

Enforcement and Prosecution Quarterly Report – 7 October 2010

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	N/A	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
ENF 38/04 25.11.04 ENF 21/05 13.10.05	OS 2000 Land NE of Rectory Close, Wendlebury	(i) Summerhouse jetties and decking, (ii) Bridge	Notices served 18.05.05 8.12.05	29.09.05	(i) 04/02713/F (ii) 05/01603/F	Dismissed 05.02.07	05.10.07	Successful prosecution in the Magistrates Court. Notice has been complied with. This item will not appear next time
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. Report to be taken to November committee meeting

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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.
ENF 9/08 10.04.08	Plot 2 adj. to Oxford Canal, Appletree Lane, Cropredy	Mixed use of land – part agricultural land, part storage and domestic paraphernalia						Owner has been willing to tidy site and restore all land back to agriculture. Legal have written to the owners to request the removal of remaining offending items. Owner claims offending items should be in plot 1 and will be amending the plot plan appropriately. Verbal update to be given
ENF 13/08 09/00705/ ECO 10.04.08	Plot 6 adj. to Oxford Canal, Appletree Lane, Cropredy	Excavation of the land to create a sunken vehicle storage area	5.01.10	16.05.10		Appeal received 16/02/2010 Inquiry Tues 5 August 2010		Wording of enforcement notice corrected. Appeal allowed, Notice Quashed. This item will not appear next time
ENF 14/08 10.04.08	Plot 7 adj to Oxford Canal, Appletree Lane Cropredy	Garden use associated with the mooring of a narrow boat on adj canal						Site reviewed by Officers. Evidence reveals use and development have intensified within the last ten years. Legal have invited a retrospective planning application before enforcement action is pursued. Legal unable to trace the owner. Verbal update to be given

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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
ENF LB 18/08 26.06.08	Greystones Middle Street Islip	Removal of stonessfield 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
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
08/00604/ BCON	Lince Lane Copse	Breach of conditions 02/02064/F						Letter to be sent to the occupiers requesting a timetable for compliance with conditions regarding footpath and car park-

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09/00286/ ECOU	OS Parcel 8000 adjacent to the street from Wigginton to Hook Norton Wigginton	Change of use from agriculture to B1 light industrial use			08/00365/F			Following meeting with officers planning application and clue applications to be submitted. Other unauthorised buildings are being removed.- Planning application to be submitted. To be followed up by Officers
09/00288/ EBCON	Building and land south of Manor Farm and west of Priory Cottage adjoining Mollington Road Claydon	The building is not being used for agricultural purposes in breach of condition 4 of 05/01829/F			05/01829/F			Site visit carried out, It appears that a residential use is taking place. Clue submitted and being determined. Requisitions served relating to enforcement action.
09/00572 EUNDEV	Land at Patrick Haugh/Harris Road, Upper Arccott	containers	04/02/2010	18/06/2010	Appeal received 15.03.10	In progress		Appeal decision awaited
09/00579/ EUNDEV	Land adjacent to 24 Spindleside Bicester	Metal shed	22.02.2010	5 May 2010				Shed has been removed. This item will not appear next time

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09/00674/ PCN	ON263435 Land NE of Fenny Compton Road, Claydon	Suspected change of use of land from agriculture to mixed use , amenity plot / business	17.11.09					PCN returned. Enforcement action to be pursued – Meeting held with British Waterways solicitors. BWB seeking legal opinion and will liaise with CDC
09/00675/ PCN	ON 265598 Land NW of Boddington Road, Claydon	Suspected change of use of land from agriculture to storage						PCN returned. Planning permission granted elsewhere for storage. Monitoring ongoing- Meeting held with British Waterways solicitors. BWB seeking legal opinion and will liaise with CDC
09/00/ PCN	ON 267012 Land North of Boddington Road, Claydon	Use of land as an amenity plot						Requisitions returned. Meeting held with British Waterways solicitors. BWB seeking legal opinion and will liaise with CDC
09/00 PCN	ON 279333 Land North of Boddington Road Claydon	Use of land as an amenity plot						Requisitions sent, not returned. Meeting held with British Waterways solicitors. BWB seeking legal opinion and will liaise with CDC

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09/00689/ EUNDEV	Dogwood Public House Kidlington	Childrens play equipment	Notice served 4.12.09	13.02.10	08/01783/F			Equipment removed. Notice complied with This item will not appear next time.
09/ 00 EUNDEV	Bicester Sweepers Glebe Farm Fringford	Unauthorised use of barn						Clue refused, appeal to be lodged. Further Clue approved. This item will not appear next time.
09/00710/ PCN 10/00008/ ECOUC	OS parcel 3349 & 4668, NW of A361 Williamscot	Breaches of planning control – change of use to residential	8.12.09 Notice served 2.02.10	 16.09.10				
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
10/00208/ ECOUC	Grange Farm Chesterton	Change of use of land to provide a site for a mobile home						Instructions sent to legal Requisitions served Notice being drafted

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10/00209/ ELISTED	Heyford House 13 Church Lane Lower Heyford	Works to the roof of the building			08/02013/F 08/02015/LB 09/00693/F 09/00694/LB			Instructions sent to legal Requisitions served
10/00218/ ELISTED	Sundial Cottage Shutford	UPVC windows						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 have rejected the de-listing and an application for timber windows will be submitted within the next 3 weeks.
10/00263/ ECOU	Heathfield Nursing Home Heathfield	Travellers camp						
10/00264/ ELISTED	11 Daisy Hill Duns Tew	Conservatory						Instructions to legal 29 July 2010 Meeting to be held on site Application to be submitted within the next 2 weeks
10/00265/ ELISTED	8 Horse Fair Banbury	Removal of cill and erection of decking						Instructions to legal 28 July 2010 Requisitions served
10/00266/ PROS	20 Horse Fair Banbury	Unauthorised signs						Instructions to legal 2 August 2010 Valid application to be submitted by 13 September or court action will proceed. 2 applications 10/01378/LB and 10/01377/ADV have been registered.

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10/00268/ ELISTED	Neithrop House Warwick Road Banbury	Satellite dishes						Instructions to legal 2 August 2010 Requisitions served
10/00309/ ECOU	Land north of Tythe Farm Shutford Road North Newington	Unauthorised storage of items on land						Instructions to legal 6 September 2010 Application submitted 10/01375/F
10/00329/ EBCON	Villiers Park House School Lane Middleton Stoney	Breach of condition no. 9 of 08/00816/F Reconstructed stone wall to be demolished and rebuilt in natural stone			06/01979/F 08/00816/F			Instructions sent to legal 20/09/2010

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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.
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 30/07 Delegated	Building 345	Use for storage, processing and distribution of timber and timber products	Notice served 14.12.07	25.01.09		Appeal received		Use ceased, permission allowed on appeal. Notice withdrawn. This item will not appear next time

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ENF 31/07 Delegated	Northern Bomb Stores	Storage and distribution of fireworks	Notice served 14.12.07	25.01.09		Appeal received		Buildings not in use, but allowed on appeal. Notice withdrawn. This item will not appear next time
ENF 32/07 Delegated	Southern Bomb Stores	Storage of fireworks	Notice served 14.12.07	25.01.09		Appeal received		
ENF 33/07 Delegated	Building 325	Use of building and hardstanding for storage, refurbishment of cranes and access equipment	Notice served 14.01.08	18.02.09		Appeal received		Use ceased, allowed on appeal, external storage controlled by new planning permission. Notice withdrawn. This item will not appear next time
ENF 35/07 Delegated	Building 320	Use for storage and distribution of timber and timber products	Notice served 11.01.08	15.02.09		Appeal received		Use ceased, planning permission allowed on appeal. Notice withdrawn. This item will not appear next time
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		
ENF 37/07 Delegated	Building 442	Continued use as a training facility	Notice served 6.02.08	14.03.09		Appeal received		

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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		
ENF 16/08 Delegated	Building 293	Change of Use to light industry (screen printers)	Notice served 22.07.08	29.08.09		Appeal received		
ENF 17/08 Delegated	Building 221	Change of Use of part of building for timber machining, fabrication, woodworking and admin office by Darks Ids Ltd	Notice served 11.09.08	15.10.09		Appeal received		Allowed on appeal, external storage controlled by new permission Notice withdrawn. This item will not appear next time
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		
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		

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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		
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		
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		
ENF 26/08 17.07.08	Building 3205	Change of use of building in breach of 07/01265/F	Notice served 2.09.08	3.10.09		Appeal received		Allowed on appeal Notice withdrawn. 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		
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		
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		

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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		
ENF 32/08 Delegated	Building 3053	Change of use to B8 storage by NOC	9.10.08	14.11.09		Appeal received		
ENF 33/08 Delegated	Building 3031	Change of Use of bldg to storage of vehicles assoc to management and operation of press and marketing vehicles by Parkers	Notice served 19.01.09	2.03.10		Appeal Received 2.03.09		Allowed on appeal Notice withdrawn. This item will not appear next time
ENF 34/08 Delegated	Building 221	Change of Use to management and operation of press and marketing vehicles by Parkers	Notice served 10.10.08	17.11.09		Appeal received		Allowed on appeal, external storage controlled by new permission Notice withdrawn. This item will not appear next time