

Progress of Enforcement Cases

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Location	Alleged Breach of Planning Control	Progress/Update summary.
South Oxfordshire District Council		
Land adj. Sewage Works, Clifton Hampton	Unauthorised deposit of waste	Waste soil; construction and demolition waste and wood deposited on hardstanding adjacent to the Culham Science Park. PCN served. Maintain watching brief.
Former MOD Warehouse, Pyrton Lane, Watlington	Unauthorised waste operations	Waste wood and carpet had been brought to the site, stored and processed (chipped) without planning permission. A PCN has been served. The waste activity ceased. Maintain watching brief.
Vale of White Horse		
Swannybrook Farm, Abingdon Road, Kingston Bagpuize	Breach of Conditions – concrete crushing; operating beyond site boundary; excessive HGV movements; excessive stockpile height.	Waste operations were being carried out outside of the site boundary of the permitted waste soils recycling site, unauthorised use of concrete crusher, excessive height of stockpiles and excessive number of HGVs. Retrospective Planning applications MW.0135/19 & MW.0134/19 were submitted by the operator to regularise the unauthorised activities. Following a resolution to grant planning permission (October 2020) by OCC P & R Committee, (subject to a legal agreement relating to routing of HGV's), upon completion and signing of the legal agreement, new planning permissions with updated conditions for enhanced control of the site were issued. . The site is now governed by the new planning permissions. Ongoing site visits (including a joint visit with the Environment Agency) have taken place. Maintain watching brief/ formal monitoring.

Cherwell		
Lower Nill Farm, Hook Norton Road	Unauthorised deposit of waste.	A planning enforcement notice (EN) was served requiring the cessation of importation of waste and the removal of previously imported waste from the agricultural land. The EN was not appealed by the landowner and therefore came into effect 15 th March 2021. Whilst importation of waste onto the land has ceased in line with the requirements of the EN, the removal of waste from the site has not yet taken place. The County Council considered the expediency of early prosecution proceedings to effect the removal of materials from site. That consideration took into account the impact Covid 19 Lockdowns had on the ability of the landowner to organise the removal, and more recently, that the landowner has positively engaged with the County Council about solutions for the site. The landowner has now instructed planning agents who will be seeking formal pre application advice and are drawing up a retrospective planning application which should involve the removal of the majority of waste, with partial recontoured retention. Ultimately, should the materials not be removed from the land in line with the requirements of the EN, or a satisfactory solution through majority removal / regularisation through planning consent, a criminal prosecution could be initiated. Regular liaison with the landowner's representatives, and ongoing monitoring of the site continues to take place.
Shipton-on-Cherwell Quarry	Breach of Conditions – development not to plan; the deadline for the cessation of mineral extraction; import of aggregates, submission of aftercare schemes; breach of the approved mineral extraction area; breach of the depth of mineral working; submission of restoration schemes	Following a PCN being served on the operator in March 2020, a breach of conditions Enforcement Notice (BCEN) was served on the operator and all those with an interest in the land on 31/07/2020. The BCEN alleges breaches of Conditions 1,2,3,39,46,47 and 50 of planning permission ref MW.0001/19 dated 22/03/2019. The operator made an appeal against the BCEN to the Planning Inspectorate which has suspended the effect and requirements of the BCEN until the case is heard and decision reached by the Planning Inspectorate. The Planning Inspectorate had originally timetabled the appeal to be heard June 29 th -30 th 2021 by way of a hearing. This hearing was postponed at the agreement of the Planning Inspectorate given the EN appeal was agreed to be linked to a Section 78 planning appeal (refusal of planning permission) for a proposed south

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		<p>eastern extension at the Shipton-on Cherwell Quarry (and for which evidence was put forward latterly by the Environment Agency).</p> <p>These linked case hearings were then rescheduled by the Planning Inspectorate to take place for 3 days in February 2022. In the intervening period, a further comprehensive PCN was served 19th November 2021 and returned 21st December 2021. This assisted in clarification of the extent of breaches at the site, updating and augmenting the original PCN information.</p> <p>In January 2022, due to the appellant submitting a technical statement at a very late stage, the Planning Inspectorate postponed the February hearing to allow sufficient time for response. This has protracted matters further.</p> <p>Subsequent to the above mentioned developments in the cases, on 7th April 2022 the appellant operator of the site withdrew a part retrospective Section 73 planning application which was lodged with the County Council and which had encompassed some of the unauthorised development subject of the original BCEN. The appellant has committed to provide a full planning application as a replacement, and to this effect, a formal screening request was made to the County Council and screening opinion issued 24th June 2022 which confirmed the development would require an Environmental Impact Assessment (EIA).</p> <p>The linked appeals are now scheduled to take place via planning hearing for 3 days commencing 13th September 2022. In the meantime, the site is subject to ongoing monitoring and any necessary further enforcement action kept under review.</p>
Land of Pound Lane, Sibford Gower	Unauthorised waste disposal on agricultural land.	PCN's were served on the landowners of agricultural land in respect of alleged unauthorised waste disposal. Early contact with the landowners has resulted in waste disposal on the land ceasing and a stated commitment to remove the waste materials from the land to an authorised site. The Environment Agency (EA) were informed by the County Council and are also taking action through

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		<p>their powers under the Environmental Protection Act. Trial pit digging to establish the depth and type of materials was actioned in December 2021, and a limited amount of the waste material was removed from the site. However, in the opinion of both the EA and the County Council further waste needs to be removed. Further enforcement action to be kept under review if all waste materials are not voluntarily removed. Ongoing monitoring of the site.</p>
<p>Land south of Barford Road, South Newington</p>	<p>Unauthorised deposit of waste</p>	<p>Waste soils imported on land from a development site in Hook Norton to fill a lake on agricultural land. PCN Served. The landowner asserted that the import of material is required to provide for an area of hard surface (for the storage of hay and straw), which is permitted development under Class A of Part 6 to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. The case was also reported to the Environment Agency for their investigation., maintain a watching brief.</p>
<p>Stratton Audley Quarry</p>	<p>Unauthorised deposit of waste and on-going breach of planning conditions – failure to restore</p>	<p>The site was required to be restored by 31st December 2008. OCC had ten years from that date in which to bring enforcement proceedings for on-going breach of planning control as reported to Planning & Regulation Committee on 29th October 2018. An Enforcement Notice was served and withdrawn. Planning application MW.0120/18 was submitted by the landowner seeking to allow extension of time for the completion of the restoration and withdrawn. In both cases this was by agreement pending submission of a further application to address the need for a revised restoration scheme taking into account the presence of protected habitats and species. The County Council has up to 4 years from the date of the withdrawn EN to initiate/recommence formal enforcement action if considered necessary. As the backstop date for serving a replacement EN nears (December 2022), in the absence of planning permission being obtained, the County Council will have to consider a further EN to protect the Council’s position and ensure an appropriate restoration of the land.</p>

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<p>Land off the east side of Bicester Road, Kidlington</p>	<p>Material change in the use of the land to the importation and disposal of waste materials.</p>	<p>3 PCN's dated 13th April, 4th May have been sent in connection with this unauthorised development. These were directed at the registered landowner, and the directors of the operating company. Further action on the non return of the PCN questionnaires is under consideration along with additional enforcement action to be guided by legal advice on the circumstances surrounding this case. Monitoring of the site is ongoing.</p>
<p>West Oxfordshire</p>		
<p>Land at 'Park Field', Tracey Barn Farm (North of Green Lane), Great Tew, Chipping Norton.</p>	<p>Unauthorised mineral extraction (quarrying) and waste infilling.</p>	<p>A Temporary Stop Notice (TSN) was served on the landowner and operator on 20th May 2021 requiring the cessation of '<i>The winning and working of mineral and any other activity carried out as part of, or associated with, the winning and working of mineral on the land; the removal of extracted minerals from the land; the importation and disposal of waste material onto the land</i>'. Further extraction and infill of this large and entirely unauthorised quarry was brought to an immediate halt following the service of this TSN. Meeting and negotiations with the landowner before the TSN expired in time led to a written commitment not to further extract materials or infill the resultant void, pending a retrospective planning application to be submitted to and considered by the County Council development management team. Such a retrospective planning application was received, processed, and conditional planning permission was granted on 9th May 2022 under reference (MW.0100/21). The development which has been brought under control by conditional planning permission will be subject to chargeable monitoring visits by the monitoring and enforcement team. Case closed.</p>
<p>Ethos (William Wyatt's Yard), Standlake Industrial Park</p>	<p>Unauthorised waste operations</p>	<p>Stockpiling and removal of previous deposit of unauthorised waste. PCN served. Immune from enforcement action. Site is continuing to be monitored by the Monitoring & Enforcement team in case of resurrection of waste importation.</p>
<p>Land West of Fish Hill Farm, Drakes Lane</p>	<p>Unauthorised disposal of waste</p>	<p>A small uncovered pit filled with a significant amount of waste bottles and cans with an adjacent larger area of spoil. PCN served. Landowner confirmed that stripping back of topsoil and excavation to improve the drainage of land is carried</p>

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		out and no import of waste took place. Fly-tipping of waste bottles and cans removed with evidence of proper disposal. Maintain a watching brief.
Manor Farm, High Street, Great Rollright	Unauthorised quarrying and deposit of waste	PCN served on the landowner and the operator. Ongoing monitoring to ensure no further waste importation or mineral extraction. Further formal enforcement action being kept under review.
Land at Great Tew Ironstone Quarry, Butchers Hill, Great Tew, Chipping Norton, Oxfordshire OX7 4BT	Breach of planning condition	Two breach of condition notices (BOCN's) were served on 21 st August 2021 in respect of excess HGV movements in breach of condition 35 of planning permission reference MW.0078/15 (15/02678/CM) dated 7 th September 2018 which states " <i>No HGV movements associated with clay exportation shall take place during the harvest season (1st August to 31st October). Reason: In the interests of highway safety and public amenity. (OMWCS C5)</i> " The notices were served on:-Johnston Quarry Group Limited, The Estate Office, Quarry Farm, Banbury Road, Great Tew, Chipping Norton, Oxfordshire, OX7 4AH. and Nicholas Matthew Middlemass JOHNSTON, (Director) Johnston Quarry Group Limited, The Estate Office, Quarry Farm, Banbury Road, Great Tew, Chipping Norton, Oxfordshire, OX7 4AH. The notices required ceasing all HGV movements associated with clay exportation throughout the harvest season period (1 st August to 31 st October). These notices remain in effect and the site is subject to regular monitoring.
Rollright Quarry, Little Rollright, Chipping Norton, Oxfordshire OX7 5QB	Breach of planning condition	Two breach of condition notices (BOCN's) were served on 24 th January 2022 in respect of excess HGV movements in breach of condition 10 of planning permission reference MW.0063/20 District Ref: 20/01964/CM dated 8 th December 2020 which states " <i>HGV movements to and from the site through the access shown on approved plan F32m/1a shall not exceed 6 in any one day. HGV movements to and from the site shall in any case be restricted to 60 in any one day. Reason: In the interests of highway safety.</i> " The notices were served on:-Oxfordshire Minerals Group Ltd, The Estate Office, Quarry Farm, Banbury Road, Great Tew, Chipping Norton, Oxfordshire, OX7 4BT, and Nicholas Matthew Middlemass JOHNSTON, (Director) Oxfordshire Minerals Group Ltd, The Estate Office, Quarry Farm, Banbury Road, Great Tew, Chipping Norton, Oxfordshire,

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		<p>OX7 4BT.. The notices required:- ceasing any HGV movements to or from the site through the access shown on approved plan F32m/1a in excess of 6 in any one day. These notices remain in effect, and the site is subject to regular monitoring.</p>
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