



The Planning Inspectorate

Report to the Secretary of State for Transport

by Mike Fox BA Dip TP MRTPI

an Inspector appointed by the Secretary of State

Date: 18 January 2022

TOWN AND COUNTRY PLANNING ACT 1990

**THE STOPPING UP OF HIGHWAY (SOUTH WEST)
(NO.) ORDER 202**

**PROPOSED STOPPING UP OF HIGHWAY AT ALSTON LANE AND ITS
JUNCTION WITH THE A38 DEVON EXPRESSWAY**

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File Ref: NATTRAN/SW/S247/4634

Application for the Stopping Up of Highway at Alston Lane, Ashburton, Devon

- The application is made under s247 of the Town and Country Planning Act 1990 for a Stopping Up Order in respect of highway at Alston lane and its junction with the A38 Devon Expressway near Ashburton, Devon.
- The application was made by Atkins Ltd on behalf of E&JW Glendinning Ltd and was submitted on 17 February 2021.
- Notice of the intention to make the Stopping Up Order was published on 13 May 2021 and the period for objections to the proposed Order closed on 10 June 2021.
- If made, the Order would authorise the stopping up of a section of (1) A length of Alston land from Grid Reference E: 277242, N: 071759 extending in a south-easterly direction for a distance of 516m to its junction with the A38 Devon Expressway; and (2) An irregular shaped northern part width of the A38 Devon Expressway from Grid reference E: 277536, N:071318 extending in a north-easterly direction for a distance of 310m and having a maximum width of 5m. These stretches of highway are located close to the town of Ashburton in Devon. The draft Order also states that the stopping up order is to enable development to be carried out in accordance with the planning permission granted by Dartmoor National Park and Devon County Council under references 0322/16 and DCC/3994/2017 respectively.

Summary of Recommendation: That the Order be made.

PREAMBLE

The Draft Order

1. The Order is applied for by Atkins Ltd on behalf of E&JW Glendinning Ltd (the Applicant). The Department for Transport's (DfT's) Notice of Intention to make the Stopping Up Order (SUO)¹ indicates that it would be authorised *to enable development to be carried out in accordance with the planning permission granted by Dartmoor National Park and Devon County Council under reference 0322/16 and DCC/3994/2017 respectively*. That permission provides for *an extension to quarry workings, together with road realignments and improvements, new roads and flood alleviation measures*.
2. Of particular relevance to this report, the planning permission involves the stopping up of a section of highway on part of Alston Lane, together with its junction with the A38 South Devon Expressway at its south-eastern end, in order to facilitate the development.

Responses

3. At the commencement of the Inquiry there were eight duly made objections. They were from an anonymous objector, referred to as Objector A, Mr and Mrs Michael and Madeleine Gregson, Mrs Susan Small (initially referred to as Objector B, but since has stated that her name can now be disclosed), Mr Michael Penfold, Mr and Mrs Nigel and Iris Horsey, the Devon Karst Research

¹ Inspector's Dossier, Section B8A.

Society, represented by Mr Brian Lewarne, another anonymous Objector, referred to as Objector C, and Mr Phil Morgan. All six of the named Objectors gave evidence. In addition, I allowed another person who wished to object, Suzanne Jones, to speak at the Inquiry. Their objections can be summarised as:

- There would be an adverse impact on highway safety and convenience due to the loss of Alston Lane as a link to the A38, especially in relation to Caton Lane and Stormsdown Lane/Goodstone Hill, with the alternative new highway, proposed for Waye Lane, considered to be not fit for purpose;
- There would be the loss of an historically important section of a drovers' route extending back to medieval times, which is part of our heritage;
- Several environmental problems would be exacerbated, including flood risk and hedgerow loss;
- The scheme would impact negatively on the accessibility of the area to emergency services vehicles; and
- Alternatives to the SUO, such as tunnelling under Alston Lane, have not been seriously considered by the Applicant.

The Inquiry

4. The Inquiry was held as a 'face to face' event at Ashburton Town Hall, and sat on 7 December 2021. I carried out a series of unaccompanied site visits to inspect the location of the proposed Stopping Up Order (SUO) land and the surrounding area, including the proposed existing displacement routes, on 6 December 2021, together with an accompanied visit to Linhay Hill Quarry on the day of the Inquiry sitting. My unaccompanied visits were carried out on a dry day with clear visibility, although it was inclement weather during the visit to the quarry.

This Report

5. This report sets out a brief description of the Order land and surroundings, the gist of the cases for the Applicant and Objectors, my conclusions and my recommendation regarding the Order. It does not address the merits of the planning permission referred to above or the process leading to it, although the existence of that permission is material to the consideration of the SUO. Lists of those appearing at the Inquiry and of the Inquiry documents are appended to this report.

THE ORDER LAND AND ITS SURROUNDINGS

6. The Order land, which is shown on Plan at a scale of 1:5,000², comprises a relatively straight section of single-tracked public highway, Alston Lane, which runs along the boundary between the existing Linhay Hill Quarry and the proposed extension to the quarry, for a length of about 516m, from Lower Waye in the north-west to its junction with the A38 Devon Expressway in the south-east; it also comprises an irregular shaped northern part width

² Inspector's Dossier, Section B, Tab 8.

of the A38 Devon Expressway, comprising the existing deceleration lane to Alston Lane from the A38 and the existing acceleration lane from Alston Lane to the A38, extending for a distance of 310m and having a maximum width of 5m. These stretches of highway lie close to the town of Ashburton in Devon.

7. The Plan showing the Order land also shows the proposed replacement highway and replacement accesses to Lower Waye and to Alston Farm and Cottage, both of which would be necessary to enable the proposed expansion of the quarry in line with the planning permission referred to above.
8. The area surrounding the quarry to the north and east is open countryside with scattered hamlets and isolated farmsteads. Most of the roads and rural lanes connecting these properties to the wider local highways network are single-tracked with passing places and could be described as typical Devon lanes. The A38 Devon Expressway, which runs immediately to the south-east of the quarry, marks the boundary of the Dartmoor National Park. The town of Ashburton is situated almost immediately to the south-west of the quarry.

THE CASE FOR THE APPLICANT (Atkins Ltd for E&JW Glendinning Ltd)

9. The Applicant's main evidence is set out in its Statement of Case (SOC)³ and two later Proofs of Evidence (POEs) entitled Traffic and Transport POE⁴ and Highway's POE⁵, all of which is summarised in their Opening Submissions⁶. The gist of these documents and the Applicant's overall case was summarised by their legal representative, Jeremy Phillips QC, at the start of the Inquiry. By way of background, the Applicant states that the Section 247 (the Stopping Up Order) Application⁷, relating to a section of Alston Lane and the connected junction onto the A38, was submitted to the Department for Transport on 17 February 2021.
10. The economic background to the case is that the Applicant manages the Linhay Hill Quarry, which makes a valuable contribution to the local and wider aggregate market, typically up to a distance of 100 miles, through a range of essential products, like aggregates, ready mixed concretes, asphalt, blocks, paving, sand and lime. As such, it is an important strategic asset for Devon, e.g., for food production, new housebuilding and regional infrastructure through supply of asphalt, road maintenance and civil engineering services. The quarry has been operational for over half a century. It has, however, an estimated 4-5 further years of life, depending on the rate of extraction, which in turn is based on the rate of growth of the local and national economy. The proposal to extend the quarry to the north-east of the existing quarry is essential if quarrying at this location is to continue in operation for the longer term. The Applicant argues that the closure of Alston Lane is essential for this to be achieved.

³ Statement of Case of E&JW Glendinning Ltd Relating to the Stopping Up of Highway at Alston Lane, Ashburton, Devon [Document E16 A1A].

⁴ Dated 25 November 2021

⁵ Dated 28 November 2021

⁶ Examination Document S3.

⁷ Stopping Up Order Application to Department for Transport; 17 February 2021: Inspector's Dossier, Section A, Tab 1B.

11. The Applicant argues that the closure of Alston Lane can be readily mitigated by additions and improvements to the immediately surrounding highway network. It is also argued that the economic impacts of the closure of the quarry would be severe, including: (a) the loss of more than 20% of Devon's supply of crushed rock aggregate (and crushed rock constitutes more than 80% of Devon's total aggregate supply); (b) loss of competition in the Devon aggregate market (because the other three major limestone quarries are all owned by the same company); (c) loss of some 210 jobs directly employed by E&JW Glendinning Ltd, plus a further 180 jobs, based on an economic multiplier of 75%, with corresponding impacts on the local economy and revenue for public services at both local and national level; and (d) it is estimated to contribute £6 million a year to the Devon and Dartmoor local economy.
12. The grant of planning permission for the Linhay Hill Quarry expansion by the Dartmoor National Park Authority (DNPA)⁸ is subject to 48 carefully worded conditions. These include strict time limits specifying that the development to which this permission relates must be begun no later than 6 years from the date of this permission and that the extraction of minerals shall cease not later than 66 years from the date of the decision notice.
13. The planning permission covers a range of mitigation measures, including new permanent landscaping bunds with associated landscaping, surface water management works and other environmental improvements on land adjacent to the quarry. It also makes provision for six 'planned works' relating to highways and movement matters, as follows:
- Closure and removal of the eastern part of Alston Lane from a point to the east of Lower Waye up to and including the junction onto the A38 (Alston Cross) – which of course is the subject of this report.
 - Provision of a new replacement road for the stopped up part of Alston Lane (Waye Lane) which links the rest of Alston Lane with Balland Lane in Ashburton (and hence to the A38).
 - Diversion of Ashburton Footpath 16.
 - Removal of existing accesses to Alston Farm and Lower Waye and replacement with new accesses.
 - Widening of Balland Lane and alterations to the coach turning circle at South Dartmoor Community College.
 - Introduction of a Traffic Regulation Order (TRO) and associated signage strategy for Caton Lane.
14. In addition, the improvement of Caton Junction with the A38 is planned, under a separate planning permission.
15. The expected development path, set out in the Applicant's Opening Submissions, can be divided into four main tranches:

⁸ Dartmoor National Park Authority: Grant of Conditional Planning Permission; 15 March 2021: Inspector's Dossier, Section A, Tab 1A.

- (a) Jan-Mar 2022 – Clear vegetation along Balland Lane and route of Waye Lane and new accesses to farmhouses and service diversions;
- (b) Apr-Sep 2022 - Construction of Alston Farm and Cottage access; flood attenuation works - Alston Farm Pond and Waye Pond;
- (c) Sep 2022-Feb 2024 – Construction of new road – Waye Lane – and Caton Junction Improvements; and
- (d) Nov 2023-Nov 2024 – Lower Waye access, Alston Lane Closure and Restoration of Alston Cross Junction with the A38.

16. In response to the points made by the eight duly made objectors, the Applicant responded under six main headings, as follows:

(A) Road Conditions and Traffic

17. The Applicant concedes that a certain level of impact was always inevitable, and in response to this, traffic modelling was carried out to predict the extent of this impact following the closure of the relevant section of Alston Lane. They maintain that this work was carried out consistent with best practice and conclude that the impact of such traffic is not considered to be significant, whilst adequate mitigation is planned for, with the key commitments made in a signed and dated Section 106 Agreement. Their Transport Assessment (TA)⁹ also found that the surrounding roads (Caton Lane, Stormsdown Lane/Goodstone Hill and Tower Park Hill, as well as Alston Lane, were lightly trafficked routes.

18. Regarding the accuracy of the traffic surveys used by the TA, the Applicants comment that all data collected was acceptable to the local authority and Devon County Council (DCC), the highway authority. The passage of time since the first surveys in 2015 has not invalidated the data, and to infer otherwise is incorrect. Moreover, further traffic surveys have been undertaken in March 2017, June 2019, July 2021 and August/September 2021. The more recent surveys, at different locations in the surrounding network, generally show small traffic increases on the network, but with the effects of the Covid-19 pandemic not yet fully understood, most local highway authorities currently request that pre-pandemic information is used in assessments, or that recent information is factored to pre-pandemic (2019) levels.

19. Neither National Highways nor the local highway authority has ever questioned the capacity of nearby lanes or associated junctions to accommodate the projected traffic diversion following the closure of Alston Lane, and they are both supportive of the scheme. None of the surrounding lanes get near to reaching the most relevant capacity threshold of 300 vehicles per hour, which is set out in the Department for Transport (DfT) Traffic Advisory Leaflet 2/04 and explained in the Applicant's Traffic and Transport POE¹⁰. Furthermore, no new housing developments of any appreciable scale have been approved or are waiting to be implemented, and

⁹ Atkins: Linhay Quarry Extension-Transport Assessment (TA); May 2016: Inspector's Dossier, Section E16, Tab A2, Document G.

¹⁰ DfT Traffic Advisory Leaflet; February 2004, set out in Appendix A to Atkins' Traffic and Transport POE.

it is inconceivable that any developments of any scale would have been consented to on the basis of the continuing existence of Alston Lane.

20. The Applicant considers it is also significant that DCC, as the highway authority, has not presented an objection, neither has it raised any significant concerns relating to traffic impact resulting from this development.
21. As a result of the proposed closure of part of Alston Lane, the Applicant's TA work predicts that most traffic movements will either divert to Stormsdown Lane or (the new) Waye Lane; Waye Lane will function as a replacement for Alston Lane, linking up with Balland Lane in Ashburton. Like the existing Alston Lane, Waye Lane is identified as a rural route, is predominantly single-tracked, and has just over eight vehicular movements per hour forecast for 2021¹¹. This level of vehicular flow is well within the acceptable capacity threshold set out by the Department for Transport Advisory Leaflet (TAL 2/04), and it is therefore considered that the surrounding rural lanes are suitable to accommodate the level of traffic experienced.
22. The TA's findings expressed above accord with National Highways' view that: *"No adverse impacts are anticipated in connection with the closure of the eastern part of Alston Lane and the junction with the A38 (Alston Cross)"*¹². Clearly, the resultant journey times to Newton Abbot or Exeter would be slightly longer than before the closure, but equally, journey times to Ashburton and Plymouth would be shorter.
23. In response to concerns that increased pressure would be put on Caton Lane, a Traffic Regulation Order (TRO) is proposed to prohibit all vehicles from Caton Lane except for access, reinforced by a supplemental signage strategy. The TA also states that the mapping used by satellite navigation systems would not guide any through traffic via Caton Lane. Furthermore, its relative unattractiveness for local drivers would act as a deterrent. Alternative routes are likely to prove preferable. Also, improvements are planned to be made to the off-slip at Caton Cross to reduce potential conflict between vehicles exiting onto the A38 and traffic turning off the A38 towards the A383 and Stormsdown Lane. The Environmental Statement¹³, based on the mitigation proposals referred to above, states that the traffic impact is considered negligible.
24. The construction of the 'new' Waye Lane, as the alternative means of access to the A38 for traffic currently using Alston Lane, will be undertaken in character with the locality, with hedgerows where practical and a carriageway of varying width, in addition to providing improvements to access to South Dartmoor Community College (SDCC). Replacement accesses are to be provided to Alston Farm and Lower Waye. The traffic surveys undertaken have also considered the needs of pedestrians, cyclists and horse riders in the area.

¹¹ Atkins TA, para 7.6.

¹² Highways England planning application consultation response; July 2016.

¹³ Atkins Environmental Statement for Caton Cross; February 18 2018, Inspector's Dossier, Section A16A, Tab 1B, Index R.

25. In summary, the Applicant quotes from DCC's response to the planning application, which states that: "*the proposed development will perpetuate the existing levels of traffic from the quarry, rather than intensify it*". The Applicant concludes its section on road conditions and traffic by stating that overall, works resulting from the proposed stopping up will lead to an acceptable highway situation when compared with that which currently exists in the described locations. The stopping up is therefore considered acceptable in terms of the balancing of interests between the approved quarry extension and the effect on highway users.

(B) *Environmental Impact*

26. The Applicant responds to several concerns raised by Objectors, principally regarding flooding. There is all round agreement that rainfall unpredictability and climate change are real, although such concerns have been taken account of in accordance with the relevant Government guidance. The Applicant states that comprehensive proposals have been prepared to seek to mitigate historic issues of flooding in the area, and this has included clearing the drains at the foot of Goodstone Hill to address the flooding there. The Environment Agency's letter of 8 September 2016 is quoted, which considers that the formalisation of the proposed quarry flood defences would reduce the frequency of flooding in Ashburton.

27. In response to the images of flooding at the foot of Stormsdown Lane, submitted by an objector, the Applicant states that such an occurrence is rare, and quotes the DCC's Neighbourhood Highways Officer's confirmation that in the last five years at least, it was only in the very wet weather of mid-February 2020 that many roads were blocked by flooding, including several A roads, such as the A383. This highlights the unpredictability of flooding, but that critically, the proposed Order will not in any way worsen the existing position. Nevertheless, the Applicant, with the agreement of DCC, is investigating the drains at this point, and no serious issues were reported at the Inquiry.

28. Regarding access for emergency services vehicles, Waye Lane provides a sufficient alternative route which it is contended will be equally as convenient as the current Alston Lane for the ambulance or fire engine based in Ashburton to reach properties on the higher ground above the quarry. The increased surface water run-off deriving from the new Waye Lane and widening of Balland Lane as a result of this Stopping Up is to be mitigated by attenuation. The Flood Risk Assessment submitted with the planning application concludes that there is no prospect of the extension proposals increasing flood risk and the only effect will be a beneficial one.

29. The Applicant also acknowledges the concerns raised over the preservation of hedgerows and hedges. Clearly, any hedgerow deemed to be of historical or ecological importance requires grant of consent by the local planning authority prior to removal, and the Applicant has expressed their intent to strengthen hedgerow connectivity, recreate historic field patterns in certain areas and relocate lengths of hedgerow in line with the new access to Alston

and around the bunds, all of which will secure landscape and biodiversity benefits. In addition, a further 2.3km of new hedgerows will be planted, principally alongside the new Waye Lane.

30. The Applicant also draws attention to the Do-Nothing scenario, in which additional limestone would need to be imported to maintain Devon's essential crushed rock supply, which would mean that greenhouse gas emissions associated with transport of limestone would more than double if limestone had to be brought in from outside the county. Therefore, it is argued that the environmental impact of not extending the quarry would be greater than the alternative.
31. In response to the issue of sinkholes, the Applicant asserts that the sinkhole adjacent to the A38 slip road at Goodstone Hill is not related to the quarry operations, and that this remains the responsibility of Highways England to determine the necessary action, not the quarry company.

(c) Impact of the Works on Heritage Assets

32. The Applicant notes the concerns that Alston Lane is an important contributor to the history of transhumance, but it also notes that the supposed overriding benefit of this 'ancient' and 'commodious' route in its current condition has not been prioritised by DNPA in recognition of its historic usage, but rather as a direct link to the A38. An Historic Environmental Assessment¹⁴ was commissioned by the Applicant to assess the historic impact of the SUO. It identified that Alston Lane has low potential to yield information about its origins and history, given the continued use of the highway. By enabling the SUO, confirmation of any such historical features may arise, although there is, of course, no guarantee that any historical features have survived.
33. The Applicant notes that following the failed request to Historic England in 2018 to include Alston Lane as a scheduled monument, the droveway has been included in the Devon Historic Environment Record. However, this Record does not give a feature any added status in National Planning Policy Framework (NPPF) terminology, and therefore does not affect the results of the assessment made in the Applicant's Environmental Statement.
34. Conditions 37 and 38 of the planning permission address the provision of an archaeological watching brief. These conditions require a written scheme providing for an appropriately qualified archaeologist to carry out a full archaeological watching brief, which would enable the observation, recording and recovery of artefacts and post-excavation analysis, a full report provided to the local planning authority, and the removal of Alston Lane, of topsoil and hedgebanks at each stage "*shall be implemented in accordance with the approved scheme for that stage*".

¹⁴ Linhay Hill Quarry, Ashburton, Devon-Historic Environmental Assessment; prepared by Andrew Passmore BSc MCIfA on behalf of E&JW Glendinning Ltd; June 2016 [Inspector's Dossier Document E16A3.Doc Z].

(D) Alternatives

35. The Applicant responds to the suggested option of a deep tunnel under Alston Lane as an alternative means of access to reach the quarry extension to the east, which it is claimed by an Objector, would be an easy option, using modern tunnelling technology. The Applicant estimates that this option would not be easy or simple and with the necessary safety margins would reduce the amount of limestone that the extension could yield by some 46%, making the extension unviable. The cost of construction, estimated at approximately £10,000 per linear metre, would come to approximately £2.5 million (assuming a tunnel of 250m in length). There would also be significant operational complications in extracting sufficient material in the extension area first to a sufficient depth to ensure that the tunnel could connect through on the level. The Applicant therefore discounts this option on excessive costs and safety grounds.
36. Another option suggested by an Objector is to reduce the extension by omitting stage 4 and diverting Alston Lane around the outside of the reduced quarry extension. This option would also significantly reduce the amount of limestone yielded by the extension.
37. DNPA considered both of the above mentioned alternatives because of the need to fully address the Major Development Test for major development within National Parks, as set out in paragraph 177 of *the Framework* (2021) but came to the conclusion that there were no feasible alternatives to that proposed in the application. DNPA also agreed with the need for the development and that it represented exceptional circumstances and that it was in the public interest to grant the permission.

(E) Statutory Tests

38. The Applicant's Opening Submissions also explain the statutory tests for a Stopping Up Order, summarising them as:
- Is it a public highway?
 - Is there a valid planning permission?
 - Is the closure necessary to carry out the approved development?
 - Is it in the public interest to do so?
39. In determining the planning permission for the extension of the quarry, the Decision Notice stated that the Authority's Officers have confirmed that there is a need for the development that cannot be met in another way; that it would be in the public interest to approve the application; and that the benefits of the proposed development override the identified adverse impacts on the landscape and natural beauty of the National Park¹⁵.
40. The Opening Submissions argue that the SUO is fundamental to the implementation of the scheme for which conditional consent has been granted, as Alston Lane runs between the existing quarry and its proposed extension. Alston Lane effectively blocks access to the approved quarry

¹⁵ Page 13 of the Decision Notice.

expansion. In addition, Schedule 4 of the Section 106 Agreement, agreed on 9 March 2021¹⁶, identifies that the Order under Section 247 of the Town and Country Planning Act 1990 is required to secure the closure of Alston Lane and the junction with the A38 for the development which has been granted planning permission, thereby establishing it as necessary for this development to take place.

41. As the Opening Submissions argue, the Section 247 process is not there to reconsider the essential planning merits of a development, but it is for the Secretary of State for Transport to determine whether the disadvantages and losses (if any) flowing directly from a closure order are of such significance that they ought to refuse to make the closure order.

(F) Conclusions

42. The Applicant, for all the reasons set out above, argues that the application for the making of the SUO under Section 247 of the Town and Country Planning Act 1990 (as amended), fully satisfies the statutory test requiring such an order to be necessary, to enable development to be carried out in accordance with the grant of a valid and extant planning application.

43. The Applicant also argues that every valid objection that has been raised has been addressed during the course of the details of the extensive and detailed planning process, commencing in June 2016 with the lodging of the initial application with DNPA, and concluding on 15 March 2021 with the grant of conditional planning permission and its attendant Section 106 Agreement. This is not an opportunity to reopen the planning arguments which were settled with the granting of that planning permission.

44. In looking at the merits of the SUO, it is the Applicant's view that the Secretary of State must take into account any significant disadvantages which would flow directly from the Order, and balance those against the countervailing advantages to the public as a whole, including the planning benefits of the approved development. When weighed in the balance, the Applicant argues that the countervailing advantages overwhelmingly favour the making of the Order sought.

45. The Applicant also states that all reasonable alternative sources of limestone have been explored, but it has been found that they would involve transportation of materials from significantly further afield and therefore have greater environmental impacts. The environmental impacts of the proposed quarry expansion have been carefully considered, including consultation with the nearest residents and Ashburton Town Council, and these effects have been minimised as far as possible.

46. The Applicant's closing submission ends by stating that the removal of the relevant section of Alston Lane would be readily mitigated by additions to and improvements of the immediately surrounding highway networks, which are also part of the approved development.

¹⁶ Inspector's Dossier Document E16A2 Doc D.

THE CASE FOR THE OBJECTORS (They were from an anonymous objector, referred to as Objector A; Mr and Mrs Michael and Madeleine Gregson; Mrs Susan Small (initially referred to as Objector B, but since has stated that her name can now be disclosed); Mr Michael Penfold; Mr and Mrs Nigel and Iris Horsey; The Devon Karst Research Society, represented by Mr Brian Lewarne; a second anonymous objector, referred to as Objector C; and Mr Phil Morgan. I also refer to an additional, late objector, Suzanne Jones.)

Anonymous Objector A

47. Objector A's principal objection to the Order¹⁷ is on the grounds of the regional historical value of the Alston Lane part of the Moor to Shore Route, together with the surrounding fields and hedges, which are part of Devon's historic landscape, and which are now considered to be at risk. The Moor to Shore route was a transhumance droveway which extended from Cockingford on Dartmoor to Cockington in Torquay.

48. It is argued that Alston Lane is the most commodious, direct and dry route between the A38 and the Moor, and it has been retained throughout history and so has survived because of its usefulness and importance. Objector A's statement also contains a wealth of historical information, including on heritage assets and historical economic and social information appertaining to the drovers' routes between the Moors and the coast.

49. Objector A also argues that access to the A38 at Alston Cross is still very necessary, and that its closure will significantly increase the amount of time which will be added to a journey, whether it be to the High Moor or onto the A38; public safety is paramount, and it is suggested that a pedestrian bridge should be constructed across the A38 at Alston Cross.

50. Concern is also expressed about the existence of a sinkhole at Caton, which would come under more pressure from increased traffic following the closure of Alston Lane. There would be safety implications resulting from this action.

51. Objector A concludes by stating that meeting a temporary need would cause irreplaceable loss.

Mr and Mrs Michael and Madeleine Gregson

52. Mr and Mrs Gregson's principal objection to the Order¹⁸ is on highways grounds. They argue that Alston Lane is the only viable route to Dartmoor, especially for emergency services vehicles, as the other routes (Caton Lane and Goodstone Hill/ Stormsdown Lane) are sometimes impassable due to flooding, snow or ice.

53. Doubts are expressed over accuracy of the 2015 traffic survey predictions (DNPA0322/16), which are considered to underestimate the true volume of traffic growth since the end of the Covid-19 lockdown, which they believe has

¹⁷ Inspector's Dossier Document E16B.

¹⁸ Inspector's Dossier, Document E16C.

been exacerbated by the recent housing development on the edge of Newton Abbot, the large growth in dog ownership and increased journeys to Dartmoor once Covid related travel restrictions were lifted. These factors, they maintain, have led to an increased number of incidents and accidents, whilst they consider the proposed TRO for Caton Lane would be unenforceable.

54. Mr and Mrs Gregson suggested a compromise arrangement, comprising a smaller extension to the quarry, with a diversion of Alston Lane around the edge of the (smaller) extended quarry. This, they argue, would be less costly than improving Waye Lane, and would not result in increasing congestion around SDCC at the junction with Balland Lane.

55. Finally, the Gregsons state that the surrounding lanes are simply not capable of taking any further increase in traffic, and the above-mentioned compromise is the only effective solution to satisfy all parties.

Mrs Susan Small

56. Mrs Small's principal objection to the Order¹⁹ is based on highway safety, especially in relation to Caton Lane, which she argues cannot accommodate any displaced traffic, and the "inherent dangers" of joining the A38 from Caton Lane.

57. Mrs Small also argues that the TRO to relieve traffic conditions in Caton Lane would be unenforceable, especially in view of limited police resources. The 2015 traffic forecast, which was the basis for the TA submitted in support of the planning application, has no seasonal adjustments, which is a relevant consideration. Also, Mrs Small alleges that the survey calculations of the time taken for journeys along Goodstone Hill have not taken into account all the reversing action on single track sections of the route.

58. It is also noted that since 2016 when the transport survey was carried out, there have been three additional planning permissions, granted on appeal, that will put huge amounts of traffic onto the Liverton to Drumbridges roundabout. Also, the Stormsdown Lane traffic counts in 2015 do not reflect the very busy lane that Mrs Small now drives along every day and she estimates that the traffic has probably risen by at least 30% in the five years since then. Another traffic issue is the Goodstone Hill pinch point, where vehicles often have to reverse long distances, and which has been the scene of a number of accidents recently. The concern is expressed that congestion, reversing and accidents could all increase on Stormsdown Lane/Goodstone Hill as more traffic uses this stretch of road after the closure of Alston Lane.

59. Concerns are also expressed over the provision of a new footpath in this area, which, whilst not unwelcome in itself, could attract even more traffic through Caton Lane. Another factor which could exacerbate traffic conditions even further in this area is the number of visitors to the Civic Amenity facility at the quarry, which could be in the region of 300,000 pa. This again would

¹⁹ Inspector's Dossier, Document E16D.

conflict with the function of Caton Lane and exacerbate pedestrian safety problems. This would also be contrary to Devon Structure Plan policy TR10, which states that proposals should not adversely affect the road network in terms of safety and access to the network and should not detract from, or conflict with, the safety of the route.

60. It is Mrs Small's contention that Alston Cross is the only safe option to access the A38 between Ashburton and Drumbridges roundabout. This safe option for the public would be removed with the proposed Stopping Up Order.

61. In conclusion, this statement suggests that in order to facilitate the quarry expansion, Alston Lane should be re-routed around the periphery of the expanded quarry; otherwise, with the closure of Alston Lane, Caton Lane, as the most direct alternative, will become a rat run to the A38. It is maintained that the only argument against such a compromise is the desire of the quarrying company to maximise its yield of limestone, and that the compromise solution was not fully explored.

62. Mrs Small considers that the proposed TRO will not be effective, and that it is not supported by the police. The closure of Alston Lane should also be accompanied by improvements to Goodstone Lane/Hill and Caton Lane for the safety of current and future road users. Until these important safety issues have been addressed, the SUO has not been addressed adequately.

Michael Penfold

63. Michael Penfold's principal objection to the Order²⁰ is based on highway safety. He states that traffic in the rural lanes in this part of Dartmoor is growing as local farms diversify, for example through farm shops, cafes, pumpkin picking and Christmas tree farms. The justification to close this junction for one temporary business (quarrying) at the potential cost of so many sustainable businesses now and in the future is not justified.

64. The proposed Waye Lane link is not considered to be a mitigating road, as it is not a like for like example, and potentially increases journey time via an already congested part of Ashburton. Mr Penfold argues that a mitigating road would circumnavigate the quarry extension towards Alston Farm and Caton and re-join at the existing Alston junction, ensuring the safe exit and joining of the A38 in the most commodious and timely method.

65. Concern is also expressed over encouraging traffic onto Caton Lane which is a particularly badly maintained road with limited passing spaces, whilst the on-slip to join the A38 northbound is already dangerous on account of potential conflict with traffic manoeuvring to leave the A38 to join the A383 to Newton Abbot, a short distance further north. The statement also draws attention to impacts on Caton Lane resulting from the estimated 300,000 people annually who are anticipated to use the proposed 3G access and footpath from the extension area.

²⁰ Inspector's Dossier, Document E16E.

66. Other considerations raised by Mr Penfold include Alston Lane providing the safest on and off slip to access the Moor directly off the A38; it does not flood as regularly as Caton Lane and Goodstone Hill; it has more passing places than Caton Lane; its closure will put greater pressure on the surrounding roads that are not fit for purpose; and the improvement works proposed by Atkins fail to identify that its suggested junction at Drumbridges is the only one on the roundabout that does not have traffic lights, resulting in long delays accessing the roundabout; and that the existing roads in the area are already at capacity.

Mr and Mrs Nigel and Iris Horsey

67. The statement by Mr and Mrs Horsey in opposition to the Order²¹ explains that the surrounding area is served by three typical Devon lanes – Alston Lane, Caton Lane and Goodstone Hill (also known as Stormsdown Lane). The Horseys live on Goodstone Hill, at the end/beginning of the steepest and narrowest section, and this lane is their only access to the wider road network.

68. Their principal concern relates to traffic congestion in these lanes. They maintain that the traffic surveys totally fail to capture the 'chaos' on the difficult section of the hill, because the recording equipment is never placed there and there is not chaos every day. Some of the characteristics of Goodstone Hill include: it is a single track road for much of its length; it has limited passing places; it is steep; it is permanently wet during winter; a deep gully has been formed by floodwater; there are blind bends; there is a strong dazzle effect from the sun; the lane is regularly used by recreational cyclists; and there are pot holes.

69. In the event of the closure of Goodstone Hill, this leaves Caton Hill and Alston Lane; Alston lane is the least hazardous route. The proposed extension to Waye Lane to replace Alston Lane becomes obscured in the back streets of Ashburton and is a significantly longer journey.

70. The statement concludes by stating that Alston Lane is a critical lifeline for Mr and Mrs Horsey and many others.

The Devon Karst Research Society, represented by Mr Brian Lewarne

71. The Devon Karst Research Society has two principal objections to the Order²², which are based on impact on the culturo-historical human heritage, and on matters of public safety. The Society is concerned that the Order would remove another extant element of important heritage value in a National Park, which by its purpose is meant to preserve and enhance such features for the public benefit.

72. Mr Lewarne's statement states that Alston Lane is an established Roman Road and subsequently an established Drivers' Road of Medieval origin. It is also explained that Alston Lane enabled the transport of alluvial tin ores to

²¹ Inspector's Dossier, Document E16F

²² Inspector's Dossier, Document E16G.

the stannary town at Ashburton, whilst the lane is an important route in the other direction to the open air meeting place of the Stannary Convocation of Devon. The Order would break these important historic links for ever.

73. The Society considers that the proposed closure of Alston Lane where it meets the A38 Devon Expressway will exacerbate the problems of vehicular flow in the surrounding area, with the traffic burden being transferred to other local country lanes. There can be no valid replacement of "our" ancient Alston Lane. The planning of alternative routes is considered to be totally inadequate.

Mr Phil Morgan

74. The statement by Mr Phil Morgan in opposition to the Order²³ is based on highway safety considerations. The statement expresses concern that Mr Morgan's living environment will be irrevocably damaged by the increased traffic into Caton Lane. He argues that local traffic is unlikely to use the new Waye Lane, but will find the quickest option, and the TRO at Caton Lane is very flimsy and will not prevent rat running. A lesser extension of the quarry, with a rerouted Alston Lane around its periphery, is a reasonable compromise.

75. Caton Lane is single-tracked, is steep and has a crumbling tarmac surface. No indication is given by the scheme promoters as to the how the extra vehicles funnelled into Caton Lane will be absorbed by it. The proposed alternative routes, either via the new Waye Lane or via Drumbridges, are not considered to be reasonable alternatives.

Anonymous Objector C

76. Objector C's principal concerns in opposition to the Order²⁴ relate to the historic value of Alston Lane, highways considerations and sustainability issues around mining limestone. Alston Lane is described as an excellent example of an ancient Transhumance route, which is almost intact and well used by keen walkers and archaeologists. Alston Lane is also considered to be an excellent route for all traffic and is used by emergency service vehicles to reach Stormsdown, Sigford and all of the farms and houses to the north-east of Ashburton. Goodstone Hill is not regarded as an acceptable alternative, as it is prone to floods and is often impassable because of breakdowns.

77. The statement questions the need to mine the limestone at the scale proposed, especially in view of the Climate Change targets for cement emissions to fall by at least 30% by 2030, with 8% of CO₂ production arising from cement production, and the world-wide need to "curb our appetite for concrete". The statement suggests that perhaps retaining Alston Lane might be a positive start?

²³ Inspector's Dossier, Document E16I.

²⁴ Inspector's Dossier, Document E16I.

Suzanne Jones

78. Suzanne Jones introduced late evidence, which is almost identical to that of Objectors A and C. She argues that the archaeological and environmental importance of Alston Lane is a crucial part of Dartmoor's and Devon's heritage and as such were not given sufficient weight in the considerations by DNPA in relation to the proposed closure and removal of a section of Alston Lane and its junction with the A38. Her late statements²⁵, which were circulated at the Inquiry, also argue that Alston Lane is still the most commodious and dry route in the area, so that its value for present day traffic is still important.

RESPONSES TO THE OBJECTORS' POINTS BY THE APPLICANT

79. The Applicant's agent, Atkins Ltd, wrote individually in relation to each of the eight duly made objections listed in the above section. Seven of these letters were written on 5 July 2021²⁶ and one on 15 July 2021²⁷, and they make the same points as in their rebuttal at the Inquiry. In addition, a few follow-up letters were written, responding to further points made by Objectors, including a detailed letter to Mrs Small on 17 September 2021²⁸. Several of these letters offer to meet with Objectors to explore possible ways forward and areas of agreement. The material points in these letters were written to explain the Applicants' position and hopefully address the concerns of the objectors, and are summarised in the following paragraphs:

80. The points made by the **Caton Group** (i.e. residents in Caton Lane) have been taken seriously and the Applicant has submitted proposals to DNPA for a local liaison group to provide an ongoing means of communication with neighbouring residents and landowners, including the Caton Group.

81. The proposals for Caton Lane include a **Traffic Regulation Order** (TRO) and associated signage to prohibit all motor vehicles from Caton Lane except for access. Once the TRO has been made, Sat Navs and other journey planners will not guide through traffic via Caton Lane. The overwhelming weight of third parties who have expressed a view on this matter, including members of the Caton Group, has been in support of a TRO as part of the quarry extension proposals. Also, there is no intention to use Caton Lane for quarry traffic.

82. Regarding the proposed **new Waye Lane**, the current design was agreed with DCC and guided by both DCC's road standards and the wish to ensure that it resembled a typical rural lane in keeping with this part of the National Park. The proposed one-way system will only affect coach traffic at the western end of Balland Lane.

²⁵ Statements from Suzanne Jones; Document S1, undated referring to DCC Report to Teignbridge District Council on 1 March 2017; and Document S2, dated 3 December 2021 referring to the DNPA Report on the proposed Linhay Hill Quarry expansion.

²⁶ Inspector's Dossier, Document D15AF; D15 BBA; D15CE; D15DBA; D15EBA; D15 FBA; and D15HBA.

²⁷ Inspector's Dossier, Document D15GGA.

²⁸ Inspector's Dossier, Document D15CKA.

83. The anticipated **traffic impact on Balland Lane** (linked to Waye Lane), based on the survey work in connection with the planning application, is for an increase of 63 vehicles per day on the eastern section and 80 vehicles per day on the western section, following the closure of Alston Lane. Although, at around 6 vehicles per hour, the Applicant considers two passing paces would be sufficient for this level of increase, in response to requests from Ashburton Town Council, SDCC and DNPA, the Applicant has decided to upgrade this mitigation to widening the entire length of the eastern section of Balland Lane, even though this is not required by the highway authority.

84. **Traffic surveys** undertaken so far by the Applicant include:

- March 2015 – Junction turning counts at Alston Lane, Caton Lane and Stormsdown Lane – these informed the Traffic Assessment submitted in support of the planning application.
- July 2015 – Automatic traffic counts (ATC) at Alston Lane.
- March 2017 – ATC on Balland Lane.
- June 2019 – ATC on Alston Lane, Caton Lane and Stormsdown Lane, and Automatic Number Plate Recognition survey on Alston Lane.

85. The **sinkhole** adjacent to the slip road at Goodstone Cross is the responsibility of National Highways and is not related to the quarry. National Highways is currently working on a longer lasting solution than the temporary works to date.

86. The concerns about the **proposed footpath to Caton Lane** in stage 1 of the extension are noted. This footpath was included specifically at the request of DNPA. The footpath ranger has offered to discuss with members of the Caton Group the fears that they have expressed about this, and to give special attention to the potential issues when the footpath is opened.

87. The alterations to **Caton Cross** were put forward at the specific request of National Highways and are included in the Stopping Up Application. The bus stop is the layby off the A38, a few hundred metres to the south-west of Caton Cross.

88. An **alternative route for Alston Lane around the periphery of the quarry extension**, to enable the continuation of a route between Waye and the junction with the A38, would result in some sterilisation of limestone and was not explored further in the Environment Statement.

89. In relation to the **restoration scenarios**, the visitor numbers in relation to Stover Country Park were mentioned in the Environmental Statement (ES) as an illustration of the magnitude of the public benefit that the restoration of the extended quarry could enable. This was not intended to be an estimate of the anticipated numbers at Linhay Hill. In any case, flooding the existing quarry is proposed when it is restored. Both scenarios involve access via the A38 slip road to Linhay Junction and the current main quarry access, not via the surrounding narrow lanes.

90. The **alternative route to the A38 roundabout** (at Drumbridges) via Bickington using the old A38 is considered capable of accommodating the additional traffic which would be diverted there. However, DCC agrees with Atkins that the amount of traffic that would be diverted there is limited, and this also applies to Stormsdown Lane/Goodstone Hill
91. The need for **more coach parking in Ashburton** is a town matter and not directly related to the quarry. However, Glendinning has proposed to widen the narrow top section of Balland Lane and alter the coach turning circle at the school to help relieve coach traffic on the lower section of Balland Lane, by allowing a one-way system for school coaches to be introduced.
92. The quarry extension included measures to reduce the likelihood of **flooding on Balland Lane**, including diverting water from the Balland Stream into the quarry. In the longer term, the quarry extension would reduce the flood risk, as it would intersect a greater part of the catchment area of the Balland Stream. The purpose of the balancing pond is to address potential hydrogeological effects of groundwater drawdown to ensure dry conditions, not flooding.
93. The **flooding at Goodstone Hill** has only happened once in the last seven years, in the very wet weather of mid-February 2020, when many other roads were blocked by flooding, including several A roads such as the A383. No highway system can be guaranteed to be open to all traffic irrespective of weather conditions.
94. Regarding **access for emergency service vehicles**, Waye Lane would still provide an alternative access in the unlikely event that Goodstone Hill is closed again.
95. The **new housing development at Longstone Cross** (39 affordable dwellings) was not assessed by DCC, because it is served by other, wider roads, including Risborough Lane and Balland Park.
96. Generally, the **NPPF guidance** is that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
97. Glendinning's Environmental Statement recognises the **historic role of Alston Lane** in its ES and any works to remove Alston Lane would be the subject of an archaeological watching scheme of investigation to preserve by record any archaeological features or deposits exposed during the groundworks associated with the scheme.

INSPECTOR'S CONCLUSIONS

98. Bearing in mind the submissions and representations I have reported, I have reached the following conclusions, reference being given in brackets [] to earlier paragraphs in my report where appropriate.

Structure of Conclusions

99. The SUO is expressly proposed under the provision of Section 247 of the Act in order to enable development to be carried out in accordance with the planning permission granted to E&JW Glendinning Ltd by DNPA and DCC on 15 March 2021 under references 0322/16 and DCC/3994/2017 respectively.

100. It follows that the main considerations in this case are whether the Order is necessary for that purpose and whether there are any disadvantages which would weigh against the SUO.

Whether the SUO is necessary to enable development to be carried out in accordance with the planning permission

101. The planning permission is for the extension of the existing Linhay Hill Quarry for the extraction of minerals. This permitted expansion could not occur, in accordance with the planning permission, without taking the Order land. It follows that the Order land is necessary for the planning permission to be implemented.

102. In brief, the arguments in favour of the quarry expansion, which are not at issue at this Inquiry, but nevertheless set a helpful context to this SUO, can be summarised [11] as – (i) the quarry has around 4-5 years of working life left, and the economic impacts on its closure after that time would be severe, including the loss of more than 20% of Devon’s supply of crushed rock aggregate, which is essential for, among other things, highways maintenance; (ii) 210 local people are directly employed at the quarry²⁹, with a multiplier effect of around a further 180 jobs; and (iii) the do-nothing scenario would require importing significant quantities of limestone into Devon from other parts of the country, which would be a less sustainable option.

103. The drawings that accompany planning application references 0322/16 and DCC/3994/2017 show that in order for the operational area of the quarry to expand to the north-east, Alston Lane (the Order land) needs to be closed and the land upon which it sits excavated to an equivalent depth to the existing quarry floor to the south-west.

104. Some of the Objectors suggested that Alston Lane could continue in situ, with the extension of the quarry being achieved through the construction of a tunnel, using modern tunnel technology; this suggestion is dismissed by the Applicant [35], who argues that a combination of the loss of some 46% of the potential limestone yield, added to the high costs of tunnelling (approximately £2.5 million) would make this option unviable as well as potentially unsafe. I am satisfied, from the Applicant’s written response and the discussion on this matter at the Inquiry, that this suggestion would not be realistic for reasons of cost and safety.

²⁹ The figure of 240 jobs connected directly with the quarry was revised downwards to 210 jobs at the Inquiry, mainly due to the impact of Covid-19, but it is my understanding that the figure could increase to previous levels in the future.

105. Other suggestions made by Objectors involved detours of Alston Lane [36] which would, to a greater or lesser degree, reduce the extent of the quarry expansion, thereby resulting in a loss of its yield, and impacting on its viability and the exploitation of a valuable resource. Again, after reading the evidence and listening to the discussion at the Inquiry, I agree with the Applicant that these suggestions would not be realistic and confirm my view that the SUO is necessary to enable development to be carried out in accordance with the planning permission.

Whether any disadvantages or loss likely to arise to the public as a result of the SUO would outweigh the advantages to be conferred by making the Order

106. Several issues were raised by Objectors related to the SUO, and these can be broadly divided into two principal subjects – highways issues and the importance of Alston Lane as a heritage asset.

Highways Issues

107. Several highways issues were raised by Objectors. Concerns were expressed that the surrounding network of rural roads and lanes was already under pressure from traffic to and from the higher moors, and the additional pressure from diverted traffic from Alston Lane would be too much for the system to cope with; it would be “the straw that broke the camel’s back”. The Traffic and Transport POE³⁰ on behalf of the Applicant sets the context for this concern. Table 3.1 in the POE establishes the current traffic flows on Alston Lane, based on a series of traffic counts which are listed above [18]. These figures demonstrate that, although there has been a substantial variation in traffic levels on Alston Lane over the last few years, the overall traffic count is low, with the two-way peak hour traffic flow ranging from 11-21 vehicles travelling away from the A38, and a range of 8-18 vehicles travelling towards the A38.

108. These figures are based on a robust methodology which is accepted as good practice by National Highways and DCC, the local highways authority, and although they were challenged based on evidence put together by some of the objectors, I accept the Applicant’s figures as a realistic indication of the likely level of traffic which would be displaced by the closure of Alston Lane. The main message that I take from these figures is that Alston Lane is lightly trafficked.

109. It is generally agreed between the parties that the key potential alternative routes to Alston Lane for traffic to gain access to the higher moor from the A38, are (i) via Caton Lane; (ii) via Stormsdown Lane/Goodstone Hill; (iii) via Tower Park Hill; and (iv) via the new Waye Lane, which is a new proposed route. These routes are shown on Figure 4.1 ‘Potential alternative routes from the A38’ in the Traffic and Transport POE.

³⁰ Atkins Traffic and Transport Proof of Evidence on behalf of E&JW Glendinning Ltd; 25 November 2021.

110. Likewise, it is generally agreed between the parties that the key potential alternative routes to Alston Lane for traffic to gain access from the high moor to the A38, are (i) via Caton Lane; and (ii) via Stormsdown Lane/Goodstone Hill, the A383, and then along the old A38 Bickington Road to the Drumbridges roundabout junction with the A38 Devon Expressway. These routes are shown on Figure 4.2 'Potential alternative routes to the A38' in the Traffic and Transport POE.
111. Concerns were expressed in the Objectors' statements and at the Inquiry that the alternative routes to Alston Lane, both individually and cumulatively, are not fit for purpose, leading to unacceptable traffic conditions in terms of congestion and safety. I will now address each of these routes in turn.
112. One cluster of concerns is centred on **Caton Lane**, just to the north-east of Alston Lane and the proposed quarry extension. In particular, several Objectors expressed the view that this lane would be the obvious choice for traffic diverted from Alston Lane and travelling in a northerly direction towards the A38 Devon Expressway, as it is the shortest alternative route. Concern was expressed that there were "inherent dangers" of joining the A38 at Caton Cross [56], primarily because of the proximity of this junction to the slip road off the A38 to the A383, signed to Newton Abbot, and the resultant conflict between traffic leaving the A38 and slowing down for the A383 turn off and traffic accelerating over the same road space to join the A38 from Caton Lane.
113. Both in written submissions and at the Inquiry, the witnesses for the Applicant indicated their complete agreement with these concerns and proposed a Traffic Regulation Order (TRO) and associated signage [23] to prohibit all motor vehicles from Caton Lane, except for access to the hamlet at Caton. However, concerns were expressed that a TRO would be unenforceable. Whilst I accept that a proportion of drivers might be tempted to ignore the TRO based signs, I note and agree with the conclusion in the TA [23] that once a TRO has been made, Sat Navs and other journey planners will not guide through traffic via Caton Lane, plus the Applicant's observation that the overwhelming weight of third parties who have expressed a view, including members of the Caton Group, has been in support of a TRO as part of the quarry extension proposals.
114. I also consider that the relative unattractiveness for drivers using Caton Lane on account of its relatively poor road surface, which is eroded by water gullies and the narrowness of much of its length, plus its relatively steep gradient in parts and poor driver visibility, together with a paucity of passing places, will be further deterrents to drivers from using this route in both directions.
115. The Applicant's Traffic and Transport POE also states that the traffic surveys showed that even if all the north bound traffic displaced from Alston Lane was concentrated onto Caton Lane, to gain access to the A38, the absolute maximum peak hour traffic flow would be up to 148 vehicles per hour, which would be well below the 300 vehicles per hour capacity of a single-track road with passing places, which is the DfT Traffic Advisory Leaflet

maximum figure to prevent excessive delay to vehicles³¹. Although this figure was criticised as not being applicable to the Dartmoor lanes, no robust alternative standard was put forward by any party, and I see no reason to disregard the advice contained in this advisory leaflet.

116. The alternative option to Caton Lane for displaced traffic from Alston Lane for vehicles travelling north to join the A38 is for vehicles to use **Stormsdown Lane/Goodstone Hill**, and then to drive along a short stretch of the A383 to towards Newton Abbot before joining the old A38 via Bickington and gain **access to the A38 South Devon Expressway at the Drumbridges roundabout**, near Heathfield. Another key concern about this option was the anticipated impact of the additional traffic on Stormsdown Lane/Goodstone Hill, which it was contended, is already at breaking point.
117. This moorland route is mainly accessible by two-way traffic, with the notable exception of a single-track pinch point on the hill down to its junction with the A383, of about 200m in length, where visibility is reduced by bends in the road and high hedgerows. However, the Traffic and Transport POE demonstrates that the absolute maximum peak hour traffic flow on Stormsdown Lane, if it was used by all the A38 bound traffic displaced by the closure of Alston Lane, would be up to 77 vehicles per hour. This figure is well short of the 300 vehicles per hour capacity of a single-track road with passing places, based on the Traffic Advisory Leaflet which I have referred to above.
118. Clearly, an exacerbating factor is the need for vehicles to reverse at the pinch point in the face of oncoming traffic. This, however, is true for all single-track roads, and according to objectors is an everyday occurrence now. Although this is a frustration currently experienced by drivers, the Applicant makes the point that the road is still lightly trafficked and that the additional increase in traffic resulting from the closure of Alston Lane would be insignificant. It is therefore unlikely to be the straw that would break the camel's back.
119. Concern has also been expressed that the junction with the A38 at Drumbridges is the only one on the roundabout that does not have traffic lights, resulting in long delays accessing the roundabout [66]. However, the traffic surveys point to low volumes of traffic using this option, and in any event, it is likely that the operation of the traffic lights at Drumbridges would result in gaps in the traffic on the roundabout to enable traffic from the Bickington direction to access the roundabout. This was indeed my site visit experience at the roundabout, where I was able to drive onto the roundabout from the old A38 from Bickington with uninhibited access due to traffic being stopped at the 'upstream' set of lights on the roundabout.
120. The third option is using **Tower Park Hill**, for traffic leaving the A38 bound for the high moor. It is the shortest of the four routes shown on Figure 4.1 of the POE, although it involves a convoluted series of bends and turns in Ashburton for traffic coming off the A38 Devon Expressway en route to the

³¹ Department for Transport Traffic Advisory Leaflet2/04; February 2004.

high moor. This route attracted very few comments from Objectors, and it does not appear to be critical to the Alston Lane closure debate.

121. The fourth route shown on Figure 4.1 is the subject of the main mitigation strategy proposed by the Applicant to overcome the loss of Alston Lane, and it is provided for in the planning permission. It comprises the **provision of a new/improved road, known as the new Waye Lane**. The technical details of the proposed road are set out in the Highway's POE on behalf of the Applicant³². It runs from just east of Lower Waye, skirting the western/north-western edge of the existing quarry until it meets Balland Lane on the edge of the town of Ashburton. **The western section of Balland Lane is also proposed to be widened**. This route would provide an alternative access to and from the A38 for traffic currently using Alston Lane. The alignment of the new/improved highway can be seen on a Plan, entitled Site Plan Proposed³³. Most of the new route follows the alignment of Footpath 16 and involves new sections of dedicated footpath where its existing route is extinguished by the proposed road.

122. Some concerns were expressed over the adequacy of the proposed new Waye Lane to cope with the majority of the Alston lane displaced traffic in addition to its current traffic volume along Balland Lane. However, I note that the road was designed in agreement with DCC standards [82] and that the aim was to ensure that it resembled a typical single-track rural lane with passing spaces, in keeping with the character and appearance of this part of the National Park. I also note that at the southern part of the route, in Balland Lane, the Applicant proposes to widen the carriageway to enable two-way traffic. I therefore consider that the Applicant is going beyond mitigation and is proposing betterment.

123. On the basis of the written submissions and discussion at the Inquiry, I note that the Traffic and Transport POE states that the new Waye Lane will have better provision for vehicles passing in opposite directions – every 140m - to pass one another than for other single-track country lanes in the vicinity, such as Alston Lane, and is likely to be quicker than route 3 via Tower Park Hill with better provision for passing spaces than that route provides. It is for these reasons that I agree with the Applicant that the new Waye Lane /Balland Lane route from Lower Waye to the A38 at Ashburton provides satisfactory mitigation for the closure of the Order Land and is more likely to be used as an alternative to Alston Lane than Tower Park Hill for traffic leaving the A38 and heading for the high moor.

124. Another concern over the new Waye Lane is an area of low-lying ground at chainage 700 where the proposed road would cross the Balland Stream, an area which some objectors thought was liable to flooding. The POE states that there are plenty of healthy trees in this area, whilst the road would be placed on a two metres high earth embankment which will significantly deter flooding. I am persuaded by the details of the Waye Lane drawings, which were displayed on large-scale maps presented for public inspection at the Inquiry, that the design of the Waye Lane Link, together with the proposed

³² SNC. Lavalin Highway's Proof of Evidence on behalf of E&JW Glendinning Ltd; 28 November 2021.

³³ Plan numbered LINHAY-ATK-GEN-T-PL-002, entitled Site Plan Proposed, dated 02/11/15.

surface water management via new detention basins, will limit the likelihood of flooding which might cause the road to become temporarily impassable, and that the planning for this, in consultation with the Environment Agency, has accounted for future predictions of climate change.

125. The **accuracy of the traffic surveys** was also called into question by some of the objectors [18]. The Applicant, however, has supplied details of the four sets of traffic surveys that have been undertaken [84], which show that all the surrounding lanes are lightly trafficked and that none of the surrounding lanes get near to reaching the most relevant capacity threshold of 300 vehicles per hour [19]. Detailed highway figures are set out in the Applicant's TA, and I have no reason to come to a different view.
126. Another area of concern is based on **highway safety**. There was a view expressed by some Objectors that Alston Lane provided a safer access both onto and off the A38 than other junctions. However, it was explained at the Inquiry that the stage 1 road safety audit for Waye Lane revealed no significant concerns, whilst the analysis of road traffic accidents in Figure 3.1 of the Traffic and Transport POE shows a cluster of serious accidents around the Alston Lane junction. Whilst I heard evidence that there may be other reasons for this focus of accidents, e.g. based on a gully pipe blockage causing water spillage and aquaplaning, no evidence supported the view that the Alston Lane junction was inherently safer than the alternative junctions along the A38.
127. Although I have no reason to doubt the testimonies of specific incidents of driver difficulties, such as a report of an ambulance getting stuck in the snow and blockages caused by large vehicles, especially on Stormsdown Lane/ Goodstone Hill, no objections to the closure of Alston Lane were received from any of the emergency services.
128. The overall impact on the local highway network is in my judgment the principal issue in assessing the potential harmful impact of this case. I have read all the written submissions and listened (and contributed) to the full debate at the Inquiry. I am persuaded that the evidence points to firstly, a picture of lightly trafficked narrow country lanes in and around (and including) Alston Lane, with perhaps the major factor affecting the effectiveness of this network being the 200m pinch point on Stormsdown Lane/Goodstone Hill, a route which has a strategic role in providing reasonably direct access to the high moor from the A38 and urban areas such as Newton Abbot.
129. Secondly, I consider that the evidence points to the strong likelihood that displaced traffic following the closure of Alston Lane would be dispersed over a number of alternative routes, none of which would result in cumulative severe congestion on any of these routes. However, even in the unlikely scenario of the vast majority of traffic being channelled onto a single route, the overall numbers would fall significantly short of the peak period acceptable congestion benchmark of 300 vehicles per hour. This view is confirmed by the likely impact a TRO would have on reducing traffic using Caton Lane as a through route.

130. Thirdly, I consider that the proposed alternative new route to Alston Lane, via Waye Lane, would not only provide mitigation for the loss of Alston Lane, but would result in a degree of betterment, based on the detailed planning of this new road, including the provision of its passing spaces every 140m and its flood attenuation design.

Issues relating to the heritage status of Alston Lane

131. Concerns were raised that Alston Lane is an important part of the historic Moor to Shore droveway or transhumance route for moving cattle and sheep over many centuries, and that the road is a critical part of Devon's historic landscape, which remains a unique preserved legacy extending from Cockingford on Dartmoor to Cockington in Torquay [47-48].

132. However, the construction of the A38 Devon Expressway has already driven a coach and horses through the continuous integrity of the route, and the importance of Alston Lane in heritage terms as an ancient and commodious route was insufficiently high for DNPA to prioritise it above the considerations which led the authority to grant planning permission for the quarry expansion which clearly implies the closure of Alston Lane. Furthermore, no other conservation trusts or societies, of which there are a few with interests and involvement in Dartmoor, decided to register a formal objection to the SUO.

133. I also note that following the failed request to Historic England in 2018 to include Alston Lane as a scheduled monument, the droveway has been included in the Devon Historic Environment Record. This, however, does not give any added status in NPPF terminology, and therefore does not affect the results of the assessment in the Applicant's Environmental Statement (ES) [33].

134. The historic importance of Alston Lane is recognised in conditions 37 and 38 of the planning permission. These conditions provide for an archaeological watching brief, which would enable the observation, recording and recovery of artefacts and post-excavation analysis [34], which in my view ensures its place in posterity is secured.

Overall Summary and Conclusion

135. I have considered all the merits of this case and I have had regard to all the points set out above. I do not consider that the area of highway on Alston Lane and its junction with the A38, which is covered by the planning permission granted by Dartmoor National Park and Devon County Council under reference 0322/16 and DCC/3994/2017 respectively, could be stopped up without any material disadvantages in highways or highway safety terms. However, as I have explained above, these disadvantages can be satisfactorily mitigated, whilst in transport terms, the local highways network would not only be mitigated but betterment would be secured through the construction of the new Waye Lane.

136. It is also my judgment that the closure of Alston Lane is necessary for the achievement of the clear economic and social benefits resulting from the expansion of Linhay Hill Quarry, as provided for in the planning permission referred to above. These important benefits would arise both from the securing of significant mineral reserves to meet the nation's needs in accordance with national policy, as expressed in section 17 of *the Framework* (2021) and provided for in the newly adopted Dartmoor Local Plan.

137. A second important benefit would arise from securing the continuation of employment both directly at the quarry and indirectly through the multiplier effect in the local area, and in particular within the local community of Ashburton, again in accordance with national policy (especially paragraph 84 of *the Framework*, which supports a prosperous rural economy).

138. Moreover, I also consider that the material harm in the form of inconvenience and potential safety issues for local drivers is adequately mitigated primarily by the provision of an improved/new section of Waye Lane and improvements to Balland Lane, which together give an acceptable alternative route for traffic displaced by the closure of Alston Lane onto the surrounding highway network and in particular onto the A38 Devon Expressway. The implementation of this strategy would also be assisted by the proposed TRO at Caton Lane. I also consider that the loss of a section of an ancient drovers' way at Alston Lane would be effectively mitigated by the provision of an archaeological watching brief as part of the planning permission.

139. Overall, these conclusions lead me to the view that the SUO should be made.

RECOMMENDATION

140. Having regard to the foregoing, and to all material considerations, I recommend that **The Stopping Up of Highway (South West) (No) Order 202** be made.

Mike Fox

INSPECTOR

APPENDIX 1 – APPEARANCES

FOR THE APPLICANT

Jeremy Phillips QC of Counsel

Steve Katesmark, Technical Director, Transportation, Atkins Ltd

Tony Fletcher, Atkins Ltd

OBJECTORS

Mr Michael Gregson, local resident

Mrs Susan Small, local resident

Mr Michael Penfold, local resident

Mr Nigel Horsey, local resident

Mr Brian Lewarne, The Devon Karst Research Society

Mr Phil Morgan, local resident

Suzanne Jones, local resident

APPENDIX 2 – DOCUMENTS

Inspector's Dossier

- **Section A1E Planning Papers**
 - 1: Highways England – Formal Recommendation to an Application for Planning Permission
 - 2: Dartmoor National Park Authority (DNPA) – Draft Development Management Committee Minutes 15 January 2021
 - 3: Planning Application – Highway Consultation Reply 13 July 2016
 - 4: DNPA Response to Highway Consultation Letter 16 July 2016
 - 5: Devon County Council Delegation Letter 12 June 2017
 - 6: Linhay Hill Quarry Planning Application by Atkins for E&JW Glendinning Ltd 16 June 2016
 - 7: Linhay Hill Quarry Planning Application Form GA1 11 January 2017
 - 8: Linhay Hill Quarry Proposed Extension – Site Plan Proposed LINHAY-ATK-GEN-T-P-0002 02 November 2015
 - 9: Section 247 Public Notice of Inquiry, from Department for Transport (DfT)

- **Section A1A Covering Letter**
 - Letter from National Transport Casework Team 17 February 2021

- **Section A1B Application Document**
 - Section 247 Application form 17 February 2021

- **Section A1C Supporting Note**
 - Section 247 Stopping Up Technical Note 19 January 2021

- **Section A1D Decision Notice**
 - DNPA Grant of Conditional Planning Permission – Linhay Hill Quarry Extension 15 March 2021

- **Section A2 Approved Plans**
 - Linhay Hill Quarry Proposed Extension - Stopping Up Plan LINHAY-ATK-GEN-T-PL-0005 22 January 2021
 - Linhay Hill Quarry Proposed Extension – Proposed Site Layout Plan with Existing Highway Boundary LINHAY-ATK-GEN-T-PL-0004 22 January 2021

- **Section A3 Alston Cross Drawings**
 - LINHAY-ATK-S1-C-DR-1101
 - LINHAY-ATK-S1-C-DR-1102
 - LINHAY-ATK-S1-C-DR-1103

- **Section A4 Alston Farm Access Drawings**
 - LINHAY-ATK-S0-C-DR-0003
 - LINHAY-ATK-S0-C-DR-0012
 - LINHAY-ATK-S4-C-DR-4001
 - LINHAY-ATK-S4-C-DR-4002

- **Section A5 Balland Lane Drawings**
 - LINHAY-ATK-S0-C-DR-0001
 - LINHAY-ATK-S0-C-DR-0002
- **Section A6 Caton Cross**
 - 4814921_Decision Notice
 - LINHAY-ATK-S0-C-DR-0013_P11
- **Section A7 Waye Lane Drawings**
- **Section B10A S247 Notice in London Gazette 13 May 2021**
- **Section B10B S247 Notice in South Hams-Today 13 May 2021**
- **Section B11A S247 certificate of Posting of Public Notice 17 May 2021**
- **Section B8A Draft S247 Stopping Up Order**
- **Section B8B Draft Stopping Up Plan No. NATTRAN/SW/S247/4634**
- **Section B9A Draft S247 Public Notice**
- **Section C12A S247 Inquiry Notice**
- **Section D Letters from Objectors and Responses from Applicant**
- Correspondence involving **Objector A**
 - D15AA Redacted letter from Objector A 31 May 2021
 - D15AB Redacted message from Objector A 31 May 2021
 - D15AC OS Map Extract from Objector A
 - D15AD OS Map Extract from Objector A
 - D15AE Redacted OS Map Cover from Objector A
 - D15AF Response to Objector A from Atkins obo Applicant 5 July 2021
 - D15AG Response from Objector A 29 July 2021
 - D15AH Additional Response from Objector A [Photograph]
 - D15AI Additional Response from Objector A [Extract from Transport Assessment]
- Correspondence involving **Mr and Mrs Michael and Madeleine Gregson**
 - D15BA Letter from Michael and Madeleine Gregson 4 June 2021
 - D15BB Covering letter to Michael and Madeleine Gregson from Atkins 13 July 2021
 - D15BBA Response to Michael and Madeleine Gregson from Atkins obo Applicant 5 July 2021
 - D15BC Response from Michael and Madeleine Gregson 19 July 2021

- Correspondence involving **Mrs Susan Small**
 - D15CA Covering letter from Mrs Susan Small to DfT 9 June 2021
 - D15CAA Letter from Mrs Susan Small 9 June 2021
 - D15CB Redaction letter from Mrs S Small
 - D15CC Covering letter to Mrs S Small from Atkins obo Applicant 5 August 2021
 - D15CD Covering letter from Mrs S Small to DfT 21 July 2021
 - D15CE Response to Mrs S Small from Atkins obo Applicant 5 July 2021
 - D15CF Covering letter from Mrs S Small to DfT 17 July 2021
 - D15CFA Response from Mrs S Small to Atkins obo Applicant 16 July 2021
 - D15CG Covering letter from Mrs S Small to DfT 1 August 2021
 - D15CGA Letter from Mrs S Small to Atkins obo Applicant 2 August 2021
 - D15CH Photographs of flooding at Stormsdown Road at Goodstone, sent by email on 6 August 2021
 - D15CI Covering letter from Mrs S Small to DfT 7 August 2021
 - D15CIA Letter from Mrs S Small to DfT 10 August 2021
 - D15CJ Covering letter from Mrs S Small to Atkins 8 September 2021
 - D15CJA Letter from Mrs S Small to Atkins 8 September 2021
 - D15CK Covering letter to Mrs S small from Atkins obo Applicant 17 September 2021
 - D15CKA Letter to Mrs S Small from Atkins obo Applicant 17 September 2021
 - D15CL Covering letter from Mrs S Small to Atkins obo Applicant 22 September 2021
 - D15CLA letter from Mrs S Small to Atkins obo Applicant 22 September 2021

- Correspondence involving **Mr Michael Penfold**
 - D15DA Covering letter from Michael Penfold to DfT 9 June 2021
 - D15DAA Letter from Mr M Penfold to DfT 9 June 2021
 - D15DB Covering letter to Mr M Penfold from Atkins 13 July 2021
 - D15DBA Response to Mr M Penfold from Atkins obo Applicant 5 July 2021
 - D15DC Covering letter to Mr M Penfold from Atkins obo Applicant 26 July 2021
 - D15DCA Letter to Atkins obo Applicant from Mr M Penfold 26 July 2021

- Correspondence involving **Mr and Mrs Nigel and Iris Horsey**
 - D15EA Letter from Mr N Horsey to DfT 9 June 2021
 - D15EB Covering letter from Atkins to Mr N Horsey 13 July 2021
 - D15EBA Response to Mr N Horsey from Atkins obo Applicant 5 July 2021
 - D15EC Response to Atkins obo Applicant from Mr and Mrs N Horsey 30 July 2021

- Correspondence involving **The Karst Research Society**

- D15FA Letter from Karst Research Society to DfT 10 June 2021
- D15FB Covering letter from DfT to Karst Research Society 13 July 2021
- D15FBA Response to Karst Research Society from Atkins obo Applicant 5 July 2021
- D15FC Letter from Karst Research Society to Atkins obo Applicant 21 July 2021
- Correspondence involving **Objector C**
 - D15GA Redacted letter from Objector C
 - D15GB Letter from Objector C 31 May 2021 and covering letter from DfT 4 June 2021
 - D15GC Letter from Objector C 31 May 2021 and covering letter from DfT 4 June 2021
 - D15GD OS Map Extract from Objector C
 - D15GE OS Map Extract from Objector C
 - D15GF Redacted OS Map cover from Objector C
 - D15GG Covering letter from Atkins obo Applicant to Objector C
 - D15GGA Response to objector C from Atkins obo Applicant 15 July 2021
 - D15GH Letter from Objector C to Atkins obo Applicants via DfT
- Correspondence involving **Mr P Morgan**
 - D15HA Letter from Mr P Morgan to DfT 6 June 2021
 - D15HB Covering letter from Atkins obo Applicant to Mr P Morgan 13 July 2021
 - D15HBA Response from Atkins obo Applicant to Mr P Morgan 5 July 2021
 - D15HC Letter from Atkins obo Applicant to Mr and Mrs Morgan 19 August 2021
 - D15HD letter to Mr Morgan from Atkins obo Applicant 17 September 2021
- **Section E16 Statements and Supporting Documents**
- **E16A Applicant's Documents**
 - E16A1 Covering letter from Stephens Scown LLP 8 November 2021
 - E16A1A Statement of Case of E&JW Glendinning Ltd, Applicant
 - E16A1B Index of Documents referred to in Applicant's Statement of Case
 - **A** Grant of Conditional planning permission by DNPA 15 March 2021
 - **B** DCC-Derogation of the planning function to Dartmoor National Park
 - **C** Existing Site Plan (LINHAY-ATK-GEN-T-PL-0001); 9 November 2015
 - **D** Proposed Site Plan (LINHAY-STK-GEN-T-PL-002); 9 November 2015

- **E** S 106 Planning Obligation Agreement – Relating to land at and adjacent to Linhay Hill Quarry (PDF copy 1 of 2)
- **F** S106 Planning Obligation Agreement – Relating to land at and adjacent to Linhay Hill Quarry (PDF copy 2 of 2)
- **G** Atkins Linhay Hill Quarry Extension Transport Assessment; May 2016
- **H** Mr Penfold Letter of Response addressed to Mr Fletcher; 26 July 2021
- **I** Objector B (identified as Mrs S Small) Letter of Objection; 9 June 2021
- **J** Atkins Caton Cross Slip Road Improvements: Request for Scoping Opinion; February 2017
- **K** Highways England planning application consultation response; July 2016
- **L** Caton site and location plans – Proposed improvements to Caton Slip Road; 2 March 2017
- **M** Caton Cross Junction Improvements: Proposed Layout; 22 August 2018
- **N** Caton Cross Visibility Splay – Junction Improvements and Proposed general Arrangement and Profile; 8 May 2018
- **O** Teignbridge District Council Grant of Conditional Planning Permission (18/00542FUL) (Improvements to Caton Cross); 23 August 2019
- **P** Letter of Response to Objector B (Mrs S Small) on behalf of E&JW Glendinning Ltd from AT Fletcher (Atkins Ltd); 5 July 2021
- **Q** Objector B (Mrs S Small) Response to Letter (5 July 2021) received from AT Fletcher (Atkins Ltd) on behalf of E&JW Glendinning Ltd; 16 July 2021
- **R** Atkins Environmental Statement for Caton Cross Improvements; February 2018
- **S** Atkins Environmental Statement – Regulation 22; February 2018
- **T** Planning Application – Highway Consultation Reply; 13 July 2016, attached to Letter of Response (to Objector C) on behalf of E&JW Glendinning Ltd from AT Fletcher (Atkins Ltd); 15 July 2021
- **U** Letter of response to Mr Penfold on behalf of E&JW Glendinning Ltd from AT Fletcher (Atkins Ltd); 5 July 2021
- **V** Objector A (Email 1 of 2) Objection emailed to national Casework; 31 May 2021
- **W** Atkins Responses to Objections; March 2020
- **X** Mrs S Small (Objector B) Email to Mr Crass with attached images; 6 August 2021
- **Y** Letter of Response to Mr Horsey on behalf of E&JW Glendinning Ltd from AT Fletcher (Atkins Ltd); 5 July 2021
- **Z** Atkins Historic Environment Assessment; June 2016
- **AA** The Devon Karst Research Society Letter of Objection; 10 June 2021

- **BB** The Devon Karst Research Society Response Email; 21 July 2021
- E16A2 Covering Email from Stephens Scown attaching Documents A-K
- E16A2 Document A
- E16A2 Document B
- E16A2 Document C
- E16A2 Document D
- E16A2 Document E
- E16A2 Document F
- E16A2 Document G
- E16A2 Document H
- E16A2 Document I
- E16A2 Document J
- E16A2 Document K
- E16A3 Covering Email from Stephens Scown attaching Documents L-BB
- E16A3 Document L
- E16A3 Document M
- E16A3 Document N
- E16A3 Document O
- E16A3 Document P
- E16A3 Document Q
- E16A3 Document R
- E16A3 Document S
- E16A3 Document T
- E16A3 Document U
- E16A3 Document V
- E16A3 Document W
- E16A3 Document X
- E16A3 Document Y
- E16A3 Document Z
- E16A3 Document AA
- E16A3 Document BB
- E16B **Objector A Statement**
- E16C Covering Email from Michael and Madeleine Gregson; 4 November 2021
- E16CA **Statement of Case from Michael Gregson**; 4 November 2021
- E16D **Statement of Case from Mrs S Small**; 4 November 2021
- E16E Covering Email from Michael Penfold; 4 November 2021
- E16EA **Statement of Case from Michael Penfold**; 4 November 2021
- E16F Covering Email from Mr Nigel Horsey; 4 November 2021

- E16FA **Statement of Case from Mr Nigel Horsey**; 4 November 2021
- E16G Covering Email from the Devon Karst Research Society; 6 November 2021
- E16GA **Statement of Case from the Devon Karst Research Society**; 5 November 2021
- E16GB Notification of Public Inquiry Letter from DfT to the Devon Karst Research Society; 4 October 2021
- E16H **Statement of Case from Mr P Morgan**; 7 November 2021
- E16I **Statement of Case from Objector C**; 1 November 2021

- **Additional Document Requested by Inspector**
 - Atkins Proposed Extension to Linhay Hill Quarry-Responses to Objections; March 2020

- **Additional Letter of Support** from South West Business Council; 26 November 2021

- **Minutes of Ashburton Full Council Meeting**; 19 October 2021

- **Late Documents submitted at Inquiry**
 - S1 Additional Comments by Suzanne Jones, regarding Stopping Up of Alston Lane and Junction off the A38 in relation to Paper by DCC to Teignbridge District 1 March 2017.
 - S2 Document from Suzanne Jones, regarding DNPA Report in relation to Linhay Hill Quarry expansion (no date given); document dated 3 December 2021
 - S3 Opening Submission on behalf of the Applicant; 07 December 2021
 - S4 Questions for Applicant from Mrs S Small

APPENDIX 3 – ACRONYMS AND ABBREVIATIONS USED IN THIS REPORT

ATC	Automatic Traffic Count
DCC	Devon County Council
DfT	Department for Transport
DNPA	Dartmoor National Park Authority
ES	Environmental Statement
m	metres
NPPF	National Planning Policy Framework (also known as <i>the Framework</i>)
POE	Proof of Evidence
SDCC	South Dartmoor Community College
SOC	Statement of Case
SUO	Stopping Up Order
TA	Transport Assessment
TRO	Traffic Regulation Order