



WEST OXFORDSHIRE  
DISTRICT COUNCIL

## WEST OXFORDSHIRE DISTRICT COUNCIL

Name and date of Committee	<b>Lowlands Area Planning Sub-Committee:</b> <b>Monday 10 February 2025</b>
Subject	<b>Progress on Priority Enforcement Cases</b>
Wards affected	As specified in <a href="#">Annex A</a>
Accountable officer	Abby Fettes, Development Manager Email: <a href="mailto:Abby.Fettes@publicagroup.uk">Abby.Fettes@publicagroup.uk</a>
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Summary/Purpose	To provide an update on progress in respect of priority enforcement investigations.
Annex	<a href="#">Annex A</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 <a href="#">Annex A</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 7](#)).
- 1.3. [Section C](#) contains cases which are high priority but where the expediency of enforcement action has yet to be considered ([page 8](#)).
- 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 251 live cases. The high priority cases for both Uplands and Lowlands constitute approximately 13% 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	Unauthorised Development	Notes	Update/Action to be taken
Park Farm, Standlake Road, Northmoor	Development of 15 dwellings (15/04506/S73). Open space has been fenced off by developer and has not been landscaped as part of the approved scheme.	Landscaping on two parts of the site were not carried out in accordance with approvals and breach of condition notices were served last year.	<b>The southern site has very recently been landscaped and Officers are in the process of checking compliance against the approved plans. Works on the northern site were temporarily suspended early this year at Thames Water's direction to enable it to carry out its own urgent repairs and an extension of time has been given to allow for this.</b>
27 Cherry Tree Way, Witney	Unauthorised storage of materials relating to the occupier's business.	There has been a history of unauthorised, commercial storage and two ENs have been served, in 2016 and 2020. The 2020 EN was not complied with and so an injunction was sought and granted.	<b>Officers continue to monitor the nature/levels of storage but this is now much reduced. It is proposed to keep the case open but to remove it from the priority list.</b>
Entrance to New Yatt Business Centre	Unauthorised change of use of land from agriculture to builders yard/storage	EN not complied with.	<b>Officers had agreed an extension to spring 2024 for removal of the stored items. This matter has now been re-referred to the counter-fraud team and an update will be given when the outcome is known.</b>

Site Address	Unauthorised Development	Notes	Update/Action to be taken
Reynolds Farm, Cassington (also known as Dove House)	<p>Unauthorised works and change of use of outbuildings to residential use without the requisite consents.</p> <p>Reynolds Farmhouse is a Grade II listed building</p>	<p>An Enforcement Notice was served in respect of unauthorised works to the barn located to the west of the main farmhouse. An enforcement appeal was dismissed and the EN upheld with corrections requiring the removal of two front porch extensions and lowering the eaves and ridge height of the building by 6<sup>th</sup> July 2020.</p> <p>On 21 February 2023 at Oxford Magistrates Court the owners were found guilty of breaching the enforcement notice and fined £16,000 plus costs.</p>	<p><b>Officers have re-referred the case to the counter-fraud team. This matter may now become subject once again to criminal proceedings and an update will be given when the outcome is known.</b></p>
Weald Manor Farm, Bampton	<p>Works not in accordance with the approved plans (15/02150/FUL) for the range of buildings to the rear of the site.</p> <p>Unauthorised outbuilding and extension of curtilage.</p> <p>Unauthorised conversion and</p>	<p>The Council served three enforcement notices in respect of these breaches in May 2022 and these were not appealed. The required action was not carried out and Officers held a meeting with the owners and their representatives.</p>	<p><b>This is a case with a complex history. Officers have been in discussions with the owners and their representatives and are considering all available options for remedying the breaches.</b></p>

Site Address	Unauthorised Development	Notes	Update/Action to be taken
	change of use of barn to a dwelling.		
Land at Mount Pleasant Farm, Northmoor	Unauthorised storage use. Unauthorised residential caravan  Construction of a motocross track and use of the land for motocross.	Enforcement Notices in respect of these breaches were appealed and a public inquiry held, following which PINS dismissed the appeals.	<b>Compliance has been achieved in respect of the residential and motocross track uses. Officers continue to monitor clearance of the site. It is proposed to keep the case open but to remove it from the priority list.</b>
Land at Thorney Leys	Non - compliance with the approved landscaping scheme under 16/02718/CND (15/00647/FUL)	A breach of condition notice was served in July 2022 giving a compliance period of 150 days in which to carry out the approved landscaping scheme. The works were not carried out in full, the acoustic bund has not been constructed and the landscaping has not been maintained. Officers obtained a noise report from ERS.	<b>A new application has been submitted for a revised landscaping scheme which incorporates changes to the acoustic bund. This is currently under consideration and further enforcement action has been suspended in the meantime.</b>

Site Address	Unauthorised Development	Notes	Update/Action to be taken
Land South of Main Road, Curbridge	Unauthorised change of use of land from agriculture to storage of builders/waste materials.  Unauthorised hard standings.	An appeal inquiry took place in March this year following service of two enforcement notices in 2022.  Appeals against enforcement notices were withdrawn during the course of the inquiry.  The hardstanding and some of the stored items were removed by the compliance date.	<b>The appearance of the site is greatly improved however there remains a large pile of rubble which is now overgrown. The case has now been referred to the counter-fraud team.</b>
Lavender Cottage, Minster Lovell	Non-compliance with conditions attached to 17/03978/HHD-creation of hardstanding for car parking.  Siting of wooden outbuilding within car parking area.	An unauthorised gabion cage wall was constructed in association with permitted off-street parking.  The Council served an enforcement notice in May 2023. An appeal was submitted out-of-time.  Following substantial negotiation and successive incomplete applications, permission was granted requiring the gabion cage to be faced and capped with limestone.	<b>The development has been completed and the harm satisfactorily remedied. The case will now be closed.</b>
Goat Acre, Weald Bampton	Erection of palisade fence	An enforcement notice was served in July 2023 and was not appealed and the contravener failed to remove the fence within the compliance period.  Permission was granted in July 2024 for alternative fencing.	<b>The palisade fence has been removed and replaced with the fencing approved under 24/01082/FUL. Case closed.</b>

## 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 it has passed and the notice has been complied with).

Site Address and Case No.	Unauthorised Development	Notes	Update/Action to be taken
DC Automotive Home Farm Mount Skippett Ramsden	Unauthorised material change of use - sale of second hand cars and vehicle servicing.	The Council served an enforcement notice in November 2022. Following an appeal hearing last year, the enforcement notice was upheld with corrections. The mixed sales and repairs use was to be discontinued by November 2024.	<b>In light of the evidence heard at the inquiry, which established that there was a lawful mixed use incorporating car servicing/repairs and car hire, Officers invited an application for the continued use of the site for car repairs only. This is currently under consideration. The appeal inspector agreed that the car sales use at the site is unlawful and this has now ceased.</b>
Clearwater Buckland Road Bampton	Unauthorised siting of a mobile unit for residential use.	The Council served an enforcement notice in November last year.	<b>The enforcement notice has been appealed and the start date for the appeal is awaited.</b>

## 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 Paddocks, The Weald, Bampton	Breaches of conditions attached to planning permissions for the individual plots on the gypsy site.  Change of use of a number of plots on the land to unauthorised caravan sites and extension to the caravan site.	There remain breaches of planning control within the established site area of The Paddocks.  A cross-Council project was created last year which prepared a report to the Executive exploring the various issues at the Paddocks.	<b>The case remains open but no action is being taken by the enforcement team at present.</b>
Land to the north of Mead View, Cassington Road, Eynsham	Unauthorised use of the land for the storage of builders materials, the siting of metal containers and parking of vehicles in association with a stone masonry business	This site is located within the Green Belt and the flood plain, however the use has been ongoing for some time.	<b>On further investigation, Officers consider that use of at least part of the site is likely be lawful and it is therefore proposed to remove this case from the priority list.</b>
Crawley Inn, Crawley	Unauthorised residential caravans	The landowner is claiming a lawful use in respect of the siting of residential caravans on the land.	<b>In July last year, permission was granted for residential development (23/00539/FUL). This was subject to a section 106 agreement which provides that the caravans will be removed before the development is occupied. Compliance will be monitored.</b>



Site Address and Case No.	Unauthorised Development	Notes	Update/Action to be taken
Little Willow, Eynsham	Alleged unauthorised hardstanding and extension of the site onto adjoining land.  Breach of condition relating to numbers of residential units on site.	An EN was served in 2021 in respect of the hardstanding but was subsequently withdrawn for technical reasons.  In September 2021 Officers refused an application to increase the numbers of mobile units on the site. An appeal against refusal was dismissed for technical (flood risk) reasons.	<b>The planning application on the established gypsy site was discussed at Committee in October and it was agreed to delegate authority to Officers to approve if and when the Environment Agency's objections had been resolved.</b>  <b>In relation to the use of the adjacent land, an expediency report has been prepared and the next step is to serve an enforcement notice in relation to the change of use and hard standing.</b>
Land Between 57 And 61 West End Witney Oxfordshire	Untidy land.	The land was previously used to store cars for sale but these have been removed at the Council's request. There remains heras fencing and the land is overgrown.	<b>Officers are considering whether formal action is now expedient.</b>
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".  Retrospective applications 22/03502/FUL and 22/03501/FUL were refused and the appeals were dismissed.	<b>The bushcraft activity in the woods has now permanently ceased. Officers have requested removal of the hardstanding and this is expected to happen within the next two months.</b>
Croft Pool Land at Pickfords Pool Croft Lane Standlake	Alleged unauthorised construction of dwelling and associated track	A dwelling and another structure have been constructed on an island in a lake, with an associated access track. An added complication is that the site is a designated scheduled ancient monument.	<b>Officers have requested further information from the alleged contravener and once this has been received, will consider expediency of enforcement action.</b>
West End House 26a West End Witney	Listed building in extreme neglect	Officers have tried over a number of years to engage with the owner but without success. Officers entered the property using their statutory powers last year and	<b>An informal report was presented to Executive in January. An external surveyor has been instructed and Officers are seeking a</b>

Site Address and Case No.	Unauthorised Development	Notes	Update/Action to be taken
		consider intervention is required to prevent further damage to the fabric of the building.	<b>magistrates' warrant. Entry is expected to be effected in February.</b>
5 Thorpes Field Alvescot	Alleged breach of condition and material change of use	This is an extension of a garden into paddock land and related breaches of planning control.	<b>Officers are making a last attempt at resolving the case before seeking authority to take formal action.</b>
28 Flexneys Paddock Stanton Harcourt	Erection of alleged unauthorised outbuilding	This is an annexe which is claimed to be a "caravan" and therefore not development for which planning permission would be required. Officers consider it falls outside the legislative definition of a caravan.	<b>Officers have offered alternative options to the alleged contravener but with no success. They will shortly be preparing an expediency report.</b>