

**ITEM NUMBER: 5a**

<b>20/00150/FUL</b>	<b>Proposed 20m mast and associated cabinets at Corner of Shenley Road and Elstree Road to replace existing 14.70m Mast and cabinets on Shenley Road"</b>	
<b>Site Address:</b>	<b>Land ADJ 1 Elstree Road Hemel Hempstead Hertfordshire HP2 7NE</b>	
<b>Applicant/Agent:</b>	<b>Miss Daly</b>	
<b>Case Officer:</b>	<b>James Gardner</b>	
<b>Parish/Ward:</b>		<b>Woodhall Farm</b>
<b>Referral to Committee:</b>	<b>Called-in by Ward Councillor</b>	

**1. RECOMMENDATION**

That planning permission be **GRANTED**.

**2. SUMMARY**

2.1 The application would enable existing 2G, 3G and 4G data services to be maintained while facilitating the ability to provide 5G data services in the future, in accordance with the aims and objectives of Section 10 of the National Planning Policy Framework.

2.1.1 It has been demonstrated by the applicant that there are no sequentially preferable sites within the maximum permissible search radius, appropriate consultation was carried out with local schools and ward councillors, and a certificate has been submitted to confirm that the monopole would comply with the relevant guidelines pertaining to non-ionizing radiation.

2.1.2 The structure would be higher than that which it replaces (located 55m to the south-east) but in the context of an urban area, it is not considered that the visual impact would be so severe as to weigh in favour of refusing planning permission.

2.1.3 Consideration has been given to the any potential impacts on the residential amenity of neighbouring properties. There would be no significant adverse impacts.

**3. SITE DESCRIPTION**

3.1 The application site is located on the western side of Shenley Road, Hemel Hempstead and comprises a grass adjacent to the public highway. It is proximate to the Shenley Road / Elstree junction and adjacent to the flank elevation of no. 1 Elstree Road.

**4. PROPOSAL**

4.1 Planning permission is sought for the erection of a 20 metres monopole and 8 associated cabinets. The monopole is proposed as replacement for a 14.7 metre version located approximately 55 metres to the south-east, which will be removed upon completion of the new site.

**5. PLANNING HISTORY**

5.1 No relevant history for this site.

## **6. CONSTRAINTS**

Parking Accessibility Zone (DBLP): 4  
CIL Zone: CIL3  
Former Land Use (Risk Zone): Former Fireworks Factory, Woodhall Farm, Hemel  
Parish: Hemel Hempstead Non-Parish  
RAF Halton and Chenies Zone: Green (15.2m)  
Residential Area (Town/Village): Residential Area in Town Village (Hemel Hempstead)  
Smoke Control Order  
EA Source Protection Zone: 3  
Town: Hemel Hempstead

## **7. REPRESENTATIONS**

### Consultation responses

7.1 These are reproduced in full at Appendix A.

### Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

## **8. PLANNING POLICIES**

Main Documents:

National Planning Policy Framework (February 2019)  
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)  
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

Dacorum Core Strategy

NP1 - Supporting Development  
CS1 - Distribution of Development  
CS4 - The Towns and Large Villages  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS13 – Quality of Public Realm  
CS29 - Sustainable Design and Construction

### Dacorum Local Plan

Policy 13 – Planning Conditions and Planning Obligations  
Policy 126 – Electronic Communication Apparatus

## **9. CONSIDERATIONS**

### Main Issues

9.1 The main issues to consider are:

Principle of Development  
Quality of Design / Impact on Visual Amenity

Impact on Residential Amenity  
Impact on Highway Safety and Parking

### **Principle of Development**

9.2 Section 10 (paragraphs 112-116) of the National Planning Policy Framework (NPPF) sets out the approach that local planning authorities should take to the upgrade and expansion of electronic communication networks. It states that “*Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections*”

In the interests of limiting the number of radio and electronic communications masts, encouragement is given to re-using existing masts, buildings and other structures, although it is acknowledged that there will at times be a requirement for new sites. Where new sites are required, equipment should be sympathetically designed and, where appropriate, camouflaged.

9.2.1 Paragraph 115 of the NPPF requires applications for electronic communications to be supported by the information necessary to justify the proposed development:

- The outcome of consultations with organisations with in an interest in the proposed development.
- Evidence that the applicant has explored the possibility of erecting a mast on an existing building, mast or other structure.
- A statement that self-certifies that, when operational, International Commission guidelines on limiting exposure to electromagnetic fields will be met.

9.2.2 In accordance with paragraph 116, applications must be determined on planning grounds only and should not prevent competition between respective operators, question the need for an electronic communication system or set more stringent health safeguards than those set out in the International Commission guidelines for public exposure.

### **Consultation**

9.2.3 A document entitled “SUPPLEMENTARY INFORMATION” was included as part of the supporting documents and outlines the consultation which took place prior to submission of this planning application:

- ☐ Letters and plans emailed to Woodhall Farm Ward Councillors on 14<sup>th</sup> November 2019.
- ☐ Letters and plans issued to Holtsmere Junior School and Holtsmere End Infant and Nursery School.

### **Alternative Sites**

9.2.4 As the 5G mast would not be erected in the same location as the existing 2G/3G/4G mast, it is appropriate for alternative sites to be considered in accordance with paragraph 115 (c) of the NPPF. The supporting information suggested that this had not been done. However, contact was subsequently made with the planning agent who provided the following statement:

To ensure the efficient continued operation of the network, replacement sites must to be within a short radius of the existing mast to maintain the existing network coverage. If the mast was relocated even a short distance from the existing site, it could leave a gap in existing network coverage elsewhere. In order to maintain existing coverage, this necessitates a limited search area of approximately 100m from the existing site which is illustrated at figure 1 below.

Site placement is always critical in network planning and becomes even more so, when one is seeking to replace an existing base station already operating within the established cellular pattern.

When an existing site is lost, it leaves a very specific and unique gap in the network, much like removing a piece from a completed jigsaw would, which needs to be re-filled if users living and working within that area are to be able to continue to use their mobile phones and other wireless devices. This places even greater limitations on the potential siting opportunities, as many locations will not enable this specific gap to be adequately filled.

The characteristics of telecoms sites are that they must be environmentally suitable, capable of being developed (e.g. ground conditions) and safe and secure. For a rooftop installation the roof must be flat, be higher than the existing site with clear lines of site and be structurally able to accommodate the heavy equipment. Within the search area, the roof scape is pitched, domestic roofs where there were no alternative rooftop sites to consider. There are no large commercial buildings or sites which might offer a non-streetworks option.

MBNL can only consider siting a streetworks telecommunications facility on the adopted highway. The New Road & Streetworks Act 1991 allows statutory undertakers the right to install a facility in the adopted highway subject to a number of conditions, for example highway safety. If a site is not located in the adopted highway MBNL would need to seek a formal agreement with the registered landowner, and this could be a protracted process that could potentially take a number of years to formally agree.

Several constraints contributed to the proposed site selection including, space restrictions, underground services, trees, and dense residential properties. For these reasons, suitable options for the replacement upgrade, in this area, are limited. The existing site can-not be used due underground services present and space restrictions surrounding the site. The proposed site is the most suitable from a technical and town planning perspective.

Similar to the existing installation, the site subject of the proposal, at the front of a wide highways verge, not fronting the surrounding residential properties, **is well-placed to serve the entire residential area**. On this basis in accordance with guidance in the NPPF, the proposal is to upgrade the existing base station in this location.

To conclude, there are no sequentially preferable, suitable alternative sites for the provision of enhanced 4G and new 5G provision in this area.

9.2.5 Having reviewed the map showing a 100m radius of the site, there are no obvious alternative sites capable of housing the necessary equipment.

### Public Health

9.2.6 Updated guidance on 5G technology (*5G technologies: radio waves and health*) was published by Public Health England (PHE) on 3 October 2019. The guidance states that a “*large amount of scientific evidence has emerged since the year 2000 through dedicated national and international research programmes that have addressed concerns about rapidly proliferating wireless technologies.*” Although the focus of the aforementioned studies was current communication technologies – i.e. not 5G technology - PHE highlights that the “*interaction between radio waves and body tissues are well understood at higher frequencies and are the basis of the present ICNIRP restrictions*”. They subsequently conclude that whilst 5G may result in a small increase in exposure to radio waves, the overall exposure would remain low to relative guidelines and, as such, there should be no consequences for public health.

9.2.7 Paragraph 116 of the NPPF is clear that local planning authorities should not set health safeguards different from the International Commission guidelines for public exposure.

9.2.8 The applicant has certified that that the proposed mast would be in full compliance with the requirements of the radio frequency (RF) public exposure guidelines of the International Commission on Non-Ionizing Radiation (ICNIRP). Therefore, in these circumstances the NPPF advises that health safeguards are not something for a decision maker to determine.

9.2.9 A self-certification statement has been provided to state that the mast and cabinets) are in full compliance with the requirements of the radio frequency (RF) public exposure guidelines of the International Commission on Non-Ionising Radiation (ICNIRP), as expressed in EU Council recommendation of 12 July 1999 (1999/519/EDC) on the limitation of exposure of the general public to electromagnetic fields (0 Hz to 300 GHz)".

9.2.10 As the required ICNIRP certificate has been received, we cannot consider the health implications of the proposals any further.

### **Quality of Design / Impact on Visual Amenity**

9.3 The approach taken by Saved Policy 126 of the Dacorum Local Plan (2004) is for applications for electronic communications apparatus to be assessed with regard to size, colour and appearance; local topography, relationship with adjoining dwellings, the presence of trees in the vicinity and the extent to which they screen the site; the size, form and prominence of other authorised telecommunications apparatus in the vicinity.

9.3.1 Policies CS11 and CS12 of the Dacorum Core Strategy seek to ensure that, amongst other things, development preserves attractive streetscapes and integrates with the streetscape character.

9.3.2 The site of the proposed 5G mast is located at the junction of Elstree Road and Shenley Road – a looped local distributor road lined by mature trees and grass verges. Dwellings are generally set at 90 degrees to the road and street furniture is a common feature of the area.

9.3.3 The mast would be 20 metres in height but would be seen against the backdrop of common urban features such as residential dwellings, lampposts and trees. Whilst it is acknowledged that it would be considerably higher than the nearby dwellings, owing to the relatively flat topography of the immediate area it would only be fully visible from a limited number of locations within the street scene. In addition, when travelling along Shenley Road in a northerly direction the mast would be seen against a cluster of mature trees, which would help to soften its overall appearance. It is submitted that the average person moving through the street would largely perceive only the parts of the mast at eye level, and although longer distance views over the top of roofs may be possible from nearby roads, visibility does not automatically equate to visual harm. Indeed, the area does not fall within the boundaries of a Conservation Area, the Chilterns Area of Outstanding Natural Beauty or a rural area. It is not therefore a visually sensitive landscape. In terms of limiting the overall height, it has been confirmed that the current height of the proposed mast is the minimum capable of providing the technological improvements sought and satisfying ICNIRP requirements. The location of the mast – on a grass verge adjacent to the public highway – is not an unusual location; nor would it draw unnecessary attention to it. The use of Highway land obviates the need for protracted discussions with private landowners and therefore tends to be the favoured location for such equipment.

9.3.4 The proposal also includes the installation of eight ancillary radio equipment cabinets. These would not, however, be large in scale and are of similar appearance to those already in situ at the original site. Should planning permission be granted, a condition will be included which requires the cabinets to be painted dark green to aid integration with the grass verge.

9.3.5 In accordance with paragraph 113 of the NPPF, which seeks to keep the number of radio and electronic masts to a minimum, should planning permission be granted, it is considered appropriate to impose a condition requiring removal of the existing radio equipment cabinets within a period of three months from the date that the planning permission is commenced. It is understood that the construction programme can take up to two months; therefore, three months would appear to be a reasonable time-scale to integrate the new mast into the network and remove the old equipment. The planning agent has confirmed that this is acceptable. With regard to the existing mast, whilst the applicant has offered to remove the shroud and antennae, this does not go far enough; rather, it is considered reasonable to require the removal of the mast in its entirety and its replacement with a slim-line lamppost to match those already found within the street.

9.3.6 The removal of this mast and cabinet reduces street clutter and therefore the new installation should be seen in the context of what extra is being provided and not in its totality.

9.3.7 Taking all of the above into account, it is not considered that the proposed development would be unduly prominent or detrimental to the visual amenities of the area. It therefore follows that it would accord with saved Policy 126 of the Dacorum Local Plan and Policies CS11 and CS12 of the Dacorum Core Strategy.

### **Impact on Residential Amenity**

#### **Noise**

9.4 Policy CS12 of the Dacorum Core Strategy seeks to ensure that, amongst other things, development avoids disturbance to surrounding properties.

9.4.1 Noise from the fans within the radio equipment cabinets has been identified as a cause for concern, for these could potentially have an adverse impact on the first floor window of no. 1 Elstree Road and its amenity space.

9.4.2 Specifications for the fans has been provided; however, the data in isolation is meaningless as it does not take account of the local noise context. For example, if the ambient noise within the area is low, even a fan with a modest dB rating could potentially adversely impact a nearby property. Conversely, a loud fan within a high noise environment may not give rise to concerns. The Council's Environmental Health Officer has therefore recommended that a condition be imposed which requires a noise management plan to be submitted to and approved in writing by the local planning authority prior to first use. The proposed wording of the condition is as follows:

*The use hereby approved shall not be operated until a noise management plan, including a scheme of noise mitigation(if required) has been submitted to and approved by the Local Authority. The approved plan shall ensure/demonstrate how adverse effects from noise to nearby residential occupiers are to be avoided.*

*The noise management plan and any required scheme of noise mitigation shall be prepared and compiled by an appropriately experienced and competent persons.*

*The development shall be carried out in accordance with the approved noise management plan, including any noise mitigation measures required as part of the approved plan.*

9.4.3 This will ensure that, where appropriate, mitigation is provided to ensure that local residents are not detrimentally impacted by noise and disturbance.

9.4.4 Reference has not been made to following a British Standard condition, since it risks creating ambiguity in a condition. Requiring an assessment that accords with principles of BS 4142 leaves this open to interpretation as the methodology is applied with a number of discretions, such as

application of factors for noise character and method for doing so. It will be for the acoustic consultant to demonstrate to the Council that they have undertaken a robust enough assessment of noise to ensure an adverse impact will not occur, or will be appropriately mitigated. Acoustic consultants should be regarded as experts with knowledge of relevant guidance and to be able to demonstrate they have interpreted and applied guidance, as is appropriate to the situation. Ultimately, if the Council were not satisfied with the information provided, the condition would not be discharged and the mast and associated equipment cabinets would not be able to be brought into use.

9.4.5 Subject to the inclusion of the above referenced condition, the development does not give rise to concerns from a noise perspective.

#### Overshadowing

9.4.6 Concerns have been raised in connection with overshadowing. The nearest dwelling to the application site is no. 1 Elstree Road, which is located to the west. The mast would be sited approximately 1/3 of the way along the gable end. As such, it is unlikely that this would result in overshadowing of the garden. Even if the orientation and location were not favourable, it is not considered that the level of limited overshadowing caused by the mast would be so severe as to weigh in favour of a refusal of planning permission.

#### Visual Intrusion

9.4.7 The number of dwellings that would front the mast would be limited to nos. 2, 4 and 6 Elstree Road. These dwellings are located a considerable distance away and would have very limited views of the mast owing to the presence of a large group of trees on the intervening amenity green.

9.4.8 It is noted that no. 1 Elstree Road has a side-facing window facing the proposed mast; however, this appears to serve a bathroom and is fitted with obscured glass.

9.4.9 In light of the above, it is not considered that the mast would result in a significant visual impact on the nearby dwellings.

#### Wind Noise

9.4.10 The Council has no specific policy in terms of addressing wind noise generated by a tall structure. However, given its relatively limited height (compared with tall buildings which have caused such issues in cities) and its cylindrical shape it is considered unlikely that this would divert the wind in such a way as to result in unacceptable noise impacts.

9.4.11 The Council's Environmental Health Officer has been consulted but is not aware of complaints being made about similar structures within the borough.

#### **Impact on Highway Safety and Parking**

9.5 The mast and radio equipment cabinets are located within the centre of the grass verge, away from the kerbside and back from the give-way lines at the Elstree Road / Shenley Road junction. As such, any vehicles waiting to turn right at the give-way lines would have an unobstructed view along Shenley Road, and would therefore be able to manoeuvre safely. Visibility has been demonstrated on "004 VISIBILITY SPLAY PLAN".

9.5.1 The Highway Authority have not raised any objections to the application. A follow-up email was sent to the highway officer concerned to clarify that the proximity of the nearby pedestrian crossing had been taken into account, in response to which the following reply was received:

9.5.2 *The remaining levels of vehicular to vehicular visibility at the junction of Elstree Road and Shenley Road would be considered to be acceptable and in accordance with Roads in Hertfordshire: Highway Design Guide.*

9.5.3 It can be concluded that there are no fundamental issues which would result in detrimental impact on highway or pedestrian safety.

### **Other Material Planning Considerations**

#### *Impact on Trees and Landscaping*

9.6 No implications.

#### *Electronic Interference*

9.6.1 It has been confirmed by the agent that *“authoritative evidence has been produced to suggest that 5G masts do not result in interference to television signals.”*

### **Response to Neighbour Comments**

9.7 These are addressed below:

*“There has been inadequate consultation and other sites have not been looked at during the process and only now in June have alternative sites retrospectively been shown.”*

The applicant first provided the information on alternative sites in an email dated 26<sup>th</sup> February 2020. The information provided in June is essentially the same, but has been tailored to be a standalone document for use on the website.

*“Clause 5C. The report drawing only shows an elevation of the mast and equipment panels and does not show a section showing the mast 5.0m away from the side of 1 Elstree Road, which has a side first floor window. The window will be the closest to a mast in Hemel Hempstead and the first time a mast is located next to an openable window. We object on the grounds the mast is too close and fronts a window, that although has mottled glass, has a clear view looking out.”*

Limited weight is generally given to adverse impacts on non-habitable windows such as those serving bathrooms, en-suites, garages etc. This is predicated on the basis that, unlike a living room, kitchen or bedroom, where one reasonably be expected to spend a large proportion of their day, non-habitable rooms are occupied for much shorter durations; therefore, the any harm will be limited.

*“Clauses 2.1.1, 9.2.1, 9.2.3, 9.2.4. We object that the applicant has demonstrated that there are no alternative sites. The new drawing issued in June clearly shows a retrospective review and therefore biased towards the current application. This drawing is showing a 50m radius around the existing mast and not a 100m radius that the applicant states is applicable. We can see other sites particularly on the corner of Perry Green where it can be located with only one small tree relocated. It would be c10m from the side of a house and will have much less visual impact residentially.”*

The information on alternative sites was provided on 26<sup>th</sup> February 2020. In terms of the search radius shown on the applicant’s alternative sites plan, online tools and the Council’s Geographic Information System (GIS) confirm that the search area is indeed a 100m radius (please see Appendix C).



*“Clause 9.2.1. Although a self-certifying certificate for radiation is provided. This is based on 1999 ICNIRP guidelines. It does not cover 24-7 exposure and so no specific risk assessment is produced for nearby houses or workman working on roofs.”*

The applicant has provided a certificate which states that, when operational, International Commission guidelines will be met. As per paragraph 116 of the NPPF, local planning authorities should not set health safeguards different from the International Commission guidelines for public exposure.

*“Clause 9.2.5. We object that there are no other sites. This has not been demonstrated satisfactorily and has not been consulted during the planning period. The applicant appears to have taken the view that they would install in the current position that suits them best since approval appears to be automatically given (we cannot see any rejections locally to other proposals in the town). The review drawing of other sites is retrospective and so not applicable to the submission. There are clearly other sites closer to the original installation that place the mast much further away from the nearest house. Should there not be a review of mast positions in the whole estate so that future mast generations are future proofed, namely the commercial area around Sainsburys?”*

The applicant's site selection map shows a number of possible alternative sites; however, each of these is subsequently discounted. For example, the existing site is not suitable owing to space restrictions and the presence of underground services; the grass verge adjacent to no. 2 Denham Close was discounted owing to space restrictions and trees, whilst the area adjacent to no. 1 Denham Close was deemed unsuitable due to the presence of underground services.

*“Clause 9.3.4., 9.2. We object to this clause. There are 8 panels much taller than the existing 3 panels that occupy a 10m width instead of 4.0m and half the height. (Refer to the photos of the existing and proposed site and the real size of the installation as installed in Grovehill). Painting them green will not meet the NPPF policy for sympathetically designed and camouflaged.”*

If a mast were already installed at the site, then the radio equipment cabinets could potentially be constructed under permitted development. Woodhall Farm is an urban area of Hemel Hempstead and does not have a rural character. It is submitted, therefore, that street furniture (such as radio equipment cabinets) is not an uncommon feature. Painting the cabinets green will not, of course, prevent them from being seen. However, this will help them to more fully assimilate into the local environment. The cabinets are approximately the same height as a standard fence panel, which is not excessive. Consequently, the cabinets are, in my view, considered to be sympathetically designed and camouflaged.

*“Clause 9.3.5. If the existing panels are to be removed why can't the new installation be placed alongside them as per the applicant's original pre-consultation drawings and government guidelines? We do not agree that this has been adequately explored. There is another site on the opposite corner of Perry Green where the removal of one tree offers a better location that is further away from houses and windows on both sides of the road.”*

The applicant's site selection map indicates that the existing site on the corner of Perry Green cannot accommodate the new installation due to space restrictions and the presence of underground services. The site on the opposite side of the road (adjacent to 2 Denham Close) has already been discounted as unsuitable due to space restrictions and trees. These are reasonable comments and there are no obvious reasons for the Council to require the submission of additional reports to corroborate this.

*“Clauses 9.4.1 to 9.4.3. We object that planning will be granted before a noise mitigation scheme is submitted. We object to the clause “if required” that has been added. Clearly the 5G panels will pollute many houses with their noise, not just 1 Elstree road. The acoustic report to be submitted must include measured day and night time noise values with measured noise ratings from equipment at high ambient temperatures (I suggest 30degC). I have experience of this in my career as a Chartered Building Services Engineer, so I am aware that this is onerous and cannot be achieved with just acoustic lining and louvres as suggested. These equipment panels are not designed to be within a quiet residential area. So there is no confusion, the accepted industry standard to use for reporting noise is BS4142. It should be made clear that acceptable noise should be reduced to -5dBa less than the background noise levels at openable windows and daytime gardens. I have carried out my own analysis which is elsewhere in this document to highlight the noise gap that exists which is anticipated to be 20-25dBa.”*

The Council’s Environmental Health Officer is satisfied that any noise impacts can be suitably mitigated. It should be noted that the mast cannot be brought into use until a noise report has been submitted to and approved in writing and approved by the local planning authority. If the Environmental Health Officer is not satisfied with the contents of the reports, then it is open to the Council to refuse to discharge the condition. It would then be incumbent upon the applicant to provide a report that addresses the relevant concerns, should there be any.

*“Clause 9.4.5 Overshadowing. We object to this clause. The southern sun will cast shadows over properties 2,4,6 Elstree Road (the trees have no leaves in winter) and many more. The first-floor window on 1 Elstree road is mottled glass offering a good view externally so the mast and equipment panels will be clearly seen. In any event this window could be replaced with clear glass (as my human right to do so) so the type of window glass should be irrelevant!”*

Whilst wider than the previous generation of telecommunication masts, the mast is not excessively wide, so although it is conceivable that there may be some overshadowing of nos. 2, 4 and 6 Elstree Road, it is not considered that this would be so severe as to warrant a refusal of planning permission. Even in the winter months, the combined mass of the trunks and branches of the substantial trees are likely to result in some overshadowing. Finally, any adverse impacts need to be balanced against the benefits of providing enhanced data services to the area.

*Clause 9.6.1- We object to this clause since it states “Authorative evidence has been produced to suggest that 5G masts **result in interference to television signals**”. This is unacceptable and would require mitigation.*

This was a typographical error in the previous report and has been corrected. The text should have read as follows: *“Authoritative evidence has been produced to suggest that 5G masts do not result in interference to television signals”*.

*“Clauses 10.1 to 10.1.4 Conclusions. We object to the report conclusions as stated above and below.*

- a) *Consultations have not been carried out with organisations correctly since the new mast was only shown in the same position as the existing one.”*

The Council were not provided with the contents of the consultation packs sent to stakeholders.

- b) *Consultations were carried out with only 3 neighbours (we requested if other neighbours were contacted but we never received a reply). The most affected house, 1 Elstree Road, **never** received a consultation letter. Surely this can’t be the correct consultation*

*procedure? The planning proposal was only strapped to a nearby lamppost approximately 3 weeks after the first submission and our complaint. This is not in line with NPPF guidelines.*

The following addresses were consulted as part of the application process:

2 Elstree Road  
4 Elstree Road  
6 Elstree Road

100 Elstree Road

15 Perry Green  
16 Perry Green  
17 Perry Green

Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order states that applications are to be publicised in the following manner:

- a) by site display in at least one place on or near the land to which the application relates for not less than 21 days; or*
- b) by serving the notice on any adjoining owner or occupier.*

A neighbour consultation letter would ideally have been sent to no. 1 Elstree Road and appears to have been omitted. However, a site notice was, on 13<sup>th</sup> February 2020, also displayed proximate to the location of the new mast, satisfying the relevant consultation requirements and drawing the attention of the wider area to the planning application. Furthermore, it is noted that comments have been received from no.1 Elstree Road, which demonstrates that they are aware of this application. No.1 Elstree Road has therefore not been prejudiced or prevented from commenting on this application as a result of the absence of an application notification letter being sent to their address.

- f) "This proposed mast would become the closest to a house (5.0m) with or without a window, in the whole of Hemel Hempstead. There are only two other examples of this; one being the existing mast (7.5m away with no side window) and one in Warners End (10m away no window, facing a field). It is apparent that should planning be granted this would set a precedent and leave difficult choices now in other parts of Hemel, and in the future, when this mast is replaced with a taller and noisier mast. Isn't the real issue that this mast should be located in the commercial areas of the estate like other ones in Hemel Hempstead."*

Each case is judged on its own merits and the degree to which it complies with the relevant local and national planning policies.

***"Lightning Protection-*** *It is a legal requirement that the mast provider produces a risk assessment for the installation with the mitigation measures taken, and must be signed by the designer. This is not provided. This would not be an issue if a mast was not near a house or so tall. There is a very real risk the mast will be struck by lightning with the EMP causing damage in the house since it is so close."*

The applicant has confirmed that there are two earthing systems on all sites: lightning protection system earthing and installation earthing. Lightning protection entails a complete system for

protection of structures against lightning, including their internal systems and contents, as well as persons. Protecting against lightning strikes is not, however, a material planning consideration.

### Community Infrastructure Levy (CIL)

9.8 This application is not CIL liable.

## **10. CONCLUSION**

10.1 It has been demonstrated by the applicant that there are no sequentially preferable sites within a 100m search radius. The requirements of paragraph 115 of the NPPF have also been satisfied; that is to say, information has been provided in respect of the following:

- The outcome of consultations with organisations with an interest in the proposed development.
- Evidence that the applicant has explored the possibility of erecting a mast on an existing building, mast or other structure.
- A statement that self-certifies that, when operational, International Commission guidelines on limiting exposure to electromagnetic fields will be met.

10.1.2 In the context of an urbanised area of Hemel Hempstead, which includes lampposts, broadband cabinets and dwellings, the proposed mast would not appear incongruous and would, in time, be seen as merely an additional piece of street furniture. Its height is the minimum required to carry out its necessary function and comply with the ICNIRP guidelines on exposure to non-ionizing radiation.

10.1.3 In terms of any adverse impacts on the amenity of neighboring properties, as outlined in the report it is not considered that these would be so severe as to warrant a refusal of planning permission. Health impacts have been addressed by virtue of the developer certifying that the installation would comply with ICNIRP guidelines. The nearest dwellings with a direct view of the mast (nos. 2, 4 and 6 Elstree Road) are located a significant distance away, and a large group of trees would shield much of the mast from view. Given the separation distance, it is not considered that the development would be overbearing. The side facing window of no. 1 Elstree Road appears to be a non-habitable bathroom window, so it is unlikely that the mast would be visible or result in any significant effects – be these visual or in terms of shadowing.

10.1.4 Highway safety has been addressed. The mast and associated cabinets would not result in a reduction in visibility for cars waiting at the give-way lines at the Elstree Road / Shenley Road junction.

## **11. RECOMMENDATION**

11.1 That planning permission/listed building consent be **GRANTED** subject to conditions.

### **Condition(s) and Reason(s):**

1. **The development hereby permitted shall begin before the expiration of three years from the date of this permission.**

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990, as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

2. **The development hereby permitted shall be carried out in accordance with the following approved plans/documents:**

**Master Drawing No: 957806\_DAC012\_51038\_HP0177\_M001 (Issue A)  
Title: 100 Existing Site Plan**

**Master Drawing No: 957806\_DAC012\_51038\_HP0177\_M001 (Issue A)  
Title: 150 Existing Site Elevation**

**Master Drawing No: 957806\_DAC012\_51038\_HP0177\_M001 (Issue A)  
Title: 215 Proposed Max Configuration Site Plan**

**Master Drawing No: 957806\_DAC012\_51038\_HP0177\_M001 (Issue A)  
Title: 265 Proposed Max Configuration Elevation**

**Master Drawing No: 957806\_DAC012\_51038\_HP0177\_M002 (Issue B)  
Title: 266 Proposed Max Configuration Elevation**

Reason: For the avoidance of doubt and in the interests of proper planning.

3. **The use hereby approved shall not be operated until a noise management plan, including a scheme of noise mitigation (if required) has been submitted to and approved by the Local Authority. The approved plan shall ensure/demonstrate how adverse effects from noise to nearby residential occupiers are to be avoided.**

**The noise management plan and any required scheme of noise mitigation shall be prepared and compiled by an appropriately experienced and competent persons and include time-scales for implementation.**

**The development, including any noise mitigation measures, shall be carried out in accordance with the approved noise management plan, and in accordance with the implementation timescales found therein.**

Reason: In order to ensure that the adjacent dwelling is not adversely impacted by noise and disturbance, in accordance with Policy CS12 of the Dacorum Core Strategy.

4. **All cabinets scheduled for removal, as shown on the following drawings shall be removed within 3 months of the date that work in respect of this planning permission commences:**

**Master Drawing No: 957806\_DAC012\_51038\_HP0177\_M001 (Issue A)  
Title: 215 Proposed Max Configuration Site Plan**

**Master Drawing No: 957806\_DAC012\_51038\_HP0177\_M001 (Issue A)  
Title: 265 Proposed Max Configuration Elevation**

Reason: In order to keep the number of sites used for radio and electronic communications masts to a minimum and in the interests of the visual amenities of the area, in accordance with paragraph 113 of the NPPF and Policies CS11 and CS12 of the Dacorum Core Strategy (2013).

5. **Notwithstanding the details provided within the document entitled "SUPPLEMENTARY INFORMATION", the equipment cabinets hereby approved shall be painted dark green within 2 months of installation.**

Reason: In the interests of the visual amenity of the area and to ensure that the development satisfactorily integrates with the streetscape character, in accordance with saved Policy 126 of the Dacorum Local Plan (2004) and Policies CS11 and CS12 of the Dacorum Core Strategy (2013).

6. **Within 3 months of the first operation of the mast hereby permitted, and notwithstanding the details shown on Drawing Nos 957806\_DAC012\_51038\_HP0177\_M001 (Issue A) Title: 215 Proposed Max Configuration Site Plan; and, Master Drawing No: 957806\_DAC012\_51038\_HP0177\_M001 (Issue A) Title: 265 Proposed Max Configuration Elevation, full details of a scheme to remove the existing telecoms column and replace it with a lamppost of standard construction shall have been submitted to and approved in writing by the local planning authority. The scheme shall include full specifications of the new lamppost, proposed elevations, a site plan and a timeline for the removal of the existing telecoms column and the installation of the replacement lamppost. The works shall then be carried out in accordance with the approved particulars and the timescales found therein.**

Reason: In order to avoid the proliferation of redundant digital communication apparatus, in accordance with saved Policy 126 of the Dacorum Local Plan (2004) and paragraph 113 of the NPPF.

## APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Environmental And Community Protection (DBC)	<p>Without more specific detail on the locality it is difficult to know if there will be an adverse noise impact.</p> <p>At the current location of Perry Green I cannot see any windows opening out on the current location, whereas at land adjacent to 1 Elstree I can see windows and this might give rise to noise issues if opening onto a habitable space. What we also aren't clear on is the number of fans, and if these have specific noise characteristics such as tonality or intermittency and could affect sound character.</p> <p>Basic sound level detail on its own without context means I can't say if this would be acceptable or not. We can either ask for a noise assessment or require a condition which requires details of mitigation measures in lieu of a noise survey, should it indicate an adverse impact.</p>

Environmental And Community Protection (DBC)	Having reviewed the application submission and the ECP Team records I am able to confirm that there is no objection on the grounds of land contamination. Also, there is no requirement for further contaminated land information to be provided, or for contaminated land planning conditions to be recommended in relation to this application.
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## APPENDIX B: NEIGHBOUR RESPONSES

### Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
7	15	0	15	0

### Neighbour Responses

Address	Comments
Woodhall House 11 Horton Gardens Hemel Hempstead Hertfordshire HP2 7NF	<p>It would be helpful to understand first why the new post is required, and why the original is not adequate.</p> <p>I just tried to access the details on the planning site and they have been removed.</p> <p>The location and height will degrade the area, and will affect the closest houses.</p> <p>If this is to extend to the new housing estates, maybe put the post on these plots rather than keep disturbing the original occupants in the area as it appears never ending, have to provide for the new but whilst the original have put up with nothing for decades.</p>
8 Elstree Road Hemel Hempstead Hertfordshire HP2 7NE	<p>Affect local ecology - The actual harm caused to health by the electromagnetic radiation emitted by such masts is unconfirmed but is of real concern to the families/residents living in the vicinity of the mast, or even having to pass by the mast on a regular basis. Depending on the number of associated cabinets, the entire area of grass at the site may be permanently lost. Furthermore, opposite the site is a larger area of grass and trees, and electromagnetic radiation is thought to be harmful to local wildlife and some wildlife even abandon areas where new masts are erected as a result of this.</p> <p>Close to adjoining properties - The mast would be located at the end of a purely residential street (Elstree Road) and directly next to the curtilage of number 1 Elstree Road. This is unacceptably close to the houses at the location.</p> <p>Development too high - The proposal is that the mast is 20m high, much higher than the other buildings/houses in the locality and therefore it would be visible well above the current skyline of the estate.</p>

General dislike of proposal - The mast will be situated too close to residential properties and will be an eyesore. It will be visible from the windows to the rear of my property and depending on its precise location, my back garden also.

Increase of pollution - Due to the telephone networks greater needs, masts now emit even higher levels of radiation than previously. Such a mast will obviously increase the amount of electromagnetic radiation in the vicinity, the harmful effects (to health and the environment) of which are currently unknown; studies carried out in some other countries, have linked the presence of masts to a deterioration in health.

Not enough information given on application - The application for the mast appears sparse, with insufficient detail supplied and many questions left unanswered. Will the antennae on the mast take it above 20m, or does the 20m stated take this into account? Why does it need to be taller than the existing mast? How many relating cabinets will be required? There are 5 on the existing site, which is significant. Will the entire area of grass be utilised and therefore lost? Will the existing mast and cabinets on Shenley Road be removed and the site reinstated to grass? Why can't the existing site be utilised/updated to accommodate a new mast?

Further to this, I live within metres and sight of the proposed site, but received no notification of the proposal until I was informed of it by a friend/neighbour. Neither has any notification been erected at the site, which sometimes appears to be the case. Should I have received notification?

Out of keeping with character of area - A mast of the proposed height and the relating cabinets will negatively impact on the appearance of the location and vicinity, which is currently residential, interspersed with green areas, another of which will be lost to this development.

Traffic or highways - The proposed site is situated at a busy junction and the mast, but particularly the relating cabinets, will negatively impact on the visibility of drivers turning out of Elstree Road, into Shenley Road. This is of even greater concern, as the edge of the grass area at the site abuts a pedestrian crossing, used frequently by children going to/from the 2 primary schools located on Shenley Road and older children using the cut through behind Elstree Road, to Astley Cooper Comprehensive School. If visibility at this junction is reduced, it is inevitable that there will be an increase in road traffic accidents.

Affect local ecology - The actual harm caused to health by the electromagnetic radiation emitted by such masts is unconfirmed but is of real concern to the families/residents living in the vicinity of the mast, or even having to pass by the mast on a regular basis. Depending on the number of associated cabinets, the entire area of grass at the site may be permanently lost. Furthermore, opposite the site is a larger area of grass and trees, and electromagnetic radiation is thought to be harmful to local wildlife and some wildlife even abandon areas where new masts are erected as a result of this.

Close to adjoining properties - The mast would be located at the end of



a purely residential street (Elstree Road) and directly next to the curtilage of number 1 Elstree Road. This is unacceptably close to the houses at the location.

Development too high - The proposal is that the mast is 20m high, much higher than the other buildings/houses in the locality and therefore it would be visible well above the current skyline of the estate.

General dislike of proposal - The mast will be situated too close to residential properties and will be an eyesore. It will be visible from the windows to the rear of my property and depending on its precise location, my back garden also.

Increase of pollution - Due to the telephone networks greater needs, masts now emit even higher levels of radiation than previously. Such a mast will obviously increase the amount of electromagnetic radiation in the vicinity, the harmful effects (to health and the environment) of which are currently unknown; studies carried out in some other countries, have linked the presence of masts to a deterioration in health.

Not enough information given on application - The application for the mast appears sparse, with insufficient detail supplied and many questions left unanswered. Will the antennae on the mast take it above 20m, or does the 20m stated take this into account? Why does it need to be taller than the existing mast? How many relating cabinets will be required? There are 5 on the existing site, which is significant. Will the entire area of grass be utilised and therefore lost? Will the existing mast and cabinets on Shenley Road be removed and the site reinstated to grass? Why can't the existing site be utilised/updated to accommodate a new mast?

Further to this, I live within metres and sight of the proposed site, but received no notification of the proposal until I was informed of it by a friend/neighbour. Neither has any notification been erected at the site, which sometimes appears to be the case. Should I have received notification?

Out of keeping with character of area - A mast of the proposed height and the relating cabinets will negatively impact on the appearance of the location and vicinity, which is currently residential, interspersed with green areas, another of which will be lost to this development.

Traffic or highways - The proposed site is situated at a busy junction and the mast, but particularly the relating cabinets, will negatively impact on the visibility of drivers turning out of Elstree Road, into Shenley Road. This is of even greater concern, as the edge of the grass area at the site abuts a pedestrian crossing, used frequently by children going to/from the 2 primary schools located on Shenley Road and older children using the cut through behind Elstree Road, to Astley Cooper Comprehensive School. If visibility at this junction is reduced, it is inevitable that there will be an increase in road traffic accidents.

<p>100 Elstree Road Hemel Hempstead Hertfordshire HP2 7QP</p>	<p>Will restrict view for cars and pedestrians crossing at road junction</p>
<p>2 Elstree Road Hemel Hempstead Hertfordshire HP2 7NE</p>	<p>Too close to 1 Elstree Road. The mast is too high for them area. The mast will be a visual intrusion from my kitchen and bedroom windows. I have received one letter from the council regarding this mast, some of the residents have received no Information whatsoever- more information is definitely required. There are other places on the estate where a mast could be erected where it would not intrude on house owners I.e. the original al site near Perry Green or nearer Sainsbury's where there is a vast wooded area and the mast could be reasonably hidden. The box next to the mast would be extremely noisy for the residents living close by. If the the mast was placed where you suggest I feel this would be dangerous for traffic turning right from Elstree Road on to Shenley Road - there is also a crossing where parents and children cross near this corner to get to the school.</p>
<p>4 Elstree Road Hemel Hempstead Hertfordshire HP2 7NE</p>	<p>Firstly, we share the concerns expressed by others regarding the unknown effects of living in close proximity to such a mast. Why does it need to be so close to homes? Why does the mast need to be moved from it's current location? Why has this location been chosen ? The proposed location is at a busy junction which also already has one of the few pedestrian crossings between this end of the estate and the local schools at Holtsmere End. We feel that the mast and associated cabinets are likely to impede visibility, increasing the risk of a collision. Finally, we agree with other comments that note the lack of detail attached to this proposal and we would welcome further scrutiny by the planning department of other alternative solutions.</p>
<p>6 Elstree Road Hemel Hempstead Hertfordshire HP2 7NE</p>	<p>Affect local ecology - There are numerous unconfirmed reports on the internet of the potential harm to health that these masts may cause to those living close by. Close to adjoining properties - The proposed mast would be directly adjacent to 1 Elstree Road, this is totally unacceptable. Development too high - A 20 metre high mast and the cabinets that go with this will negatively impact the overall appearance of the residential area and take away green space - this development will be directly visible from our property. General dispute of proposal - This is for the reasons outlined in this objection - A mast of this size should not be positioned so close to residential housing. Increase of pollution - This will produce high levels of electromagnetic radiation - it is not known what affect (if any) these masts have on the local environment and on people's health who live close by. This may also affect communication/TV signals to those living nearby. Noise nuisance - This will emit noise which for those living close by will be affected by.</p>

	<p>Out of keeping with character of area - A mast of this size and the associated cabinets will negatively change the visual look of the area.</p> <p>Traffic or highways - Positioning the mast and cabinets on the corner of Elstree Road/Shenley Road will be an additional hazard to motorists and pedestrians. This is a very busy junction, in which already there are regular 'near misses' - this will create further blind spots and a greater risk to an accident happening.</p>
<p>5 Elstree Road Hemel Hempstead Hertfordshire HP2 7NE</p>	<p>Location- The application refers to replacement of the existing facility but the plan shows unnecessary relocation onto the corner of Elstree Road.</p> <p>Over development- Their will be two masts within 50m of each other which is unnecessary and unsightly.</p> <p>Traffic- The proposed position is anticipated will obstruct the view of traffic turning in and out of Elstree road causing potential danger.</p> <p>Noise and close proximity- The proposed relocation is too close to the corner property and will be noisy and potentially disrupt communications (TV reception etc)</p> <p>Height and close proximity- the facility is too high now 20m from 14.3m in its original position and will be the tallest local object within 3.0m of the corner property.</p> <p>Affect on local ecology and over development. There is already communication control boxes at the far end of Elstree road and the existing one at Perry Green another would be over development.</p>
<p>7 Elstree Road Hemel Hempstead Hertfordshire HP2 7NE</p>	<p>This development is over 5 metres taller than the current one which will make it the tallest structure in the area, taller than all the houses trees and street lights and would therefore be very noticeable and degrade the area. It is therefore out of keeping with the area. No explanation is given why it has to be this tall and no explanation is given as to why the current site can not be redeveloped. The current site is situated on a straight part of the road away from junctions and on a wider verge the new location is on a junction which will restrict the view of cars emerging from Elstree Road and therefore increase the likelihood of accidents also there is a traffic island at this location with drop kerbs to assist pedestrians to cross the road and again this structure would restrict views for pedestrians crossing the road. Is this just a case of a new site is easier than redeveloping an old site. These mast are an eyesore and they should not be allowed and the companies requesting them should find better and less intrusive ways to carry on their business. It might only be a small piece of grass but it will be a small piece of grass we no longer have.</p>
<p>9 Elstree Road Hemel Hempstead Hertfordshire HP2 7NE</p>	<p>The street furniture associated with this mast will be an obstruction as you pull out of Elstree Road onto Shenley Road. There are 8 roads off Elstree and, therefore, the junction is very busy.</p> <p>This development will be over 65ft, which is much higher than anything else on our estate.</p> <p>Recently The Financial Times has highlighted that Switzerland has halted 5G rollout over health concerns which is very worrying for people living close by. Can you guarantee that there are no health issues</p>

	<p>associated with the mast?</p> <p>Too close to residential properties, especially No.1</p> <p>There are many other sites that are better suited for the location of this mast, why has Shenley/Elstree Road been chosen?</p> <p>Thank you for your considerations.</p>
<p>15 Morland Place Birmingham B31 2PF</p>	<p>The lack of visual information on the proposal makes it very difficult to judge the exact extent of the proposed development and the full impact it will have. No elevations or plans of the proposed mast and associated cabinets have been provided, apart from the height being noted at 20m. There is no indication of the plan size of the mast or number of, size and location of the associated cabinets or more accurate location information. No information is provided to be able to determine what is actually proposed to be erected on the site.</p> <p>The application states the size of the site being 0.1 hectares, this is not correct. The land proposed is at its widest part, approximately 5m with a maximum length of 38m. The patch of grass that has been identified as the proposed site already has a number of services within it, with two associated service pits/ covers (CATV), limiting the actual available land for location of the mast and cabinets.</p> <p>Within the document 957806 _dac012_51038_hp0177_m001 location plan, the photo of the site is a photo of the existing site, not the proposed site, and the link to street view is also of the existing, not highlighting the proposed location. The site address on the application form is also for the existing site, not the proposed. Under section 6. Existing Use -description of the current use of the site, it is noted as Existing telecommunications site. The new proposed site is not the existing telecommunications site but a patch of vacant green grass on the corner junction of two roads, with the Elstree Road street sign.</p> <p>The proposed location is on the land between a busy junction, where Elstree Road joins Shenley Road and a pedestrian crossing. The crossing is regularly used by children for their journey to and from school and to access the green land adjacent to Elstree Road. The mast and cabinets will restrict the view of both the pedestrian crossing and the Elstree Road junction.</p> <p>There does not appear to be any evidence that the existing site has been analysed and deemed inappropriate for the new mast, which is noted to be replacing the existing. No evidence submitted of potential proposed sites analysed. The location of the proposed development, on the corner of Shenley Road and Elstree Road, is highly prominent. The existing mast is partially visually screened by the presence of trees. The smaller size of the proposed site, lack of vegetative screening, its position and the significant increase of height would result in a much greater visual impact than the existing mast that it replaces.</p>

<p>92 Elstree Road Hemel Hempstead Hertfordshire HP2 7QP</p>	<p>92 Elstree Road Hemel Hempstead Hertfordshire HP2 7QP (Objects)</p> <p>Affect local ecology - There are numerous unconfirmed reports on the internet of the potential harm to health that these masts may cause to those living close by. Close to adjoining properties - The proposed mast would be directly adjacent residential, this is totally unacceptable. Development too high - A 20 metre high mast and the cabinets that go with this will negatively impact the overall appearance of the residential area and take away green space - this development will be directly visible from our property. General dispute of proposal - This is for the reasons outlined in this objection - A mast of this size should not be positioned so close to residential housing. Increase of pollution - This will produce high levels of electromagnetic radiation - it is not known what affect (if any) these masts have on the local environment and on people's health who live close by. This may also affect communication/TV signals to those living nearby. Noise nuisance - This will emit noise which for those living close by will be affected by. Out of keeping with character of area - A mast of this size and the associated cabinets will negatively change the visual look of the area.</p> <p>Traffic or highways - Positioning the mast and cabinets on the corner of Elstree Road/Shenley Road will be an additional hazard to motorists and pedestrians. This is a very busy junction, in which already there are regular 'near misses' - this will create further blind spots and a greater risk to an accident happening.</p> <p>Location- The application refers to replacement of the existing facility but the plan shows unnecessary relocation onto the corner of Elstree Road. Must be a better location than proposed to reduce both health and environmental impacts. Has a detailed appraisal of alternative site locations been undertaken. Over development- There will be two masts within 50m of each other which is unnecessary and unsightly.</p> <p>Application I consider the application to be seriously lacking in detail and the siting of the mast questionable. I believe the application should be rejected for reasons outlined below.</p> <p>Planning Policy Chapter 10 of the NPPF 2019 states 'equipment should be sympathetically designed and camouflaged where appropriate'.</p> <p>Dacorum Policy 126 states - 'electronic communication apparatus should be assessed with regard to their appearance, size, form and siting.' (Policy at Appendix 1)</p> <p>Paragraph 115 of the NPPF states that applications for electronic communications equipment should be supported by the necessary evidence to justify the proposed development and should include; - The outcome of consultations with organizations with an interest in the proposed development;</p>
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- Evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure and a statement that self certifies that, when operational, international commission guidelines will be met.

#### Grounds for Objection

##### Lack of detail

The information submitted with the application is very sparse. No detailed elevations of the development have been submitted meaning that determining the visual impact of the proposal would prove difficult. Furthermore, without the submission of elevations or details of the structure's dimensions, it would prove difficult for the Council to undertake enforcement action if this was necessary in the future - as there would be no information to refer to in regard to the appearance/scale of the development. Article 7 of the Development Management Procedure Order requires the submission of 'any other plans, drawings and information necessary to describe the development which is the subject of the application' - in my opinion, I would consider that, at the very least, scaled elevations should have been submitted to the Council for consideration.

When considering the requirements of paragraph 115 of the NPPF (as outlined previously) no supporting evidence has been submitted with the application detailing how the applicant has explored the possibility of using the existing mast or any other building or structure. Furthermore, no details have been submitted that certify that international commission guidelines will be met, contrary to the requirements of the NPPF.

Based on these points alone, I would consider that the Council does not have sufficient evidence to approve the application.

I would expect an analysis of alternative sites to be submitted with the application to demonstrate that the applicant has considered alternative locations and outline reasons why the proposed site is the most appropriate place for the development to take place. In my opinion, masts of this size should not be located in residential areas.

##### Visual Impact

The siting of the proposed development, on the corner of Shenley Road and Elstree Road, is highly prominent and would undoubtedly have some visual impact on the street scene. The existing mast is somewhat screened in the streetscape by the presence of street trees. The lack of vegetative screening surrounding the proposed site, its prominent corner position and the significant increase of scale would result in a much greater visual impact than the existing mast that it replaces.

##### Other

As the development is proposed on Highway land and is adjacent to a junction (where it could impede visibility), it would be pragmatic in this instance to consult Highways on the application.

Appendix 1 (Source: Local Plan 2004)

	Dacorum Policy 126 Electronic Communications Apparatus
<p>3 Elstree Road Hemel Hempstead Hertfordshire HP2 7NE</p>	<p>Affecting Local Ecology - There are numerous unconfirmed reports on the internet of a potential harm to health that these masts may cause to those living nearby. The proposed location of the mast is adjacent to 1 Elstree Road and other residential properties and this is totally unacceptable. Development Too High - A 20metre high mast and the cabinets that go with this will negatively impact on the appearance of the residential area and take away the green space. This development will be directly visible from surrounding properties. General Dislike of the Proposal - This is for the reasons outlined in this objection, a mast of this size should not be positioned this close to residential housing. Increase of Pollution - This will produce high levels of electromagnetic radiation, it is not known what affect(if any) these masts have on the local environment and on peoples health who live close by. In other areas of the country there are unconfirmed reports of people suffering from electromagnetic hypersensitivity. This may also affect communication and TV signals to those living nearby. Noise Nuisance - This will emit noise which for those living nearby will be affected by this. Out of Keeping in Character of the Area - A mast of this size and cabinets will negatively change the visual look of this area and will stand out as a blot on the landscape of the immediate vicinity. Traffic or Highways - Positioning the mast and cabinets on the corner of Shenley Road / Elstree Road will be an additional hazard to motorists and pedestrians. This will create a blind spot and a greater risk of an accident happening on what is already a busy junction where there are regular near misses. Over Development - There will be two masts within 50metres of each other which will be unnecessary and unsightly. Location - The application refers to the location of the existing facility but the plan shows unnecessary relocation onto the corner of Shenley Road / Elstree Road. There must be a better location that proposed to reduce both health and environmental impacts. Has a detailed appraisal of an alternative site location been undertaken, for example Dacorum Borough Council Cupid Green Depot where there are similar installations. Unfortunately local residents have not been informed of this planning application in a respectful way such as leafleting through the door with appropriate notification.</p>
<p>1 Elstree Road Hemel Hempstead Hertfordshire HP2 7NE</p>	<p>Location- The application refers to replacement of the existing facility but the plan shows unnecessary relocation onto the corner of Elstree Road. Over development- Their will be two masts within 50m of each other which is unnecessary and unsightly. Traffic- The proposed position is anticipated will obstruct the view of traffic turning in and out of Elstree road causing potential danger. Noise and close proximity- The proposed relocation is too close to the corner property and will be noisy and potentially disrupt communications (TV reception etc) Height and close proximity- the facility is too high now 20m from 14.3m</p>

in its original position and will be the tallest local object within 3.0m of the corner property.

Affect on local ecology and over development. There is already communication control boxes at the far end of Elstree road and the existing one at Perry Green another would be over development.

Comments to recent HCC reviews that have been posted which are in addition to my previous comments:-

Noise - Comments have been received from "Environmental and Community Protection" regarding the need for a noise assessment for equipment proposed to ascertain the extent of attenuation required due to its close proximity to the 1 Elstree Road window. My experience for this is that equipment would need to be located in a substantial housing larger enough to accommodate silencers which would make it untenable in the proposed location. 5G equipment is much noisier than the current control panels on the estate.

Traffic - Hertfordshire Highways have commented on 12-3-20. The comments appear to be generic and have not addressed the close proximity of the pedestrian crossing or requested details for the size of the 5G control panel layout and the large support structure required, for a 20m mast, to fully appreciate the visual obstruction. Also, this is a busy junction that has a past history of accidents which may not have been considered.

Health & Safety - Comments still awaited from the HSE. My view is that safety risks include the following.

a) Risk of lightning strikes to the tallest object on the estate (3 times the height of a house)

b) The antenna housing can detach itself in high wind which we are aware occurred at Adeyfield this year.

c) The 247-microwave radiation exposure to houses that are close to the mast can be harmful to health (5G produces significantly more radiation than previous networks and there is much evidence that it is potentially harmful).

Effect on local ecology - We have reviewed numerous documents on the internet reflecting the potential harm to health that these masts (with their microwave antenna) may cause to those living close by. Very little research has been carried out on the long term effects of living very close to the emitters. The EU launched a recent appeal to governments, started by 180 scientists and doctors from 36 countries, warning of the potential dangers of 5G networks and the need for an independent task force to reassess the health effects ([www.jr-seco.com](http://www.jr-seco.com)). References to safe levels of microwave radiation are from dated research and the data provided is meaningless to most of the public. In additional concern is that 5G uses higher frequencies than existing 4G (range 0.6Ghz -6Ghz) of much greater output (noting that microwave ovens use 2.5Ghz).

Although we appreciate that there is a desire to upgrade the mobile network surely a more appropriate position is near a commercial building (eg Sainsbury's) or in a green field (eg at the back of Arkley Road). We do not understand why there are not alternatives to 20m masts other than the cost associated with more smaller ones that would be more appropriate in this residential area.

Close to adjoining properties - The proposed mast would be directly



adjacent to 1 Elstree Road (within 3.0m) and abutting the busy corner footpath. The structure on top of the mast could overlap. This is totally unacceptable.

Development too High - The current mast located adjacent 1 Perry Green is 14.3m and has a single emitter slightly larger than the pole. The current proposal adjacent 1 Elstree Road is 20m high with 12 antennas (this is 3 times the height of a house). From reviewing pictures on the internet, the pole diameter will be significantly larger than existing poles with a support structure on its top that could be 3.0m diameter with potential to expand further. This development will be directly visible from most of Woodhall Farm.

Should this structure be closer than its height to a house and still be acceptable?

In addition, associated cabinets will negatively impact the overall appearance of the residential area and take away green space. The size of the equipment and its protection has not been defined.

General dislike of proposal - This is for the reasons outlined in this objection - A mast of this size should not be positioned so close to residential housing. The details submitted are inadequate and do not show the layout of associated ground equipment or elevations of its impact on the local environment or the noise it will emit. It has not taken into account its affect on road traffic from the busy corner junction and the close proximity of the crossing (within a few metres).

Increase of Pollution - This will produce high levels of electromagnetic microwave radiation where it is unknown what affect these masts 0will have on the local environment or on people's health especially those that live close by. This may also affect communication/TV signals/ house wireless networks etc for those living nearby. It will also produce noise pollution particularly from fans associated with the cooling requirements of control boxes.

Information Missing from Plans -a) There is inadequate details provided for the mast. To fully understand the proposals a detailed plan and section of the control panels and their protection with a dimensioned elevation of the mast showing nearby houses and trees that demonstrates how the impact on the local area would be minimised. The detail should reflect the proposed installation of antenna on the top of which there are different types some looking like the one recently installed on the Leighton Buzzard road opposite the water Gardens car park.

b) Positioning the mast and cabinets on the corner of Elstree Road/Shenley Road restricts visibility to motorists and pedestrians and affects the nearby pedestrian crossing none of which has been considered on the plans.

Loss of Light - The proposed 20m mast will cast a shadow on many local residences.

Noise Nuisance - Noise will be emitted from the control boxes cooling fans which is not taken into account on the application. This will peak in summer when it is hottest.

The wind noise generated from the tall structure could be significant

when so close. What assurances can be given that this will not occur?

Not Enough Info given on the plan -

a) The document does not demonstrate that the equipment does not exceed the safe levels of radiation to nearby properties. It should consider a risk assessment for a person carrying out maintenance on the roof of 1 Elstree Road and their close proximity to the emitters (potentially within 8.0m to the bottom of an antenna).

b) There is inadequate detail provided for the mast. To fully understand the proposals a detailed plan and section of the control panels and their protection with a dimensioned elevation of the mast showing nearby houses and trees that demonstrates how the impact on the local area would be minimised. The detail should reflect the proposed installation of antenna on the top of which there are different types some looking like the one recently installed on the Leighton Buzzard road opposite the water Gardens car park.

c) Provide acoustic details for the equipment in summer when it is loudest, and how the noise will be controlled to be 10dba less than the night time background noise at the site boundary.

Out of keeping with the character of the area - A mast of this size and the associated cabinets will negatively change the visual look of the area. The application does not provide details of the mast that demonstrates its visual impact. There are many types of masts that can be used making them appear very industrial such as the one recently erected on the Leighton Buzzard Road.

Over Development - There will be two masts within 50m of each other which is unnecessary and unsightly.

Traffic or Highways - Positioning the mast and cabinets on the corner of Elstree Road/Shenley Road will further restrict visibility to motorists and pedestrians. This is a very busy junction, in which already there are regular 'near misses' and sometimes collisions - this will create further blind spots and a greater risk to an accident happening. In addition, there is a nearby pedestrian crossing (within a few meters) which is very busy in the morning and afternoon school run. This installation would put the junction and crossing at significant risk to traffic and pedestrians! This risk would persist for any future maintenance requirements for the mast.

Other - a) The planning submission states the site area to be 0.1 Hectare which is equivalent to 1000m<sup>2</sup>. This is obviously incorrect and should be changed on the application.

b) The top of the structure has fixed equipment to a frame. These could work loose during severe weather. Anything falling would place pedestrians and traffic at great risk.

c) The application refers to replacement of the existing monopole. This is a misleading and an inaccurate description since the work describes only the provision of a new mast on a different site.

Note additional these comments in PDF have been sent by email to PO on 19-05-20

Planning Reference for the installation of a 20m mast at 1 Elstree Road submitted on 14-1-20 PP084444 ref 20/00150/FUL  
Overview of further MBNL Documents uploaded to the planning Portal on 15-05-2020

1) Summary of main points that have not been addressed from the comments raised in the planning submittal.

a) A side elevation has now been produced but a cross section showing the closeness of the mast to 1 Elstree Rd has not been produced (this would demonstrate the 4:1 aspect ratio since the 20m mast is at best 5.0m away). There is not a clear plan layout produced that would have shown the over development of this corner with the several tall control panels. Surely there must be guidance regarding site aspect ratios? All but one of the drawings issued have the same drawing number, M001A , which implies that this company has inadequate quality assurance.

b) There has been no response to the equipment noise generation and the closeness of the equipment to the 1 Elstree Rd openable side window (5.0m). The 5G equipment will be at least 70db as measured from existing 4G masts in Bennetts End, Warners End in February (this will be more in summer when the equipment heat is harder to dissipate). Surely environmental noise issues must be complied with? The comment from the DBC (dated 27-02-20) has raised this as an issue.

c) There has not been a study of the loss of view to traffic that the tall equipment will cause. There has not been a traffic study but it is known that this corner has incurred several traffic accidents. The pedestrian crossing has still been ignored. The comments raised by Hertfordshire highways has made no mention to the pedestrian crossing or take into account the size, position and quantity of the equipment which was unknown at the time of them making their comments.

d) The documents maintain that the new mast will be concealed by trees and not seen by nearby properties which is totally untrue since the proposed location is likely to be seen by much of the estate and there are no trees on the proposed site. Since the mast is 3 times the height of the house it will be seen directly by 100s of nearby houses. It is noted that the side window of 1 Elstree road will have a clear view of the mast 5.0m away

e) Drawings of the existing mast layout has been issued presumably to confuse since these show much less visual impact.

f) The risks of the greatly increased microwave radiation have not been answered. Old documents and studies are used again. Can we see evidence/ test data to prove that 5G technology is safe and accountability from named people? The certification document issued by MBNL (dated 2014-01-14) is non-specific and refers to the old 2014 mast (4G?) and only has a typed signature.

g) The risk of falling objects from the exposed microwave transmitters and risk of lightning strike to the tallest object in the area affecting 1 Elstree Road is not addressed.

h) It is noted that the HSE have currently made no comments.

i) A study of alternative mast positions has not been produced which was requested in the planning comments since there are better positions on the estate, assuming that we must accept the roll out of 5G, namely the Sainsburys site. It is noted that the existing masts in the town are all located around shopping centres or commercial sites. An example of the current 20m 5G mast is located in Grovehill, but in an

open area opposite the shops, remote from housing.

j) We point out that 1 Elstree Road never received a planning submission letter and this is the most affected property. We have asked why but to date have not received an answer. We also point out that the pre planning consultation document issue to schools by Blue Clarity on 11-2019 only showed the existing mast being replaced and consequently is inappropriate and misleading for the current application!

k) Finally would anyone want to have a 20m high microwave mast with several noisy equipment panels 5.0m from there house?

2) Review of each new Document submitted as per table below:-

Doc	DOI	Description of Document	Comments	Item
15-05-2020	957806	_DAC012_51038_HP0177_M001	LOCATION PLAN 1049110 (drg M001A) Same drg as original submission- drg does not show the road junction or the pedestrian crossing, the photo is of the existing mast at Perry Green and not of the proposed new location.	1
24-01-2020		THE LOCATION PLAN	957806 _DAC012_51038_HP0177_M001 LOCATION PLAN- 1079064 (DrgM001A) Same drg as above, why reissue?	2
14-05-2020		ADDITIONAL PLANS VISIBILITY SPLAYS	1079453 (drgM002B) Pedestrian crossing not shown. The equipment will obstruct the view of the junction and its tall mast would distract drivers. The curve in the road will further restrict view of the junction.	3
15-05-2020	957806	_DAC012_51038_HP0177_M001	SITE PLAN AND OTHER PLANS -1079065 (drgsM001A,M001A,M100A,M001A,M001A) The 4 drawings are of the existing layout with a couple of overlays showing the new proposal. All drawings have the same number. All confusing and unprofessionally issued to confuse. The proposed mast is 5.0m away from the property and directly in front of the upstairs window and there are 7 tall equipment panels exceeding the width of the house. There is no cross section which would emphasize the aspect ratio.	4
20-04-2020		ADDITIONAL PLANS	957806 _DAC012_51038_HP0177_M002- 1077281 (elevation drg M002B,) This drawing shows four sections of microwave dishes on top of the mast. Its height exceeds 1 Elstree Road highest point by nearly 13 m and guttering by 14m. It will be in front of a large openable side window that is not shown on the drawings. It will be the tallest object anywhere on the estate. There are no trees nearby to conceal it. The mast will be seen by 100s of houses and flats.	5
15-05-2020		DAC012 LPA APPLICATION COVERING LETTER	1079061 Blue Clarity letter to Council Lists documents issued on 24-01-20. This is out of date correspondence and confusing. Should this not be a new submission that can be formally commented on.	6
15-05-2020		DAC012 DEVELOPERS NOTICE CERTIFICATE	1079059 This is the original MBNL letter to the council requesting the land dated 24-01-20.	7
15-05-2020		DAC012 DEVELOPERS NOTICE COVERING LETTER	1079060 Blue Clarity letter to Highways, roads and pavements dated 24-01-20 reissued unchanged. Will the new documents issued by BC and the local residents concerns that have been raised in the planning consultation now be addressed? Who is responsible for this?	8

15-05-2020 MATT WARMAN MP LETTER ON 5G BROADBAND\_RFCWG19-19-1079051 General letter issued by department of digital culture media and sport dated 11-2019. This is irrelevant to the application. 9

15-05-2020 DAC012-51038-SHENLEY\_ROAD\_20\_SW-ICNIRP\_CERTIFICATE-247083-2020-01-17\_13\_35\_03- 1079062 This is a certificate for the conformity to public guidance at the existing position dated 2012-1-2014 and therefore not applicable to the current application for a much more powerful mast. I want to see risk assessments carried out on people that might work on the roof and for the current position that takes into account the increasing evidence that continuous exposure to microwaves are harmful. The certificate is digital and the signature is only typed (Sam cable-wright from KTL). I would like to see the qualifications and contact details for whoever signs off these installations since they will be accountable! 10

24-01-2020 APPLICATION FORM APPLICATIONFORMREDACTED 1049114 This is the original document that has been reissued and superseded by the following document item 12. 11

15-05-2020 APPLICATION FORM APPLICATIONFORMREDACTED 1079070 The new document has been amended with the correct site area. It still incorrectly states that this is a replacement mast. Item 20 should describe the equipment control panels proposed that requires variable ventilation for temperature control and the transformer hum and how it would be dealt with when only 5.0m away from an openable window. 5G is much bigger and noisier than 4G installations and from measurements taken elsewhere will exceed 70dba. The document is still dated 20-01-2020 but this is an amended document? 12

15-05-2020 DAC012 INDUSTRY SITE SPECIFIC SUPPLEMENTARY INFORMATION\_ 1079063 Document dated 24-01-2020 states that pre-consultation plans and letters were issued on 14-11-2019 by Blue Clarity which included the local Holtsmere school. We work at the school and have reviewed these documents which only show the current mast being replaced, with no reference made to a new site.

It implies that because the 2014 development had been accepted that the new proposal should be accepted. This is irrelevant and we point out that we are unaware that there was proper consultation with residents for the 2014 mast. Certainly 1 Elstree Road was not consulted and we are in clear view of this mast

page3 states that there is no front facing property. Clearly there are several that will see the mast and equipment with 1 Elstree road having a direct view from a side window 5.0m away. 100s of houses will see the mast looming above 1 Elstree Road.

It will have a huge visual impact since it is on the corner of a busy junction.

The document has not looked at any other sites such as the Sainsburys shopping centre where other masts have been located elsewhere in the town. 13

15-05-2020 20180905 MOBILE UK COUNCILS AND CONNECTIVITY PDF 1079057 Standard document not relevant to this specific planning application 14

15-05-2020 CONNECTED\_GROWTH\_MANUAL- 1079055 Standard document not relevant to this specific planning application 15

15-05-2020 CA LB HARM AND PUBLIC BENEFIT 1079053 Document of a 4G mast appeal in Somerset on 02-2018 not relevant to this application. 16  
15-05-2020 5G AND FUTURE TECHNOLOGY STREETWORKS 21.06.19- 1079049 Standard document not relevant to this specific planning application 17  
15-05-2020 DCMS MHCLG COLLABORATING FOR DIGITAL CONNECTIVITY LETTER 1079046 Standard letter from the department for digital, culture, media and sport dated 7-3-2019 not relevant to this application. 18

Thank you for your reply to our previous emails which are shown in the attachment. We also attach the site review document that you produced in June which we have commented on in the email below.

We have reviewed your planning report and accept some clauses but dispute others. We have produced a detailed appraisal of these below which has been added to the development management agenda (together with supporting photos). These comments have been discussed and agreed with the neighbours as our formal response to the planning report.

We have looked at document CS12 that you have referred to for noise and visual but found that it is too general and gives little guidance . The condition that you are adding to the planning report for noise control does not give clear guidance and a huge amount of wriggle room on behalf of the provider to allow him to install equipment before it is treated acoustically. We therefore seek, that should this installation go ahead, that an auditable acoustic report is produced (to BS4142) with mitigation proposals before any installation is carried out. The reason for this is that this is the first 5G mast in Hemel Hempstead that is proposed in the middle of a quiet residential area located the closest to a house with an openable window. Hopefully your environmental engineer will concur with this.

Can you review our statements below and reply accordingly. I have copied this to all involved parties including ecp regarding noise.

### **Summary of Report**

The following document reports on our main objections to the planning report and then looks at the issues in more detail where more explanation is required to make our point. The report begins with our summary of principle objections. We have attached photographs in appendix 1 to support our objections.

### **Summary of principle objections**

We maintain that the planning application for the new mast should be denied for the following reasons.

There has been inadequate consultation and other sites have not been looked at during the process and only now in June have alternative sites retrospectively been shown. We consider some of these alternatives would be better and more

appropriate to meet the NPPF guidelines (assuming that we accept that the new mast must be within 100m radius of the first mast). We note that the pre-consultation documents issued 14-11-2019 sowed the mast in the same position as the existing one.

The applicant has not considered noise pollution in their submission which will be excessive in a quiet residential estate. This was requested on several occasions but ignored in both the applicant's submissions. Although a condition has been placed in the planning document to review noise and provide mitigation measures this will be retrospective after installation. This is not following guidelines and a full noise report containing a mitigation plan should be provided before planning permission is considered. The requirements should be clear and carried out to an industry standard using BS4142 which can be audited externally. For Noise levels not to be nuisance it is industry standard to be -5dBa less than the background noise at openable windows and gardens. Our noise study anticipates noise levels at openable windows (at 1 Elstree road and across Shenley road) and garden to be elevated by 20-25dBa above guidelines which is unacceptable (this is based on my experience of noise calculations as a chartered building services engineer).

The existing installation is clearly audible and it is 50m away and that has much lower noise emissions.

The development will have a significant visual impact since it is on an exposed small corner plot of land at the highest topography on the estate, and will be seen directly by at least 30 houses and flats, and the mast seen by many more. The installation will be a surprise to many residents since they were never consulted with the proposals (eg there were no drawings produced in the planning submittal showing the size of the mast and the associated equipment panels, just a site area marked on a largescale plan layout).

We consider that the noise pollution and visual impact of the development by being so close to 1 Elstree Road and other residents 20-30m away is a denial of our human rights to a quiet environment and to be not overshadowed by a 20m high mast located 5.0m from a house with its associated 8 large equipment panels.

The report has stated that there will be TV interference, if this is true that would be unacceptable.

### **Objections to the Planning report**

- 1) Clause 5C. The report drawing only shows an elevation of the mast and equipment panels and does not show a section showing the mast 5.0m away from the side of 1 Elstree Road, which has a side first floor window. The window will be the closest to a mast in Hemel Hempstead and the first time a mast is located next to an openable window. We object on the grounds the mast is too close and fronts a window, that

although has mottled glass, has a clear view looking out.

- 2) Clauses 2.1.1, 9.2.1, 9.2.3, 9.2.4. We object that the applicant has demonstrated that there are no alternative sites. The new drawing issued in June clearly shows a retrospective review and therefore biased towards the current application. This drawing is showing a 50m radius around the existing mast and not a 100m radius that the applicant states is applicable. We can see other sites particularly on the corner of Perry Green where it can be located with only one small tree relocated. It would be c10m from the side of a house and will have much less visual impact residentially.

The pre consultation document issued on 14-11-2019 clearly shows the new mast adjacent the existing mast where national guidelines state it should be. We cannot understand why this position cannot be reused now that it is confirmed that the existing installation is required to be removed afterwards. For a short period, there would be congestion. The new position therefore was not appropriately consulted.

- 3) Clauses 2.1.2, 9.3.4. We object that the proposed position has acceptable visual impact. Its location will be much more obtrusive and on view to many more houses. It is on a bend and the highest point of the estate and will be seen by everyone with at least 30 houses and flats having a clear view. The trees only offer some concealment whilst they are in leaf. There are 8 equipment panels that stretch beyond the gable wall covering a 10m width.
- 4) Clause 2.1.3. This will have impact on the local amenity by polluting the quiet residential area with the high noise of 5G equipment.
- 5) Clause 9.2.1. Although a self-certifying certificate for radiation is provided. This is based on 1999 ICNIRP guidelines. It does not cover 24-7 exposure and so no specific risk assessment is produced for nearby houses or workman working on roofs.
- 6) Clause 9.2.5. We object that there are no other sites. This has not been demonstrated satisfactorily and has not been consulted during the planning period. The applicant appears to have taken the view that they would install in the current position that suits them best since approval appears to be automatically given (we cannot see any rejections locally to other proposals in the town). The review drawing of other sites is retrospective and so not applicable to the submission. There are clearly other sites closer to the original installation that place the mast much further away from the nearest house. Should there not be a review of mast positions in the whole estate so that future mast generations are future proofed, namely the commercial area around Sainsburys?
- 7) Clause 9.3.1. We object that the proposal preserves the attractive streetscapes since clearly it will not. (Refer to attached photos where it can be seen how exposed it will be). Being on a corner with open views of 270deg it will dominate the streetscape.
- 8) Clause 9.3.3 We object to this clause the flat topography only



exists to the east of Shenley Road otherwise the land falls away exposing the mast to be viewed by much of the estate. When the trees shed their leaves there is no screening since this is on an exposed corner.

- 9) Clause 9.3.4., 9.2. We object to this clause. There are 8 panels much taller than the existing 3 panels that occupy a 10m width instead of 4.0m and half the height. (Refer to the photos of the existing and proposed site and the real size of the installation as installed in Grovehill). Painting them green will not meet the NPPF policy for sympathetically designed and camouflaged.
- 10) Clause 9.3.5. If the existing panels are to be removed why can't the new installation be placed alongside them as per the applicant's original pre-consultation drawings and government guidelines? We do not agree that this has been adequately explored. There is another site on the opposite corner of Perry Green where the removal of one tree offers a better location that is further away from houses and windows on both sides of the road.
- 11) Clauses 9.4.1 to 9.4.3. We object that planning will be granted before a noise mitigation scheme is submitted. We object to the clause "if required" that has been added. Clearly the 5G panels will pollute many houses with their noise, not just 1 Elstree road. The acoustic report to be submitted must include measured day and night time noise values with measured noise ratings from equipment at high ambient temperatures (I suggest 30degC). I have experience of this in my career as a Chartered Building Services Engineer, so I am aware that this is onerous and cannot be achieved with just acoustic lining and louvres as suggested. These equipment panels are not designed to be within a quiet residential area. So there is no confusion, the accepted industry standard to use for reporting noise is BS4142. It should be made clear that acceptable noise should be reduced to -5dBa less than the background noise levels at openable windows and daytime gardens. I have carried out my own analysis which is elsewhere in this document to highlight the noise gap that exists which is anticipated to be 20-25dBa.
- 12) Clause 9.4.5 Overshadowing. We object to this clause. The southern sun will cast shadows over properties 2,4,6 Elstree Road (the trees have no leaves in winter) and many more. The first-floor window on 1 Elstree road is mottled glass offering a good view externally so the mast and equipment panels will be clearly seen. In any event this window could be replaced with clear glass (as my human right to do so) so the type of window glass should be irrelevant!
- 13) Clause 9.5. to 9.5.3 Impact on Highway. We disagree that there is no increased risk of an accident. Elstree road has a busy traffic of people and cars as it serves many houses as well as being a short cut to Grovehill. There is a busy pedestrian crossing on Shenley Road outside 1 Elstree Road particularly during the school run. The visibility for vehicles turning left into Elstree road is reduced and the development would cause further distraction to motorists on a semi blind bend. There is a

history of accidents on this corner.

- 14) Clause 9.6.1- We object to this clause since it states “ Authorative evidence has been produced to suggest that 5G masts **result in interference to television signals**”. This in unacceptable and would require mitigation.
- 15) Clauses 10.1 to 10.1.4 Conclusions. We object to the report conclusions as stated above and below.
- a) Consultations have not been carried out with organisations correctly since the new mast was only shown in the same position as the existing one.
  - b) Consultations were carried out with only 3 neighbours (we requested if other neighbours were contacted but we never received a reply). The most affected house, 1 Elstree Road, **never** received a consultation letter. Surely this can't be the correct consultation procedure? The planning proposal was only strapped to a nearby lamppost approximately 3 weeks after the first submission and our complaint. This is not in line with NPPF guidelines.
  - c) The drawing that shows a review of other locations by the applicant has only just been issued and it is apparent has been carried out subsequent to the two submissions and therefore is biased and should not be accepted. There are other sites near the existing one which are better and not so close to a house (10m not 5.0m) with not so many houses in line of site of the installation (ie the corner of Perry Green). We also consider the existing site is viable now that it known that the existing equipment is required to be removed within 3 months.
  - d) 1999 ICNIRP guidelines are stated to be complied with but these are unintelligible. Risk assessments are not carried out as requested covering the 24-7 exposure to residents and where closeness is an increased risk factor. No answer is given to the residents question “ is it safe to work on a roof 5.0m away from the transmitters”?
  - e) The mast will cast shadows over nearby properties. There is a good view externally from the side window of 1 Elstree road which could be changed to clear glass in the future. So, the fact it is currently mottled is irrelevant. The trees are at least 20m from the mast and in winter will not hide the view of the mast. Properties to the east of Shenley road (beginning at 20m) are closer and will have a clear view of the installation at all times (they have not been consulted). The installation will have a huge visual impact on the estate since it is on an exposed corner and will be the highest object on the estate.
  - f) This proposed mast would become the closest to a house (5.0m) with or without a window, in the whole of Hemel Hempstead. There are only two other examples of this; one being the existing mast (7.5m away with no side window) and one in Warners End (10m away no window, facing a field). It is apparent that should planning be granted this would set a precedent and leave difficult choices now in

other parts of Hemel, and in the future, when this mast is replaced with a taller and noisier mast. Isn't the real issue that this mast should be located in the commercial areas of the estate like other ones in Hemel Hempstead.

- g) Noise has not been addressed by the planner in this section but at the very least it should have clear guidelines as we have stated (BS4142 should be stipulated) and should be an inherent part of any submittal with approval not given without it.

#### **Further Detailed Comments supporting our objections**

- 1) **Visual Impact and alternative sites-** The proposed new site is on a prominent corner with no tree cover. The mast in combination with the 8 cabinets would create a level of visual clutter to the proposed small area with no screening available to reduce this harm. The development will be seen by many houses and flats.

It is interesting that the site selection information just issued a few days ago states that the presence of trees is unsuitable, however the existing mast has a tree either side. The notes also state that other areas are not suitable due to size requirements, although the size required is not actually stated meaning that this cannot have been scrutinised by the council or residents. One reviewed location limitation is stated to be due to underground services however we have looked at this and there appears to be plenty of room between the underground comms ducts since the area of land is large. Some of the other areas nearby appear to be just as large as the proposed site e.g. the verge to the south of Perry Green where the mast can be located much further away from the house c10m and the house across the road is further away and does not have a window. The existing trees are small and could be reconfigured if necessary. This site is next to a bus stop and a small sub station so is already an amenity area.

- 2) **Noise** - Item 3 in the planning conditions states that equipment cannot be operated until a noise management plan, including a scheme of noise mitigation is approved by the environmental officer. So, there is no ambiguity we would expect that the appropriate BS for reporting and measurement is used, namely BS4142, and if agreed this should be stated. The noise condition clause is stating it will be approved by the local authority we consider that this is such an important issue that MBNL should submit a new planning submission that now includes the acoustic report which can be scrutinised by all the affected residents and analysed by an independent acoustic consultant. The reason for this is that the worst noise occurs on hot still days when the equipment is noisiest and when residents will have their windows open and it should not be left to the applicant to use their own interpretations and biased equipment data since retrospective acoustic treatment would be difficult to

apply.

This is an essential stipulation and if carried out properly and, in my experience, (I am a chartered building services consultant) would entail significant attenuation. Should this proposal remain recommended we maintain it should be resubmitted for planning approval allowing the data and visual impact to be studied by an external acoustic consultant as well as the environmental officer. We have measured night time noise at 30dBa and daytime noise at 40-45dBa. The equipment noise measured at other sites is 70dBa from each noisy panel which has a monotonal output that would add +5dBa, so the residual noise at windows for many properties will significantly exceed the background noise by some 20-25dBa (ie it will be clearly audible). To comply with this, it is anticipated that substantial acoustic boxes would be required.

We note that current installation is 50m away and can be clearly heard in 1 Elstree Road garden during the day, as well as hot evening when windows are open.

- 3) **Planning guidelines** – Our issue here is that there appears to be no clear guidelines on what is such an important issue. There is no guideline for night time noise protection in a residential area. There is no guideline to how close to a house a mast is permitted and how this would vary with an openable window. There is no consultation to determine the best location that suits the area. It seems that once a mast has been installed new ones have to be installed within the providers self-imposed 100m radius. This would mean that all future masts, whatever height and noise, would be installed in the same area this cannot be a reason for their approval and is not sustainable. They should not be allowed in the middle of a residential area when it can be avoided.
- 4) **Consultations** -The pre application consultation that was issued on 14-11-2019 showed the mast staying in the current location which is why the original wording stated replacement. It is stated that 7 people were consulted. We could only find 3 residents that were consulted that did not include the most affected resident namely, 1 Elstree Road. We requested who was consulted from the planning dept but never received an answer. The original application was deficient in information and a completely new application was submitted on 05-2020 under the umbrella of providing additional documents. This could not be scrutinised by residents since it was outside the date where comments could be made. The resubmission still did not cover many raised items eg Noise, review of alternate sites (only issued in June and was produced after the submission)
- 5) **Location** - The proposal will be the closest to any residential property in Dacorum, just 5.0m away. Most masts are installed in commercial shopping areas with the exceptions being the existing 4G mast on Perry Green, Shenley road which is 7.5 away from the side of a house (with no window) and one in Warner's End that is c10m away from the side of house (again

	<p>with no window). We maintain that the new mast should be installed in open areas or the Sainsburys commercial area. Since this is a new mast surely it should not be restricted to their 100m radius rule but instead be located in a sustainable site that can accommodate future expansion without unnecessary impact on residents.</p> <p>6) <b>Lightning Protection</b>- It is a legal requirement that the mast provider produces a risk assessment for the installation with the mitigation measures taken, and must be signed by the designer. This is not provided. This would not be an issue if a mast was not near a house or so tall. There is a very real risk the mast will be struck by lightning with the EMP causing damage in the house since it is so close.</p> <p>7) <b>Health and Safety</b> -The HSE did not make any comments. However, we have raised, and there is much scientific concern, that that the radiation levels, which will be 24-7 to retired residents and families could be harmful. The roll out program has been stopped in some countries until a study of the long term effect of exposure has been properly studied. We have asked for confirmation that the proposed mast is safe to residents or people working on the roof but MBNL refer only to a certificate of conformity to ICNIRP public exposure guidelines dated 12-07-1999 (1999/519/EDC). This document is old and impossible to follow since it is complex and not contained within one PDF. It does not demonstrate by calculations compliance in its applications. When ICNIRP is googled there are considerable new documents and we are unclear why they are not complying with the latest 2020 guidelines. This does not inspire confidence that the government has the 5G compliances under control and is letting the tail wag the dog. There does not appear to be any accountability.</p> <p>8) <b>Futureproofing</b> - We have always maintained that the masts should be located in the commercial areas of the estate like elsewhere in Hemel Hempstead. The only reason that the existing mast is proposed in its current location is because in 2014 it was given planning permission. We were not consulted on its location then so it was a surprise when it appeared. Now the provider states that any new mast is required to be within a 100m radius of the existing mast. We are sure that this information was not a condition of the original application. This would mean that all future masts however tall and noisy would remain in this location. To accept this position would set a precedent for any future proposed mast in in the area. There must be a constraint to a have a minimum distance for a mast from a house and this should not be 5.0m. The site line from the edge of the house is 77deg so would appear almost vertical.</p> <p>The End of comments (note appendix one can be found in the agenda for the development management committee meeting and the attachment to this email).</p>
34 Sarratt Avenue Hemel Hempstead	The proposed phone mast will be an absolute eye sore for everyone living locally. 20m is incredibly tall for a low level residential area like

<p>Hertfordshire HP2 7JF</p>	<p>Woodhall farm.</p> <p>There are plenty of fields very close to the estate, one of which could be utilised to house the mast rather than in the middle of a residential area.</p> <p>Disgusting that local residents so close were not written to about these plans in a clear attempt to pass this through in an underhand manner.</p>
<p>57 Elstree Road Hemel Hempstead Hertfordshire HP2 7PH</p>	