

**Progress of Enforcement Cases****(Covers period from 1<sup>st</sup> November 2016 to 30<sup>th</sup> June 2017)****Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.****Mobile Tel: 07899 065518**

Location	Alleged Breach of Planning Control	Progress
<b>South Oxfordshire District Council</b>		
Grundons Ewelme #1	Unauthorised development of Welfare Facilities in HGV car-parking area.	Routine compliance monitoring established that a 'porta-cabin' type welfare building was being developed adjacent to the Hazardous Waste Transfer Station outside of the consented area and without planning permission. Operator invited to submit retrospective planning permission. A planning permission was granted in February 2017 to extend and improve the existing office and welfare building on site. The porta-cabin welfare building is retained on site whilst the new facilities are being built. Continue with watching brief.
Land adj. Sewage Works, Clifton Hampden	Unauthorised deposit of waste	Large amount of waste soils; construction and demolition waste and wood deposited on hardstanding adjacent to the Culham Science Park. Planning Contravention Notice (PCN) has been served. Enforcement proceedings continuing.
Former Chinnor Cement Works, Hill Road, Chinnor, Oxfordshire,	Breach of Planning Conditions - Failure to restore the site to plan.	Condition 5 of planning permission no. P14/S3925/CM requires the site to be restored in an orderly manner to a condition capable of beneficial afteruse and in the interests of the amenity of local residents by 31st March 2016. Works had not been completed to a satisfactory standard and there were no proposals to complete restoration. A Breach of Condition Notice (BCN) was served in November 2016 requiring the land to be restored by 31 <sup>st</sup> May 2017. Good progress has been made in completing the required works however some residual wastes are still to be removed and information boards are still to be installed. The operator is now working with OCC to properly restore the site. Continue with watching brief
Land on the north side of Oxford Road, Tetsworth, Thame, Oxon OX9 7AT	Unauthorised deposit of waste	Large amount of chalk type waste material tipped in field. PCN was served on 2nd November 2016. The origins of the material could not be established and the owner asserts that it is necessary for the permitted development on site. The material was incorporated into the land and in accordance with a planning permission for a ménage granted by SODC. Various lorry containers and building materials remain on site which gives the site an 'industrial' appearance. However, this is not associated with a waste operation and has been referred to SODC. Case closed.

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	<b>Alleged Breach of Planning Control</b>	<b>Progress</b>
<b>South Oxfordshire District Council (Continued)</b>		
Priors Wood, Christmas Common, Watlington	Unauthorised deposit of waste	An allegation that green wastes were being deposited in woodland by householder or in association with business practice. Investigation established that whilst some material was being stored on private land it did not amount to a material change of use in the land. No breach of planning control. Case closed.
Lower Icknield Way, Chinnor.	Unauthorised deposit of waste	An amount of waste soils arising from the implementation of a housing development are being stored in an adjacent paddock under the control of the owner/developer. The soils are to be used in the completion of permitted landscaping works and the owner has requested an extended period of time to allow for the housing development to be completed. Continue with watching brief.

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Location	Alleged Breach of Planning Control	Progress
<b>Vale of White Horse District Council</b>		
Sutton Courtenay Quarry	Unauthorised deposit of recycled asphalt in the aggregate storage/processing area.	Compliance monitoring has identified a continuing breach of planning control. A retrospective planning application has been submitted (MW.0005/16). Enforcement proceedings are held in abeyance pending planning decision. Maintain watching brief.
CAMAS Land, Peep-o-day Lane, Drayton	Unauthorised winning and working of mineral	Planning permission was issued in March 2016 for the progressive extraction of sand & gravel from the land. In May 2016 it was established that works had commenced on the land without the necessary approval of various detailed pursuant planning conditions and working outside the permitted extraction area (within a 100 metres buffer zone to the nearest property and closer to the northern Oday Hill Ditch than the required 16 metre standoff). An Enforcement Notice and associated Stop Notice were served in June 2016 requiring works to cease and the land returned to its previous state. Works on the site stopped and the operators entered into negotiations to remedy the breach by means of s.73 planning application and a s.106 agreement to mitigate for ecological damage caused by the early start. Some works to mitigate the unauthorised development have been carried out including re-instatement of buffer zones. Unfortunately, the EN was subsequently withdrawn because an incorrect date was given in the text of the notice and less than 28 days were given from the service of the notice and the effective date. It was not considered expedient to re-serve the EN whilst progress was being made in finding a negotiated solution to remedy the breach of planning control. Retrospective planning permission (MW.0139/16) was granted in February 2017 to remedy the breach and the site is now operating in accordance with the conditions of the new planning permission. Case Closed.
Wicklesham Quarry, Sandshill, Faringdon, Oxon, SN7 7PQ	Breach of Planning Conditions - Failure to restore the site to plan.	Condition 3 of planning permission no. P15/V2384/CM (MW.0134/15) requires that the site shall be completely restored by 30 September 2016 in accordance with the approved restoration scheme. Whilst soils had been imported to the land, the works to restore the quarry were not being progressed. A BCN was served requiring that the restoration works be completed by 30 June 2017. Considerable progress has been made in the restoration of the site and officers are to visit the site to assess whether the works have now been completed as required.

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Location	Alleged Breach of Planning Control	Progress
<b>Vale of White Horse District Council (Continued)</b>		
Land adj to A417, opposite Goosey Lane, Challow	Unauthorised deposit of waste	Construction and demolition wastes deposited in field and incorporated to create a yard area as per permitted development rights. However, approx. 30 cubic metres remains piled adjacent to the highway hedge and represents a breach of planning control. Negotiations have stalled and waste remains in situ. PCN required before considering expediency of more formal enforcement proceedings.
The Gables Abingdon Road Steventon	Unauthorised deposit of waste	Miller Homes developments have completed housing developments in both Drayton and Steventon. An amount of soils have been transferred from the Drayton site to the Steventon site to raise levels in landscaping and flood prevention works. Whilst the soils are a clean usable material they are technically a waste required to be discarded and the incorporation to land at Steventon would require a planning permission from OCC. Negotiations are continuing.
Oak Tree Farm, Hanney Road, Steventon.	Unauthorised deposit of waste	Large amount of construction and demolition wastes deposited in field. Preliminary investigations continuing.

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Location	Alleged Breach of Planning Control	Progress
<b>West Oxfordshire District Council</b>		
Great Tew Ironstone Quarry, Butchers Hill, Great Tew, Oxfordshire	Unauthorised winning and working of mineral.	Planning & Regulation Committee resolved to grant a conditional planning permission for the 'extension of ironstone extraction, revocation of existing consented mineral extraction, export of clay, construction of temporary and permanent landforms, retention of an existing overburden store, relocation of consented stone saw shed, replacement quarry, farm and estate office building, erection of a new shoot store and multi-purpose building' on 23rd May 2016 - planning application No: MW.0078/15. During a routine compliance monitoring visit to the site in September 2016 it was apparent that soils had been stripped and clay extracted from part of the site. The resolution to grant of planning permission was subject to a Section 106 legal agreement and so it had not been issued due to the necessary legal negotiations and so the early start of development was without planning permission and a breach of planning control. A temporary stop notice (TSN) was served on 19 <sup>th</sup> September 2016 to bring the unauthorised development to a halt. The TSN was followed by an EN to remedy the breach of planning control, which was formally served on 7 <sup>th</sup> November 2016. Planning permission was granted on 1 <sup>st</sup> February 2017 to remedy the breach of planning control and the EN withdrawn. Case closed.
Fergals Yard, Adj. to B4449, Hardwick	Unauthorised waste transfer.	Skip and plant storage on the site had extended beyond the main complex and rendered the operator liable to enforcement action. The operator has taken action to remove the skips and block access to the extended area. Case Closed.

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Location	Alleged Breach of Planning Control	Progress
<b>Cherwell District Council</b>		
Ferris Hill Farm Sibford Road Hook Norton Oxfordshire OX15 5JY	Unauthorised picking station plant fixed to the land.	Site monitoring visit in July 2016 established that a waste transfer picking station has been erected on the land but not in accordance with the most recent planning permission - 15/01829/CM (MW.0132/15). The operator has advised that this is a temporary arrangement whilst the ground works to implement the approved planning permission are completed. Maintain a watching brief.
Barford Road Farm, Barford Road, South Newington, Oxfordshire, OX15 4JJ	Breach of Planning Conditions – Condition 9 requires that Highway Works are to be completed.	Conditional planning permission was granted in July 2016 for the change of use of agricultural barns to allow the import of waste topsoil to include storage and screening for a topsoil business. Condition 9 required that certain highway works be completed. The obligation of this condition is in two parts. Firstly, that the barn extension shall not take place until the highway works at the existing site entrance have taken place in accordance with a Section 278 of the Highways Act 1980 agreement (s.278 agreement). The second requirement of Condition 9 is that; should the works not be carried out in accordance with the s.278 agreement within six months of the date of the planning permission, the use of the access shall cease until such time as the works have been completed as approved. There have been a number of delays in securing a financial bond necessary for the competition of the s.278 agreement with the County Council before the necessary works to the highway can be carried out. It is now apparent that the delays are attributable to the operators own action and as such a breach of Condition 9 has occurred. A Breach of Condition Notice (BCN) is recommended formally requiring the access works to be completed within 3 months. Enforcement proceedings continuing.

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Location	Alleged Breach of Planning Control	Progress
<b>Cherwell District Council (Continued)</b>		
Stratton Audley Quarry.	Unauthorised deposit of waste and on-going breach of planning conditions – failure to restore.	The site was required to be restored by 31st December 2008. OCC has ten years from that date in which to bring enforcement proceedings for the on-going breach of planning control and a PCN is required before proceeding to more formal enforcement proceedings.
Langford Park Farm, London Road, Bicester	Unauthorised deposit of waste	Large deposit of soil and subsoil being deposited in field. The deposit is spoil from housing development in Bicester. Owner acknowledged breach of planning control and advised temporary storage. An amount of material has been removed. However, breach is continuing. An EN is recommended formally requiring that the material is removed. Enforcement proceedings continuing.
Belle Isle Farm, Sibford Road, Hook Norton	Unauthorised deposit of waste	The owner of the land had soil stripped and commenced work on surcharging an old Banbury Rural District Council refuse tip by importing waste soils from a neighbouring farm (and waste operator). A PCN was served in February 2016. Work on site has ceased and the owner has entered into pre-application discussions with a view to a retrospective planning application. Enforcement proceedings are held in abeyance pending the completion of the planning application process. Maintaining a watching brief.
Bicester Golf Club and Spa, Chesterton	Breach of Conditions – Condition 2 works to be completed and site restored by 31 <sup>st</sup> August 2014.	In September 2013 planning permission was granted for the formation of a 3m high bund using surplus soils excavated from the creation of a new lake and from the retention of previously imported waste to the land. Whilst works have ceased the land has not been properly restored. The works to the lake did not produce sufficient material to complete the bund as intended and the owner has been invited to submit a planning application to revise the restoration scheme. The site remains unrestored. A Breach of Condition Notice (BCN) is recommended formally requiring the site to be restored within 3 months. Enforcement proceedings continuing.