winchester NTQ.pdf, which relates to the installation of a ground level telecommunications mast. Therefore, both appeals are inconsequential to the current proposal by Cornerstone and Telefonica UK Ltd, and appear to represent thinly veiled intimidation to support planning application 2020/5996/P.

Legislative breach (GDPO)

I understand the requirement to expand telecommunications infrastructure, however, this planning application is in breach of paragraph A1(2)(c) of Part 16 of the Town and Country Planning (General Permitted Development) Order 2015 (henceforth, GDPO), which does not permit installation, alteration or replacement of a mast on a building which is less than 15 metres in height, if the mast will be within 20 metres of the highway. Weech Hall is 12.15 metres above ground level (a mere four storeys high) and far less than 20 metres away from Fortune Green Road. Correctly, there are legal restrictions upon the height and location of electronic communications apparatus permitted under Class A of Part 16, in recognition of public safety and the adverse visual impact of telecommunications infrastructure – of which, planning application 2020/5996/P breaches. The proposal is that of a telecommunications base station consisting of a 7 metre stub tower supporting three Telefonica antennae, reaching a total height of 19.5 metres above ground level. The stub station supports antennae that will be transmitting and receiving radio waves, as such the entire structure constitutes a radio mast as definitively determined by Justice Lang and supported by the Secretary of State for Communities and

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Local Government, in *Mawbey R v Lewisham Council* [2018] EWHC 263. In this judgement, the Secretary of State submits that the broad definition of 'mast' in the GDPO is intended to capture all support structures, whether building-based or ground-based [paragraph 45]. Furthermore, the industry is led by a Code of Best Practice on Mobile Network Development in England, that contains a general definition of a 'mast' as "...a freestanding structure that supports antennas at a height where they can transmit and receive radio waves". Importantly, the interpretation, reasoning and judgment of Justice Lang was subsequently upheld in the Court of Appeal by Lord Justice Lindblom in *Mawbey R and Ors v Cornerstone Telecommunications Infrastructure Ltd* [2019] EWCA Civ 1016. As Lord Justice Lindblom summarised in his judgement: "Thus the task of a local planning authority in determining whether a particular structure is a "mast" within the reach of paragraph A.1(2)(c) [GDPO] is simply to ascertain whether, as a matter of fact and degree, it is an upright pole – or another structure to which the definition in paragraph A.4 applies – whose function is to support an antenna or arial; whether the building is less than 15 metres in height; and whether the structure would be within 20 metres of the highway"

Therefore, in this planning application, the structure supporting (and together with) the antennae, constitutes a mast and is not permitted development in accordance with paragraph A1(2)(c) of Part 16 GDPO as it is less than 20 meters away from Fortune Green Road on a building less than 15 metres in height. As such it is unlawful to erect a telecommunications mast at this site. The cases cited above involve Cornerstone Telecommunications, and I am very surprised that they have, once again, submitted planning application in breach of GDPO legislation.

Camden Council will be vulnerable to legal proceedings for misinterpretation of the law should they permit planning application 2020/5996/P.

Other relevant reasons for objection:

Mobile signal

In supporting technical information (file: 81552_Planning_Plot.pdf) it is stated "81552 is required to provide coverage and capacity to this area north of West Hampstead". I have never experienced any issues with my telephone signal in this area, and do not believe this to be adequate justification. This document shows a projection of the strength of mobile signal both before and after installation of the telecommunications mast – it does not provide any details of how the signal strength post-installation was calculated and we are informed that Radio Planners have used "advanced computer modelling software", which does not mean anything. More importantly however, Cornerstone and Telefonica UK Ltd have not produced empirical data evidencing a genuine concern by the local residents of poor mobile signal in the Fortune Green area. Therefore, even if the projected increased signal coverage in the area is accurate, for which we have no evidence, this remains a moot point.

Health and environmental implications

I also have concerns regarding 5G on the impact of health and the environment, although research to date has been inconclusive on this matter, the World Health Organisation together with the International Agency for Research on Cancer (IARC) has classified all radio frequency radiation (of which mobile signals are a part) as "possibly carcinogenic". Furthermore, in the Council's Camden Planning Guidance: Digital Infrastructure March 2018 [paragraph 14], there is a requirement for Cornerstone and Telefonica UK Ltd to produce a statement that certifies that the "cumulative exposure, when operational, will not exceed International Commission on non-ionising radiation protection guidelines" – I have seen no evidence of such a submission in the supporting documentation submitted with this planning application.

Application No:	Consultees Name:	Received:	Comment:	Response:
2020/5996/P	Karen Palmer	23/05/2021 10:08:14	INT	<p>Thus, in view of the Montessori Nursey opposite Weech Hall, that Joan Court and Alfred Court directly across the street house many young children, the close proximity to Fortune Green Park that is busy daily with children and additionally contains a Nursery/Play Centre, this mast would unnecessarily expose the children of Fortune Green to radiation whose long-term health impacts are incompletely understood. In addition, UK Government Research in the Stewart Report (2000) advocated a precautionary approach to telecommunications development, recommends that the beam of greatest intensity from mobile phone masts should not fall on any part of a school's grounds or buildings without the agreement of the school and parents, and identified that children are more susceptible to telecommunications radiation. I would, therefore, urge Camden Council to prioritise the safety of its residents, the safety of our children and reject planning application 2020/5996/P.</p> <p>Due diligence in considering alternative sites An additional important note, as shown in file: 23704120_TEF_81552 pre-con to London LPA 06.11.20 (Redacted).pdf, Cornerstone and Telefonica Ltd considered four other sites on Fortune Green Road. The reasons given for not choosing these alternative sites do not provide sufficient detail or plausible justification to show that a sequential approach and due diligence has been undertaken. In fact, quite the opposite is evident - a hastily thrown together box-ticking exercise. One such example of a reason for rejection being "construction on the roof".</p> <p>Summary In summary, application 2020/5996/P breaches GDPO legislation as supported by a recent high court judgement ([2018] EWHC 263) and subsequently upheld in the Court of Appeal ([2019] EWCA Civ 1016), would cause a significant adverse and unacceptable visual impact as admitted by Camden Council, is in very close proximity to two nurseries and a busy children's park and impacts on the character of Hampstead Cemetery, a site of historic importance. Therefore, in light of all that is discussed above, it is incumbent upon Camden Council to reject this proposal.</p>
2020/5996/P	Karen Palmer	23/05/2021 10:08:14	INT	<p>I am leaseholder of Flat 8 Weech Hall and I object to the planning application. Previous planning deliberations in 2014 confirmed that the art deco style of the building is very important. Clearly the installation of the mast and associated equipment would be completely out of keeping with the building and would be a significant carbuncle on top of a fine example of art deco architecture in West Hampstead. There are plenty of other better suited sites nearby. The proposed development would result in significant nuisance to the residents of the building both during and after installation (works having to take place on the existing roof possibly rendering some flats uninhabitable for a time, and ongoing noise from electrical equipment immediately above some flats). The freeholder has not consulted at all with any of the leaseholders or residents, which demonstrates a complete lack of consideration.</p>

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2020/5996/P	Martin Freire	22/05/2021 09:02:06	OBJ	I am writing to voice my strong objection to planning application reference: 2020/5996/P for its legislative breaches, significant adverse visual impact, destruction of skyline views from Joan Court and poorly understood long-term health implications of high-intensity radiofrequency, particularly on the children who live and attend nurseries/schools in the immediate vicinity of this site.

In terms of application handling it should be noted that, for an application of this obvious prominence, Camden have not properly consulted:

Poor consultation practice

First, it is deeply concerning that not a single resident in Joan Court (directly across the street from Weech Hall) was aware of planning application 2020/5996/P. There are no public notices anywhere on Fortune Green Road, either on the Weech Hall side or Joan Court side. The proposed application should have been publicised in a manner that would reasonably bring it to the attention of the majority of persons living in the vicinity of Weech Hall. This is not the case and as this conduct breaches Article 15(4) in Part 3 of the Town and Country Planning (Development Management Procedure) Order 2015, it constitutes unlawful consultation.

The lack of publicity is evidenced by the mere eight objections submitted to date and only days away from the end of the consultation period. This reflects the lack of transparency and failure of Camden Council not only to adhere to its legislative obligations but also to abide by HM Government Code of Practice on Consultation.

Consultation poor practice further extends to Cornerstone and Telefonica UK Ltd, as evidenced in their submitted documentation (file: 23704120_TEF_81552 Consultation Letter to pre-school 09.11.20.pdf). They undertook pre-application consultation with the Montessori Nursery adjacent to Joan Court. As stated in Camden Planning Guidance: Digital Infrastructure March 2018 [paragraph 14], consultation must be with the "relevant body where a mast is to be installed near a school or college". It is highly questionable whether the local manager of a nursery that forms one of four hundred others under the company Busy Bees Childcare (www.busybeeschildcare.co.uk) constitutes the "relevant body", and good practice would necessitate that pre-application consultation be undertaken with the parent company that is equipped to consider and response to an important consultation. This conduct is indicative of an attempt by Cornerstone and Telefonica UK Ltd to circumvent open, honest and transparent consultation.

Planning objections:

Significant visual impact

The proposed structure including its supporting scaffold would cause an unacceptable and significant adverse

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visual impact to Fortune Green residents. The telecommunications mast would be wholly visible from the North, South, East and West aspects, both at ground level and from surrounding residential buildings, and its impact and intrusiveness cannot be limited. The significant visual impact is compounded by the low height of Weech Hall (12.15 m above ground level, four storeys). As such the effect of the visual damage to the local area and skyline views that many residents enjoy in Fortune Green would greatly outweigh any benefits from improved telephonic coverage.

The dramatic impact of such an imposing structure on Fortune Green has been grossly misrepresented by Cornerstone and Telefonica UK Ltd in their artistic submissions of the appearance of this telecommunications from street level (file: E340535_CITL_237041_20_TEF_81552_VF_NA_PHOTOMONTAGE-compressed.pdf). It is disingenuous in its representation of the mast; the mast has been coloured white and set (conveniently) against a large white cloud. Furthermore, the photo montages do not adequately represent the visual impact of this proposal, showing only perspective views from ground level near Weech Hall. Despite these efforts by Cornerstone and Telefonica UK Ltd, the mast remains an undisputed large, imposing and unsightly structure that would be visible from many surrounding locations and by the road-side residents of Joan Court, all of whom have balconies overlooking Fortune Green Road with beautiful views and views of the London skyline. A effect on these views would constitute a loss of amenity. A telecommunications mast on Weech Hall would additionally disfigure the building itself.

The detrimental visual impact is supported by the Local Planning Authority (Camden Council), as evidence by their pre-application comments documented in file: Weech Hall SSSI v2 (Redacted).pdf. It is clear that the Council is aware of the significant visual impact and detrimental effect on local residents of permitting the installation of this telecommunications mast: "This block is merely 4 storeys in height and therefore visual impacts are considered to be significant" and "the proposed bulk to the roof top is unacceptable".

Therefore, in light of the above and the documented evidence of Camden Council of the significant and unacceptable visual impact of the telecommunications mast, it is then only reasonable and rational that the Council takes heed of its own concerns and refuse planning permission for application 2020/5996/P.

Effect on Hampstead Cemetery and Conservation Areas nearby

Although Hampstead Cemetery, across the street from Weech Hall, is not a conservation area, it is a place of historic importance and as such holds an almost equivalent status. The proposed telecommunications mast, 19.5 metres above ground level, will be visible from Hampstead Cemetery and impact on the character and serenity of this historic site. Additionally, Weech Hall is in close proximity to the Redington and Frogna Conservation Area,

Submission in supporting evidence of successful appeals to the Planning Inspectorate by Cornerstone and Telefonica UK Ltd

I note, a recently upheld appeal was submitted in supporting evidence (file: 240295 APPEAL DECISION

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3246710.pdf). This decision relates to the installation of telecommunications equipment on an existing rooftop enclosure in Eton, and not to the installation of a telecommunications mast rising to 19.5 metres above ground level. In addition, the antennas would be hidden within two structures that would be coloured and textured so to appear as chimneys. A second upheld appeal was submitted, file: Winchester NTQ.pdf, which relates to the installation of a ground level telecommunications mast. Therefore, both appeals are inconsequential to the current proposal by Cornerstone and Telefonica UK Ltd, and appear to represent thinly veiled intimidation to support planning application 2020/5996/P.

Legislative breach (GDPO)

I understand the requirement to expand telecommunications infrastructure, however, this planning application is in breach of paragraph A1(2)(c) of Part 16 of the Town and Country Planning (General Permitted Development) Order 2015 (henceforth, GDPO), which does not permit installation, alteration or replacement of a mast on a building which is less than 15 metres in height, if the mast will be within 20 metres of the highway. Weech Hall is 12.15 metres above ground level (a mere four storeys high) and far less than 20 metres away from Fortune Green Road. Correctly, there are legal restrictions upon the height and location of electronic communications apparatus permitted under Class A of Part 16, in recognition of public safety and the adverse visual impact of telecommunications infrastructure – of which, planning application 2020/5996/P breaches.

The proposal is that of a telecommunications base station consisting of a 7 metre stub tower supporting three Telefonica antennae, reaching a total height of 19.5 metres above ground level. The stub station supports antennae that will be transmitting and receiving radio waves, as such the entire structure constitutes a radio mast as definitively determined by Justice Lang and supported by the Secretary of State for Communities and Local Government, in *Mawbey R v Lewisham Council* [2018] EWHC 263. In this judgement, the Secretary of State submits that the broad definition of ‘mast’ in the GDPO is intended to capture all support structures, whether building-based or ground-based [paragraph 45]. Furthermore, the industry is led by a Code of Best Practice on Mobile Network Development in England, that contains a general definition of a ‘mast’ as ...”a freestanding structure that supports antennas at a height where they can transmit and receive radio waves”.

Importantly, the interpretation, reasoning and judgment of Justice Lang was subsequently upheld in the Court of Appeal by Lord Justice Lindblom in *Mawbey R and Ors v Cornerstone Telecommunications Infrastructure Ltd* [2019] EWCA Civ 1016. As Lord Justice Lindblom summarised in his judgement: “Thus the task of a local planning authority in determining whether a particular structure is a “mast” within the reach of paragraph A.1(2)(c) [GDPO] is simply to ascertain whether, as a matter of fact and degree, it is an upright pole – or another structure to which the definition in paragraph A.4 applies – whose function is to support an antenna or arial; whether the building is less than 15 metres in height; and whether the structure would be within 20 metres of the highway”

Therefore, in this planning application, the structure supporting (and together with) the antennae, constitutes a mast and is not permitted development in accordance with paragraph A1(2)(c) of Part 16 GDPO as it is less than 20 meters away from Fortune Green Road on a building less than 15 metres in height. As such it is unlawful to erect a telecommunications mast at this site. The cases cited above involve Cornerstone Telecommunications, and I am very surprised that they have, once again, submitted planning application in

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breach of GDPO legislation.

Camden Council will be vulnerable to legal proceedings for misinterpretation of the law should they permit planning application 2020/5996/P.

Other relevant reasons for objection:

Mobile signal

In supporting technical information (file: 81552_Planning_Plot.pdf) it is stated "81552 is required to provide coverage and capacity to this area north of West Hampstead". I have never experienced any issues with my telephone signal in this area, and do not believe this to be adequate justification. This document shows a projection of the strength of mobile signal both before and after installation of the telecommunications mast – it does not provide any details of how the signal strength post-installation was calculated and we are informed that Radio Planners have used "advanced computer modelling software", which does not mean anything. More importantly however, Cornerstone and Telefonica UK Ltd have not produced empirical data evidencing a genuine concern by the local residents of poor mobile signal in the Fortune Green area. Therefore, even if the projected increased signal coverage in the area is accurate, for which we have no evidence, this remains a moot point.

Health and environmental implications

I also have concerns regarding 5G on the impact of health and the environment, although research to date has been inconclusive on this matter, the World Health Organisation together with the International Agency for Research on Cancer (IARC) has classified all radio frequency radiation (of which mobile signals are a part) as "possibly carcinogenic". Furthermore, in the Council's Camden Planning Guidance: Digital Infrastructure March 2018 [paragraph 14], there is a requirement for Cornerstone and Telefonica UK Ltd to produce a statement that certifies that the "cumulative exposure, when operational, will not exceed International Commission on non-ionising radiation protection guidelines" – I have seen no evidence of such a submission in the supporting documentation submitted with this planning application.

Thus, in view of the Montessori Nursey opposite Weech Hall, that Joan Court and Alfred Court directly across the street house many young children, the close proximity to Fortune Green Park that is busy daily with children and additionally contains a Nursery/Play Centre, this mast would unnecessarily expose the children of Fortune Green to radiation whose long-term health impacts are incompletely understood. In addition, UK Government Research in the Stewart Report (2000) advocated a precautionary approach to telecommunications development, recommends that the beam of greatest intensity from mobile phone masts should not fall on any part of a school's grounds or buildings without the agreement of the school and parents, and identified that children are more susceptible to telecommunications radiation.

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I would, therefore, urge Camden Council to prioritise the safety of its residents, the safety of our children and reject planning application 2020/5996/P.

Due diligence in considering alternative sites

An additional important note, as shown in file: 23704120_TEF_81552 pre-con to London LPA 06.11.20 (Redacted).pdf, Cornerstone and Telefonica Ltd considered four other sites on Fortune Green Road. The reasons given for not choosing these alternative sites do not provide sufficient detail or plausible justification to show that a sequential approach and due diligence has been undertaken. In fact, quite the opposite is evident - a hastily thrown together box-ticking exercise. One such example of a reason for rejection being "construction on the roof".

Summary

In summary, application 2020/5996/P breaches GDPO legislation as supported by a recent high court judgement ([2018] EWHC 263) and subsequently upheld in the Court of Appeal ([2019] EWCA Civ 1016), would cause a significant adverse and unacceptable visual impact as admitted by Camden Council, is in very close proximity to two nurseries and a busy children's park and impacts on the character of Hampstead Cemetery, a site of historic importance. Therefore, in light of all that is discussed above, it is incumbent upon Camden Council to reject this proposal.

Application No:	Consultees Name:	Received:	Comment:	Response:
2020/5996/P	Keith Moffitt	23/05/2021 20:33:34	OBJ	<p>The NDF formally objects to the erection of this large telecommunications structure on the top of Weech Hall.</p> <p>This would be a large structure, industrial in appearance, which is totally out of keeping with the neighbouring buildings, and we are particularly conscious that Weech Hall sits almost opposite the main entrance to Hampstead Cemetery, the largest green space in the area and one of historical significance.</p> <p>We believe that the application is in contravention of the following policies set out in the Fortune Green and West Hampstead Neighbourhood Plan:</p> <p>POLICY 2: Design & Character</p> <p>All development shall be of a high quality of design, which complements and enhances the distinct local character and identity of Fortune Green and West Hampstead.</p> <p>This shall be achieved by:</p> <ol style="list-style-type: none">i. Development which positively interfaces with the street and streetscape in which it is located.ii. Development which maintains the positive contributions to character of existing buildings and structures.iii. Development which is human in scale, in order to maintain and create a positive relationship between buildings and street level activity.iv. Development which has regard to the form, function, structure and heritage of its context ζ including the scale, mass, orientation, pattern and grain of surrounding buildings, streets and spaces.vi. New buildings and extensions that respect and are sensitive to the height of existing buildings in their vicinity and setting.vii. Extensions - and infill development - being in character and proportion with its context and setting, including the relationship to any adjoining properties.ix. Having regard to the impact on local views across the Area and the streetscapes within the Area

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2020/5996/P	Lois George	22/05/2021 14:43:59	OBJ	<p>I am writing to strongly object to Planning Application Ref.2020/5996/P On the following grounds, adverse visual impact, height, poor design, it breaches GDPO legislation, plus, the poorly understood long term health implications of high-intensity radio-frequency particularly on the children in the nurseries and schools in the local area.</p> <p>Firstly, for an application of this impact and prominence in the area I would like it noted that I feel there has been inadequate consultation. A lack of notices in any form has been detrimental to alerting all those who will be affected by this proposal a chance to comment if they wished to do so. This has been an inadequate consultation process.</p> <p>Secondly, this proposal will affect the visual amenity of many people in the many roads to the N, S,E. and W. of the site not just the few roads around Weech Hall. Including Hampstead cemetery which is of historic importance which would be adversely impacted by this proposal. Although we are not in a conservation area we are at the gateway to the Redington and Froggnal conservation area and the mast would impact and infringe on its character too.</p> <p>Thirdly, the planning application is in breach of GDPO which 'does not permit installation, alteration or replacement of a mast on a building which is less than 15 metre in height if the mast is within 20 metres of the highway.' Weech Hall is a 4 storey, 1930's block of flats which is 12.5 metres high and LESS than 20 metres from Fortune Green Road. This is stated In GPDO in recognition of public safety and the adverse visual impact of telecommunications infrastructure which this planning proposal breaches.</p> <p>Fourthly, I have concerns regarding 5G on the impact of health and the environment which research has been inconclusive in. this matter but the World Health Orgstn.+ Agency for Research on Cancer (IARC) has classified all frequency radiation, (of which mobile signals are a part) as ' possibly carcinogenic.' Cornerstone and Telefonica UK are required, by Camden, to produce a statement which certifies 'the cumulative exposure, when operational, will not exceed International Commission on non-ionising radiation protection guidelines.' No document has been submitted with this application. Why?</p> <p>Fifthly, Surely the safety of residents should be prioritised by Camden, particularly our babies, toddlers and children. As has been identified by the UK Govt. Research - the Stewart Report-2020 advocated a precautionary approach to telecommunications development identifying children are more susceptible to telecommunication radiation.</p> <p>In the immediate area of Weech Hall we have 2 nurseries, a tuition centre and a childrens' play centre all within 1 - 3 minutes of the proposed mast.</p> <p>In conclusion, I hope all the above points will be taken into account by the council when looking at this hastily thrown together application which seeks to provide what is not needed or wanted in this area. Whose design pays no regard to the 1930's host building or it's surrounding. It is intrusive and oppressive. Not to mention it is in breach of legislation put there for peoples safety.</p> <p>On all these and the above points I hope this planning proposal will be rejected.</p> <p>Yours sincerely, Lois George.</p>

Application No:	Consultees Name:	Received:	Comment:	Response:
2020/5996/P	Sharath D	23/05/2021 22:19:12	OBJ	Dear Madam or Sir

I am writing to voice my strong objection to planning application reference: 2020/5996/P for its legislative breaches, significant adverse visual impact, destruction of skyline views from our home and poorly understood long-term health implications of high-intensity radiofrequency , particularly on the children who live and attend nurseries/schools in the immediate vicinity of this site.

1. IN TERMS OF APPLICATION HANDLING, IT SHOULD BE NOTED THAT FOR AN APPLICATION OF THIS IMPACT AND PROMINENCE , CAMDEN COUNCIL HAVE NOT PROPERLY CONSULTED:
Poor consultation practice

First, it is deeply concerning that not a single resident in our building (directly across the street from Weech Hall) was aware of planning application 2020/5996/P. There are no public notices anywhere on Fortune Green Road, either on the Weech Hall side or nearby. The proposed application should have been publicised in a manner that would reasonably bring it to the attention of the majority of persons living in the vicinity of Weech Hall. This is not the case and as this conduct breaches Article 15(4) in Part 3 of the Town and Country Planning (Development Management Procedure) Order 2015, it constitutes unlawful consultation.

The lack of publicity is evidenced by the mere eight objections submitted to date and only days away from the end of the consultation period. This reflects the lack of transparency and failure of Camden Council not only to adhere to its legislative obligations but also to abide by HM Government Code of Practice on Consultation.

Consultation poor practice further extends to Cornerstone and Telefonica UK Ltd, as evidenced in their submitted documentation (file: 23704120_TEF_81552 Consultation Letter to pre-school 09.11.20.pdf). They undertook pre- application consultation with the Montessori Nursery adjacent to Joan Court. As stated in Camden Planning Guidance: Digital Infrastructure March 2018 [paragraph 14], consultation must be with the "relevant body where a mast is to be installed near a school or college". It is highly questionable whether the local manager of a nursery that forms one of four hundred others under the company Busy Bees Childcare (www.busybeeschildcare.co.uk) constitutes the "relevant body", and good practice would necessitate that pre-application consultation be undertaken with the parent company that is equipped to consider and response to an important consultation. This conduct is indicative of an attempt by Cornerstone and Telefonica UK Ltd to circumvent open, honest and transparent consultation.

2. PLANNING OBJECTIONS:
Legislative breach (GDPO)

I understand the requirement to expand telecommunications infrastructure, however, this planning application is in breach of paragraph A1(2)(c) of Part 16 of the Town and Country Planning (General Permitted Development) Order 2015 (henceforth, GDPO), which does not permit installation, alteration or replacement of a mast on a building which is less than 15 metres in height, if the mast will be within 20 metres of the highway. Weech Hall is 12.15 metres above ground level (a mere four storeys high) and far less than 20 metres away from Fortune Green Road. Correctly, there are legal restrictions upon the height and location of electronic communications apparatus permitted under Class A of Part 16, in recognition of public safety and the adverse visual impact of telecommunications infrastructure - of which , planning application 2020/5996/P breaches.

The proposal is that of a telecommunications base station consisting of a 7 metre stub tower supporting three Telefonica antennae, reaching a total height of 19.5 metres above ground level. The stub station supports

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antennae that will be transmitting and receiving radio waves, as such the entire structure constitutes a radio mast as definitively determined by Justice Lang and supported by the Secretary of State for Communities and Local Government, in *Mawbey R v Lewisham Council* [2018] EWHC 263. In this judgement, the Secretary of State submits that the broad definition of 'mast' in the GDPO is intended to capture all support structures, whether building-based or ground-based [paragraph 45]. Furthermore, the industry is led by a Code of Best Practice on Mobile Network Development in England, that contains a general definition of a 'mast' as ... "a freestanding structure that supports antennas at a height where they can transmit and receive radio waves".

Importantly, the interpretation, reasoning and judgment of Justice Lang was subsequently upheld in the Court of Appeal by Lord Justice Lindblom in *Mawbey Rand Ors v Cornerstone Telecommunications Infrastructure Ltd* [2019] EWCA Civ 1016. As Lord Justice Lindblom summarised in his judgement: "Thus the task of a local planning authority in determining whether a particular structure is a "mast" within the reach of paragraph A.1(2)(c) [GDPO] is simply to ascertain whether, as a matter of fact and degree, it is an upright pole - or another structure to which the definition in paragraph A.4 applies - whose function is to support an antenna or arial; whether the building is less than 15 metres in height; and whether the structure would be within 20 metres of the highway"

Therefore, in this planning application, the structure supporting (and together with) the antennae, constitutes a mast and is not permitted development in accordance with paragraph A1(2)(c) of Part 16 GDPO as it is less than 20 meters away from Fortune Green Road on a building less than 15 metres in height. As such it is unlawful to erect a telecommunications mast at this site. The cases cited above involve Cornerstone Telecommunications, and I am very surprised that they have, once again, submitted planning application in breach of GDPO legislation.

Camden Council will be vulnerable to legal proceedings for misinterpretation of the law should they permit planning application 2020/5996/P.

Significant visual impact

The proposed structure including its supporting scaffold would cause an unacceptable and significant adverse visual impact to Fortune Green residents. The telecommunications mast would be wholly visible from the North, South, East and West aspects, both at ground level and from surrounding residential buildings, and its impact and intrusiveness cannot be limited. The significant visual impact is compounded by the low height of Weech Hall (12.15 m above ground level, four storeys). As such the effect of the visual damage to the local area and skyline views that many residents enjoy in Fortune Green would greatly outweigh any benefits from improved telephonic coverage.

The dramatic impact of such an imposing structure on Fortune Green has been grossly misrepresented by Cornerstone and Telefonica UK Ltd in their artistic submissions of the appearance of this telecommunications mast from street level (file: E340535_CITL_237041_20_TEF_81552_VF_NA_PHOTOMONTAGE-compressed.pfd). It is disingenuous in its representation of the mast; the mast has been coloured white and set (conveniently) against a large white cloud. Furthermore, the photo montages do not adequately represent the visual impact of this proposal, showing only perspective views from ground level near Weech Hall. Despite these efforts by Cornerstone and Telefonica UK Ltd, the mast remains an undisputed large, imposing and unsightly structure that would be visible from many surrounding locations and by the road-side residents of our building, all of whom have balconies overlooking Fortune Green Road with beautiful views and views of the

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London skyline. An effect on these views would constitute a loss of amenity. A telecommunications mast on Weech Hall would additionally disfigure the building itself.

The detrimental visual impact is supported by the Local Planning Authority (Camden Council), as evidence by their pre- application comments documented in file: Weech Hall SSSI v2 (Redacted).pdf. It is clear that the Council is aware of the significant visual impact and detrimental effect on local residents of permitting the installation of this telecommunications mast: "This block is merely 4 storeys in height and therefore visual impacts are considered to be significant" and "the proposed bulk to the roof top is unacceptable".

Therefore, in light of the above and the documented evidence of Camden Council of the significant and unacceptable visual impact of the telecommunications mast, it is then only reasonable and rational that the Council takes heed of its own concerns and refuse planning permission for application 2020/5996/P.

Effect on Hampstead Cemetery and Conservation Areas nearby

Although Hampstead Cemetery, across the street from Weech Hall, is not a conservation area, it is a place of historic importance and as such holds an almost equivalent status. The proposed telecommunications mast, 19.5 metres above ground level, will be visible from Hampstead Cemetery and impact on the character and serenity of this historic site. Additionally, Weech Hall is in close proximity to the Redington and Frogna Conservation Area, and the mast would additionally infringe on its character.

Submission in supporting evidence of successful appeals to the Planning Inspectorate by Cornerstone and Telefonica UK Ltd

I note, a recently upheld appeal was submitted in supporting evidence (file: 240295 APPEAL DECISION 3246710.pdf). This decision relates to the installation of telecommunications equipment on an existing rooftop enclosure in Eton, and not to the installation of a telecommunications mast rising to 19.5 metres above ground level. In addition, the antennas would be hidden within two structures that would be coloured and textured so to appear as chimneys. A second upheld appeal was submitted, file: Winchester NTQ.pdf, which relates to the installation of a ground level telecommunications mast. Therefore, both appeals are inconsequential to the current proposal by Cornerstone and Telefonica UK Ltd, and appear to represent thinly veiled intimidation to support planning application 2020/5996/P.

3. OTHER RELEVANT REASONS FOR OBJECTION: Mobile signal

In supporting technical information (file: 81552_Planning_Plot.pdf) it is stated "81552 is required to provide coverage and capacity to this area north of West Hampstead". I have never experienced any issues with my telephone signal in this area, and do not believe this to be adequate justification. This document shows a projection of the strength of mobile signal both before and after installation of the telecommunications mast - it does not provide any details of how the signal strength post-installation was calculated and we are informed that Radio Planners have used "advanced computer modelling software", which does not mean anything. More importantly however, Cornerstone and Telefonica UK Ltd have not produced empirical data evidencing a genuine concern by the local residents of poor mobile signal in the Fortune Green area. Therefore, even if the projected increased signal coverage in the area is accurate, for which we have no evidence, this remains a moot point.

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Health and environmental implications

I also have concerns regarding 5G on the impact of health and the environment, although research to date has been inconclusive on this matter, the World Health Organisation together with the International Agency for Research on Cancer (IARC) has classified all radio frequency radiation (of which mobile signals are a part) as "possibly carcinogenic". Furthermore, in the Council's Camden Planning Guidance: Digital Infrastructure March 2018 [paragraph 14], there is a requirement for Cornerstone and Telefonica UK Ltd to produce a statement that certifies that the "cumulative exposure, when operational, will not exceed International Commission on non-ionising radiation protection guidelines" - I have seen no evidence of such a submission in the supporting documentation submitted with this planning application.

Thus, in view of the Montessori Nursey opposite Weech Hall, that Joan Court and Alfred Court directly across the street house many young children, the close proximity to Fortune Green Park that is busy daily with children and additionally contains a Nursery/Play Centre, this mast would unnecessarily expose the children of Fortune Green to radiation whose long-term health impacts are incompletely understood. In addition, UK Government Research in the Stewart Report (2000) advocated a precautionary approach to telecommunications development, recommends that the beam of greatest intensity from mobile phone masts should not fall on any part of a school's grounds or buildings without the agreement of the school and parents, and identified that children are more susceptible to telecommunications radiation.

I would, therefore, urge Camden Council to prioritise the safety of its residents, the safety of our children and reject planning application 2020/5996/P.

Due diligence in considering alternative sites

An additional important note, as shown in file: 23704120_TEF_81552 pre-con to London LPA 06.11.20 (Redacted).pdf, Cornerstone and Telefonica Ltd considered four other sites on Fortune Green Road. The reasons given for not choosing these alternative sites do not provide sufficient detail or plausible justification to show that a sequential approach and due diligence has been undertaken. In fact, quite the opposite is evident - a hastily thrown together box-ticking exercise. One such example of a reason for rejection being "construction on the roof".

SUMMARY

Application 2020/596/P breaches GDPO legislation as supported by a recent high court judgement ([2018] EWHC 263) which was subsequently upheld in the Court of Appeal ([2019] EWCA Civ 1016), would cause a significant adverse and unacceptable visual impact as admitted by Camden Council, is in very close proximity to two nurseries and a busy children's park and impacts on the character of Hampstead Cemetery, a site of historic importance. Therefore, in light of all that is discussed above, it is incumbent upon Camden Council to reject this proposal.

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2020/5996/P	James Baker	21/05/2021 12:58:56	OBJ	I am writing to voice my strong objection to planning application reference: 2020/5996/P for its legislative breaches, significant adverse visual impact, destruction of skyline views from Joan Court and poorly understood long-term health implications of high-intensity radiofrequency, particularly on the children who live and attend nurseries/schools in the immediate vicinity of this site.

In terms of application handling it should be noted that, for an application of this obvious prominence, Camden have not properly consulted:

Poor consultation practice

First, it is deeply concerning that not a single resident in Joan Court (directly across the street from Weech Hall) was aware of planning application 2020/5996/P. There are no public notices anywhere on Fortune Green Road, either on the Weech Hall side or Joan Court side. The proposed application should have been publicised in a manner that would reasonably bring it to the attention of the majority of persons living in the vicinity of Weech Hall. This is not the case and as this conduct breaches Article 15(4) in Part 3 of the Town and Country Planning (Development Management Procedure) Order 2015, it constitutes unlawful consultation.

The lack of publicity is evidenced by the mere eight objections submitted to date and only days away from the end of the consultation period. This reflects the lack of transparency and failure of Camden Council not only to adhere to its legislative obligations but also to abide by HM Government Code of Practice on Consultation.

Consultation poor practice further extends to Cornerstone and Telefonica UK Ltd, as evidenced in their submitted documentation (file: 23704120_TEF_81552 Consultation Letter to pre-school 09.11.20.pdf). They undertook pre-application consultation with the Montessori Nursery adjacent to Joan Court. As stated in Camden Planning Guidance: Digital Infrastructure March 2018 [paragraph 14], consultation must be with the "relevant body where a mast is to be installed near a school or college". It is highly questionable whether the local manager of a nursery that forms one of four hundred others under the company Busy Bees Childcare (www.busybeeschildcare.co.uk) constitutes the "relevant body", and good practice would necessitate that pre-application consultation be undertaken with the parent company that is equipped to consider and response to an important consultation. This conduct is indicative of an attempt by Cornerstone and Telefonica UK Ltd to circumvent open, honest and transparent consultation.

Planning objections:

Significant visual impact

The proposed structure including its supporting scaffold would cause an unacceptable and significant adverse

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visual impact to Fortune Green residents. The telecommunications mast would be wholly visible from the North, South, East and West aspects, both at ground level and from surrounding residential buildings, and its impact and intrusiveness cannot be limited. The significant visual impact is compounded by the low height of Weech Hall (12.15 m above ground level, four storeys). As such the effect of the visual damage to the local area and skyline views that many residents enjoy in Fortune Green would greatly outweigh any benefits from improved telephonic coverage.

The dramatic impact of such an imposing structure on Fortune Green has been grossly misrepresented by Cornerstone and Telefonica UK Ltd in their artistic submissions of the appearance of this telecommunications from street level (file: E340535_CITL_237041_20_TEF_81552_VF_NA_PHOTOMONTAGE-compressed.pdf). It is disingenuous in its representation of the mast; the mast has been coloured white and set (conveniently) against a large white cloud. Furthermore, the photo montages do not adequately represent the visual impact of this proposal, showing only perspective views from ground level near Weech Hall. Despite these efforts by Cornerstone and Telefonica UK Ltd, the mast remains an undisputed large, imposing and unsightly structure that would be visible from many surrounding locations and by the road-side residents of Joan Court, all of whom have balconies overlooking Fortune Green Road with beautiful views and views of the London skyline. A effect on these views would constitute a loss of amenity. A telecommunications mast on Weech Hall would additionally disfigure the building itself.

The detrimental visual impact is supported by the Local Planning Authority (Camden Council), as evidence by their pre-application comments documented in file: Weech Hall SSSI v2 (Redacted).pdf. It is clear that the Council is aware of the significant visual impact and detrimental effect on local residents of permitting the installation of this telecommunications mast: "This block is merely 4 storeys in height and therefore visual impacts are considered to be significant" and "the proposed bulk to the roof top is unacceptable".

Therefore, in light of the above and the documented evidence of Camden Council of the significant and unacceptable visual impact of the telecommunications mast, it is then only reasonable and rational that the Council takes heed of its own concerns and refuse planning permission for application 2020/5996/P.

Effect on Hampstead Cemetery and Conservation Areas nearby

Although Hampstead Cemetery, across the street from Weech Hall, is not a conservation area, it is a place of historic importance and as such holds an almost equivalent status. The proposed telecommunications mast, 19.5 metres above ground level, will be visible from Hampstead Cemetery and impact on the character and serenity of this historic site. Additionally, Weech Hall is in close proximity to the Redington and Frogna Conservation Area,

Submission in supporting evidence of successful appeals to the Planning Inspectorate by Cornerstone and Telefonica UK Ltd

I note, a recently upheld appeal was submitted in supporting evidence (file: 240295 APPEAL DECISION

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3246710.pdf). This decision relates to the installation of telecommunications equipment on an existing rooftop enclosure in Eton, and not to the installation of a telecommunications mast rising to 19.5 metres above ground level. In addition, the antennas would be hidden within two structures that would be coloured and textured so to appear as chimneys. A second upheld appeal was submitted, file: Winchester NTQ.pdf, which relates to the installation of a ground level telecommunications mast. Therefore, both appeals are inconsequential to the current proposal by Cornerstone and Telefonica UK Ltd, and appear to represent thinly veiled intimidation to support planning application 2020/5996/P.

Legislative breach (GDPO)

I understand the requirement to expand telecommunications infrastructure, however, this planning application is in breach of paragraph A1(2)(c) of Part 16 of the Town and Country Planning (General Permitted Development) Order 2015 (henceforth, GDPO), which does not permit installation, alteration or replacement of a mast on a building which is less than 15 metres in height, if the mast will be within 20 metres of the highway. Weech Hall is 12.15 metres above ground level (a mere four storeys high) and far less than 20 metres away from Fortune Green Road. Correctly, there are legal restrictions upon the height and location of electronic communications apparatus permitted under Class A of Part 16, in recognition of public safety and the adverse visual impact of telecommunications infrastructure – of which, planning application 2020/5996/P breaches.

The proposal is that of a telecommunications base station consisting of a 7 metre stub tower supporting three Telefonica antennae, reaching a total height of 19.5 metres above ground level. The stub station supports antennae that will be transmitting and receiving radio waves, as such the entire structure constitutes a radio mast as definitively determined by Justice Lang and supported by the Secretary of State for Communities and Local Government, in *Mawbey R v Lewisham Council* [2018] EWHC 263. In this judgement, the Secretary of State submits that the broad definition of ‘mast’ in the GDPO is intended to capture all support structures, whether building-based or ground-based [paragraph 45]. Furthermore, the industry is led by a Code of Best Practice on Mobile Network Development in England, that contains a general definition of a ‘mast’ as ...”a freestanding structure that supports antennas at a height where they can transmit and receive radio waves”.

Importantly, the interpretation, reasoning and judgment of Justice Lang was subsequently upheld in the Court of Appeal by Lord Justice Lindblom in *Mawbey R and Ors v Cornerstone Telecommunications Infrastructure Ltd* [2019] EWCA Civ 1016. As Lord Justice Lindblom summarised in his judgement: “Thus the task of a local planning authority in determining whether a particular structure is a “mast” within the reach of paragraph A.1(2)(c) [GDPO] is simply to ascertain whether, as a matter of fact and degree, it is an upright pole – or another structure to which the definition in paragraph A.4 applies – whose function is to support an antenna or arial; whether the building is less than 15 metres in height; and whether the structure would be within 20 metres of the highway”

Therefore, in this planning application, the structure supporting (and together with) the antennae, constitutes a mast and is not permitted development in accordance with paragraph A1(2)(c) of Part 16 GDPO as it is less than 20 meters away from Fortune Green Road on a building less than 15 metres in height. As such it is unlawful to erect a telecommunications mast at this site. The cases cited above involve Cornerstone Telecommunications, and I am very surprised that they have, once again, submitted planning application in

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breach of GDPO legislation.

Camden Council will be vulnerable to legal proceedings for misinterpretation of the law should they permit planning application 2020/5996/P.

Other relevant reasons for objection:

Mobile signal

In supporting technical information (file: 81552_Planning_Plot.pdf) it is stated "81552 is required to provide coverage and capacity to this area north of West Hampstead". I have never experienced any issues with my telephone signal in this area, and do not believe this to be adequate justification. This document shows a projection of the strength of mobile signal both before and after installation of the telecommunications mast – it does not provide any details of how the signal strength post-installation was calculated and we are informed that Radio Planners have used "advanced computer modelling software", which does not mean anything. More importantly however, Cornerstone and Telefonica UK Ltd have not produced empirical data evidencing a genuine concern by the local residents of poor mobile signal in the Fortune Green area. Therefore, even if the projected increased signal coverage in the area is accurate, for which we have no evidence, this remains a moot point.

Health and environmental implications

I also have concerns regarding 5G on the impact of health and the environment, although research to date has been inconclusive on this matter, the World Health Organisation together with the International Agency for Research on Cancer (IARC) has classified all radio frequency radiation (of which mobile signals are a part) as "possibly carcinogenic". Furthermore, in the Council's Camden Planning Guidance: Digital Infrastructure March 2018 [paragraph 14], there is a requirement for Cornerstone and Telefonica UK Ltd to produce a statement that certifies that the "cumulative exposure, when operational, will not exceed International Commission on non-ionising radiation protection guidelines" – I have seen no evidence of such a submission in the supporting documentation submitted with this planning application.

Thus, in view of the Montessori Nursey opposite Weech Hall, that Joan Court and Alfred Court directly across the street house many young children, the close proximity to Fortune Green Park that is busy daily with children and additionally contains a Nursery/Play Centre, this mast would unnecessarily expose the children of Fortune Green to radiation whose long-term health impacts are incompletely understood. In addition, UK Government Research in the Stewart Report (2000) advocated a precautionary approach to telecommunications development, recommends that the beam of greatest intensity from mobile phone masts should not fall on any part of a school's grounds or buildings without the agreement of the school and parents, and identified that children are more susceptible to telecommunications radiation.

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I would, therefore, urge Camden Council to prioritise the safety of its residents, the safety of our children and reject planning application 2020/5996/P.

Due diligence in considering alternative sites

An additional important note, as shown in file: 23704120_TEF_81552 pre-con to London LPA 06.11.20 (Redacted).pdf, Cornerstone and Telefonica Ltd considered four other sites on Fortune Green Road. The reasons given for not choosing these alternative sites do not provide sufficient detail or plausible justification to show that a sequential approach and due diligence has been undertaken. In fact, quite the opposite is evident - a hastily thrown together box-ticking exercise. One such example of a reason for rejection being "construction on the roof".

Summary

In summary, application 2020/5996/P breaches GDPO legislation as supported by a recent high court judgement ([2018] EWHC 263) and subsequently upheld in the Court of Appeal ([2019] EWCA Civ 1016), would cause a significant adverse and unacceptable visual impact as admitted by Camden Council, is in very close proximity to two nurseries and a busy children's park and impacts on the character of Hampstead Cemetery, a site of historic importance. Therefore, in light of all that is discussed above, it is incumbent upon Camden Council to reject this proposal.

Application No:	Consultees Name:	Received:	Comment:	Response:
2020/5996/P	Maria Martinez Frugoni	21/05/2021 13:56:36	OBJ	<p>Together with my husband, we are writing to voice my strong objection to planning application reference: 2020/5996/P for its legislative breaches, significant adverse visual impact, destruction of skyline views from Joan Court and poorly understood long-term health implications of high-intensity radiofrequency, particularly on the children who live and attend nurseries/schools in the immediate vicinity of this site.</p> <p>In terms of application handling it should be noted that, for an application of this obvious prominence, Camden have not properly consulted:</p> <p>Poor consultation practice</p> <p>First, it is deeply concerning that not a single resident in Joan Court (directly across the street from Weech Hall) was aware of planning application 2020/5996/P. There are no public notices anywhere on Fortune Green Road, either on the Weech Hall side or Joan Court side. The proposed application should have been publicised in a manner that would reasonably bring it to the attention of the majority of persons living in the vicinity of Weech Hall. This is not the case and as this conduct breaches Article 15(4) in Part 3 of the Town and Country Planning (Development Management Procedure) Order 2015, it constitutes unlawful consultation. The lack of publicity is evidenced by the mere eight objections submitted to date and only days away from the end of the consultation period. This reflects the lack of transparency and failure of Camden Council not only to adhere to its legislative obligations but also to abide by HM Government Code of Practice on Consultation. Consultation poor practice further extends to Cornerstone and Telefonica UK Ltd, as evidenced in their submitted documentation (file: 23704120_TEF_81552 Consultation Letter to pre-school 09.11.20.pdf). They undertook pre-application consultation with the Montessori Nursery adjacent to Joan Court. As stated in Camden Planning Guidance: Digital Infrastructure March 2018 [paragraph 14], consultation must be with the "relevant body where a mast is to be installed near a school or college". It is highly questionable whether the local manager of a nursery that forms one of four hundred others under the company Busy Bees Childcare (www.busybeeschildcare.co.uk) constitutes the "relevant body", and good practice would necessitate that pre-application consultation be undertaken with the parent company that is equipped to consider and response to an important consultation. This conduct is indicative of an attempt by Cornerstone and Telefonica UK Ltd to circumvent open, honest and transparent consultation.</p> <p>Planning objections:</p> <p>Significant visual impact</p> <p>The proposed structure including its supporting scaffold would cause an unacceptable and significant adverse visual impact to Fortune Green residents. The telecommunications mast would be wholly visible from the North, South, East and West aspects, both at ground level and from surrounding residential buildings, and its impact and intrusiveness cannot be limited. The significant visual impact is compounded by the low height of Weech Hall (12.15 m above ground level, four storeys). As such the effect of the visual damage to the local area and skyline views that many residents enjoy in Fortune Green would greatly outweigh any benefits from improved telephonic coverage.</p> <p>The dramatic impact of such an imposing structure on Fortune Green has been grossly misrepresented by Cornerstone and Telefonica UK Ltd in their artistic submissions of the appearance of this telecommunications from street level (file: E340535_CITL_237041_20_TEF_81552_VF_NA_PHOTOMONTAGE-compressed.pdf). It is disingenuous in its representation of the mast; the mast has been coloured white and set (conveniently) against a large white cloud. Furthermore, the photo montages do not adequately represent the visual impact of this proposal, showing only perspective views from ground level near Weech Hall. Despite these efforts by Cornerstone and Telefonica UK Ltd, the mast remains an undisputed large, imposing and unsightly structure that would be visible from many surrounding locations and by the road-side residents of Joan Court, all of</p>

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whom have balconies overlooking Fortune Green Road with beautiful views and views of the London skyline. A effect on these views would constitute a loss of amenity. A telecommunications mast on Weech Hall would additionally disfigure the building itself.

The detrimental visual impact is supported by the Local Planning Authority (Camden Council), as evidence by their pre-application comments documented in file: Weech Hall SSSI v2 (Redacted).pdf. It is clear that the Council is aware of the significant visual impact and detrimental effect on local residents of permitting the installation of this telecommunications mast: "This block is merely 4 storeys in height and therefore visual impacts are considered to be significant" and "the proposed bulk to the roof top is unacceptable". Therefore, in light of the above and the documented evidence of Camden Council of the significant and unacceptable visual impact of the telecommunications mast, it is then only reasonable and rational that the Council takes heed of its own concerns and refuse planning permission for application 2020/5996/P.

Effect on Hampstead Cemetery and Conservation Areas nearby

Although Hampstead Cemetery, across the street from Weech Hall, is not a conservation area, it is a place of historic importance and as such holds an almost equivalent status. The proposed telecommunications mast, 19.5 metres above ground level, will be visible from Hampstead Cemetery and impact on the character and serenity of this historic site. Additionally, Weech Hall is in close proximity to the Redington and Frogna Conservation Area,

Submission in supporting evidence of successful appeals to the Planning Inspectorate by Cornerstone and Telefonica UK Ltd

I note, a recently upheld appeal was submitted in supporting evidence (file: 240295 APPEAL DECISION 3246710.pdf). This decision relates to the installation of telecommunications equipment on an existing rooftop enclosure in Eton, and not to the installation of a telecommunications mast rising to 19.5 metres above ground level. In addition, the antennas would be hidden within two structures that would be coloured and textured so to appear as chimneys. A second upheld appeal was submitted, file: Winchester NTQ.pdf, which relates to the installation of a ground level telecommunications mast. Therefore, both appeals are inconsequential to the current proposal by Cornerstone and Telefonica UK Ltd, and appear to represent thinly veiled intimidation to support planning application 2020/5996/P.

Legislative breach (GDPO)

I understand the requirement to expand telecommunications infrastructure, however, this planning application is in breach of paragraph A1(2)(c) of Part 16 of the Town and Country Planning (General Permitted Development) Order 2015 (henceforth, GDPO), which does not permit installation, alteration or replacement of a mast on a building which is less than 15 metres in height, if the mast will be within 20 metres of the highway. Weech Hall is 12.15 metres above ground level (a mere four storeys high) and far less than 20 metres away from Fortune Green Road. Correctly, there are legal restrictions upon the height and location of electronic communications apparatus permitted under Class A of Part 16, in recognition of public safety and the adverse visual impact of telecommunications infrastructure – of which, planning application 2020/5996/P breaches. The proposal is that of a telecommunications base station consisting of a 7 metre stub tower supporting three Telefonica antennae, reaching a total height of 19.5 metres above ground level. The stub station supports antennae that will be transmitting and receiving radio waves, as such the entire structure constitutes a radio mast as definitively determined by Justice Lang and supported by the Secretary of State for Communities and Local Government, in *Mawbey R v Lewisham Council* [2018] EWHC 263. In this judgement, the Secretary of State submits that the broad definition of 'mast' in the GDPO is intended to capture all support structures,

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whether building-based or ground-based [paragraph 45]. Furthermore, the industry is led by a Code of Best Practice on Mobile Network Development in England, that contains a general definition of a ‘mast’ as ...”a freestanding structure that supports antennas at a height where they can transmit and receive radio waves”. Importantly, the interpretation, reasoning and judgment of Justice Lang was subsequently upheld in the Court of Appeal by Lord Justice Lindblom in *Mawbey R and Ors v Cornerstone Telecommunications Infrastructure Ltd* [2019] EWCA Civ 1016. As Lord Justice Lindblom summarised in his judgement: “Thus the task of a local planning authority in determining whether a particular structure is a “mast” within the reach of paragraph A.1(2)(c) [GDPO] is simply to ascertain whether, as a matter of fact and degree, it is an upright pole – or another structure to which the definition in paragraph A.4 applies – whose function is to support an antenna or aerial; whether the building is less than 15 metres in height; and whether the structure would be within 20 metres of the highway”

Therefore, in this planning application, the structure supporting (and together with) the antennae, constitutes a mast and is not permitted development in accordance with paragraph A1(2)(c) of Part 16 GDPO as it is less than 20 meters away from Fortune Green Road on a building less than 15 metres in height. As such it is unlawful to erect a telecommunications mast at this site. The cases cited above involve Cornerstone Telecommunications, and I am very surprised that they have, once again, submitted planning application in breach of GDPO legislation.

Camden Council will be vulnerable to legal proceedings for misinterpretation of the law should they permit planning application 2020/5996/P.

Other relevant reasons for objection:

Mobile signal

In supporting technical information (file: 81552_Planning_Plot.pdf) it is stated “81552 is required to provide coverage and capacity to this area north of West Hampstead”. I have never experienced any issues with my telephone signal in this area, and do not believe this to be adequate justification. This document shows a projection of the strength of mobile signal both before and after installation of the telecommunications mast – it does not provide any details of how the signal strength post-installation was calculated and we are informed that Radio Planners have used “advanced computer modelling software”, which does not mean anything. More importantly however, Cornerstone and Telefonica UK Ltd have not produced empirical data evidencing a genuine concern by the local residents of poor mobile signal in the Fortune Green area. Therefore, even if the projected increased signal coverage in the area is accurate, for which we have no evidence, this remains a moot point.

Health and environmental implications

I also have concerns regarding 5G on the impact of health and the environment, although research to date has been inconclusive on this matter, the World Health Organisation together with the International Agency for Research on Cancer (IARC) has classified all radio frequency radiation (of which mobile signals are a part) as “possibly carcinogenic”. Furthermore, in the Council’s Camden Planning Guidance: Digital Infrastructure March 2018 [paragraph 14], there is a requirement for Cornerstone and Telefonica UK Ltd to produce a statement that certifies that the “cumulative exposure, when operational, will not exceed International Commission on non-ionising radiation protection guidelines” – I have seen no evidence of such a submission in the supporting documentation submitted with this planning application.

Thus, in view of the Montessori Nursey opposite Weech Hall, that Joan Court and Alfred Court directly across the street house many young children, the close proximity to Fortune Green Park that is busy daily with

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2020/5996/P	Jason Fernandes	22/05/2021 15:51:11	OBJ	<p>children and additionally contains a Nursery/Play Centre, this mast would unnecessarily expose the children of Fortune Green to radiation whose long-term health impacts are incompletely understood. In addition, UK Government Research in the Stewart Report (2000) advocated a precautionary approach to telecommunications development, recommends that the beam of greatest intensity from mobile phone masts should not fall on any part of a school's grounds or buildings without the agreement of the school and parents, and identified that children are more susceptible to telecommunications radiation.</p> <p>I would, therefore, urge Camden Council to prioritise the safety of its residents, the safety of our children and reject planning application 2020/5996/P.</p> <p>Due diligence in considering alternative sites</p> <p>An additional important note, as shown in file: 23704120_TEF_81552 pre-con to London LPA 06.11.20 (Redacted).pdf, Cornerstone and Telefonica Ltd considered four other sites on Fortune Green Road. The reasons given for not choosing these alternative sites do not provide sufficient detail or plausible justification to show that a sequential approach and due diligence has been undertaken. In fact, quite the opposite is evident - a hastily thrown together box-ticking exercise. One such example of a reason for rejection being "construction on the roof".</p> <p>Summary</p> <p>In summary, application 2020/5996/P breaches GDPO legislation as supported by a recent high court judgement ([2018] EWHC 263) and subsequently upheld in the Court of Appeal ([2019] EWCA Civ 1016), would cause a significant adverse and unacceptable visual impact as admitted by Camden Council, is in very close proximity to two nurseries and a busy children's park and impacts on the character of Hampstead Cemetery, a site of historic importance. Therefore, in light of all that is discussed above, it is incumbent upon Camden Council to reject this proposal.</p>
				<p>As a long-term owner of a flat for >10 years within Weech Hall I am shocked and appalled by the fact that we were not notified of this application which will have a massive impact on us both in the medium-term while the works are going on and in the long-term once completed.</p> <p>The works themselves are no doubt likely to be noisy, disruptive and this is the last thing we need right now given the current world situation and the fact that the majority of people are working from home. Further, there is absolutely no need whatsoever for these masts given the signal quality in the area is perfectly fine.</p> <p>The resulting works will be a complete eyesore and not in keeping with the area and will disrupt the natural beauty and discourage people from moving here. They would not be in keeping with the character of the block itself nor of the area as a whole.</p> <p>I strongly object to these works taking place and I sincerely hope the council will take notice of the voice of the people on this and deny this application.</p>

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2021/0902/P	Mrs Valerie Dann	23/05/2021 11:51:23	OBJNOT	<p>We live at No. 11 Weech Road which is adjoined to No. 10 on the righthand side. We wish to raise an objection to the proposed development on the following grounds:-</p> <p>1. The CPG adopted on 15 January 2021 states in clause 2.1.1 that Rear extensions shall 'be subordinate to the building being extended, in relation to its location, form, footprint, scale, proportion, dimensions and detailing.' It also states a rear extension shall 'Have a height, depth and width that respects the existing common pattern and rhythm of rear extensions at neighbouring sites, where they exist.'</p> <p>The proposed development is for a single storey rear extension to a ground floor flat, extending 8m from the rear wall of the original property on the left hand side and over 9m from the line of the original building on the right hand side (adjoining our property). The proposed development extends the full width of the garden (approx., 6.8m wide) and rises over 3.5m (discrepancies on drawings on overall height) from ground level. The plans attached to the application states that the new development will have a GIA of 50.6sqm. Given that the existing property has an approx. GIA of 58sqm, the proposed development will increase the footprint by almost 100% and add a volume of 194 cubic meters. The sheer scale, footprint and proportion of the development is not subordinate to the building being extended or neighbouring properties.</p> <p>The proposed development appears to suggest the use of the 'boundary' as the outer leaf of the development's wall adjoining our garden, however there is currently no wall the full length of the boundary. This is therefore not possible.</p> <p>In terms of extensions to neighbouring sites, No. 9 Weech Road has been extended however this has been set back from the boundary with No.10 and detached from No. 8 so is therefore less imposing. Whilst there are large rear extensions further along Weech Road, the original houses are of differing architectural design and the extensions are in proportion to those buildings. The architecture of No. 10 replicates the architectural style of No. 11. We believe the depth, height and width of the proposals are not in proportion to the character of the original building and do not respect the pattern and rhythm of the neighbouring sites. This unfortunately is not clear on the plans attached to the application as they do not show the proposal in context with its surroundings and therefore omits to show the impact it would have.</p> <p>2. Amenity CPG adopted 15 January 2021 states that 'Developments should ensure that the proximity, size or cumulative effect of any structures avoids having an overbearing and/or dominating effect that is detrimental to the enjoyment of their properties by adjoining residential occupiers.' It also states that the development should 'Consider if the extension projection would not cause sense of enclosure to the adjacent occupiers' and 'Retain the open character of existing natural landscaping and garden amenity, including that of neighbouring properties, proportionate to that of the surrounding area'</p> <p>The existing boundary wall between No. 10 and No.11 is 2.35m brick wall from ground level extending 3.2m towards the rear boundary (Planning Approval 2009/5347/P). Beyond the brick wall there is a timber fence, 1.63m in height with large open trellis above. Drawing No. PR02 indicates an overall height for the proposed development of 3.58m. This would increase the height of the boundary wall by 1.2m at the rear of the house, further increasing to 1.9m within the garden area. This will undoubtedly create an enclosed feeling within our garden and as you enter the garden from the property particularly as the imposing wall will extend 8m at this height. We will email a drawing illustrating the elevation from No.11 looking towards the boundary with the proposed development to illustrate the impact this proposal will have on our garden.</p>

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3. Amenity CPG adopted 15 January 2021 states, 'The Council expects applicants to consider the impact of development schemes on daylight and sunlight levels. Where appropriate a daylight and sunlight assessment should be submitted which should follow the guidance in the BRE's Site layout planning for daylight and sunlight: A guide to good practice. The 45 degree and 25 degree tests cited in the BRE guidance should be used to assess ('screen') whether a sunlight and daylight report is required.'

We will email a drawing which clearly illustrates using the 45 degree test that daylight and sunlight into our property will be affected by the proposed development. A further appropriate assessment is required at the very least.

The NPPF states as a core planning principle (paragraph 17) that planning should "always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings". It also states (56) that "good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people". We have shown that the proposed development falls short on several areas in providing these principles. We have enjoyed our garden amenities for over 50 years and we believe that the proposed development would adversely affect our quality of space and light. We strongly request that your department considers our findings and refuses the proposed development.
