



Media Release

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COURT OF APPEAL RULING ON PHONE MAST

PLANNERS at Harrogate Borough Council have heard that their refusal of a planning application for a 3G mobile phone mast at Claro Road, Harrogate has been quashed by the Court of Appeal.

Following an appeal by T Mobile, Hutchison 3G and Orange against the planning inspector's decision to uphold the council's refusal, this case was taken to the Court of Appeal by the Secretary of State following a High Court judgment in favour of the three mobile phone companies.

Councillor Richard Cooper, Cabinet Member for Planning, said: "We are disappointed at this ruling. This is a local issue which has been fought on the national stage on grounds of interpretation of planning law. The guidance to local planning authorities on issues of health risks needed clarifying but this is not the way we expected it to go.

"The mobile telephone companies employed one of the two most experienced planning experts in the country to fight their case. They saw that the Secretary of State was unclear in his planning guidance on telecommunications and had left the door ajar for companies to appeal against local decisions. With all their commercial might, they have pushed the door wide-open and other companies will follow suit. I know we all want our mobile phones but when there is real fear that children's futures are being blighted by the positioning of masts near to their schools, I think we have a duty to respect parents' concerns for their children.

"We took the decision some years ago to refuse permission for new masts to be located on our land. We hope that other landowners will put children before cash and take a similar stand by refusing companies permission to have masts on their land or buildings close to homes and schools."

FURTHER INFORMATION: Councillor Richard Cooper is available for comment on 01423 856564. Further technical information is available from Mr Tim Richards, Head of Planning Services on 01423 556538 and Mr Steve Pilling, Principal Legal Assistant on 01423 556042.