

## Position Statement Dunchideock Barton Quarry

At the Annual Parish Meeting on the 9<sup>th</sup> May 2018 several villagers raised concerns about the plant hire operation at School Wood Quarry, Dunchideock Barton - in particular in respect of highways safety.

It was agreed that the Parish Council would investigate, with a view to reporting back at the next Parish Council meeting on the 17<sup>th</sup> July 2018 and at that time would facilitate a further public discussion.

Sarah Sharpe and I accordingly undertook a site visit on Thursday 21<sup>st</sup> June.

I must make clear at the outset that Councillor Ellis has not been involved in the investigation (other than by provision of background information on the operation) due to his conflict of interests.

### **Background**

It is understood that quarrying ceased here in the 1980s and subsequently the site has been used for storage-related activities – the most recent (prior to the current operation) use was storage of sewage sludge by South West Water.

The site is presently used by Aardvark, a plant hire company who store heavy machinery on site which they transport using low-loaders. All transport movements in and out of the site are *via* the narrow lane on Haldon Hill.

I have summarised the primary concerns expressed by villagers as follows:

#### **(i) Planning issues**

- Whether or not the operation is in fact planning-compliant - in other words whether a new planning application for change of use is needed. This would of course trigger a formal public consultation.

#### **(ii) Highways issues**

- Danger to other road users associated with large slow-moving plant on narrow and steep lanes with blind bends;
- Possible skid risk associated with loose material on the road outside the entrance;
- Periodic conflict between low-loaders and buses at the steep sided, narrow pinch point on top of Haldon Hill; and
- Possible increase in road damage from heavy lorries.

I will look at each of these elements in turn:

#### **Planning issues**

The planning status of the site has been established under two threads (1) a 'Certificate of Lawfulness' covers operational use of the quarry and (2) there is a Planning Consent (15/03485/FUL) covering the entrance.

### Certificate of Lawfulness

The application for a Certificate of Lawfulness was submitted in early 2016 alongside a retrospective planning application for widening and surfacing the entrance. The certificate would allow the new operation to continue - provided it is considered by the local authority that the operation falls within land use-class B8 (Storage or Distribution).

In order to provide certainty on this matter we have sought independent expert planning advice and have also spoken on two occasions to Steve Hobbs (the Planning Compliance Officer at TDC). It is clear that the current operation does fall within use-class B8 and it does not therefore require a Change of Use to another use-class. The trigger for a change of use-class would be if operations were completely separate to their main storage function - for example if maintenance was being contracted-in (i.e. from another operator) or if office space was being sub-let to another company. This is clearly not the case, as all operations within the quarry are clearly associated with the Aardvark business.

In view of the above, we have concluded that the site is planning-compliant.

The next step was to look closely at the 2016 planning application for the entrance splay:

Planning permission was granted with three Conditions on the 15<sup>th</sup> August 2016, of which Conditions 2 and 3 are relevant to this discussion:

Condition 2 required the entrance surface to be completed *'in such a way as to prevent water, mud, stones or other debris entering the public highway'*.

Surfacing has not yet been completed and we concur with concerns raised at the Parish Meeting about the potential for debris to enter the highway and thus pose a potential skid risk. We note however that a concrete surface has recently been laid on the quarry floor and this appears to have reduced the amount of debris running into the road during wet periods.

With regard to delivery of the new entrance surface, we understand it will not be possible to provide this until Christmas 2018 - apparently because the new surface would take around two weeks to harden before plant can be operated across it. We have expressed concern that these important works have not yet been undertaken and have requested that if possible surfacing should be carried out much sooner than currently planned.

Condition 3 concerned delivery of a landscape plan (required within 4 months of the date of consent - i.e. by mid-December 2016). The plan was to have included details of planting and hard-landscaping.

As of Monday 9<sup>th</sup> July the plan (which was submitted to TDC in June 2018) had not been approved by TDC since the correct fee had not been paid by the applicant. TDC were of the view that this was probably an oversight on the part of the applicant since TDC fees had only recently been updated for such submissions. Unfortunately it means we have been unable to ascertain whether TDC are happy with the scope of the landscape plan or the detail within it. For the record we are of the view that

the plan is not only very late, but it lacks detail and contains no information on hard-landscaping, as was specified under Condition 3.

One further point of note is that TDC Highways did not object to the planning application at the time.

In conclusion then, and leaving aside the issue of non-compliance with planning conditions (which would be an issue for the TDC Planning Compliance Officer) we have concluded that the operation is fully compliant in land-use class terms.

This leaves the key remaining issue as highways safety and we explore this further below:

### **Highways safety**

During our site meeting on the 21<sup>st</sup> June, we expressed our concerns about safety - in particular as regards the potential for fast-moving vehicles (including cycles) to collide with long low-loaders slowly emerging from the quarry entrance – in particular as the quarry lies below a bend in the road.

We also highlighted an issue raised at the Annual Parish Meeting – that of conflict with buses on the narrow section of lane below the Belvedere. We pointed out that there had been at least one incident where a bus passenger had had to alight and squeeze past the vehicle in order that safe reversing could take place. Such conflicts are therefore a significant safety concern.

With regard to potential conflict between low-loaders and buses, it transpired that Aardvark had just become aware that the bus timetable had recently changed and that their drivers were now equipped with an updated schedule. This appears to have been the cause of the previously referred-to conflict and it is to be hoped that this issue is now largely resolved. It was also proposed by Aardvark that they would arrange a meeting with the bus company to see if there are any other mechanisms that might be put into place to minimise conflict. For example a request has been made to the bus company that Aardvark are contacted in the event of a bus running late so that potential bus-lorry conflicts might be better managed. We look forward to an update on the outcome of these discussions.

The most important issue raised at our site meeting was what we felt are real risks to road users approaching the entrance from the Haldon ridge. After some discussion, we requested that investigations be made into provision of a powered / lit hazard warning sign on the downhill approach to the entrance; this could be activated by Aardvark drivers at the point vehicles leave the site entrance. Such a system would clearly warn oncoming road users and would thus minimise risk as far as is reasonable possible.

It is unclear whether the feasibility of a powered or solar lit sign has been investigated yet and we would request an update on this since in our view, it is far preferable to a static (unlit) sign which we understand has been discussed recently with TDC Highways.

Another issue associated with this operation was raised by villagers at the Parish Meeting - that of possible increased damage to road surfaces as a result of movement of heavy vehicles. This is rather outside our area of expertise, but we have suggested that the operators furnish us with a sample

movement log of low-loaders moving into and out of the quarry on a weekly basis (perhaps taken over a several week period) in order that we might look into this further.

---