

<b>Application</b> 09/01105/CM	<b>No:</b>	<b>Ward: The Astons and</b> <b>The Heyfords</b>	<b>Date</b> 14/08/2009	<b>Valid:</b>
<b>Applicant:</b>	Smith and Sons (Bletchingdon) Ltd			
<b>Site Address:</b>	Horsehay Quarry, Middle Barton Road, Duns Tew			

**Proposal:** Retrospective application for building supplies compound and importation of aggregates for sale from site

## 1. Site Description and Proposal

- 1.1 Horsehay Quarry is situated to the south of Duns Tew, with sites on either side of the road running between Duns Tew and Middle Barton. This application relates to the East Quarry. There are some residential properties near to the site. The southern part of the site is a SSSI and it is located within 2km of the Middle Barton Fen and there are records of protected species at the site.
- 1.2 There has been a long history of quarrying at the site with records going back to the 1950's. This application relates to the East Quarry, which has permission for the development of sand extraction, restoration to agriculture and nature conservation, storage and sand importation for blending and sale, however does not allow for the activities being carried out which are the subject of this application.
- 1.3 This application seeks permission to regularize activities that are currently being carried out at Horsehay Quarry those being a building used as a supplies compound and the importation of aggregates for sale from the site.
- 1.4 This application is alongside application 09/01106/CM, which is also being considered by the Committee and found elsewhere on the agenda.

## 2. Application Publicity

- 2.1 As this matter is a County Matter, all publicity has been undertaken by Oxfordshire County Council.

## 3. Consultations

- 3.1 As this matter is a County Matter, all formal consultations have been undertaken by Oxfordshire County Council.

Cherwell District Council (Ecology) have been consulted, however no response has been received at the time this report has been drafted.

The Council's Anti Social Behaviour Manager has commented that the quarry has a good routing agreement which is adhered to

## **4. Relevant Planning Policies**

- 4.1 PPG4: Industrial, commercial development and small firms  
PPS7: Sustainable development in rural areas  
PPG13: Transport
- 4.2 The South East Plan: policy M3, SP3
- 4.3 Saved Structure Plan: policy M2
- 4.4 Adopted Cherwell Local Plan: policies C7, C13 and EMP4
- 4.5 Non Statutory Cherwell Local Plan: policies EN34, TR16 and EMP4

## **5. Appraisal**

- 5.1 The application seeks to regularize activities that are currently being carried out at the Quarry. The supporting statement for the application suggests that the operations are small scale and ancillary to the main sand operations. However the site plan indicates that an area of just over 1ha is involved with the activity, which is not considered to be small scale. Although aggregates worked at the quarry are stored the use also involves the importation and sale of other aggregates unrelated to the quarry use. In the view of the Head of Development Control and Major Developments the works appear to be fundamentally different to the quarrying activities carried out and result in the presence of a commercial storage/ depot use in the open countryside.

- 5.2 Policy EMP4 of the adopted Cherwell Local Plan states that in rural areas, proposals for employment generating development of the following types will be permitted:

- Within an existing acceptable employment site
- Conversion of an existing building or group of buildings
- Within or adjoining settlements for a minor extension to an existing acceptable employment site

The application site is not considered an acceptable employment site as envisioned by policy EMP4, which is intended to apply mainly to rural buildings where employment is taking place, and given the temporary nature of the quarrying taking place. The proposal does not involve the conversion of an existing building and the site is not adjoining a settlement and it is not a minor extension. For this reason, the proposal does not comply with Local Planning Policy.

- 5.3 The Head of Development Control and Major Developments has considered the points made within the supporting statement regarding traffic and heavy goods vehicles, and their claim that the activities are already being undertaken without giving rise to harm. However it is considered that the principle of the activities is contrary to planning policy and has the potential to lead to additional development and vehicle movements in an isolated rural location without sufficient justification for the need to be located in such a position.

## **6. Recommendation**

That Cherwell District Council object to the proposal on the following grounds:

The use of the site for a building supplies compound and importation of aggregates for sale from the site, is not considered to be reasonably necessary for the activities carried out by the Quarry and results in a new employment generating site in an unsustainable location, contrary to PPG4: Industrial, commercial development and small firms, PPS7: Sustainable development in rural areas, PPG13: Transport, policies M3 and SP3 of The South East Plan, policies C7, C13 and EMP4 of the Adopted Cherwell Local Plan and policies EN34, TR16 and EMP4 of the non-statutory Cherwell Local Plan.

**CONTACT OFFICER: Caroline Ford**

**TELEPHONE NO: 01295 221823**