

Enforcement and Prosecution Quarterly Report – 19 April 2012

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 Sports pitches have been transferred. All other matters expected to be resolved by Feb 2012
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 Confidential report presented to the Planning Committee 5 January 2012
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. This is a waste issue so to it is to transferred to the County

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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 Letter to be sent to owners to remind them of the need to comply by 7 August 2012
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-
11/00093/ 94/95/96/97/ 98/99/100/ 101/ ECOU	Plots 1, 2, 12, 13,15 and 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 Plot Nos. 1,2,12,13,16 – requirements of notice varied on appeal, compliance period extended to 6 months – 28.03.2012 Verbal update to be given to committee Plot No. 15 – appeal dismissed compliance required by 28.12.11

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10/00218/ ELISTED	Sundial Cottage Shutford	UPVC windows			11/00175/LB			<p>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</p> <p>Site visit to be carried out</p>
10/00264/ ELISTED	11 Daisy Hill Duns Tew	Conservatory			10/01424/LB 10/01454/F			<p>Instructions to legal 29 July 2010 Meeting held on site Applications refused 29.12.10. Appeals in progress. ASV 26.07.2011 Appeal dismissed 2/09/2011 Letter to be sent to applicant requesting removal. If not removed, instructions to be sent to legal</p>
11/00042/ EUNDEV	14 Woodstock Road East Begbroke	Unauthorised building	19/01/2012	23/04/2012				<p>Appeal in progress Enforcement Notice withdrawn 29/03/2012 This will not appear next time</p>

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11/000**/ ECOUC	Land at Patrick Haugh/Harris Road, Upper Arncott	Container						Contacted agent and requested voluntary removal. If not removed further notice to be served
11/00138/ EUNDEV	13 Green Road Kidlington	Change of use of garage to a separate dwelling	15/07/2011	16/11/2011			26 April 2012	Appeal received 15/08/2011 Appeal withdrawn 26/10/2011 Compliance period extended to 6 months- ie by 26 April 2012
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		6/03/2012	Enforcement appeal dismissed 6/12/2011. Council's costs awarded against the appellant. Council's costs paid by appellant Not complied with the enforcement notice. Instructions to be sent to legal
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			Planning and Listed Building appeals in progress
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		20/02/2012	Appeal Dismissed 23 Jan 2012 Planning application submitted and appears on the April planning committee agenda. Noise monitoring being carried out on a daily basis

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11/00194/ EUNDEV	6 Lodge Close Banbury	Erection of fence at trellis to the front of property	07/09/2011	11/01/2012	10/01873/F			Planning application refused, no planning appeal lodged. Fence removed. This item will not appear next time
11/00197/ EUNDEV	30 Fenway Steeple Aston	Raised platform Children's playhouse in rear garden	16/01/2012	26/03/2012	11/01477/F refused 23/11/2011			Site visit to check for compliance
11/00218/ ECOUC	2 Grimsbury Green Banbury	Change of use of the land from amenity land to domestic curtilage	16/11/2011	03/02/2012				Complied with 06.02.2012. This item will not appear next time
11/00219/ ECOUC	2 Begbroke Crescent Begbroke	Change of use of the land from residential to mixed use of residential and taxi business	16/09/2011	19/01/2012				No appeal lodged Site being monitored for compliance
11/00246/ ECOUC	Arncott Racetrack Murcott Road Upper Arncott	Motor Cross Practise and racing activities	13/10/2011	14/01/2012	11/01403/CLUE 11/01053/CLUE			Enforcement notice withdrawn 16 Jan 2012. This item will not appear next time

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12/00004/ EUNDEV	42 The Paddocks Yarnton	Erection of Timber fence and gates	02/02/2012	02/05/2012	11/01272/F			Planning appeal dismissed 23/03/2012
12/00020/ ECOU	Bishops End, Burdrop	Change of use of the land from a public house to residential dwelling house	12/03/2012	12/09/2012				Appeal lodged valid 03/04/2012 Public Inquiry to be held
12/00040/ EBCON	Corner Meadow Farnborough Road Mollington	Breach of Condition 9 of 09/00622/F Site access has not been laid out in accordance with the site layout plan	21/03/2012	21/06/2012				
12/00041/ EBCON	Corner Meadow Farnborough Road Mollington	Breach of Condition 8 of 11/00293/F Submit details of the area of play to the LPA	21/03/2012	17/04/2012				

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12/00042/ ECOU	Corner Meadow Farnborough Road Mollington	Change of use from agriculture to use for siting of residential mobile home , residential caravans, shipping container and the laying of a hardstanding	21/03/2012	21/06/2012				Part compliance already achieved
12/00050/ EUNDEV	Bishops End, Burdrop	Change of Use to use of the land for the storage of a shipping container	02/04/2012	30/05/2012				
12/00062/ ECOU	Arncott Racetrack Upper Arncott	Intensification of use as a motorcross racing/ practising use	07/03/2012	02/05/2012	11/01403/ CLUE refused 12/10/2011			CLUE appeal in progress, conjoined with AVDC CLUE appeal. Public Inquiry arranged for 25 July 2012 Appeal lodged against the enforcement notice 04/04/2012 to be linked to CLUE appeals

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12/00063/ EBCON	Corner Meadow Farnborough Road Mollington	Breach of condition 5(iv) of 09/00622/F- Approved landscaping works to be completed by the end of the planting season	21/03/2012	21/06/2012				

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Heyford Park Appeals					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. Matters progressing with regard to new settlement .Paragon enforcement matters remain an issue on the site. New application submitted and approved This item will not appear next time
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 Pins may restart this appeal Instructions to legal to withdraw the notice 30/01/2012 Enforcement notice withdrawn 6 Feb 2012. This item will not appear next time

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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 Notice to be withdrawn
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 Notice to be withdrawn
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 Notice to be withdrawn
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 Notice to be withdrawn
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 Notice to be withdrawn