

Name:

Address:.....

.....

.....

.....

.....

Louise Hill
Senior Admin Officer
Room 900
Planning and Transportation Division
Civic Centre
Barras Bridge
Newcastle upon Tyne
NE1 8PH

Date: November 2008

Ref: [2008/1818/01/DET](#) – 25 metre telecommunications mast, Throckley

Dear Sirs,

I would like to object to the proposed 25 metre high telecommunications mast.

I must point out that Castle Morpeth recently refused permission for a 25 metre mast by O2. The following day, an obviously hurried scribbled application was submitted to Newcastle council which was so flawed that it could not be validated by the planning department. Follow up documents were supplied allowing the application to be validated. If incompetence by O2 is a valid reason for refusal, please consider this.

O2's last application 2003/1901/01/DET was refused permission. This was a similar proposal to this, in essentially the same area.

My objections cover three outline areas: loss of amenity; breaking/ignoring planning guidelines and Newcastle councils policies for the area; and health effects (both real and perceived). These areas have been confirmed by many planning decisions, and appeal decisions, as valid planning objection criteria.

- 1) Lord Justice Aldous in a case for Newport stated:

"A planning authority may properly take into account the perceived fears of the public when deciding whether proposed developments would affect the amenity of an area .. perceived fears of the public are a planning factor which can amount (perhaps rarely) to a good reason for refusal of planning permission that planning reasons such as public perception can (again, perhaps rarely) warrant refusal, even though the factual basis for that fear has no scientific or logical reason"

This, and many appeal decisions, means that the perceived fear of the health risks from this development is a valid planning concern. In addition to any actual health risks, there is a perceived health risk associated with these masts, this produces fear and stress, which leads to a loss of personal amenity, and a genuine health issues.

The perception is real, and therefore, as proven by many planning rulings (and as noted in the application) this is a valid planning consideration.

The residents of Throckley **are afraid** of the health issues associated with this mast, especially for their children who attend the local schools, playgroups, and recreation centre – all of which are at the distance of maximum radiation. There are also care homes in the area. The most vulnerable members of the community will be at risk from this development.

Residents around the country have been granted leave to take legal action against their city council who failed to take into account the perceived fear of the population.

- 2) To give an idea of scale, the Angel of the North is 20 metres (65 ft high). The Angel is visible for miles in every direction. Given the extra height, this 25metre development will have an even bigger visual impact on the whole area.
- 3) O2 have exceeded their license coverage obligations. Therefore, references to their license (and presumably their permitted development status) are not a valid planning matter.
- 4) O2 web pages show their coverage. They show extensive existing coverage of Throckley. Therefore this mast is unnecessary.
- 5) The application implies the range of the mast is approx 150metres. Many studies (including from the British Medical association) show the range can be much further, possible up to 1.5Km. This range will include many primary schools in the area.
- 6) The proposed mast is adjacent to a green belt area, which is also classified as an area of outstanding value by the council's UDP. The proposed development, by virtue of its scale and site would appear prominent and

unsympathetic to the skyline within this part of the Green Belt. This will lead to a massive loss of visual amenity.

- 7) The proposed mast will be an eyesore and that the proposal would have a detrimental effect on the locality generally, and on green belt amenities that ought, in the public interest, to be protected.

- 8) The proximity of the development to residential property will be invasive and intrusive, and thereby affect the amenity of the area. Therefore the site is inappropriate, as is the proposed design for this location. I urge you to consider the effect the size and design of this mast will have on the amenity of the local area, towering more than 25metres into the air, which will contrast with the aspect of the locality. PPG8 makes it clear that a rejection of permitted development permission is acceptable for base stations should the LPA conclude that it would have an adverse effect on the amenity of the area. I also take this opportunity to draw your attention to the factors listed in **PPG8** that may involve siting:

the effect on the skyline or horizon;

the site when observed from any side, including from outside the authority's own area;

the site in relation to areas designated locally for their scenic or conservation value;

the site in relation to existing buildings of a historical or traditional character;

the site in relation to residential property; and

any other relevant considerations.

This site breaks all of these guidelines as it overlooks open greenbelt, and is out of character with the adjacent residential area.

- 9) The mast has the potential to destroy, or at the very least adversely affect local wildlife. There is a colony of bats in the nearby farms, which are protected by law. They will be in the area of maximum radiation from the mast, and therefore at risk. Much research has shown wildlife suffers when irradiated by microwaves emitted by these masts.

- 10) The planning application includes an estimation of the microwave coverage. Why were ALL properties within that area not consulted?

11) The plans presented with the application are misleading. They are cropped to a strange shape that omits Throckley Primary School, and housing in the area. Presumably this is a deliberate ploy by O2 to hide the affected areas. A larger scale map showing the location in relation to the populated area of Throckley would give a better idea of the community affected by this proposal.

12) The drawings do not give enough detail of the mast construction, and methods used to hide the physical impact. (Can a 25metre tower's physical impact be lessened?)

13) The coverage area includes a region of Northumberland. Were residents in this county consulted? PPG8 Annex 1 para 13 states that siting should consider amongst other items:

the site when observed from any side, including from outside the authority's own area;

14) PPG8 also states the Government places great emphasis on policies for the protection of countryside and urban areas (including Green belt, and land of outstanding value). Points covered by PPG8 are listed below.

Pre-application discussions should be carried out between the operator, and other interested parties. There is no evidence of such discussions.

Where an application is near a school it is important that operators discuss the proposed development before submitting the application. There was no evidence of this taking place with Throckley Primary School who are at the distance of maximum radiation intensity.

There is a playgroup/Throckley recreation association close to the mast. They were also not consulted.

Health is a valid planning issue as explained earlier. Legal cases setting precedents show that health MUST be considered by planning departments.

It appears as if O2 are choosing the points from PPG8 that are beneficial to them, and ignoring the guidelines designed to protect communities.

15) Throckley Primary School are at the distance of maximum radiation intensity. The sign outside the primary school proudly states "Children first". If the proposal is approved, I would consider the Newcastle City council to be negligent in their duty of care to the children in school, as they will be deliberately placing them in danger from serious health issues.

- 16) Most children come to school from houses outside the “consultation” area, yet within the area affected by the radiation from the mast. Their parents will, therefore, have no idea of the potentially dangerous situation their children will be placed in if this mast is built.
- 17) O2 have provided a list of alternative sites, however, their reasons for rejecting many of these sites seems spurious and requires, at best, further explanation.
- 18) The council’s Outer West Regeneration Plan outlines the council’s hopes for the area. These include raising the quality of life for residents, improving health, increasing housing and population in the area, and increasing the cultural status of the area by raising the profile of Hadrian’s wall which runs through the area.

This proposal will damage all of these objectives, by affecting the health of the residents of Throckley and the surrounding area; new residents will be less likely to move into the area if they are aware of the health issues (more people are asking about masts before moving into an area - indeed the applicant refers to a housing development site which refused access to their land); and by ruining the visual appearance of the area.

The foreword of the regeneration plan states *“The plan does not provide all the solutions, since these must be worked out together with the communities....”*

Also, *“...we must deliver regeneration that is inclusive in terms of people...”*

I ask the council to keep these promises, heed the views of the people they represent, and reject this proposal.

The vision statement of the regeneration plan states *“It (Newcastle) will be a safe, healthy, sustainable city....”*

The proliferation of telecoms masts is creating an unsafe, unhealthy situation. There is strong evidence of the adverse health affects from the radiation from these masts.

“Large parts of the Outer West have mortality rates above the city average” states the regeneration plan. The emissions from this mast will increase the mortality rate over time.

The regeneration plan includes a rough sketch of the “Strategic Spatial Plan”. This includes green corridors of recreation routes. I must point out that this mast will be adjacent to these green corridors in Throckley.

The neighbourhood section of the regeneration plan emphasises the targets:-

- *A place where people want to live*

- *A safe Newcastle*
- *A healthy Newcastle*
- *A Newcastle where the environment is protected and improved*

This proposal clearly negates all these targets, and all the other benefits in the outline regeneration plan.

19) The mast would have a negative impact on both visual and personal amenity. It will look totally out of place, affecting both the outlook, and character of the surroundings.

20) In May 2000, the Independent Expert Group on Mobile Phones, under the leadership of Professor Sir William Stewart, presented their government-sponsored report ("Mobile phones and health") to the nation. This study of the possible health effects of mobile phones, base stations and transmitters adopted an evidence-based approach. That is to say, it conducted an extensive review of the literature and then asked for evidence from experts, members of the public, representatives of government, interest groups and the industry.

The conclusions published in the report include:-

- Some scientific evidence shows that radio-frequency (RF) radiation may affect biological function. It is not possible to say, therefore, that exposure to RF radiation, even at levels below national guidelines, is totally without potential adverse health effects.
- A precautionary approach should be adopted until more detailed information becomes available.
- Some people's well-being may be adversely affected by the environmental impact of mobile phone base stations (masts) sited next to houses, schools or other buildings, as well as by fear of perceived direct effects.

The report is very clear that no masts should be placed near schools. A logical extension to this is no masts should be placed near homes of children or vulnerable people. There are a number of nursing homes for elderly and disabled people in Throckley very close to the proposed mast.

21) The European Convention of Human Rights also applies here. Article 8 states "*everyone has the right to respect for his private and family life, his home, and correspondence*". There is an obligation of (local) government to protect the right of people to enjoy their home free from the fear that development will adversely affect their health. A perceived fear will be translated into real health issues. However, the perception of risk is real, and therefore a valid planning consideration.

- 22) Mobile phone technology is a new and developing industry. There has been no full and developed research program into the long-term effects. We do know however, that there are real risks that must be taken seriously. We do not want this to become another Thalidomide, another Asbestosis, or the next BSE.
- 23) Masts produce microwaves, which heat the body when absorbed. So long as masts produce emissions below a set level, the Government say it is okay. This is covered by the ICNIRP certificate.

However heating is not the only effect of microwaves. The non-heating effects that scientists have now proved change the cell and how it works are NOT regulated in this country so there is no measure, no control and no research - except on the population of Great Britain! Many eminent scientists argue that there is a link between cancer/leukaemia and the siting of these masts. Cancer involves the mutation and duplication of cells - cells change - its been proved that microwave emissions cause changes in living cells.

Due to the diversity of people and the way each person's body reacts to external influences, not all people are affected and the severity of reactions will vary from person to person, according to the robustness of their immune system. This makes the occurrence of non-thermal effects more difficult to predict and therefore more difficult to regulate and control, this does not mean however that they should be ignored.

Children are particularly susceptible because they are still growing (so their cells are dividing at a faster rate) and their nervous system is still developing. On top of that their immune systems are also weaker than adults and their skulls are smaller and thinner causing them to absorb substantially more radiation than adults. The electrical brain wave activity does not settle into a stable pattern until the age of 12 so below this age their brain waves are more susceptible to microwave emissions.

The telecommunication companies and the Government agencies CANNOT categorically say that occurrences of cancer and leukaemia, especially in children, are not directly associated with the siting of masts.

- 24) In addition to any possible actual health risks, there is a perceived health risk associated with these masts, this produces fear and stress, which leads to a loss of personal amenity, and a genuine health issues. The perception is real, and therefore, as proven by many planning rulings (and as noted in the application) this is a valid planning consideration.

Residents around the country have been granted leave to take legal action against their city council who failed to take into account the perceived fear of the population.

- 25) The European Convention of Human Rights also applies here. Article 8 states “*everyone has the right to respect for his private and family life, his home, and correspondence*”.

There is an obligation of (local) government to protect the right of people to enjoy their home free from the fear that development will adversely affect their health. A perceived fear will be translated into real health issues. However, the perception of risk is real, and therefore a valid planning consideration.

Article 1 of the first convention “*the right to peaceful enjoyment of ones possessions*” can also apply here. My house would be at risk from the radiation from the mast, therefore my family and I could not enjoy our home due to the perceived risk. Considering the wider community, every child in Throckley could potentially suffer due to the absorption of microwaves.

Article 2 – the right to life. The emissions from a mast may cause life threatening illnesses, therefore, article 2 (which I interpret as meaning the right to a healthy life), applies. The commission found in *X vs. UK No 7154/75, 14DR (1978)* that article 2(1) states “**enjoins the state not only to refrain from taking life, but to further take steps to safeguard life**”. This can be interpreted to mean masts are contrary to this article due to the potential physical effects, and also the stress of the perceived effects.

- 26) No one should have their health placed at risk when clear, unequivocal concerns have been raised by nationally appointed health bodies on the long term health effects of constant bombardment by microwave radiation. This technology **has not yet been proved as safe**. I (and the majority of Throckley residents) have deep-seated concerns and worries regarding masts and their perceived detrimental effect on health grounds. Current research on this matter has merely concentrated on the effects of **tissue heating** from microwave emitting antenna. There is, however, a large body of scientific research that now challenges this view with regard to other possible symptoms such as increased cancer risk, sterility, effects on heart pacemakers etc, as well as the biological affects which has only had a limited degree of research, the results of which all point to potential adverse effects.

- 27) The “precautionary principle” recommended in the Government commissioned **Stewart Report**, which calls for a cessation in the erection of masts close to people should apply here until more research has been performed.

28) No pre-application discussions with residential groups, as set out in **PPG8 Para 9** appear to have been carried out.

29) **Residents have prepared a petition against this mast. The council can therefore see that there is huge public concern over this proposal.**

30) That little proper consideration of mast sharing or sharing an existing site in the area as an alternative to developing this amenity as a new mast site. The Government has attached considerable importance to mast sharing in keeping the numbers of sites and installations to a minimum **PPG 8, Para. 19 to 23.**

It is not apparent from any correspondence or information available for viewing at the Council Offices that mast sharing was considered to the degree required.

31) I listed health grounds above as grounds for refusal of the mast. Councils often reject objections due to health grounds. However, the perception of health issues has been shown to be a valid planning issue.

Appeals have found that it would fetter the obligation of the decision maker to take the concerns of the public on health into account if they were to restrict their deliberations solely to whether an ICNIRP compliant certificate had been submitted by the Operator.

This is clearly the case here. The residents of Throckley are AFRAID of the health effects of this system.

32) The applicant states there are some trees masking the site.. However, this will only partially hide the mast. There are no trees to hide the view from the residential area adjacent to the site. Even where there are trees this is still a 25metre mast that will not be hidden. This is a massive loss of visual amenity, and will not be tolerated by residents.

33) The expected future concerns on mast safety, being similar to those recently raised regarding overhead power lines and television broadcast antennae, will cause property values to plummet in areas where masts have been erected. It is interesting to note that US and other European countries stipulate a minimum exclusion zone of 500m from mast sites to the vulnerable. The Stewart Report also recommends such exclusion zones **Paras 1.44-1.48 Stewart Report.**

- 34) **The term “vulnerable” applies as there are a number of nursing homes for the elderly, and a residential home for disabled persons within a few hundred metres of the site. Also, there is the primary school. I would urge the council to protect these members of the public who are least able to protect themselves by rejecting this proposal.**
- 35) The Council Planning Authority must allow objections on health consideration and public concern highlighted by the **Stewart Report** and by PPG 8.
- 36) The development may have significant and irremediable interference with other electrical equipment of any kind. This can be material planning consideration according to **PPG 8, Appendix Para. 102.**
- 37) The development will cause widespread physical interference and disruption to existing television and other telecommunication services due to the physical obstruction or reflection of the wanted signals. Local Authorities need to have taken into account that the potential for interference has been fully considered in the siting and design of this development, as it would be impossible to correct this situation after the site becomes operational. This also can be material planning consideration according to **PPG 8, Para. 33.**
- 38) No co-ordination with the Radiocommunication Agency or other concerned parties, as contained in **PPG 8, Appendix Para. 103** appears to have been undertaken so as to ensure that the potential for either type of interference mentioned above does not occur.

I look forward to your official response to **ALL** the points raised above regardless of whether you grant or deny permission.

Assuming the proposal is rejected, I would be grateful if you could use all of my objections that you can. Simply refusing on the grounds of amenity makes it easier for O2 to re-apply or appeal against the decision.

I urge you to reject this application.

If this proposal does go to committee, I, or one of my fellow objectors, would like to exercise the right to speak against the proposal. Please send me full details of the procedure if the proposal does indeed go to committee.

Yours faithfully