



WEST OXFORDSHIRE
DISTRICT COUNCIL

WEST OXFORDSHIRE DISTRICT COUNCIL

Name and date of Committee	Uplands Area Planning Sub-Committee: Monday 20 October 2025
Subject	Discharge of S52 Agreement in relation to planning permission W906/85 at Parlours, Widford, OX18 4DU.
Wards affected	Brize Norton and Shilton
Accountable Member	Councillor Hugo Ashton, Executive Member for Planning.
Accountable Officer	Rebekah Orriss, Senior Planner (Development Management) Email: rebekah.orriss@westoxon.gov.uk
Summary/Purpose	To notify Members of your officers resolution to discharge the legal agreement.
Annex	N/A
Recommendation	That this decision be noted by Members.
Corporate priorities	N/A
Key Decision	N/A
Exempt	No
Consultees / Consultation	No

I. BACKGROUND

- 1.1. This is an application to discharge a historic section 52 legal agreement at a site known as 'Parlours' in Widford.
- 1.2. A section 52 legal agreement is the predecessor of s106 legal agreements and have similar uses.
- 1.3. This item is on the agenda to notify Members that Officers intend to discharge this agreement, and because the removal of the legal obligation to retain the building as ancillary accommodation resulting in a new dwelling in Widford, would depart from the original imposition of the obligation.

2. MAIN POINTS

- 2.1. In 1985 planning permission was granted for “alterations to redundant single storey barn to form ancillary living accommodation to Widford Mill Farm”.
- 2.2. The permission was granted with two separate forms of restriction: (1) a condition restricting the use of the dwelling to agricultural workers; and (2) a legal agreement restricting the use of the accommodation as ancillary accommodation.
- 2.3. In 2025 the applicant submitted two applications for two separate certificates of lawfulness for existing use as follows:

25/00449/CLE - The erection of an extension and entrance porch, removal of a garage door, installation of two windows, removal of a window and installation of patio doors, erection of a detached garage and change of use of land to residential garden.

25/00450/CLE - Certificate of Lawfulness (non-compliance with the ancillary accommodation limitation of planning permission W906/85 and non-compliance with condition 3 of that permission)
- 2.4. After a careful assessment of the evidence officers granted these certificates. The evidence showed that the building known as Parlours had not been occupied as ancillary accommodation, but instead as a separate dwelling and for the requisite period such that it was now beyond the time limit for enforcement action. The evidence also showed that the dwelling had been occupied by a non-agricultural worker for the requisite period to make this breach of condition beyond time limit for enforcement.
- 2.5. However, as a separate and different legal restriction the section 52 agreement remains attached to the land. Thus, the applicant is now applying to discharge this agreement.
- 2.6. As the use is now immune from enforcement action, the section 52 legal agreement is now obsolete and officers are minded to discharge the obligation.

3. FINANCIAL IMPLICATIONS

3.1. There are no financial implications resulting from this report.

4. ALTERNATIVE OPTIONS

4.1. None at this stage.

5. BACKGROUND PAPERS

5.1. The documents submitted in relation to planning applications 25/00449/CLE & 25/00450/CLE which are available to view on the Council's website.

