

INSPECTOR'S PRE-CONFERENCE NOTE

Appeal Ref: APP/B3438/W/24/3344014

Moneystone Quarry, Eaves Lane, Oakmoor

Reserved matters application proposing details for the appearance, scale, layout and landscaping for phase 1 of the leisure development comprising 190 lodges; erection of a new central hub building (providing farm shop, gym, swimming pool, spa, restaurant, cafe, games room, visitor centre, hub management and plant areas); reuse and external alterations to the existing office building to provide housekeeping and maintenance accommodation (including meeting rooms, offices, storage, staff areas and workshop); children's play areas; multi use games area; quarry park; car parking; refuse and lighting arrangements; and managed footpaths, cycleways and bridleways set in attractive hard and soft landscaping.

Case management conference to be held at 14:00 on Monday 15 July 2024.

Introduction

1. The case management conference will be led by John Longmuir BA(Hons) DipUD MRTPI as the Inspector appointed by the Secretary of State for the appeal.

Purpose

2. The purpose of the conference (CMC) is to consider the management of the case so that the appeal is dealt with in an efficient and effective manner.
3. There will be no discussion of the merits of the case at the CMC and the headings of this note will be used as the agenda.

Participation in the appeal

4. Churnet Valley Conservation Society and Kingsley Parish Council will both be participating as Rule 6 Parties. They are advised to consider the guidance available on the Gov.UK website: Guide to Rule 6 for interested parties involved in an inquiry-planning appeals and called in applications.
5. Separate from the Rule 6 Parties, I will give an opportunity for interested parties (including local residents) to speak after the opening statements of the parties on Tuesday 24 September, which is likely to be mid-morning. I will re-iterate this in my opening remarks at the start of the Inquiry. I will also need to record the names and roles of those speaking.

6. Prior to the start of the Inquiry please can each party forward a list of the advocates and expert witnesses (and their titles/qualifications) to the Inspectorate's case officer.

The main issue

7. The application and appeal forms both confirm that the subject of the application and this appeal is solely the details for the appearance, scale, layout and landscaping. The decision notice also records this wording and concludes: the proposed lodges which are little more than caravans with cladding, fail to deliver the required high standard of design. Owing to the proposed materials and lack of any green roofs, lack of creativity and detailing the lodges could not be said to be of an appropriate high quality nor do they add value to the local area.
8. Bearing in mind the particular reserved matters sought in this appeal and the reason for refusal, the main issue is therefore summarised as: whether the proposed details in terms of appearance, scale, layout and landscaping would harm the character and appearance of the area.
9. The planning merits of the proposal, the Development Plan and planning overview will also need to be discussed at the Inquiry but not as main issues.

The procedure for the appeal

10. The appeal is scheduled to be considered at an Inquiry and will be a physical (face to face) event. However, it would be useful if Microsoft Teams or similar was available for anyone who wishes to contribute or observe remotely.
11. I would expect the main issue to be considered by formal examination/cross examination. The planning merits of the proposal, the Development Plan and planning overview would be best also in formal examination/cross examination, in a traditional programme whereby the Council presents all its evidence, followed by the Rule 6 Parties, followed by the Appellant.
12. The suggested conditions can be considered in a round table discussion.

Other matters

13. The Appellant has submitted a letter to the Inspectorate asking about the need to update the information in the Environmental Statement. This is still being considered. In any event it would be prudent to update the survey for any protected species and a review of the baseline information

for the landscape impact study would help inform consideration of these reserved matters.

Timetable

14. The Inquiry will start at 10:00am on Tuesday 24 September and will continue on Wednesday 25, Thursday 26 and Friday 27 September as a physical (face to face) event. Tuesday 8 October is a reserve day for concluding if needed. I intend to sit until 17:00 or 17:30 at the latest, with mid-morning and mid-afternoon comfort breaks in addition to lunch. I will avoid breaking in mid examination if at all possible and will therefore shorten or lengthen sittings accordingly.
15. I am open minded to starting at 9:30am on the Wednesday, Thursday and Friday, if needed to maximise Inquiry time, but only if no party would be disadvantaged. This can be discussed at the CMC.
16. A timetable for the Inquiry should be produced just prior to its opening, based on estimates of time needed for each witness.

Documentation

17. All documents should be available digitally, hosted on the Local Planning Authority's website, ideally via hyperlinks on a dedicated core document web page.
18. Proofs of evidence should be submitted no later than 17:00 Tuesday 27 August 2024. Appendices, particularly where they contain large documents should be broken down into manageable file sizes.
19. Please can I ask for a paper copy of the proofs and appendices to be sent to the case officer.
20. The reason for refusal refers to the materials and detailing. Therefore, both aspects should be addressed in the submitted evidence to help my consideration.
21. The parties are encouraged to work on the Statement(s) of Common Ground to narrow down the areas of dispute. The Statement(s) should highlight what is agreed and what is in contention.
22. It would be helpful if the plans that were consented at the outline stage could be confirmed in the Statement of Common Ground. In addition, whether any plans or details were indicatively submitted at that outline stage.
23. I am not inviting any rebuttal evidence but if so, please keep it concise and submitted no later than 10 days before the Inquiry.

24. Any evidence/documentation submitted during the Inquiry, including opening and closing submissions, will have to be copied to the Inspectorate and uploaded on to the core document file. A 'running list' of the documents and their reference number will need to be maintained and the parties are requested to assist in this process.
25. Copies of the notification letters/ publicity for the Inquiry should be forwarded to the case officer prior to the event.

Planning conditions

26. The conditions should be discussed with the Appellant and Rule 6 Parties. Any disagreement should be highlighted, with the particular reasons made apparent. The suggested conditions should be progressed at the earliest opportunity to save Inquiry time.
27. The conditions should comply with the tests set out in paragraph 56 of the Framework. If there are any pre-commencement conditions agreed, the Appellant should confirm in writing that they are accepted.

Site visit

28. The site visit should be accompanied, with a representative of the Council, the Rule 6 Parties and the Appellant. I will not be expecting any discussion of the case during the site visit, but physical features can be indicated.
29. I am minded to undertake the visit outside Inquiry sitting time and if necessary, it can be after its closure. The timing can be discussed at the CMC.
30. If any party wishes me to view the site from a particular viewpoint, or any other relevant sites, please let me know during the Inquiry.

Costs

31. The parties will be asked for confirmation whether they intend to make an application for costs. All parties including the Rule 6 Parties are advised to refresh themselves with the Planning Practice Guidance on appeals and costs.
32. All costs applications must be made before the Inquiry is closed, but as a matter of good practice costs applications should be made in writing before the event.

John Longmuir
INSPECTOR

