

CASE MANAGEMENT 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.

Notes from Case Management Conference (CMC) held at 14:00 on Monday 15 July 2024.

Introduction

1. The CMC was led by John Longmuir BA(Hons) DipUD MRTPI as the Inspector appointed by the Secretary of State for the appeal.

Purpose

2. The Case Management Conference (CMC) considered the management of the case so that the appeal is dealt with in an efficient and effective manner. There was no discussion of the merits of the case.

Participation in the appeal

3. At the CMC the Council was represented by Mr Hugh Richards, Counsel. The Appellant was represented at the CMC by Mr Philip Robson, Counsel, and it is understood that Mr Paul Tucker, Kings Counsel, will be leading at the Inquiry itself. Others were in observation.
4. Kingsley Parish Council and The Churnet Valley Conservation Society are both participating as Rule 6 Parties, represented by Mr John Steele and Mr David Walters respectively. At the CMC Mr Steele was present on behalf of both 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. The Rule 6 Parties will be able to participate throughout the Inquiry, but I will also give an opportunity for interested parties (including local residents) to speak during the opening morning. It would be helpful if those intending to speak could inform the Inspectorate's case officer.
6. As I asked at the CMC, it would be very helpful if each party's list of witnesses, their qualifications and roles, could be forwarded to the Inspectorate's case officer prior to the event.

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 Council have confirmed that their concern in the above decision relates to the lodges. It was also agreed at the CMC that the parties will include materials and the detailing of the lodges in their evidence.
10. 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 and timetable for the appeal

11. It was agreed at the CMC that the evidence will be considered by formal examination/cross examination. The Council will present their evidence, followed by the Rule 6 Parties, followed by the Appellant.
12. The Inquiry is scheduled as sitting in person (a physical event) on Tuesday 24 September, Wednesday 25 September, Thursday 26 September and Friday 27 September with potentially Tuesday 8 October as a reserve day. A second reserve day is being identified by the parties.
13. On the opening day, the Inquiry will commence at 10:00, but thereafter as discussed at the CMC, the Inquiry will start at 9:30.

14. I envisage 1 hour for lunch and short mid-morning and mid-afternoon breaks. I will avoid breaking in mid examination if at all possible and will therefore shorten or lengthen sittings to accommodate that. Generally, I intend to sit to around 17:00 but not beyond 17:30.
15. It was agreed at the CMC that shortly after submission of the proofs of evidence, the main parties will draft the Inquiry programme.
16. The Council advise that the Inquiry will be web-cast on their website.

Documentation

17. The Appellant is updating the Environmental Statement.
18. As discussed at the CMC all documents will be available digitally, hosted on the Local Planning Authority's website, via hyperlinks on a dedicated core document web page.
19. In allowance of the holiday season, it was agreed at the CMC that the proofs of evidence should be submitted no later than 17:00 Monday 2 September 2024. Appendices, particularly where they contain large documents, should be broken down into manageable file sizes.
20. Please can a paper copy of each submission be kindly forwarded to the Inspectorate's case officer. It would also be helpful to have a large paper copy of the approved restoration plan.
21. The Statement(s) of Common Ground should be used to narrow down the areas of dispute. The Rule 6 Parties should be involved, being consulted once the Council and Appellant have agreed their positions in the Statement(s). Topic specific statements can be agreed if that would be most effective. To allow the best possible progress on the Statement(s), the deadline for submission is set for 17:00 Friday 13 September 2024.
22. As discussed at the CMC, the Statement of Common Ground(s) should clearly specify and evidence what was submitted, determined, and conditioned at the outline stage: what matters (and the accompanying plans/documents) were considered and permitted. Any indicative submissions should also be set out with suggestions on the weight they should be given.
23. As I indicated at the CMC, any rebuttal evidence should be succinct and timely, submitted by 17:00 Friday 13 September 2024.
24. A list of the application plans should be confirmed in writing by both main parties as correct or otherwise prior to the Inquiry, which will save time.
25. 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 all parties are requested to assist in this process.

26. Please can copies of the notification letter/publicity be forwarded to the Inspectorate.

Planning conditions

27. All the parties need to discuss the suggested conditions to save Inquiry time. The finalised suggested conditions will be discussed in a round table format.
28. If there are any conditions that the main parties cannot agree upon these should be listed in a separate schedule with an explanation of why agreement could not be reached on them. If there are any pre-commencement conditions agreed, the Appellant should confirm in writing that they are accepted. Consideration will need to be given to the tests set out in paragraph 56 of the Framework.

Site visit

29. This should be accompanied, with representatives of the Council, Appellant and Rule 6 Parties. I will not be expecting any discussion of the case during the site visit, but physical features can be indicated.
30. I am happy to look at the site from any viewpoints or any features that the parties recommend as well as any neighbouring sites. I am open to a viewing schedule being suggested by the parties collectively.
31. The site visit will need to be undertaken outside of Inquiry sitting time. Tuesday 8 October is identified as a possible opportunity, but if that entire day is needed for inquiry sitting, then another day will have to be found.

Costs

32. All costs applications must be made before the Inquiry is closed. All parties are advised to read the Planning Practice Guidance: Advice on planning appeals and the award [of] costs on the Gov.uk website.

Deadlines

33. Proofs of evidence: 17:00 Monday 2 September 2024
Any rebuttal submissions: 17:00 Friday 13 September 2024
The Statement(s) of Common Ground: 17:00 Friday 13 September 2024

John Longmuir INSPECTOR