



WEST OXFORDSHIRE  
DISTRICT COUNCIL

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Name and date of Committee	<b>Lowlands Area Planning Sub-Committee</b> <b>Monday 14 December 2020</b>
Report Number	<b>Agenda Item No. 6</b>
Subject	<b>Update as regards enforcement issues at The Paddocks, Bampton</b>
Wards affected	Bampton
Accountable member	Councillor Jeff Haine, Cabinet Member for Planning Email: <a href="mailto:jeff.haine@westoxon.gov.uk">jeff.haine@westoxon.gov.uk</a>
Accountable officer	Kim Smith Principal Planning Officer (Enforcement) <a href="tel:01993861676">Tel:01993861676</a> ; Email: <a href="mailto:kim.smith@publicagroup.uk">kim.smith@publicagroup.uk</a>
Summary/Purpose	To update members as to progress regarding the unauthorised developments at The Paddocks, Bampton
Annexes	None
Recommendation	That the report be noted.
Corporate priorities	Supporting and building prosperous and inclusive local communities
Key Decision	No
Exempt	No
Consultees/ Consultation	None

## **I. BACKGROUND**

- 1.1. Following the six monthly progress on enforcement cases update report to Members on September 14 this year, Members requested a more detailed report in respect of the breaches of planning control at The Paddocks, Weald Street, Bampton.
- 1.2. Section C of the progress report outlined in brief the breaches and actions taken over the last couple of years to seek to address the issues on the land which do not only include planning matters but also involve other Services within the Council including Housing, Benefits, ERS (site licensing) and external agencies including the police, the fire and rescue service and utility companies.

## **2. MAIN POINTS**

- 2.1. Members will be aware that the site originally gained consent for a limited number of Gypsy caravans but that in recent years a significantly higher number of units have been placed on the land and that a number of them are occupied by non Gypsy residents. As such this is a breach of control that the Planning service has been seeking to remedy by a combination of seeking retrospective applications where it is possible that the development may be regularised and in parallel by taking the actions necessary to be able to instigate more formal enforcement action. However the effectiveness of this latter course of action is curtailed by a number of limiting factors. These include restrictions imposed by Covid practices and procedures, the human rights of the occupiers of the site in terms of any connections with local schools/ local health provision, the provision/availability of alternative housing accommodation should any action result in occupiers of the site being made homeless, staff home working, availability of court time, cost/staff resources etc. These matters have considerably slowed/limited the potential for effective action under planning legislation.
- 2.2. There are however other obvious concerns in respect of the present level of occupation including the close proximity of the caravans on a number of the plots in terms of quality of living environment and safety/welfare of the occupiers including children.
- 2.3. In light of the complexity of the issues in dealing with the unauthorised occupation of the site under planning legislation a multi -agency meeting took place virtually on 23 October 2020. As a result of that meeting it was agreed that the lead in respect of the next actions would be taken jointly by other agencies at this time. It was anticipated that this action would have been completed some 6 weeks post the 23 October. However, the subsequent 4 week lock down imposed by the Government on 05/11/2020 has delayed this action which it is now hoped will take place early in the new year.
- 2.4. Whilst action on the planning breaches on the site has been protracted over time your Officers continue working with a number of the plot owners with a view to securing planning permission for a lesser number of caravans .In fact, as Members are aware, plots 1 and 2 have secured planning permission subject to a legal agreement for a maximum of 6 caravans on the land. The agent who secured that permission for the plot owners has advised that he anticipates preparing a further similar planning application for the plot adjoining plots 1 and 2.
- 2.5. Dependent upon the outcome of the actions to be undertaken by the other agencies it may be that matters are considerably improved on site without the need for planning enforcement action. However we are continuing to progress that route as a back stop – albeit that as set out above this may be a long and protracted process.

### **3. FINANCIAL IMPLICATIONS**

- 3.1. Members set aside a sum of money to pay for specialist legal advice to assist in progressing the case. This advice has formed the basis for the actions undertaken thus far. There is no need for further funding at this point

### **4. LEGAL IMPLICATIONS**

- 4.1. None currently identified

### **5. RISK ASSESSMENT**

- 5.1. Given the close proximity of the caravans there are a number of potential risks in terms of spread of fire, spread of Covid, safety and welfare of children in potentially dangerous living conditions etc. However these are unlikely to be resolved expeditiously under Planning legislation - which is why other agencies have now agreed to take the lead in progressing some of the breaches on site.

### **6. EQUALITIES IMPACT**

- 6.1. No direct impact although Gypsies enjoy separate status under Planning legislation and making persons homeless is a direct impact on their Human Rights. However no such action arises directly from this report which is to note only.

### **7. ALTERNATIVE OPTIONS**

- 7.1. The report is just to note and does not recommend any actions.

### **8. BACKGROUND PAPERS**

- 8.1. None.