Response from Holcombe Rogus Parish Council

**DCC/4007/2017- Section 73 Application to vary approved working scheme to extract an additional 600,000 tonnes at Westleigh Quarry, Burlescombe, Tiverton**

I am writing on behalf of Holcombe Rogus Parish Council following receipt of the further information provided by Aggregate Industries (AI) in relation to the above application. Our Council’s comments are as follows;

**Section 73 and the ROMP**

The Council understands that if planning permission is granted pursuant to the current Section 73 application, the ROMP process (set in motion in 2011) will fall away and that there will not be an opportunity to review the quarry planning conditions for a further 15 years.

Our Council has also been given to understand that by the imposition of planning conditions pursuant to the current application and the completion of new Section 106 Agreement to accompany that permission, it will be possible, in practice, to review effectively the current planning conditions and Section 106 Agreement and impose revised conditions and Section 106 obligations in much the same way as if the ROMP process had been followed through. If this is not the case it would not seem appropriate to grant planning permission pursuant to the current application.

Our Council understands that the proposed new section 106 agreement is being prepared by AI’s advisers but we have no information as to what this might say and may not have an opportunity to comment on this. DCC should, in our view, consult the local communities on issues that may be thrown up by AI’s proposals.

Pending seeing the details of what is being proposed our Council has the following comments:

1. **Parties to section 106 Agreement**.

Both the landowning company and the operators of the quarry should be parties to the Section 106 Agreement and be jointly and severally liable. New operators should be required to enter into a deed of covenant to comply with the Section 106 obligations. The covenant strength of the parties should be considered in the light of the obligations being undertaken.

1. **Traffic Issues.**
* It is generally recognised that the impact of quarry lorry traffic has increased substantially since the date of the current planning permission (and associated section 106 Agreement). In particular, the lorries are now so large as to place an unacceptable burden on the local road network and local communities.
* Our Council believes that the proposed Longwood Lane route remains the best option and will minimise any adverse impact on the road network and local communities. Consideration should also be given to changing the route to Longwood Lane via Fenacre Quarry.
* The owners and operators of the Quarry should confirm in the new section 106 agreement that they agree to the Longwood Lane proposal (or some variant of it) should this proceed.
* The current voluntary speed restrictions should become a legal obligation of the Quarry owners and operators under the Section 106 Agreement.
* Pending the re-routing of lorry traffic additional speed restrictions through Burlescombe and past Whipcott should be imposed and enforced.
* An effective means of monitoring and enforcing speed restrictions should be introduced including the use of in-cab technology.
* It would be reasonable for the owners and operators to agree to provide some additional funding towards the upkeep of the road network as well as contributing to an alternative route along Longwood Lane.
* It would be helpful if the quarry operators were to give prior notice of night-time lorry journeys so that these can be more effectively monitored.
* If the Longwood Lane scheme is not taken forward our Council would not find acceptable any proposal for two-way lorry traffic to the A38 via Whipcott and Beacon Hill. One way lorry traffic is already having a considerable adverse impact on the local road network, quite apart from the adverse effect on the tourist cottages at Whipcott.
1. **Screening of Rocknell Quarry**

Provision should be made for adequate screening of Rocknell Quarry to minimise the impact on local communities; this should be maintained and renewed as necessary by the current owners/operators.

1. **Water Diversion Scheme**.
* The current scheme is acknowledged to be ineffective.
* There should be a new agreed scheme before planning permission is granted and the new Section 106 Agreement should clearly set out the objectives of the new scheme, impose obligations to implement and monitor at the operator’s expense the new scheme and make changes as necessary to achieve the agreed objectives.

Our Council looks forward to hearing further from DCC as and when additional information is available for consideration.