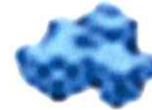


Our Ref – RF/EBC/PN2293378

01 August 2022

**Planning Department
Eastleigh Borough Council,
Eastleigh House,
Upper Market Street,
Eastleigh,
SO50 9YN**



Mr Robert A Fish

14 Wiltshire Road
Chandlers Ford
Eastleigh
SO53 3EZ

Dear Sir

Planning Application PN/22/93378 – Proposed 5G telecoms installation: 15m street pole and 3 additional ancillary equipment cabinets and associated ancillary works.

I am writing to submit my objections to the above application for a 15m monopole being erected in the vicinity of a Nursery School, Care Facility and Residential Dwellings.

Crucial areas of concern relate specifically to the lack of information provided by the applicant, CK Hutchinson Networks (UK) Limited.

In putting forward this objection to the above mast, I acknowledge that current planning law makes it difficult to take into consideration any reasons for opposing such applications other than those of siting and visual amenity. However, while this objection will start by focusing on these issues, it will additionally provide some indication of why this limited set of valid objections is problematic. It will show not only that health effects of microwave radiation can be severe but also that there are legal ways to challenge the law's limitations that we intend to draw upon should the mast be approved.

Moreover, while accepting that '*Local planning authorities must determine applications on planning grounds only*' (National Planning Policy Framework (NPPF) 2019 Para 116) it should be remembered that this framework is advisory, not Legislation or Law. It is the case that the Council DO have authority under NPPF Article 4 (Para 38) to bar the progression of an ill-conceived and incomplete proposal if it is deemed not to be in the interests of environmental or public health:

'The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs' (NPPF 2019, Article 2, para 7). [Meeting the] social objective [requires] support[ing] strong, vibrant and healthy communities, by ... fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being' (NPPF 2019: 8b).

*Local planning authorities should approach decisions on proposed development in a positive and creative way. They should ... work proactively with applicants to secure developments that will improve **the economic, social and environmental conditions***

of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.... (NPPF 2019: para 38).

This demonstrates that it is possible for planning officers to reject a proposal if it is not sustainable on environmental and public health and well-being grounds. Polluting technologies cannot be sustainable as demanded by NPPF objectives and policies. Restricting planning objections to the appearance and siting of RFR emitting masts, is thus not legitimate. A development that poses nuisance to the public is unsustainable.

I therefore ask the council to give full consideration to the scientific literature given below as a tiny sample of the hundreds of papers that have shown harmful effects of radio-frequency radiation (RFR) on humans, animals, insects, birds and plants, as this full information is needed when weighing up the benefits and harms of this mast to the local residents and the wider environment.

1 SITING AND VISUAL AMENITY

The proposed mast site is within close proximity of a nursery school on Belmont Road, a Care Facility being Surrey Court, and a number of residential properties on Wiltshire Road, Belmont Road, Susset Road and Somerset Crescent.

The pole will be visible from some distance thus disturbing the sightline, I note the applicant states this will blend into the environment, this statement should be treated with the upmost caution, a 15 metre high mast will clearly not be possible to camouflage, and is certainly significantly higher than the trees and buildings in the area.

(NPPF 2019: para 113 *'equipment should be sympathetically designed and camouflaged where appropriate.'*)

The description of the site on the application documents is misleading. It suggests that there are no residences in close proximity. Below is a more representative image of the development site.

Moreover, no mention is made of the soft landscaping immediately around the proposed site, bus stops, or the fact that the installation as indicted will likely necessitate the removal of the only mature tree in on this site.



We have no information as to the area of the **exclusion zone** within which residences and other inhabited buildings are not permitted. However, it appears that this mast is to be situated only a few metres from houses, some inhabited by frail elderly persons and others by young children. In the near vicinity of the proposed mast there is a care home and nursery school.

Moreover, the placement of the proposed 5G telecommunications tower near houses, a care home and schools will effectively debar all those with electrical sensitivity from working, living and walking in the vicinity, including on the nearby Greenway. "Wellbeing for all sections of the community" will, therefore, clearly be contravened (NPPF 2019 Section 8, para 92).

Experience elsewhere shows that property prices are likely to fall by some 20% in the vicinity of the mast, thus seriously disadvantaging those living near it.

Finally, siting is also crucial to assessing the impact of environmental RFR pollution, see point 4.0.

2. Requirement that the applicant provide appropriate information

Crucial areas of concern relate specifically to the lack of information provided by the applicant, CK Huchinson Networks (UK) Limited.

2.1 With reference to the Planning Application Form:

Evidence under General Permitted Development Order Development (NPPF 2019 para 115):

'Applications for electronic communications development (including applications for prior approval under the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development.'

Evidence should include (Para 115a):

'the outcome of consultations with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed near a school or college.' **In this case no such information has been provided.**

The Council can therefore demand to see the outcome of consultations that CK Huchinson Networks (UK) Limited have had with interested parties. This relates to local residences, care homes and schools in the area.

2.2 With reference to the ICNIRP 'certificate'

This 'certificate' is not intended as a guarantee that the mast in question meets any particular standards of emissions – ICNIRP does not set legal standards only advisory ones. The certificate is simply a document in which certain safety-related information must be provided and certified correct for the mast in question by a **signature** from a person in authority in the telecoms corporation concerned. This information includes:

- risk assessments concerning health and safety, and environmental safety.
- the frequencies to be emitted by the mast along with maximum and minimum power levels (ERP) of pulse-modulated electromagnetic radiation produced by the 4G and 5G equipment either for immediate use or for future use when it is in operational mode. These must be supplied in an accompanying technical file to the ICNIRP certificate/ Declaration of Conformity Requirements (Decision no. 768/2008/EC of the EU Parliament)

Without a signature and this technical file, the ICNIRP certificate is invalid.

2.3 ISO compliance

The Applicant/Agent has not declared compliance with ISO Standards: ISO 9001 (Quality) or the equivalent TL 9000, ISO 14001 (Environment) and ISO 18001(Health and Safety). This is needed for all equipment to be used on this monopole, specified

now and for the future, both for the erecting of the infrastructure and the operational use of the antenna during the terms of the contract length.

2.4 Exclusion Zone

No details have been provided defining the exclusion zone.

PHE states: *'With some of the larger base stations there can be regions around the antenna within which the emissions exceed the ICNIRP guidelines'*. With the proximity of schools, a care home, and houses this is crucial information, yet it is lacking in this application.

It is impossible properly to evaluate the safety of the proposed mast without the required technical information, missing from the ICNIRP certificate.

3.0 Environmental Risk Assessment

The projected position suggests that the tree immediately adjacent this will be damaged by the erection of the mast. It is likely to be damaged further by the emissions as well. Peer-reviewed science shows harm to trees from pulsed modulated electromagnetic radiation (Waldmann-Selsam *et al* 2016). This needs to be included in the Environmental Risk Assessment which should further detail the effects of the pulsed, data-modulated, radiofrequency, electromagnetic microwave radiation (RF-EMR) on ecology, flora and fauna (especially pollinating insects which are particularly vulnerable to this kind of radiation) in local gardens and the nearby Greenway. **No mention is made in the application of any environmental risk or risk assessment, making it incomplete.**

3.1 Evidence of environmental harm

Waldmann-Selsam, de la Puente, Balmori (2016) 'Radiofrequency radiation injures trees around mobile phone base stations', *Sci Total Environ*, 1;572:554-569.
<https://www.ncbi.nlm.nih.gov/pubmed/27552133>

[Thielens, Arno, Duncan Bell, David B. Mortimore, Mark K. Greco, Luc Martens & Wout Joseph \(2018\)](#) Exposure of Insects to Radio-Frequency Electromagnetic Fields from 2 to 120 GHz, *Scientific Reports* volume 8, Article number: 3924.
<https://www.nature.com/articles/s41598-018-22271-3>

[Cucurachi et al](#) states 'In about two-thirds of the reviewed studies ecological effects of RF-EMF was reported at high, as well as at low dosages. The very low dosages are compatible with real field situations and could be found under environmental conditions.'. (Cucurachi *et al* (2013) 'A review of the ecological effects of radio-frequency electromagnetic fields (RF-EMF)', *Environ Int* 51:116-40).
<https://www.sciencedirect.com/science/article/pii/S0160412012002334>

Research from Sharma and Kumar (2010) found "A significant ($p < 0.05$) decline in bee colony strength and in the egg-laying rate of the queen. There was neither honey nor pollen in the colony at the end of the experiment (Sharma and Kumar (2010) 'Changes

in honey bee behaviour and biology under the influence of cell phone radiations', *Current Science* 98(10):1376-1378.

https://www.stralingsarmvlaanderen.org/resources/Reports/Ved-Parkash-Sharma_a49823b5aa.pdf

Furthermore, neither the ICNIRP 1998 nor the ICNIRP 2020 guidelines consider the health impact of wireless communication systems on *wildlife* whose physiology clearly varies considerably from that of humans (See ICNIRP 2020 GUIDELINES FOR LIMITING EXPOSURE TO ELECTROMAGNETIC FIELDS (100 kHz to 300 GHz), where the abstract limits the applicability of the guidelines to human beings.

<https://www.icnirp.org/en/activities/news/news-article/rf-guidelines-2020-published.html>

4.0 Radio-frequency radiation can be defined in law as producing pollution or waste that negatively affects human health

According to the definitions from the Environmental Protection Act 1990 (EPA 1990), the Pollution Prevention and Control Act 1999 (PPCA 1999), and the EU Directive on Industrial Emissions (2010/75/EU), radio-frequency radiation (RFR) emitted from masts and antennae can be shown to produce pollution or waste of a kind directly dangerous to human health. The laws specifically reference 'organ toxicity', listing as examples of this **cell mutagenicity**, **carcinogenicity**, and **reproductive toxicity**.

A document produced by an EU entity (EUROPAEM 2016), has provided evidence that these are all (non-thermal) health effects of RFR. Thus, broadcast Wireless or Wi-Fi can be shown to create pollution/industrial waste, at the very least, to the standard that warrants investigation under the EPA 1990 and therefore that the erection of the proposed mast and its use are not sustainable given the nuisance control obligations that arise from the aforementioned legislation.

The above shows that the emissions from this mast will constitute a **statutory nuisance** emanating from a pollutant producing waste harmful to human health. Therefore, should the current planning application be approved, we intend to submit a formal statutory nuisance complaint against the mast.

EUROPAEM (2016) 'Guideline 2016 for the Prevention, Diagnosis and Treatment of EMF related health problems and illnesses' (Belyeav et. al., on behalf of the EMF Working Group, published in 'Reviews on Environmental Health, July 2016).

https://www.researchgate.net/profile/Igor_Belyaev/publication/305689940_EUROPAEM_EMF_Guideline_2016_for_the_prevention_diagnosis_and_treatment_of_EMF-related_health_problems_and_illnesses/links/59f2dafaeca272cdc7d0312c/EUROPAEM-EMF-Guideline-2016-for-the-prevention-diagnosis-and-treatment-of-EMF-related-health-problems-and-illnesses.pdf?origin=publication_detail

5.0 Public Health and Safety

The proposal is not sustainable in relation to the objective pursued through NPPF 2019, Section 8, paragraph 91, which states:

'Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.'

Neither ICNIRP nor any other official body has provided peer-reviewed evidence as to the cumulative effects of long-term exposure to radio-frequency radiation. Therefore, it is impossible to state at this time that any such mast as the one proposed can be deemed sustainable in respect of this NPPF objective.

The opposite is likely to be the case given that there are hundreds of scientific studies detailing the cumulative effect of even small doses of radiation typical of the levels of the proposed mast: A tiny number of these is listed below:

0.5 to 1.0 mW/m² – Headaches, concentration difficulties, restlessness, tremor, and sleep disruption associated with chronic exposure to mobile phone base stations.
Mobile Phone Base Stations – Effects on Wellbeing and Health, Kundi M and Hutter HP, Pathophysiology, August 2009, 16 (2-3), pp 123-35

5 to 10 mW/m² – At this level it decreases human sperm motility, increases sperm DNA fragmentation, and affects brain activity and cognitive functions.
Conrado Avendaño, et.al., American Society for Reproductive Medicine, Fertility and Sterility, Vol. 97, No. 1, January 2012, pp 39-45

Approaching 30 mW/m² of RF changes in cardiac function, including altered heart rate, arrhythmia, and/or tachycardia were observed.
Magda Havas, Reviews on Environmental Health, Vol. 28, 2-3, November 2013, pp 75–84

In 2011 the International Agency for Research on Cancer (IARC)/World Health Organisation, classified RF radiation as a Group 2B carcinogen. Studies found a correlation between RF radiation from mobile phones and two kinds of brain tumour: glioma (a cancer) and acoustic neuroma.
A summary of the IARC's conclusions was published in *Lancet Oncology*, 2011, 12, pp 624–26

However, Morgan LL et al. (2015) suggests this to be over cautious, going further to propose a change of classification from 2B possible carcinogen to 2A probable carcinogen:

Morgan LL et al. (2015) 'Mobile phone radiation causes brain tumors and should be classified as a probable human carcinogen (2A) (Review)' *Int J Oncol*. PMID: 25738972.

Moreover, a study on the website of the US National Institutes of Health also insists that IARC revise its stance on health issues. This study shows major damage in terms of cancer, significantly reduced sperm counts, and serious harm to children's brains, stating that developing brains absorb 10 times more radiation than adult brains. The abstract ends: 'current knowledge provides justification for

governments, public health authorities, and physicians/allied health professionals to warn the population that having a cell phone next to the body is harmful, and to support measures to reduce **all** exposures to RFR'. [Emphasis added] (Miller, Anthony B., Margaret E. Sears, L. Lloyd Morgan,³ Devra L. Davis, Lennart Hardell, Mark Oremus, and Colin L. Soskolne (2019) 'Risks to Health and Well-Being From Radio-Frequency Radiation Emitted by Cell Phones and Other Wireless Devices,' *Frontiers in Public Health* 7. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6701402/>

In the Spanish village of Benajárafé more than 30 people died, with 50 out of 400 developing cancer and many others further health issues shortly after the erection of a Vodafone mast. The following report describes an order to remove the mast and provides extensive epidemiological research showing biological harm near masts and other infrastructure:

<https://rfinfo.co.uk/index.php/4-0-d-recent-epidemiologic-neuro-studies-infrastructural-radiation/>

The above literature shows that adding 4G and 5G antennae is neither 'enabling healthy lifestyles' nor providing 'safe spaces'. For nearby schools and houses and walkers the knowledge that they are within close proximity of a mast with 5G emissions not tested for safety can be anxiety-inducing. Anxiety and fear are material planning considerations, when informed by credible scientific evidence, which today exists in this subject. With peer-reviewed research on pulsed-modulated electromagnetic radiation showing harmful biological effects, the remit of 'safe space' is certainly not achieved.

6.0 Precautionary Principle

My understanding of this matter is that it is mandatory that the Council and the applicant consider the possible impact of mobile phone masts, most especially 5G, on schools in the area and their pupils. It is within your own powers as a council to make sure our children are safe. Sustainability demands that precaution.

The Precautionary Principle should therefore apply. For instance, we know the roads are dangerous and the Council have put up adequate crossing places for children and pedestrians. Traffic presents visible harm but 5G monopoles and masts are potential invisible harm – anyone spending a long period of time in the vicinity of a mast that emits radiation all day and night in a dome effect, no matter what the level, is simply not proven to be safe; it is not a natural environment for humans, especially for children and young people.

In respect of the current planning application it should be noted that besides the nursery school so near the site, the houses directly behind this site are inhabited by the elderly and by young children. This means they will be constantly exposed to the highest level of radiation from the mast as they are so near it, and especially at night, the time when the human body is regenerating and thus most needs protection from such effects. ICNIRP standards discuss short-term exposure to radiation. They make no mention of the effects of exposure 24/7 for long periods of time such as those living in close proximity to masts are forced to endure.

The Precautionary Principle is defined as follows:

“When human activities may lead to morally unacceptable harm that is scientifically plausible but uncertain, actions shall be taken to avoid or diminish that harm.”

Many councils and governments are already demanding Precaution and truly protective measures:

<https://rfinfo.co.uk/index.php/legal-actions/>

7.0 Other Matters

Whilst the LPA are advised they should only take into consideration the siting and appearance of the proposed development, the LPA must also have regards to the Local Development Plan and the National Planning Policy Framework when determining this application.

Paragraph 113 of the NPPF makes clear that installations should be kept to a minimum, and Paragraph 116 of the NPPF makes clear that Local Planning Authorities should not seek to prevent competition between different operators. However, given the stated limitations of the current 5G technology, it is considered that these paragraphs are in conflict with each other.

The current limitations of 5G technology will require a higher density of masts due to the smaller coverage area over previous generations of technology, and, due to the increased weight of the antennas, applicants state they are unable to share the mast with other operators, in an urban environment. It is therefore considered that given the justification generally submitted by applicants, a separate mast would need to be erected for each operator, in an urban environment, of which there are usually at least four operators.

By granting permission for this application, the LPA could inadvertently be affording the applicant a monopoly over 5G coverage in this area, which would be in conflict to Paragraph 116 of the NPPF. Furthermore, should permission for this application be granted, and other operators gain permission for individual 5G masts, this would result in a higher density of masts in an urban environment, which is considered contrary to Paragraph 113 of the NPPF.

In addition, granting permission for this application could be detrimental to ensuring future coverage for the Emergency Services, who use EE as a network operator, given the limitations of the technology which prevent mast sharing and limit the number of potential sites.

Closing statement

Many communities are taking action throughout the country and several Councils have felt it prudent formally to affirm their compliance with the Precautionary Principle when facing choices and decisions on any intensification or 'densification' of public or environmental exposure to RFR. This puts matters on hold for up to two years so that more research can be carried out towards making a proper informed decision. As there are currently no studies to provide evidence that there are no detrimental effects on the environment and public health, I would strongly recommend the Council enact the

Precautionary Principle to ensure that the public health and environmental consequences of any intensification/densification of RFR are verified before approving ANY new application for telecoms installation of 5G monopoles.

<https://rfinfo.co.uk/index.php/legal-actions/>

UK judicial review: <https://actionagainst5g.org>

I further urge you to read carefully the following document by ElectroSensitivity UK, which presents a case on behalf of those who are electro hyper-sensitive in terms of studying the NPPF and presents a strongly evidenced case for non-thermal effects of RFR on human health as well as that of plants and wildlife. **It also that explains that 'individual planners and regulators' in a number of countries have been held personally legally liable for the negative effects of radiation from masts that have been approved even when these were compliant with ICNIRP advice regarding short-term thermal effects (p. 5).**

ES-UK (2018) Adverse Health Effects of Mobile Phone Masts and Planning Policy, <http://www.es-uk.info/wp-content/uploads/2018/05/Adverse%20Health%20Effects%20of%20M.P.Masts%20&%20Planning%20Policy.pdf>.

Finally, I would urge you to consider these points with a view to refusing this application or, at the very least, for further information to be requested from the applicant to provide clarification in the form of the missing technical reports.

Yours sincerely



Local Resident

cc. Paul Holmes - Conservative MP for Eastleigh
cc. Rachael Morris - Senior Planning Officer
cc. James Strachan - Council Chief Executive
cc. Mrs Janet Evans – Chair of the Parish Council