

**For: PLANNING AND REGULATION COMMITTEE – 28 NOVEMBER 2016**

**By: ACTING DIRECTOR FOR ENVIRONMENT AND ECONOMY**

**Development Proposed:**

Details Pursuant to Condition 22 (approval of perimeter fencing) of Planning Permission P11/W2208/CM (MW.0015/12)

**Division Affected:** Wheatley  
**Contact Officer:** Matthew Case **Tel:** 07584262456  
**Location:** Woodeaton Quarry  
**Application No:** MW.0105/16  
**Applicant:** Mckenna Environmental Ltd  
**District Council Area:** South Oxfordshire DC  
**Date Received:** 5 August 2016  
**Consultation Period:** 17 August 2016 – 8 September 2016

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**Recommendation**

The report recommends that:

- i. Subject to no over-riding issue being raised by outstanding consultees, application MW.0105/16 be **approved**.

## **Part 1 – Facts and Background**

### **Location (see site location plan Annex 1)**

1. Woodeaton Quarry is located to the immediate north west of the small rural village of Woodeaton, 5 miles (8 km) north east of Oxford and within the Oxford Green Belt.

### **Site and Setting**

2. The quarry covers an area of 6.5 hectares surrounded by agricultural land, except to the south east where it abuts a road and the village of Woodeaton and to the south west where it abuts the grounds of Woodeaton Manor School. The quarry is screened with mature woodland from this direction.
3. The main quarry access is into the north east of the site. The quarry is within South Oxfordshire District but the northern access is within Cherwell District. The northern access is covered by a separate permission.
4. The site is a disused quarry which has been worked for limestone and clay and left unrestored with some sheer and unstable slopes. The whole site is designated as a geological SSSI due to the exposed quarry faces.
5. The nearest properties include The Lodge approximately 50 metres to the south east, Taverners 50 metres to the east and Woodeaton Manor School 150 metres to the south. There are also a number of properties within the village located within 150 metres of the south eastern boundary and Culvercote Barn lies 150 metres to the west.
6. The site adjoins Woodeaton Conservation Area and a Scheduled Ancient Monument (a Romano Celtic Temple). The site lies within the Oxford Green Belt.
7. A private road runs along the south west boundary and there is an informal footpath along the western boundary.

### **Background and Details of Development**

8. Planning Permission to import inert waste in the restoration of the quarry was granted on the 23 December 2015, after going to committee in April 2012 P11/W2208/CM (MW.0015/12). A separate consent covers the construction of a haul road and widening of the existing field entrance for temporary use in restoration (Planning Permission 14/02087/CM MW.0149/14) granted on 31 July 2015.
9. Condition 22 of permission P11/W2208/CM states:  
*No development shall commence until a scheme showing details of the location, construction, height and maintenance of perimeter fencing has been submitted to and approved in writing by the Waste Planning Authority and fencing has been erected in full accordance with the approved details. The approved*

*fencing shall be maintained in accordance with the approved scheme for the duration of the development.*

*Reason: To ensure that the site is safely secured in a manner which does not harm the visual amenities of the area (OMWLP PE18)*

10. At the meeting of the Planning & Regulation Committee on 16 April 2012, when consideration was given to application no. MW.0015/12, concerns were raised in relation to the perimeter fencing being needed to be secure so as to prevent unauthorised access by pupils from Woodeaton Manor School, should they exit the school without permission and be attracted by the renewed activity at the quarry site. The committee resolution included a condition requiring the submission of a scheme detailing the perimeter fencing.
11. The scheme has now been submitted to discharge the condition. Following discussion with your officer, after two revisions to the scheme, the third and final amendment proposes the following:
  - i) On the southern boundary the applicant proposes 2 metre fencing with stock netting on the lower half and 3 barbed wire strands on top half. Part of the fence covering 0.5 metres will include a fencing panel open for badge access.
  - ii) On the western boundary the applicant proposes post and wire fencing, much of the boundary has a thick hedgerow which will prevent access. A small stretch of the boundary will have fence strengthened where the hedgerow is missing with additional three strands of barbed wire to prevent access.
  - iii) On the eastern boundary it would include a 1.2 metre stock proof fence, with the most southerly part being 2 metre fencing with stock netting and 3 strands of barbed wire.
  - iv) The old gate on the southern boundary is boarded up to approximately 2 metres in height.
12. The revisions were made after concerns raised by Woodeaton Manor School and Councillor Anne Purse.
13. The applicant has provided an annotated plan showing pictures of the proposed fencing design. The applicant proposes to maintain the fencing for the life of the quarry, until restoration is completed.

## **Part 2 – Other Viewpoints**

### **Consultations**

14. CLlr Mrs Anne Purse (Local Member for Wheatley and School Governor):  
*"I think there should be solid fencing at least where close to the school boundary. I have seen some on other sites considered dangerous – possibly around the lakes at Radley- with high solid fencing.*

*You may not be aware of the very great problems that the children at Woodeaton face. They are autistic but of normal intelligence and at least as agile as any other child of their age. They are some of the most difficult*

*children in the County to find places for, and if Woodeaton is not suitable for them they have to go out of County to be educated which is a hugely expensive option. Here are just two examples. One boy is obsessed by large diggers and machinery and would go to great lengths to seek them out if he heard or saw a glimpse of one. Another boy has such acute hearing that he has to wear ear defenders in order to eat his lunch, so is likely to hear sounds from the quarry that are not heard by anyone else.*

*At a recent meeting with the applicant we were told how the current wire fence keeps being vandalised. That would most certainly not be done by the school children, but for as long as it is just wire of some sort there is a risk that children could gain access following it being vandalised.*

*Of course the children are very closely monitored but they cannot be locked in, and are naturally allowed into the school grounds, parts of which are very near the quarry. The staff do their very best to deflect them from this area, but it does contain some of their games pitches. I would suggest that you talk to the Headteacher at Woodeaton to hear first-hand about the children in her school, some of whom are residential.*

*When this application went to the Planning and Regulation Committee, no mention of the school had been made in the report and nothing asked in terms of advice etc from the Headteacher. I spoke on behalf of the school and most councillors did express concern regarding making sure that the pupils could not gain access. I do not believe that the current proposals are in line with the desires of Councillors when they asked that the fencing be made secure for the children at the school.”*

### **Part 3 – Relevant Planning Documents**

#### **Relevant planning documents and legislation (see Policy Annex to the committee papers)**

15. Planning applications should be decided in accordance with the Development Plan unless material considerations indicate otherwise.
16. The relevant development plan documents are:
  - Oxfordshire Minerals and Waste Local Plan (saved policies) (OMWLP);
  - South Oxfordshire Local Plan 2011(saved policies) (SOLP);
  - South Oxfordshire Core Strategy 2012 (SOCS).
17. Other documents to be considered in determining this application are:
  - The Draft Oxfordshire Minerals and Waste Local Plan Core Strategy (OMWCS) was submitted to the Secretary of State for independent examination in January 2016. Following an examination hearing held in September 2016, the inspector has produced an interim report dated October 2015. Therefore although the OMWCS is not yet adopted, it is at an advanced stage and the draft policies can be given due weight.

- National Planning Policy Framework (NPPF)

### **Relevant Policies**

18. The relevant policies are:
- SOLP –D6, EP2
  - SOCS – CSEN2
  - OMWLP – PE18, W7
  - OMWCS – C5, W5

## **Part 4 – Analysis and Conclusions**

### **Comments of the Director for Environment and Economy**

19. The key planning issues are impact on the Green Belt, the visual amenity, harm to the amenities and security of the site.
20. Green Belt Policy (SOCS CSEN2) requires that development should not injure the visual amenities of the Green Belt, impact on its openness or conflict with its purposes. Inappropriate development can only be permitted in the Green Belt in very special circumstances. Draft Policy W5 of the OMWCS states that waste management development which is inappropriate in the Green Belt will not be permitted unless there are very special circumstances for its location there. In this case, the development to import waste has been approved, and the Green Belt policy issue is to assess whether proposed fencing is appropriate.
21. Policy W7 of the OMWLP states among other things that proposals for landfill sites should not conflict with the purposes of the Green Belt. Paragraph 79 of the NPPF states *‘the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.’*
22. The fencing proposes a mixture of stock proof and post and wire fencing, to reflect the rural nature of the surrounding landscape. The fencing proposed will help ensure both security and safety to local amenity whilst protecting their essential characteristics of openness and permanence. The taller 2 metre fencing is well screened from the surrounding landscape and only visible from the access road to the south of the quarry/landfill. If solid fencing had been proposed, consideration would have to be given to how this could impact on the openness of the Green Belt. Therefore the development is in accordance with policy W5 of the OMWCS and policy W7 of the OMWLP.
23. Policy D6 of the SOLP states the design and layout of development will be encouraged in ways which will reduce the opportunity for crime and will promote suitable means of improving the security of premises. The proposed fencing used in conjunction with the thick hedgerow will enable the quarry to reduce the risk of crime and access to the site.

24. Policy EP2 of the SOLP and policy C5 of the OMWCS taken together seek that development will not be permitted if it would unacceptably harm the amenities of neighbouring properties and wider environment. OMWLP policy PE18 states that in determining applications the County Council will have regard for the appropriate provisions in the Code of Practice. This sets out details of measures to protect amenity including buffer zones, landscaping, standard hours, noise, dust and odour.
25. The School is approximately 150m to the south of the quarry. The reason attached to condition 22 states 'to ensure that the site is safely secured in a manner which does not harm the visual amenities of the area'. Much of the quarry is surrounded by substantial trees and hedgerows, which prevents access to much of the site. The proposed perimeter fencing will be between 1.2 – 2 metres in height using a mixture of stock proof netting and barbed wire. The fencing will be rural in nature to blend into the landscape. The combination of natural screening and agricultural fencing, reinforced in key spots will help prevent access to the site without impacting the surrounding landscape. Whilst the concern raised with regard to unauthorised access by pupils of the school is of course understood, the responsibility for the safety of the children does of course lie in the first instance with the school, not with its neighbours. In discussion with officers, the proposed fencing has nonetheless been strengthened to improve its deterrent value to unauthorised access. I consider that the proposed fencing does meet the reason given for the condition and do not consider that it would be reasonable to require that a more solid fence be provided. I would also advise that the quarry will be the subject of an Environmental Permit issued by the Environment Agency and this will in any instance require that the site be secured to prevent unauthorised access to the operational area. Therefore the development is considered to be in accordance with policy PE18 of the OMWLP, policy C5 of the OMWCS and policy EP2 of the SOLP.

### **Conclusions**

26. The proposed perimeter fencing details would be appropriate to the rural nature of the surrounding landscape, and in accordance with Green Belt policy. The fencing gives sufficient protection to prevent school pupils accessing the site. Subject to no over-riding issue being raised by outstanding consultees, this application should be approved.

### **Recommendations**

- 27 It is RECOMMENDED that subject to no over-riding issue being raised by outstanding consultees, Application MW.0105/16 be approved.**

BEV HINDLE  
Acting Director for Environment and Economy  
November 2016