

Notification of appeals lodged against refusal of planning permission:

- (a) Straitgate Farm, Exeter Road, Ottery St Mary – Application DCC/3944/2017
(b) Hillhead Quarry, Uffculme – Application DCC/3945/2017

Report of the Chief Planner

Please note that the following recommendation is subject to consideration and determination by the Committee before taking effect.

Recommendation: It is recommended that Members note the content of this report.

1. Summary

- 1.1 This report explains the submission of planning appeals in respect of Straitgate Farm and Hillhead Quarry and outlines the process by which the appeals will be considered by The Planning Inspectorate.
- 1.2 The appeal documents, including the appellant's statement of case, are available on the County Council website by clicking on the following links:
Straitgate Farm, Exeter Road, Ottery St Mary:
<https://planning.devon.gov.uk/AppealDisp.aspx?AppNo=DCC/3944/2017>
Hillhead Quarry, Uffculme:
<https://planning.devon.gov.uk/AppealDisp.aspx?AppNo=DCC/3945/2017>

2. Background

- 2.1 At its meeting on 1 December 2021, the Committee considered two linked planning applications:

Extraction of up to 1.5 million tonnes of as raised sand and gravel, restoration to agricultural land together with temporary change of use of a residential dwelling to a quarry office/welfare facility at Straitgate Farm, Exeter Road, Ottery St Mary (DCC/3944/2017).

Importation of up to 1.5 million tonnes of as raised sand and gravel from Straitgate Farm for processing at Hillhead Quarry, Uffculme (DCC/3945/2017).

- 2.2 Members resolved that planning permission be refused in each case. For Straitgate Farm, Members provided seven reasons for refusal, which can be summarised as:
- harm to the setting of heritage assets;
 - potential derogation or contamination of private water supplies;
 - lack of safe and suitable access;

- insufficient up to date protected species surveys;
- lack of a detailed surface water management scheme;
- unacceptable loss of mature trees and hedgerows; and
- unsustainable distance for transportation of materials for processing, contributing to climate change.

The planning application for Hillhead Quarry was refused for a single reason relating to the unsustainable distance for transportation of materials for processing.

3. The Appeals

3.1 Appeals against the Council's decisions to refuse planning permission were lodged with The Planning Inspectorate on 26 May 2022, with the Inspectorate confirming their validity on 21 June 2022, which acts as the 'starting date' for the appeal process.

3.2 The appeals will be heard through an inquiry scheduled to sit for six days, with the key dates in the appeal process being [all 2022]:

26 July Submission of statements of case by the Council and the Rule 6 Party

Submission of statement of common ground to be agreed between the appellants, Council and Rule 6 Party

Submission of additional representations by consultees, objectors and other parties

23 August Case management conference with the main parties

6 September Submission of proofs of evidence

4 October Commencement of the inquiry

3.3 The Council has engaged legal representation to support the Council's case and is in the process of engaging consultants to produce written evidence and to act as expert witnesses at the inquiry to support the reasons for refusal.

3.3 The Council has been notified by The Planning Inspectorate of one request to participate in the inquiry as a Rule 6 Party, from the Straitgate Action Group, which has been agreed. With Rule 6 status the Action Group will be considered to be a main party and are entitled to appear at the inquiry and to cross-examine other parties.

Mike Deaton
Chief Planner

Electoral Divisions: Otter Valley, Whimple & Blackdown and Willand & Uffculme

Local Government Act 1972: List of Background Papers

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Background Paper	Date	File Reference
Casework Files	Current	DCC/3944/2017 & DCC/3945/2017

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sc/cr/Update on Planning Appeals Straitgate Farm Hillhead Quarry
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