



WEST OXFORDSHIRE
DISTRICT COUNCIL

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Name and date of Committee	Uplands Area Planning Sub-Committee: Monday 17 October 2022
Report Number	Agenda Item No. 6
Subject	Progress on Enforcement Cases
Wards affected	As specified in Annex A
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Summary/Purpose	To inform the Sub-Committee of the current situation and progress in respect of enforcement investigations
Annex	Annex A – Schedule of cases (Sections A to C)
Recommendation	That the progress and nature of the outstanding enforcement investigations detailed in Sections A – C of Annex A be noted.
Corporate priorities	N/A
Key Decision	N/A
Exempt	No

I. BACKGROUND AND MAIN POINTS

- 1.1. [Section A](#) of Annex A contains cases where the requirements of a formal notice have not been met within the compliance period ([page 3](#)).
- 1.2. [Section B](#) contains cases where formal action has been taken but the compliance period has yet to expire ([page 5](#)).
- 1.3. [Section C](#) contains cases which are high priority but where the expediency of enforcement action has yet to be considered ([page 6](#)).
- 1.4. The Sub-Committee should be aware that the cases included in this update constitute only a small number of the overall enforcement caseload across the District, which at the time of writing consists of 280 live cases. The high priority cases for both Uplands and Lowlands constitute approximately 12% of the total caseload.

2. FINANCIAL IMPLICATIONS

- 2.1. There are no financial implications resulting from this report.

3. ALTERNATIVE OPTIONS

- 3.1. Not applicable, as the report is for information.

4. BACKGROUND PAPERS

- 4.1. None

SECTION A – PROGRESS ON CASES WHERE THE REQUIREMENTS OF A FORMAL NOTICE HAVE NOT BEEN MET WITHIN THE COMPLIANCE PERIOD

The cases listed in the following section are those where a notice has been served and the requirements have not been met within the compliance period or there has been an unauthorised display of advertisements. This means that an offence is likely to have been committed and that the Council need to consider the next steps to secure compliance. In some cases this will entail the initiation of legal proceedings to bring about a prosecution.

Site Address and Case No.	Unauthorised Development	Notes	Update/Action to be taken
Unicorn Public House, Great Rollright	Listed Building allowed to fall into a state of disrepair	<p>The pub has been closed for many years and the subject of on-going complaint regarding its appearance/state of repair.</p> <p>Report to Cabinet in November 2018 recommended that if the building is to be secured it will be necessary to enact the resolution to compulsorily purchase it and make budgetary provision for such action. A full report was put to Council on 23 January 2019 and agreed.</p> <p>Since then:</p> <p>Building Control has continued inspections to review safety of the structure.</p> <p>Estates commenced discussions with the owner to ascertain whether a negotiated purchase can be secured without the need for formal CPO action.</p>	This matter is now with Property Services. A scheme of enabling development is being promoted which would secure sufficient funding to enable the restoration and re-opening of the pub. In the interim the condition of the building is being monitored by Building Control with overview by the Council's conservation officers.

SECTION B – PROGRESS ON ENFORCEMENT INVESTIGATIONS WHERE FORMAL ACTION HAS BEEN TAKEN.

The cases listed in Section B are ones where a notice has been served but the compliance date has not yet passed or where an appeal has been made.

Site Address and Case No.	Unauthorised Development	Notes	Update/Action to be taken
Netherby Farm, Swerford	Unauthorised residential occupation of caravan	Members resolved to refuse planning permission for temporary residential use.	The Council served an enforcement notice in May. This is currently the subject of an appeal.
Land to the East of the Slade Charlbury	Change of use of part of site to storage of building materials and machinery	An application for a certificate of lawfulness was submitted last year and refused.	The Council served an enforcement notice in July. This is the subject of an appeal which will be determined by way of an inquiry.

SECTION C – PROGRESS ON OTHER ENFORCEMENT INVESTIGATIONS IDENTIFIED AS BEING HIGH PRIORITY

Site Address and Case No.	Unauthorised Development	Notes	Update/Action to be taken
The Beeches, Old London Road, Chipping Norton	Car park extension. Additional caravans located on the periphery of the site. Extension of the site to the south of the site access.	Officers have noted that a number of plots on the periphery of the site have additional caravans on them. Further that there is a car park extension to the south east of the site. Whilst Officers do not consider the car park extension to be harmful, the peripheral expansion of the site does result in the site appearing more visually prominent within the AONB.	A recent multi-agency visit to the site took place in which it was possible to determine the extent and nature of activity on site. At present Officers consider there are no planning breaches warranting action. There are, however, other, non-planning issues on the site that are being investigated by other services within the Council and other agencies.
26 High Street, Ascott under Wychwood	Unauthorised change of use of land from agricultural to garden.	Planning application 16/03240/FUL was submitted in an attempt to regularise the breach. It was refused on the grounds that the extension of the garden curtilage adversely intrudes into and urbanises the open countryside thus failing to conserve and enhance the Cotswolds AONB.	There has been periodic monitoring of the site and it is considered that whilst there may have been a material change of use, in the circumstances (noting that the adjoining property appears to have extended its garden) the extension does not result in 'material' harm to the rural character and appearance of the area. Case to be closed.
Burford House 99 High Street	Alterations to listed building	Unauthorised works have been undertaken to a Grade II listed building	Applications for part retrospective works were approved under 19/01293/FUL and 19/01294/LBC but were not implemented and have now lapsed. Officers are in contact with the new owner/operator of the hotel and the next step is to consider the expediency of enforcement action.
20 Taynton	Listed building at risk	Dwelling and barn both Grade II listed	A thatcher has been repairing the roof on a like-for-like basis. Our conservation officer is monitoring the works.
Track at Tracey Lane Great Tew	Unauthorised track created	Planning permission refused retrospectively	Amended application seeking to address archaeological and landscape issues was approved under reference 18/02236/FUL. However, the track is in use by vehicles and

Site Address and Case No.	Unauthorised Development	Notes	Update/Action to be taken
			the required top dressing has not been applied in full. Officers are now considering serving a Breach of Condition Notice.
Enstone Airfield	Use of compound as a lorry park and for the siting of residential caravans Scaffolding Business, porta loo hire business and storage of containers	Members will note that historically there have been a number of alleged breaches in respect of various interests. Many of these have now been regularised.	There remains unauthorised storage of waste material in respect of which an application was submitted to OCC for a temporary use of the land for the storage and sorting of waste. This is a matter for OCC and the Environment Agency. There are no current breaches that are considered to justify action at this stage. Monitoring of the number of flights has been undertaken and this falls well within the amount of flying activity that is allowed from the site
14 Park Street Woodstock	Internal and external operations being carried out without consent.	Listed building being converted to residential user. Former Barclays bank.	Applications requested and finally received 10 June. The windows were removed and replaced without permission and Officers are considering whether it would be appropriate to take further action in this case.
Wychwood Grange, Fordwells	Alleged unauthorised material change of use from two dwellings to a single 'party house'	The site formerly consisted of two dwellings which are now occupied as a single unit accommodating up to 30 people	This remains an open case since a pattern of use needs to be established in order to determine if there has been a material change of use. At the time of writing there is insufficient information to determine whether this is the case, but monitoring is continuing.

Site Address and Case No.	Unauthorised Development	Notes	Update/Action to be taken
Land adjoining The Old Quarry, Ledwell Road Great Tew Oxon	Alleged change of use of land to motocross. Construction of motocross track	This is a recent complaint for which no planning permission has been granted. The site is located within the open countryside abutting a right of way and in close proximity to a residential use.	Track removed from the land. Case closed.
Annexe at Bondeni, Station Road, Kingham	Use of annex as a separate dwelling/sub division of plot		A recent site visit confirmed that the annex is not being occupied separately and that there is no breach. Case closed.
Barwood Homes, Tackley	Elevated footpath	Officers negotiated an amended landscape scheme in order to ameliorate the impact of the footpath	A revised landscaping scheme has been agreed and part- Unfortunately this failed during the hot weather and so replanting will be required in the coming planting season.
Diddly Squat Farm, Chipping Norton Road, Chadlington	Various alleged breaches of conditions attached to planning permissions.		In August the Council served an enforcement notice in respect of the change of use of the site (including the use of a converted barn to the south of the lambing shed). At the time of writing Officers are not aware of an appeal having been made.
West End Farm, Chipping Norton	Unauthorised hard standing		There remains unauthorised hardstanding which was originally built without permission as the base for a new barn. This is considered to cause landscape harm and to impact adversely on the setting of Bliss Mill. Officers are in contact with the landowner in an attempt to secure the removal of the development.