

Mendip Planning Board 5G mast refusal on Health Grounds (2021/1952/FUL March 16th 2022)

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Mendip Planning Board refused the 5G mast planning application on health grounds despite the Case officers recommendation to approve it.

The planning application was then withdrawn by Telecoms.

Only the fact that the Telecoms had withdrawn the plan was recorded in the “Decision Notice” displayed on the planning portal. The refusal was recorded in the meeting minutes but these are not displayed with the documents on the planning application files on the planning portal.

Mendip have taken down the video recording of the meeting which has the statement from the Chair of the Planning Board Damon Hooton:

'... (the) refusal is carried. We have closed the loop. That is now a legal decision'

The Meeting minutes record the refusal:

“RESOLVED - refused contrary to Officer Recommendation due to concerns on the impact to public health for all ages and lack of backed up evidence of the impact to health”.

Mendip were challenged about not recording the refusal in the “Decision notice” on the planning portal and Mendip refused to change it. This was pursued legally. The campaigner’s lawyer was supportive of the legal standing of the decision to refuse and agreed that technically the status of the decision once made on a refusal is final. The campaigner was advised not to go ahead with a legal challenge to secure a rewording of the Decision Notice. Their reasoning being that the aim of stopping the mast had been achieved.

There was no explanation offered as to why the plan was withdrawn after the decision was made so it is thought the plan was withdrawn by Telecoms as they didn't want to appeal a refusal on health grounds and risk losing the appeal which would have set a precedent about refusing masts on health grounds.

It is also thought that Mendip didn't want a refusal on health grounds in the public domain, it is rather more hidden when buried in the minutes of the meeting. The public are unlikely to delve more deeply into records to find the minutes and discover the fact that it was actually refused on health grounds.

More information regarding this application:

- Mendip Case Officer and all Planning Board members were sent information about the public health imperative in the European Electronics Communication Code EECC ahead of meeting emphasising the legal obligation of a competent authority to weigh up the evidence of harm to the environment and public health.
- The Case Officer confirmed their Council’s competent authority status under the EECC and he expressed that the health obligations are achieved by solely applying ICNIRP certificate (NPPF 118). The refusal decision clearly demonstrates risk reconciliation goes beyond solely accepting an ICNIRP certificate. The evidence presented by objectors about lack of safety outweighed the evidence of safety in the form of an ICNIRP certificate.
- The Brighton Council concession that they had not considered health impacts and the proximity of the school to a 5G plan cost Brighton Council £13,000+. This was presented in letters and objections to all members of the Planning board.

- The New Hampshire Commission Report concluding that the peer reviewed science fully support the necessity of a 500m setback to protect public health was provided to the Board.
- Information about Pittsfield County issuing a cease and desist order to Verizon after residents became sick from a 5G installation was made available to the Board.
- The contradiction about schools being consulted but homes housing children, pre-schools and pregnant women not being consulted was debated by the board.
- Dr Erica Mallery Blythe gave testimony at the Mendip meeting that a man with metal implants living 200m from the 5G mast would likely be adversely affected
- There were 200 objections to the plan, many including a map with the 500m ring indicating the danger zone according to the New Hampshire Commission.
- The Planning Board debated, how far from the mast is safe. They discussed the safety of children in particular. It was clear that the ICNIRP certificate does not indicate the safe distance as no exclusion zones are provided with the certificate.
- Misinformation about there being no biological effects of EMFs was offered into the debate by a physics teacher Mendip planning board member (Frances Hayden) during the meeting. This was countered by Dr Erica Mallery Blythe after the meeting with detailed science. His false claim about the inert nature of EMF and was not enough to secure a vote for approval from the rest of the members.
- See report on <https://rfinfo.co.uk/mendip-council-health-impact-based-mast-refusal/>