

**WEST OXFORDSHIRE DISTRICT COUNCIL**  
**UPLANDS AREA PLANNING SUB-COMMITTEE**  
**MONDAY 4 SEPTEMBER 2017**

**MANOR FARM, GREAT ROLLRIGHT**

**REPORT OF THE HEAD OF PLANNING AND STRATEGIC HOUSING**

**(Contact: Kim Smith, Tel: (01993) 861676)**

(The decisions on this matter will be resolutions)

**1. PURPOSE**

To enable Members to consider whether it is expedient to authorise enforcement action to secure removal of earth bunds and closure of a newly created access onto the Hook Norton Road.

**2. RECOMMENDATIONS**

Members resolve to take no further action in respect of the breaches of planning control.

**3. BACKGROUND**

- 3.1. Officers received a complaint regarding alleged engineering operations in the (northern fields) at Manor Farm, Great Rollright and the creation of an access from the fields on to the Hook Norton Road. Following investigation into the complaint it came to light that the engineering operations were to create low level bunding on the land to encourage ecological diversity. The land owner advised your Officers that the access onto the Hook Norton Road was to provide an access onto the land for larger vehicles as an alternative to using the access through Lonsdale Court which serves a number of residential properties in the village.
- 3.2. The landowner was advised that both the bunds and the access required planning permission and in an attempt to regularise the breaches she submitted retrospective applications. However, the applications were not validated and registered because the information that was provided was inadequate. The applications were therefore returned to the applicant. No further applications have been received despite a further written request by Officers.
- 3.3. In light of the above and that the matter remains outstanding consideration needs to be given to the expediency of taking enforcement action in respect of the breaches. When considering the expediency test it has to be borne in mind that planning enforcement action is discretionary and that the NPPF advises that local planning authorities should act proportionately in responding to breaches of planning control.
- 3.4. The key issues for consideration in this case are the impact of the unauthorised development on the landscape and scenic beauty of the Cotswolds Area of Outstanding Natural Beauty and highway safety.
- 3.5. The NPPF states that great weight should be given to conserving the landscape and scenic beauty of the AONB. The bunds that have been created on the land are limited in their extent in terms of height and following a recent site visit are not highly visible from the local road network. Further, since their original construction

the bunds have largely seeded over such that they do not appear as visually incongruous features in the landscape. Bearing this in mind your Officers do not consider that a proportionate response to this breach would be to take formal enforcement action to remove the bunding from the land as the landscape and scenic beauty of this part of the Cotswolds Area of Natural Beauty has not been demonstrably harmed.

3.6. The gated vehicular access that has been created onto the Hook Norton Road provides adequate vision splays to ensure that it is safe in highway safety terms. The materials used to construct the access and the gated enclosure are typical of agricultural accesses throughout the District. In light of this assessment your Officers do not consider that it is expedient to take formal enforcement action to remedy the breach of planning control of the access.

3.7. As stated earlier in this report given that planning enforcement action is discretionary and that the NPPF advises that local planning authorities should act proportionately in responding to breaches of planning control Officers are recommending that Members resolve to take no further action in respect of the breaches of planning control noted above.

#### **4. ALTERNATIVES/OPTIONS**

Members may consider that harm to interests of acknowledged importance as outlined in your officer's report, are such that it is considered expedient to take formal enforcement action to seek to remedy the breaches.

#### **5. FINANCIAL IMPLICATIONS**

None at this stage.

#### **6. RISKS**

None at this stage.

#### **7. REASONS**

See Section 3 above.

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Date: 15 August 2017

Background Papers:

None