



The Planning Inspectorate,  
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BS1 6PN

12<sup>th</sup> August 2022

Email for the attention of Sarah Hardy (Case Officer): [west2@planninginspectorate.gov.uk](mailto:west2@planninginspectorate.gov.uk)

Back copied:  
Councillor Gareth Moore  
Councillor Robert Alden  
EM Radiation Research Trust Chairman, Mr Brian Stein CBE

Dear Sarah Hardy,

**Planning Inspectorate Appeal Ref: APP/P4605/W/22/3299274**

**Objection against application number 2021/10032/PA and site address BHM19716 for Hutchison Networks (UK Ltd) - Moor End Lane, Streetworks, Moor Lane, Erdington B24 9DL**

I am shocked to hear that Hutchison has appealed against the sensible decision by Birmingham City Planners to refuse a phone mast application. The proposed phone mast, 4 no. equipment cabinets and associated ancillary works application is outrageous and will create a hazard for the local community.

This enormous phone mast and four cabinets would be placed in a heavily populated area, including near a school and a busy road junction. It was obviously refused by Birmingham City Planners for good reason to protect the health and safety of all road users and pedestrians while protecting the local area from the visual impacts associated with the clutter of four equipment cabinets and looming and overpowering visual impact of a huge phone mast creating a blight on the landscape. The mast would be a constant reminder to the risks it poses causing fear, stress, and anxiety for the local community, this is a material consideration and should be taken into account.

Hutchison appealed to the Planning Inspectorate during school holidays and is therefore not allowing the residents or the teachers and parents of the children attending St. Barnabas Church of England Primary school a fair advantage to provide sufficient time to make representations with the deadline of 7th September 2022. The residents are unfairly uninformed and prejudiced and this is not acceptable considering the gravity such a decision. The notification procedure is unjust.

**I wish to resubmit my complaint against the mast application with further information that has become known since my original submission.**

I would like to draw your attention to the fact that the Secretary of State is to be challenged in the Court of Appeal on failure to give adequate information to the public about the risks of 5G and to explain the absence of a process for investigation of any adverse health effects. Michael Mansfield QC, Philip Rule and Lorna Hackett of Hackett & Dabbs LLP represent the claimants

## **The Court of Appeal has granted permission on two grounds concerning:**

1. The failure to provide adequate or effective information to the public about the risks and how, if it be possible, it might be possible for individuals to avoid or minimise the risks;
2. (a) The failure to provide adequate and sufficient reasons for not establishing a process to investigate and establish the adverse health effects and risks of adverse health effects from 5G technology and/or for discounting the risks presented by the evidence available; and/or (b) failure to meet the requirements of transparency and openness required of a public body.

These grounds advance a breach of the Human Rights Act 1998 by omissions and failings in violation of the positive obligations to protect human life, health, and dignity, required to be met by Articles 2, 3 and/or 8 of the European Convention on Human Rights. The case has been sent back to the Administrative Court. Download the full report here: <https://actionagainst5g.org/legal-case>

Recently, a German court has clarified in a lawsuit that property owners who rent space for base stations and mobile towers assume responsibility for health consequences of the activity. Although the radiation is lower than the relevant reference values from the authorities, this does not mean that the property owner is not responsible for negative health consequences. The same responsibility principles should also apply in the UK. Download details here: <https://www.emfacts.com/2022/07/german-court-finds-property-owners-can-be-liable-for-health-impacts-from-base-station-antennas-on-their-property/>

In June 2022, a 59-year-old UK social worker won ‘early ill health retirement’ for disabling ‘Electromagnetic Hypersensitivity (EHS): In relation to EHS, the Independent Registered Medical Practitioner (IRMP) report concludes: “Mrs. Burns has a medical condition that renders her permanently incapable of undertaking any gainful work. There currently are no treatments available for her condition; avoidance of emissions is the only way to significantly reduce her symptoms.” Whilst such emissions were historically presumed to be biologically inert, and are still purported to be safe by many to this day, there is now highly credible evidence to the contrary. <https://phiremedical.org/59-year-old-social-worker-wins-early-ill-health-retirement-for-disabling-electromagnetic-hypersensitivity-ehs/>

This legal case should be considered in light of the fact that a case for EHS has been won in the UK and compensation awarded along with the Court of Appeal challenge against the Secretary of State on failure to give adequate information to the public about the risks of 5G.

## **I am appealing to the Planning Inspectorate to uphold the original decision by Birmingham City planners and refuse the appeal by Hutchison.**

Here is a copy of my original complaint sent to Birmingham planning which includes modifications.

## **I formally give notice of objection against the 5G telecommunication mast application for Moor End Lane, Erdington, Birmingham B24 9DL.**

I am deeply concerned from a health point of view for the residents and for the children who attend St Barnabas School, Spring Lane, Erdington, B24 9BY.

I can assure you from personal experience that the detrimental impacts from this form of radiation are profoundly serious and real. I suffered with breast cancer in 2001 after living 100m from a phone mast in Wishaw, Sutton Coldfield and led the campaign against the mast after discovering a cancer cluster surrounding the mast. I have since campaigned for 20 years. I am the co-founder and advisor for the EM Radiation Research Trust charity [www.radiationresearch.org](http://www.radiationresearch.org) and co-founder and Board Member for the International EMF Alliance: [www.iemfa.org](http://www.iemfa.org)

I have attended, presented and organised many scientific conferences throughout the UK and the world. Given evidence at the UK and EU Parliament and EU Commission. I am a former member of Sir William Stewarts UK Health Protection Agency EMF Discussion Group and former member of the EU Commission

Stakeholder EMF Dialogue Group.

**Grounds for my objection are:**

UK Campaigners in Brighton and Hove recently won a landmark legal case against a 5G mast in Brighton on 2nd November 2021. A self-declared ICNIRP certificate is not proof of safety. We now have the recognition that Local Planning Authorities need to address the health implications of mast proposals further, without blindly accepting self-certified ICNIRP certificates without proper scrutiny. The court ordered the council to pay the costs. The ruling highlighted the fact that the council failed to address health impacts of the proposed mast and to obtain evidence of the assessment of the proximity to the school. The case also states the council unlawfully determined that the highway safety implications of the cabinets and the concerns expressed by the council's highway team. Sitting and appearance, are also still a 'material planning consideration' under prior approval and must be given attention. Link to the court ruling is available here: <https://rfinfo.co.uk/wp-content/uploads/2021/11/Consent-Order-02.11.21.pdf>

Existing scientific data confirms that current levels of radiation exposure, as in 2G, 3G, 4G and now 5G are damaging to health of all biological life forms. The cumulative effect of densification to enable 5G, will potentially be catastrophic for the health of the residents in your constituency. Please refer to the following selection of websites to confirm this claim. EM Radiation Research Trust: [www.radiationresearch.org](http://www.radiationresearch.org), International EMF Alliance: [www.iemfa.org](http://www.iemfa.org), PHIRE (Physicians' Health Initiative for Radiation and Environment): <http://phiremedical.org>, Bioinitiative.org and mdsafetech.org

The UK ICNIRP guidelines along with the US guidelines are outdated and obsolete and are obviously not protecting public health. On Friday 13th August 2021 in the USA Robert F. Kennedy Jr.'s Children's Health Defense and the Environmental Health Trust successfully sued the FCC in a historic lawsuit against the FCC for ignoring 11,000 pages of scientific and medical evidence showing biological effects, so we can no longer rely on industry assurances of safety. Here is a link to the evidence:

<https://ehtrust.org/environmental-health-trust-et-al-v-fcc-key-documents/>

Also download the court decision here:

[https://www.cadc.uscourts.gov/internet/opinions.nsf/FB976465BF00F8BD85258730004EFDF7/\\$file/20-1025-1910111.pdf](https://www.cadc.uscourts.gov/internet/opinions.nsf/FB976465BF00F8BD85258730004EFDF7/$file/20-1025-1910111.pdf)

I received direct support from the USA's Children's health Defense (CHD) for my letter sent directly to Boris Johnson 27th April 2020 calling on the Government to halt the 5G deployment. Here is the statement from CHD in support for the EM Radiation Research Trust:

"Robert F. Kennedy, Jr Chairman of CHD, and Dafna Tachover, Director of CHD's 5G & Wireless Harms project support the UK EM Radiation Research Trust in their call on the UK Government to defend the rights and health of UK citizens and especially children from Big Telecom's scheme to rollout 5G. The harms of radiofrequencies and microwave-based technologies have been proven scientifically and the harms are existing and widespread. We work daily with children who have been injured from this technology including from 5G small cell installations. The UK's ICNIRP based guidelines, just like the US's FCC, are decades obsolete and false. ICNIRP is an industry shell, and its scientists are tainted as has been confirmed by Courts. Robert F. Kennedy, Jr calls on Prime Minister Boris Johnson and political leaders to protect those who have been harmed already by this radiation and prevent further harm. We must stop the uncontrolled proliferation of wireless technology and the on-going deployment of 5G, which will exponentially increase exposure to this harmful radiation and consequently, the sickness of children, adults, and the ecosystem."

Download here: <https://childrenshealthdefense.org/news/rfk-jr-joins-em-radiation-research-trust-in-calling-upon-uk-prime-minister-to-halt-5g-deployment/>

In addition to the major USA court win, the Science and Technology Options Assessment Committee (STOA) of the European Parliament published a recent review on 5G. "Health impact of 5G. Current state

of knowledge of 5G-related carcinogenic and reproductive/developmental hazards as they emerge from epidemiological studies and in vivo experimental studies” of the evidence on the risks of 5G and non-ionising radiation in June 2021. The study calls for a halt to the expansion of 5G. This study (review) was written by a working group of the Ramazzini Institute (Bologna) led by Fiorella Belpoggi. It is a review of the state of research on 5G, both the low and higher (gigahertz) frequencies used in 5G and is thereby also an assessment of mobile communications as a whole. This study provides clear results of the seriousness of this issue and should be enough to alert policy makers to put the brakes on. No adequate studies are available on 5G in the higher frequency range (24 to 100 Ghz). Therefore, the study describes 5G as an experiment on the population.

[https://www.europarl.europa.eu/thinktank/en/document.html?reference=EPRS\\_STU%282021%29690012](https://www.europarl.europa.eu/thinktank/en/document.html?reference=EPRS_STU%282021%29690012)

I am calling on the council and decision makers to refuse the application for the phone mast proposal for Moor End Lane, Erdington. This enormous 15m mast proposal with four cabinets is close to a school and a heavily populated residential area and will be a huge blot on the landscape and will cause enormous stress for many residents and act as a daily reminder of the potential health risks both short term and long term and is therefore a nuisance and intrusive. The proposal is shockingly requesting a dangerous location along a pathway next to a busy road with children crossing to reach school. The cabinets will cause further obstruction and blind spots for drivers who may not see children next to the cabinets when crossing the road and may lead to serious accidents.

I call on the planning inspectorate to uphold Birmingham city planners’ decision to reject the application for this mast with immediate effect considering the latest court decisions and reasons of objection as stated in this letter. You are now aware of the adverse impacts associated with this technology and armed with information, including but not limited to advice from STOA and information regarding the recent successful legal case in the UK and in the USA against the FCC. Robert F. Kennedy Jr and lawyer Dafna Tachover said: “The UK’s ICNIRP based guidelines, just like the US’s FCC are decades obsolete and false” and they have now successfully proved that claim in the courts of law.

**I would appreciate receiving a progress report for this application as it is of great concern and it is causing serious distress for the residents living in this area. I trust you will do all you can to protect the safety of the local community.**

I would be most grateful if you could please confirm receipt of my objection letter. Please respond via email if you require any further information.

Yours sincerely,

Eileen O’Connor

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