



# Appeal Decision

Inquiry held on 3-5 September 2002

Site visit made on 6 September 2002

by **P J Asquith MA (Hons) MA MRTPI**

an Inspector appointed by the First Secretary of State

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Date

**- 2 OCT 2002**

**Appeal Ref: APP/Y3425/A/02/1084110**

**Hob Hill, Woodseaves**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under a development order.
- The appeal is made by Orange Personal Communications Services Limited against the decision of Stafford Borough Council.
- The application (Ref. 41056), dated 19 July 2001, was refused by notice dated 15 August 2001.
- The development proposed is prior approval under the provisions of Part 24 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) for the erection of a 15-metre high lattice tower with 6 No. antennae and 10 pack cabinet arrangement on a concrete base.

**Summary of Decision: The appeal is allowed and prior approval granted subject to the conditions set out in the Formal Decision.**

## Procedural Matters

1. The proposals have the benefit of planning permission as set out under Part 24 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (GPDO). The appeal is against the decision of the Council to refuse to approve the details of the siting and appearance of the proposed installation.
2. Although the description on the application does not refer to the provision of microwave dishes on the installation 4 such dishes are shown on the submitted plans as being appended to the headframe on top of the proposed lattice tower. Nevertheless, within the context of the application and the appeal I have seen reference solely to the 6 No. antennae, with no mention of the dishes. For the avoidance of doubt, it is on this latter basis that I have determined the appeal.

## Main Issues

3. From all I have seen, read and heard I consider there are 3 main issues in this case:
  - Whether alternative sites for the installation have been adequately considered in the light of national advice and local planning policy.
  - The visual impact of the proposal on the appearance and character of the locality.
  - The effect, or perceived effect, of the proposed scheme on the health and wellbeing of those living and working in the vicinity.

## Planning Policy Background

4. The development plan for the area comprises the Staffordshire and Stoke on Trent Structure Plan 1996 – 2011, adopted in May 2001, and the Stafford Borough Local Plan 2001, adopted in October 1998. Structure Plan Policy NC2 indicates that development should be informed by, and be sympathetic to, landscape character and quality. Proposals with landscape and visual implications will be assessed having regard to several factors. These include: the extent to which they would cause unacceptable visual harm; introduce (or conversely remove) incongruous landscape elements; and cause the disturbance of or loss to (or conversely help to maintain), amongst other matters, landscape elements that contribute to local distinctiveness, and historic elements which contribute significantly to landscape character and quality. Policy NC13, relates to the protection of trees, hedgerows and woodlands. It states that development will only be approved where, amongst other matters, it will not have an unacceptable adverse effect on woodlands that contribute significantly to landscape character and quality.
5. Local Plan Policy E & D57 relates to telecommunications development and indicates that this will be permitted subject to other policies and the satisfaction of a number of specified criteria. Criterion (a) requires that it be adequately demonstrated that the availability of alternative sites and developments, including mast sharing and cable capacity sharing, have been fully investigated. Criterion (b) requires various matters to be achieved at an acceptable level and these include the minimisation of visual intrusion on the landscape, and the worthwhile enhancement of the amenity, health and safety of local residents. Section 54A of the Town and Country Planning Act 1990 (as amended) requires that decisions should be made in accordance with the development plan unless material considerations indicate otherwise.

## Inspector's Reasons

### *General Background*

6. The appellant company is a licensed Telecommunications Code System Operator under the terms of the Telecommunications Act 1984. In order to fulfil its licence obligations it must provide a reasonable level of mobile telephony service. The proposal is to make good a deficiency in 'second-generation' service in terms of in-building and in-vehicle coverage within the Woodseaves area and along the A519 to the south-west and north-east of the village. As well as being judged against planning policies applicable to the area the scheme needs to be also seen within the context of national planning policy advice set out in Planning Policy Guidance 8 *Telecommunications* (PPG 8). The latest version of this guidance (August 2001) post-dates the adoption of the Stafford Borough Local Plan. I consider it should be afforded considerable weight in the determination of this appeal.
7. As set out in PPG 8 it is the Government's policy to facilitate the growth of new and existing telecommunications systems whilst keeping environmental impact to a minimum. It is acknowledged that modern telecommunications are an essential and beneficial element in the life of the local community and the national economy. Fast, reliable and cost-effective communications are seen as important for competition, employment, home working, education and benefiting the environment by reducing the need to travel. The ensuring of choice in service provision, a wider range of services, and equitable access to the latest technologies as they become available, are also aims of policy.

8. The need for a facility to improve coverage in the area is accepted by the Council, the appellants having provided detailed evidence in the form of computer-generated "Planet" plots and drive-trial data to illustrate this. Within the context of the appeal this was verified by a technical expert on behalf of the Council. Nevertheless, the need has been questioned by a number of individuals in writing and by the Knightly and Woodseaves Mast Action Group (KAWMAG) at the Inquiry. However, this questioning is reliant on anecdotal evidence of seemingly good quality reception for the appellant company's service within the area. In the light of the evidence provided by the appellants, and absence of any detailed substantive evidence to contradict this, I accept that there is a need for an installation to make good an existing deficiency of service.

*First main issue – investigation of alternative sites*

9. Local Plan Policy E & D57 criterion (a) requires the adequate demonstration of the full investigation of the availability of alternative sites and development, including mast-sharing. The Council accepts that there is no opportunity for the sharing of an existing mast or site to provide coverage within the area. As part of the application process the appellants provided details of 5 alternative sites that were investigated but discounted for technical reasons or because of likely planning objections. It was evident at the Inquiry that some confusion has arisen over the naming of the alternative sites at 'The Roundabout', to the south-west of Woodseaves, and the use of the name Home Farm for a site at High Offley to the north-west. Nevertheless, it was established within the context of the Inquiry that there was agreement between the appellants and the Council that there was no other single-site alternative for the base station that would provide the needed coverage and which would be acceptable in general planning terms. Despite difficulties over nomenclature to describe the sites investigated, and reservations expressed on this front by KAWMAG, I have no reason to disagree with this assessment.
10. However, in respect of the appeal the Council engaged the services of a telecommunications technical expert. His consideration of the matter has resulted in the identification of a possible 2-site alternative, with base stations alongside the A519 to the north-east and to the south-west of Woodseaves. There was a broad measure of agreement at the Inquiry that, subject to design height and what was termed the 'micro-location' of the 2 installations, these would provide an adequate level of improved coverage when compared with the appeal proposal at Hob Hill. I therefore consider it reasonable that these alternative installations need to be evaluated in terms of their likely impact compared with the appeal proposal. This is undertaken in paragraph 23 below. Nevertheless, this still leaves the immediate matter as to whether criterion (a) of Policy E & D57 has been satisfied.
11. In my opinion, the fact that a 2-site alternative has now been put forward does not imply that at the time of the prior approval application the availability of alternative sites had not been fully investigated. As already noted, there is agreement between the appellants and the Council that there is no single-site alternative to the proposal. The splitting of a telecommunication cell is not a normal procedure for rural locations, being largely confined to urban areas where there is a need to increase capacity. PPG 8 indicates that the Government attaches considerable importance to keeping the number of radio and telecommunications masts and the sites for such installations to the minimum, consistent with the efficient operation of the network, in order to limit visual intrusion. Clearly the search for a single-site solution would therefore accord with this guidance as well as being likely to be commercially more prudent.

12. Against this background I do not consider that the appellant company can be criticised for not having itself put forward such a solution, particularly when it believed that it had found an adequate single-site proposal. Nor do I consider that it is either realistic or reasonable to take the view that the absence of consideration of every possible option and alternative would mean that this element of the policy was not complied with. PPG 8 does not indicate the need to embark on an examination of every possible alternative in an iterative process. As accepted at the Inquiry by the Council's planning witness, the adequate analysis of *feasible* alternatives is a more realistic approach, a view with which I concur. However, given that the 2-site option has been raised in the context of the appeal, and it has been accepted that in principle this could provide an adequate coverage roughly comparable to the Hob Hill site, it is necessary to assess this as a potential alternative.
13. The 2-site option formed part of the Council's evidence within the context of the appeal. Although no formal applications have been made for prior approval or planning permission the appellant company has looked in detail at the siting and design implications of this option and produced plans. It was an agreed position between the appellant company and the Council on the type of base station that would be positioned within the roadside verge of the A519 about 1 kilometre to the north-east of Woodseaves. The installation would be a 10-metre high 'lamppost' style mast with small meter cabinet at its foot. It was also agreed that the highway verge would be of sufficient width for the mast to be constructed. Informal contact with representatives from the local highway authority by both the Council and on behalf of the appellants has indicated that there would be unlikely to be any highway objections to the scheme. The mast could not be positioned hard up against a hedgerow tree, as suggested by the Council, since a minimum of 15 metres separation would be needed between the mast and telegraph poles/wires that run close to the tree. The mast would project about 3 metres above this tree and would be about double the height of the telegraph poles in an area where the road is quite straight and the general landscape fairly open. Although some screening and backdrop would be provided for the mast it would be likely to represent a prominent feature for those passing along the road.
14. The proposal to the south-west of Woodseaves would be about 250 metres from the edge of the village and would provide in-building coverage to the village and in-vehicle coverage along part of the A519. The design of the installation would be likely to comprise a monopole surmounted by vertical antennae. However, there was considerable discussion at the Inquiry as to the exact positioning of the mast and this would be likely to dictate whether it would need to be of 15 metres or 20 metres height to provide adequate coverage. This difference would be based on the presence of 2 trees within the southern roadside verge, one of which is about 17 metres tall. If the mast were to be positioned where the verge widens to the immediate south-west of the trees then, as suggested by the appellants, I consider it likely that the mast would have to be some 20 metres in height. This would be in order to avoid attenuation of signal to Woodseaves by the trees. Inevitably this would increase the installation's conspicuousness and prominence when viewed from the A519 and from the nearby bridleway and footpath that run to the east and north-east, joining the main road close to the site.
15. The Council suggests in its evidence the positioning of the mast to the immediate north-east of the 2 deciduous trees. If this were to be the case then only a 15-metre high mast may be technically feasible, although it was stated at the Inquiry that this would be likely to lead to dropped calls through signal attenuation to the south-west along the A519. The trees themselves would provide some visual assimilation for the mast as they would form a

partial screen or a backdrop depending upon viewpoints. However, there may be difficulties in accommodating this solution within the highway verge because of its constricted width and the likelihood that a crash barrier would need to be placed between it and the carriageway, given its positioning on the outside of a bend. Although both the appellants and the Council have informally discussed this option with the local highway authority these discussions have been with differing personnel and no detailed formal response has been received as to the feasibility of this option from a highway point of view.

16. When the appellants undertook tests for signal propagation they erected a trial rig on the wider highway verge to the north side of the road. Whilst a facility here would provide adequate technical coverage it would be divorced from any natural screening or assimilation that the 2 trees to the other side of the road would offer. The other option canvassed at the Inquiry regarding the micro-location of a base station was for it to be located close to the Council's original suggestion but just within the field to the eastern side of the A519. No information was provided as to whether the landowner would be willing to allow the siting here and it is my opinion that its prominence would be increased for those on the A519 and users of the nearby footpath and bridleway. I discuss the comparative impacts of this 2-site option and the appeal proposal in paragraph 23 below.

*Second main issue – impact on appearance and character of the locality*

17. The proposed mast would be close to the top of the low, heavily wooded Hob Hill, immediately adjacent to a small grass-covered reservoir which is itself surrounded by trees. These are mostly semi-mature managed woodland trees, largely beech, birch, oak and pine. Hob Hill itself stands amidst generally attractive, gently undulating mixed arable and pasture farmland where there are strong hedgerows and areas of tree cover. The area is seen as a valued part of the local landscape although it carries no special national or local protective designation. The proposal would comprise a lattice mast surmounted by a headframe carrying vertically-orientated antennae, the overall height of the structure being some 15 metres. The height of the surrounding trees is such that only the 2-metre height of the headframe would be likely to be visible in certain views.
18. About 14 individual trees, ranging in height from some 9.5 metres to just over 16 metres, would need to be felled to allow the construction of what would be a fenced compound housing equipment cabinets and the mast itself. A further 2 trees would need to be removed to allow the construction of a 20-metre length of track from the existing access to the reservoir. In my judgement this loss would not be significant in terms of the overall tree coverage in the area and would not of itself be counter to the thrust and intent of Structure Plan Policy NC13. Because of the positioning of the installation within the midst of the wooded area I do not consider that the loss of these trees would make the mast materially more visible. The suitable painting of antennae and headframe would also be likely to reduce their visual impact as skyline features amongst the trees. The proposal is to provide for 'second generation' telecommunications. Differing antennae would be required if the mast were to cater for 'third generation' coverage in the future. It was indicated at the Inquiry that there would only be a very slight difference in antenna size if this were to be the case and in my view this would be unlikely to materially alter the potential impact of the mast.
19. Some limited cropping of the tops of trees would be required close to the mast to prevent attenuation of signal. However, as the main area of coverage lies to the west and north-

west, where there are few immediate trees because of the presence of the reservoir, I consider this would have very limited impact in increasing the visibility of the headframe and antennae. Similarly, even with leaf-fall, the remaining surrounding trees would provide screening for all but the headframe. It was indicated at the Inquiry that the woodland surrounding the site was subject to a management grant, although no details of this were supplied. As the woodland therefore appears to be actively managed it is likely that thinning will on occasion take place. However, the amount of trees around the site is quite substantial and I have no evidence to suggest that the scope of any thinning or even clear felling that might take place would leave the installation fully exposed.

20. Within the context of the appeal the appellants erected a test mast with flag very close to the proposed site in order to assess the degree of likely visibility. A plan showing zones of visual influence has been produced on the basis of this. Because of topography, tree and hedge cover, views of the headframe of the mast would be largely confined to the east, north-east and north, although from my visit I consider limited views may also be gained from certain points to the north-west. There would be public views along minor country lanes to the north and north-east and more distantly from the B5405. However, in these cases the views would be intermittent because of intervening vegetation, particularly the presence of mature roadside hedgerows, which in many cases are banked above the road level. Views would be obtained of the headframe from the public footpath directly to the east and south-east of Knightly House along some of its length, although again these would be interrupted in places by established hedges. There would clearly be some increase in general visibility for users of roads and footpaths when hedges and trees were not in leaf. I accept that the installation would introduce a visible artificial structure into the woodland, but particularly from the nearest footpath, and from Grange Road between Knightly House and Hob Hill, it would be seen in conjunction with a roadside power line and poles.
21. The top of the mast would be seen from a limited number of private dwellings. The closest of these would be the farmhouse at Knightly House, some 350 metres away, where there would be direct views over the farmyard from within the dwelling from a first floor bedroom and French windows to the kitchen. I consider that it is also likely that it would be seen from the house at Knightly Park Farm to the north-west, and more distantly from scattered properties to the north. Because of the considerable screening that would be afforded to the mast, and distance from which it would be seen, I do not consider that the proposal would represent such a dominant or overbearing structure for the occupiers of these residential properties that their living conditions would be unacceptably marred. Furthermore, it is a well-established tenet of the planning system that it does not exist to protect private as opposed to public views.
22. It is axiomatic with this form of telecommunication development, the technology for which is based on line-of-sight, that there will be some degree of visual impact. In this case, it is my opinion that, having regard to the degree of screening that would be afforded to the mast and the limitations on public views of it as described above, visual intrusion within the landscape would be minimal.
23. I have considered the impact of the scheme against the 2-site alternative canvassed at the Inquiry. As already noted there are no formal applications for these but in my judgement the details presented by the appellants provide an accurate indication of the likely form that such proposals would take. There would be no intervisibility between the 2 masts alongside the A519 but their cumulative impact within the rural scene needs to be considered. Both

masts would be seen within the context of a roadside environment. Nevertheless, the full height of the structures in many perspectives would be exposed to view in areas where there are limited features that would aid their assimilation. As such, they would be likely to appear as somewhat incongruous features. Particularly in the case of the facility to the south-west of Woodseaves this would not only be seen from the road but also at close quarters from a bridleway and footpath. If for technical reasons this mast had to be 20 metres in height this would be likely to be a particularly strident and intrusive feature. Furthermore, the duplication of masts to provide requisite coverage within a rural environment would, in my judgement, cut against national policy advice within PPG 8. This attaches considerable importance to keeping the numbers of masts and sites for such installations to the minimum in order to limit visual intrusion. I do not consider, therefore, that the 2-site option would be likely to present a less visually intrusive solution than the appeal proposal.

*Third main issue – health and safety considerations*

24. Concern has been raised by certain local residents in writing, and on behalf of KAWMAG at the Inquiry, about the potential health implications of this form of installation. This was not, however, an issue pursued by the Council. PPG 8 is very clear on such matters. This advice is recent and up-to-date and was based on the report and recommendations of the Independent Expert Group on Mobile Phones (IEGMP) under the chairmanship of Sir William Stewart. It indicates that the Government has accepted the precautionary approach to the use of mobile phone technologies recommended by the IEGMP. The precautionary approach is limited to the specific recommendations in the Group's report and the Government's response to them. It includes the requirement that emissions from mobile phone base stations should meet the guidelines for public exposure of the International Commission on Non-Ionising Radiation Protection (ICNIRP). The appellants have confirmed that such stringent guidelines would be met by the installation. Indeed, evidence presented indicates that emissions will be several thousand times less than ICNIRP guidelines even for those living and likely to be working closest to the installation at Knightly House. The local school is some 940 metres from the proposed site and here emissions would be in the region of 90,000 times less than the ICNIRP guidelines.
25. I understand the anxieties of local residents and those working in the area and I am in no doubt that these are sincere and genuinely held, particularly where there is concern for the health and wellbeing of young families and those believed to be most vulnerable. Health considerations and public concern can in principle be material considerations in determining applications for planning permission. However, PPG 8 goes on to state that if a proposed base station meets the ICNIRP guidelines it should not be necessary, in dealing with an application for planning permission or prior approval, to consider further the health aspects and concerns about them. Research is continuing into the effects of mobile telephony, particularly as it is acknowledged in the Stewart Report that there are gaps in scientific knowledge, with the possibility of as yet unrecognised thermal or non-thermal effects. However, no evidence was presented at the Inquiry of any more recent accepted and peer-reviewed work that undermines the recommendations of the IEGMP or the adopted precautionary approach of PPG 8. I accept that concern might be engendered by the presence of the mast, even though it is known to be operating within the recommended thresholds. The health implications of any concern itself may be far greater than any direct health effects that might result from the base station. Fear and anxiety along these lines are a material factor and I have considered them carefully. However, I am guided by advice

within PPG 8 on this matter. In the absence of any specific demonstrable harmful effects arising from the proposal I do not consider the concerns or perceptions of the health implications expressed would, in themselves, amount to sufficient justification for withholding prior approval.

### Human Rights

26. As part of the written evidence produced by Mrs T Cartmail on behalf of KAWMAG it has been alleged that there would be an infringement of certain rights under Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. These respectively relate to the right to the peaceful enjoyment of possessions and the right to respect for private and family life. These allegations were also repeated in writing on behalf of herself and her husband. At the Inquiry these allegations were withdrawn and I do not therefore consider them further.

### Conditions

27. In the event of the appeal being allowed the Council suggested the imposition of certain conditions and these were discussed at the Inquiry. As the proposal is permitted development it is automatically subject to certain conditions under the GPDO 1995 (as amended). These include conditions relating to the commencement of development and removal of equipment when it is no longer operationally needed. As such, I do not consider there to be a need to duplicate these conditions. I shall, however, impose conditions along the lines suggested relating to agreement of details of trees to be removed or cropped, in the interests of the appearance and character of the area and, for the avoidance of doubt, that development proceeds in line with the submitted details. A further condition is necessary requiring the agreement of the colouring of the mast and antennae, also in the interests of appearance and character.

### Conclusions

28. The proposal would inevitably cause some degree of visual intrusion within the landscape. However, the screening that would be afforded to it and the restrictions on its visibility would mean that, in my judgement, the appearance and character of the locality would not be unacceptably marred. I do not consider there would be any material conflict with the 2 Structure Plan policies to which reference has been made. Within the context of the application and appeal it is my opinion that there has been an adequate demonstration of the investigation of possible alternative sites and that the visual intrusion of the proposal would be minimised. In my view the limited impact of the scheme would be outweighed by the improvements to the telecommunications service that would result and which could bring benefits to local residents and workers and the wider travelling public. As such, I do not consider that the scheme would conflict with Local Plan Policy E & D57. The development plan says nothing on the question of health considerations relating to such development. However, PPG 8, which post-dates this, is very clear on how health and public concern about mobile phone base stations should be dealt with. I have seen or heard nothing so overriding as to outweigh this current up-to-date guidance. Accordingly, subject to the conditions outlined above, I consider that the appeal should be allowed.



### Other Matters.

29. I have taken account of all other matters raised. These include concerns for the protection of badgers within the wood where the installation would be sited. A detailed study of the area by the Shropshire Badger Group has been conducted indicating the nearest badger hole to be within a 30-metre zone of the proposed compound. Subject to compliance with the Protection of Badgers Act 1992 I have no reason to suppose that the proposal would result in undue disturbance or harm to the local badger population.
30. On behalf of KAWMAG it has been suggested that the siting of the mast would be unwise as the area is under a flight path used by the RAF for training. However, the mast would be of similar height to existing trees and even in designated low-fly zones fixed-wing aircraft fly no lower than 250 metres above ground level. There have been no expressions of concern on its siting from the RAF, Ministry of Defence or any other organisation connected with the regulation of aircraft movements. KAWMAG also raise concerns over road safety resulting from the use of mobile phones by drivers whilst on the move. There is certainly evidence to suggest that the use of mobile phones whilst driving does increase the risk of accidents. Nevertheless, not all travellers on the road are drivers and even those drivers wishing to make or receive calls on mobile phones have the opportunity to stop and pull off the road to do so, as is widely advised. To seek to reject a proposal that would improve coverage to local rural roads on the basis that this might encourage irresponsible use by drivers would, in my view, be contrary to the thrust of national policy, which is to widen choice and services because of the wider benefits that modern telecommunications can bring.
31. KAWMAG has also raised concerns about the consultation process and inaccuracies of details relating to the proposed development. Although it is apparent that there were some inaccuracies these were corrected during the course of the Council's consideration of the application. The Council has not raised these matters of concern and it is my view that no interests have been materially prejudiced within the course of progress of the application or this subsequent appeal. Neither these nor any other matters raised are sufficient to outweigh my conclusions that the appeal should succeed.

### Formal Decision

32. In exercise of the powers transferred to me, I allow the appeal and grant approval for the siting and appearance of the development proposed in application Ref. 41056, dated 19 July 2001, for the erection of a 15-metre high lattice tower with 6 No. antennae and 10 pack cabinet arrangement on a concrete base at Hob Hill, Woodseaves in accordance with the plans submitted therewith, under the provisions of Part 24 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), subject to the following conditions:
1. The development hereby permitted shall be carried out in complete accordance with the approved plans and details, and with the additional information received by the local planning authority on 8 August 2001, insofar as may be otherwise required by other conditions to which this approval is subject.
  2. Notwithstanding details indicated on the approved plans, before any works are commenced on the site, full details of all trees to be removed and of those trees to be cropped, including details of height reduction, shall be submitted to and approved in

writing by the local planning authority. No trees shall be removed or cropped other than in accordance with these approved details.

3. Prior to the commencement of works on the site, details and specifications of the colour treatment of the mast and antennae shall be submitted to and approved in writing by the local planning authority. The development shall be carried out and thereafter maintained as approved.

### Information

33. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court.
34. This decision only grants approval under the provisions of Part 24 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended). It does not give any other approval or consent that may be required.
35. An applicant for any approval required by a condition attached to this approval has a statutory right of appeal to the Secretary of State if that approval is refused or granted conditionally or if the authority fails to give notice of its decision within the prescribed period.
36. The developer's attention is drawn to the presence of badgers in the vicinity of the site and the requirements of the Protection of Badgers Act 1992.

*P. J. C. Smith*

INSPECTOR

## APPEARANCES

### FOR THE APPELLANTS

Mr P Goatley, of Counsel

instructed by Mr D G Holmes, Adams Holmes Associates, Chartered Surveyors & Town Planning Consultants, Millhouse, Elmsfield, Worcester Road, Chipping Norton, Oxfordshire.

He called:

Mr G Griffiths BSc (Hons)

Principal Network Planning Engineer with Orange PCS Ltd, the appellants.

Mr D G Holmes MA MRTPI

Director, Adams Holmes Associates.

### FOR THE PLANNING AUTHORITY

Mr A Evans, of Counsel

instructed by Mr A R Welch, Head of Law and Administration, Stafford Borough Council.

He called:

Mr R Newstead AIEE

of Engineered Communications Solutions Ltd, 89 Victoria Road, Macclesfield, Cheshire.

Mr J Dolman BA

Planning Officer, Planning and Engineering Services, Stafford Borough Council.

### INTERESTED PARTIES AND PERSONS

#### *Knightley and Woodseaves Mast Action Group (KAWMAG)*

Mr A Tedstone

Partner, Tedstone, George & Tedstone Solicitors, Penkridge, Stafford.

He called:

Mr R M Smith CEng MIMechE BSc

Batchacre Cottage, Shebdon, Stafford.

Mrs J Poulteney

Knightley Park Farmhouse, Lodge Lane, Knightley, Stafford.

Mrs T Cartmail

Knightley House, Grange Road, Knightley, Stafford.

*Other interested persons*

Mr S Cartmail

Knightley House, Grange Road, Knightley,  
Stafford

Cllr B Stamp

Deerhurst, Newport Road, Haughton, Stafford.

**DOCUMENTS**

1. Lists of those attending the Inquiry (3 days).
2. Letter of notification and list of those notified.
3. Appendices to Mr Griffiths' proof of evidence, including supplementary.
4. Appendices to Mr Holmes' proof of evidence, including supplementary.
5. Appendices to Mr Newstead's proof of evidence.
6. Appendices to Mr Dolman's proof of evidence.
7. Appendices to KAWMAG's proofs of evidence.
8. Statement of Common Ground.
9. Appendix E plan from Mr Newstead's appendices.
10. Technical information relating to antennae.
11. Table showing summary of GSM coverage levels.
12. Note regarding the removal of trees from the proposed access to the mast and compound.
13. Judgements from the European Court of Human Rights and R. v Secretary of State for Trade and Industry ex parte Duddridge and others.
14. Copy of the Stewart Report.

**PLANS**

- A. Application plans, refs. IMP-SHP0123-3G-CE-R01 & R02.
- B. Series of plans showing propagation trials within the area.
- C. Set of 'Planet' plots for the area.
- D. Plan of footpaths and bridleways in the area.
- E. Plan showing existing call difficulties in the area.