



WEST OXFORDSHIRE
DISTRICT COUNCIL

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Name and date of Committee	Uplands Area Planning Sub-Committee: Monday 26 June 2023
Report Number	Agenda Item No. 6
Subject	Progress on priority enforcement cases preceded by short presentation on the work of the Enforcement Team.
Wards affected	As specified in Annex A
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Summary/Purpose	To brief the Sub-Committee on the work of the enforcement team and to provide an update on progress in respect of priority 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

- I.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](#)).
- I.2. [Section B](#) contains cases where formal action has been taken but the compliance period has yet to expire ([page 5](#)).
- I.3. [Section C](#) contains cases which are high priority but where the expediency of enforcement action has yet to be considered ([page 6](#)).
- I.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 260 live cases. The high priority cases for both Uplands and Lowlands constitute approximately 14% 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>This matter is no longer with the Enforcement Team, it is with Property Services.</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>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.</p>	<p>There are legal issues around ownership which are stalling progress. It is understood a briefing to Informal Executive will be scheduled as soon as legal advice has been obtained.</p> <p>In the meantime, the Council's consultant structural engineer inspected in February following the installation of further scaffold bracing. We are awaiting his formal written report.</p>

Site Address and Case No.	Unauthorised Development	Notes	Update/Action to be taken
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 last year that was the subject of appeal. The appeal was later withdrawn. Since then the site has been almost entirely cleared in accordance with the requirements of the notice. Officers are due to meet with the owner to discuss the removal of a few remaining materials on one part of the site, before the case can be closed.

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 2022 which is the subject of an appeal. The inspector is carrying out a site visit on 26 June. We will then await the decision.
Diddly Squat Farm, Chipping Norton Road, Chadlington	Unlawful material change of use causing harm to the AONB	Enforcement notice issued in August 2022 was appealed and a two-day hearing held in March this year	At the time of writing, the appeal decision is awaited.
Brothertons Brasserie 1 High Street, Woodstock	Unauthorised awning	An enforcement notice was served last year following refusal of a retrospective application. This was appealed.	At the time of writing, the appeal decision is awaited.

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.	Officers have recently been dealing with a new caravan that has been placed on the boundary which is highly visible from the road. This is additional to other, ongoing non-planning issues on the site that are being investigated by other services within the Council and other agencies.
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. In addition, other internal works have been carried out earlier this year without consent. Following several visits, the more recent with our conservation officer, further applications have been invited, failing which the contravener has been informed the case will be transferred to the Council's Counter-fraud and enforcement team for further action.
20 Taynton	Listed building at risk	Dwelling and barn both Grade II listed	Our conservation officer is happy with the re-thatching of the roof which has been carried out on a "like-for-like" basis. The house remains vacant and its condition continues to be monitored.
121 High Street Burford	Listed building in poor state of repair		Officers have been unable to contact the owner and the property is vacant. Next steps would require forcing entry to the property to carry out a survey. This is one of a number of listed buildings in the District for which a list is being drawn up with a view to development of a strategy to enable a consistent approach to be taken in respect of these buildings, given the available resources.
Track at Tracey Lane Great Tew	Unauthorised track created	Planning permission refused retrospectively.	The track is in use by vehicles and the required top dressing has not been applied in full. The next step is to decide whether to serve a Breach of Condition Notice.

Site Address and Case No.	Unauthorised Development	Notes	Update/Action to be taken
		Amended application seeking to address archaeological and landscape issues was approved under reference 18/02236/FUL.	
Enstone Airfield	Use of compound as a lorry park and for the siting of residential caravans Scaffolding Business, portable 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. Periodic monitoring will continue to be carried out.
14 Park Street Woodstock	Internal and external operations being carried out without consent.	Listed building being converted to residential user. Former Barclays bank.	Officers are monitoring replacement of the previous windows that were removed and discarded without consent having been granted. An application for consent for single-glazed windows has been approved but not to date implemented.
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	There is no evidence at present available to demonstrate a material change of use. A retrospective application has been invited to allow use of the garage as accommodation ancillary to the dwelling.
Barwood Homes, Tackley	Elevated footpath	Officers negotiated an amended landscape scheme in order to	Officers are due to inspect the site to check the landscaping scheme has been properly implemented. The previous planting having failed last year due to the hot weather.

Site Address and Case No.	Unauthorised Development	Notes	Update/Action to be taken
		ameliorate the impact of the footpath	
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. Negotiation with the landowner has failed and Officers are now in the process of serving a Planning Contravention Notice as a precursor to further formal enforcement action.
Land adj Burleigh Lodge Cassington Road Bladon	Laying of hardstanding for use as car park. Use of woodland for commercial forest school.	Part of the affected land is designated as "ancient woodland". (Bladon Heath and Burleigh Wood).	Retrospective applications 22/03502/FUL and 22/03501/FUL were recently refused and are currently the subject of appeal. The expediency of enforcement action should the appeals be dismissed is now being considered.