

## Enforcement and Prosecution Quarterly Report – 8 September 2011

### APPENDIX 1

Reference & Resolution Date	Site	Unauthorised Development	Enforcement Action	Compliance Date	Related Planning Apps & Appeals	Enforcement Appeal Status	Revised Compliance	Commentary
PROS 27/03 4.09.03  PROS 13/06 15.06.06	Hanwell Fields Banbury	Breach of Sec 106 agreement relating to LAPS & LEAPS and laying out of informal open space	Court order 04.09.08	Various dates in 2009	95/01117/OUT	N/A	N/A	CDC actively pursuing the transfer of the remaining sports pitches and parks Legal department have sent a letter to Taylor Wimpey Meeting held with Taylor Wimpey – significant progress being made
ENF 2/06  16.02.06  09/00686/ PCN	Bodicote Post Office 43-45 Molyneux Drive Bodicote	Non-compliance with approved plans 04/01317/F  Works not completed by 1 November 2009	Enforcement Notice served 24.01.07  29.11.09	07.09.07	09/00315/F			15.05.09 undertaking made to the court by Mr & Mrs Ayres who also agreed to pay £250.00 towards the Council's costs Works proceeding but unlikely to be completed by the compliance date. PCN served - extension given until 4.01.10 to respond – Application submitted 10/00267/F and approved subject to condition to comply by the end of August 2010. Some remedial works undertaken Legal advice to be sought on how to proceed to resolve this matter
ENF 14/07  Delegated	Corner Farm Oakley Road Horton-cum-Studley	Use of land as builders yard, lighting columns, building as a builders office and store	Enforcement Notice served 28.06.07	09.02.08 & 09.06.08		Dismissed 05.08.08	05.08.09 and 05.03.10	Offices still occupied, Fennels to re-locate within the site, letter expected. New breaches identified. Letter sent to the occupier of the butchers inviting a planning application. Email has been sent to OCC as they are the responsible authority regarding the deposit of waste materials on the land

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PROS 15/08 10.04.08	Wabag Aynho Road Adderbury	Failure to comply with S 106 relating to remedial works on public open space			02/02002/F			Owner of the open space to be pursued for compliance with S 106. Preparation of the land for the installation of landscaping underway. Works complete and transfer of land has taken place This item will not appear next time
ENF LB 18/08 26.06.08	Greystones Middle Street Islip	Removal of stonesfield slates and insertion of velux window in north elevation	Listed building Enforcement Notice served 03.11.08	15.09.09	04/00035/F 04/00036/LB	Appeal dismissed 7.08.09	7 August 2012	Hearing 16.06.09. Wording of the notice varied, compliance period extended, appeals dismissed 7 August 2009 Monitoring site for compliance
ENF 19/08 Delegated	22 Milton Street Banbury	Dormer window	Enforcement Notice served 10.09.08	05.05.09	Revised application 08/01600/F refused 22.08.08.  09/00764/F refused 10.08.09	Appeal Dismissed  Appeal dismissed 21.12.09	11.11.09	Successful prosecution in the Magistrates court 2 July 2010. Fined £200.00 and ordered to pay the Council's costs of £1950.00 Dormer has been removed Further planning application 10/01702/F refused. Matter to be referred back to legal for further prosecution action Monitoring site for compliance
08/00604/ BCON	Lince Lane Copse	Breach of conditions 02/02064/F						Letter sent to the occupiers requesting a timetable for compliance with conditions regarding footpath and car park-

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11/00093/ 94/95/96/97/ 98/99/100/ 101/ ECOU	Plots 1 – 16 Land NE of Fenny Compton Road Claydon	Change of use of agricultural land to amenity land	22/02/2011	28/06/2011		Appeals received 28/03/2011		Hearing 6 and 7 September 2011
10/	286-304 Broughton Road (Claypits Close) Banbury	Breach of S106 LAP	Injunction to be served		05/00173/OUT			26.08.10 Letter received from Linden Homes giving undertaking to CDC regarding the provision of LAP Agreed a timetable for landscaping scheme that will be completed by beginning of June 2011 Play area installed and complete This item will not appear next time
10/00218/ ELISTED	Sundial Cottage Shutford	UPVC windows			11/00175/LB			Instructions to legal Requisitions served. Owner has applied to English Heritage to have the property de- listed. If that is unsuccessful agent has stated that windows will be removed. English Heritage has rejected the de-listing. Application approved 28/03/11 with conditions regarding the timetable for the works to be completed by Phase 1 by 31 October 2011 Phase 2 by 30 April 2012 Phase 3 by 31 July 2012

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10/00263/ ECOU	Heathfield Nursing Home Heathfield	Change of use of agricultural land	Notice Served 2/03/2011	4/07/2011	10/01590/CLUE refused 20.12.10			Notice took effect 4 April 2011. Compliance required by 4 July 2011 Complied with. This item will not appear next time
10/00264/ ELISTED	11 Daisy Hill Duns Tew	Conservatory			10/01424/LB 10/01454/F			Instructions to legal 29 July 2010 Meeting held on site Applications refused 29.12.10. Appeals in progress. ASV 26.07.2011
10/00265/ ELISTED	Child First Nursery 8 Horse Fair Banbury	Removal of cill and erection of decking			10/00775/F 10/00777/LB			Instructions to legal 28 July 2010 Requisitions served Invalid application submitted Enforcement notice to be served New application refused Voluntary compliance agreed. This item will not appear next time
10/00336/ EUNDEV	Unit 2 Wedgwood Road Bicester	Perimeter fence and gates	4/02/2011	13/09/2011	10/01513/F refused 17/12/2010	Appeal received 10/03/2011		Enforcement appeal dismissed 13 June 2011 Fence and gate removed. This item will not appear next time.
10/00414/ EUNDEV	2 Begbroke Crescent Begbroke	Outbuilding and operation of Minicab Business			11/00637/F			Instructions to legal 2/12/2010  Application refused August 2011. Notice to be served.
10/00417/ ELISTED	20 Newton Purcell Buckingham	Two storey rear extension and detached garage						Ongoing negotiations with owner. Remedial works undertaken. This item will not appear next time

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11/00042/ EUNDEV	14 Woodstock Road East Begbroke	Unauthorised building						Instructions to legal 21.02.2011 Requisitions served
11/000**/ ECOUC	Land at Patrick Haugh/Harris Road, Upper Arcott	Container						Negotiations underway regarding the removal of the container
11/00138/ EUNDEV	13 Green Road Kidlington	Change of use of garage to a separate dwelling	15/07/2011	16/11/2011				Appeal received 15/08/2011
11/00144/ EUNDEV	72 Daimler Avenue Banbury	3 ornamental walls to front of property	24/06/2011	27/10/2011	10/01720/F planning appeal dismissed 13/04/2011			Enforcement appeal in progress
11/00155/ ELISTD (1) and (2)	54-56 Parsons Street Banbury	Timber enclosure and decking Awning and flood lights	29/07/2011	01/12/2011	11/00169/F 11/00170/LB refused 21.04.11			
11/00164/ ECOUC	Unit 3A, Bessemer Close, Bicester	Change of use from B8 to B2	22/08/2011	21/10/2011	11/00995/F refused 12/08/2011			Notices served 23.08.2011

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<b>Heyford Park Appeals</b>					Main Appeal - 08/00716/OUT for new settlement of 1075 dwellings, together with assoc works and facilities including employment uses, community uses, school playing fields and other physical and social infrastructure. Related CA consent appeals.			Planning Inquiry took place between 30 September and 24 October. 2008. Inspector to prepare report for the Secretary of State regarding the main appeal and related conservation area consent appeals. Inspector's report completed and is with the Secretary of State. Planning permission granted 11 January 2010 A decision now needs to be made on the process to determine the outstanding enforcement appeals at Heyford Park.
ENF 2/07 Delegated	Building 3209	Commercial storage in breach of 05/01969/F	Notice served 23.01.07	6.03.07		Appeal dismissed 1.11.07	01.11.08	Full compliance expected by mid January 2009 after which time a criminal investigation will be undertaken. Partially complied
ENF 32/07 Delegated	Southern Bomb Stores	Storage of fireworks	Notice served 14.12.07	25.01.09		Appeal received		Discussions ongoing Enforcement notice withdrawn August 2011. This item will not appear next time

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ENF 36/07 Delegated	Buildings 88 and 381	Continued use as storage and assembly of environmental control equip	Notice served 22.01.08	4.03.09		Appeal received		Application for cou for 10 years 10/01778/F, PCO 10/01118/F for cou for 10 years, PDE
ENF 37/07 Delegated	Building 442	Continued use as a training facility	Notice served 6.02.08	14.03.09		Appeal received		Application 10/01778/F for cou for 10 years, PCO
ENF 7/08 Delegated	Building 41	Change of use to temporary residential class C3 accommodation	Notice served 16.05.08	20.06.09		Appeal received		New masterplan application 10/01642/OUT –PDE. When permission is issued, appeal will no longer be necessary
ENF 16/08 Delegated	Building 293	Change of Use to light industry (screen printers)	Notice served 22.07.08	29.08.09		Appeal received		Building unoccupied, discussions ongoing. Enforcement notice may be withdrawn
ENF 21/08 17.07.08	Land and buildings	Change of Use of land and buildings by Paragon in breach of 07/01260/F	Notice served 3.09.08	6.10.09		Appeal received		Discussions with Paragon

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ENF 22/08 17.07.08	Buildings	Change of use of buildings by Paragon in breach of 07/01259/F	Notice served 3.09.08	6.10.09		Appeal received		Discussions with Paragon
ENF 23/08 17.07.08	6 lamp posts	Use by Paragon in breach of 07/01262/F	Notice served 10.09.08	11.10.09		Appeal received		Discussions with Paragon
ENF 24/08 17.07.08	2 lamp posts	Use by Paragon in breach of 07/01264/F	Notice served 9.09.08	10.10.09		Appeal received		Discussions with Paragon
ENF 25/08 17.07.08	Building 2002	Change of use in breach of 07/01268/F	Notice served 2.09.08	3.10.09		Appeal received		Discussions ongoing, Enforcement notice withdrawn August 2011. This item will not appear next time
ENF 27/08 17.07.08	Trench and concrete	Change of use in breach of 07/01266/F	Notice served 2.09.08	3.10.09		Appeal received		Discussion with Paragon
ENF 28/08 17.07.08	3 Hardened aircraft shelters	Change of use in breach of 07/01267/F	Notice served 2.09.08	3.10.09		Appeal received		10/01116/F – PCO, if granted, appeal will no longer be necessary
ENF 29/08 17.07.08	Liquid petroleum gas tanks and air intake duct	Use by Paragon in breach of 07/01263/F	Notice served 8.12.08	19.01.10		Appeal received		Planning permission for works in association with Building 2002. Discussions with Paragon, Enforcement notice withdrawn August 2011. This item will not appear next time



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ENF 30/08 Delegated	Building 103	Use of building by Kingsground narrow boats	Notice served 14.11.08	22.12.09		Appeal received		10/01778/F for cou for 10 years, PCO. Appeal may no longer be necessary
ENF 32/08 Delegated	Building 3053	Change of use to B8 storage by NOC	9.10.08	14.11.09		Appeal received		Building let for agricultural storage. Discussions with CDC over use and withdrawal of enforcement notice