

LAND USE PLANNING AND ELECTROMAGNETIC FIELDS (EMFs)

A Response by the Institution of Environmental Sciences

Introduction

This draft circular is welcomed because there has been a complete lack of guidance from Government in this area. When faced with proposals near to existing power lines or substations etc, local authorities are only too well aware that there are real public concerns over EMFs. The publication of draft guidance in the form of a Circular is therefore overdue.

EMFs and Health Effects

The Circular provides a simple introduction to the nature of EMFs and the health effects of exposure to them. The role of the National Radiological Protection Board (NRPB) as the Government's statutory adviser on such matters is also mentioned.

With regard to possible health effects, the Circular makes two important points:

- public exposure to EMFs should normally be well below guideline levels on exposure to EMFs published by the NRPB; and
- there is no convincing evidence of a causal link between exposure to EMFs and cancer.

This is not new advice but has been the official line of the NRPB for a considerable time. Establishing a causal link requires a number of tests to be satisfied including:

- a consistent and strong association between exposure and effect;
- a clear dose-response relationship;
- a credible biological explanation; and
- reproducibility (ie by experiment).

In the NRPB's view these tests have not been satisfied.

Development Plans

Current advice to local authorities on the preparation of development plans (PPG12: Development Plans and Regional Planning Guidance) is referred to in the Circular, including the need to consult utilities when preparing development plans.

In recent years a number of local authorities have tried to promote policies in development plans which impose safeguarding distances from overhead power lines or 'cordon sanitaires'. The aim of such policies is to prevent new development (particularly residential development) being located close to overhead power lines. The Circular's advice on this is rather muted, saying simply that local authorities should consider operator's responsibilities under health and safety legislation; and the lack of evidence of a casual link between EMF exposure and cancer.

Given the advice on these two matters in preceding paragraphs, it is slightly surprising that the advice is not stronger, ie that the Government does not support the idea of cordon-sanitaires. Safety clearances, which have statutory force in any case, are obviously endorsed. The advice on the cordon-sanitaire approach is also surprising given the outcome of various local plan inquiries in recent years. There are a number of examples whereby such cordon-sanitaire policies have been objected to by industry and ultimately, given the available evidence, draft policies have not been supported by Local Plan Inquiry Inspectors due to the official NRPB advice. On this basis one would expect a firmer approach against cordon-sanitaires.

The Circular also points out that development plans do not need to include policies covering new overhead power lines or underground cables as local authorities are not the determining authority for lines over 20kV. Is this really a fair approach given potential environmental implications of such schemes, particularly in sensitive areas?

Development Control

This section reiterates general development control advice as set out in PPG1, particularly regarding the importance of the development plan and 'other material considerations'. The Circular neatly avoids the issue of advice on material considerations in the case of EMF-related development by stating that "It is for the body determining the application (usually the local planning authority) to decide which are the material considerations applicable in the first instance". In other words there is little advice for a local authority faced with strong public opposition to a proposal (on the grounds of EMF danger) and genuine concern from Members.

The Circular points out that the Courts have held that public perception of danger is a valid planning consideration but surely, in the light of NRPB advice, a clearer Government policy stance on whether or not EMFs represent a danger is required. This seems another area where Government is happy to leave further advice to emerge from case law.

In considering development of schemes such as overhead power lines, local authorities have frequently cited the precautionary principle and the concept of 'prudent avoidance'. The Circular is ominously silent on these matters.

Interestingly, the draft Circular includes a World Health Organisation paper 'Electromagnetic Fields' marked 'not to be quoted - for review purposes only'. This paper does contain useful and informative background to the subject. It also offers thoughts on the precautionary principle and the concept of prudent avoidance. It would be beneficial if the Circular reflected this paper more closely.

Overall Points

- Guidance on EMFs and land use planning is long overdue and therefore the publication of a draft Circular is welcome;
- There is no 'new' advice in the Circular, simply a reminder of statutory safety clearances and existing advice of the NRPB;

- Advice on cordon-sanitaires is rather brief given the above and current practice in the development plan field. A stronger Government line against cordon-sanitaires would have been expected.
- Development control advice is rather thin - reminding local authorities of PPG1 and that 'public perception of danger' may be a material planning consideration.
- Overall, local authorities and the industry will probably both be disappointed. The Circular seems to be saying don't worry too much about EMFs in the planning world because of existing legislation and the NRPB advice - but it does not actually say this. The guidance will offer little comfort to local authorities faced with strong public opposition to certain schemes on the grounds of danger from EMFs.
- For what is a complicated and emotive subject, the Circular has little to offer and it is clear the land use planning system has only a limited role to play. The WHO paper offers far more in its recommendations, ie the need for clear public information, education and risk minimisation.