

Date: 4th August 2022
My ref: 20/00076/PENF
Ask for: Chris Wood
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Dear Sir/Madam

Re: Enforcement Appeal

TOWN AND COUNTRY PLANNING ACT 1990 as amended

Site Address: 66 Corn Street Witney Oxfordshire

Alleged breach: Erection of an unauthorised outbuilding to the rear of 66 Corn Street, Witney

Appellant's name: Mr Dilbani Ghassan

Appeal reference: APP/D3125/C/22/3302787

LPA Appeal Ref: 22/00019/APPEAL

Appeal start date: 19th July 2022

I refer to the above details. An appeal has been made to the Secretary of State against an enforcement notice issued by West Oxfordshire District Council on 8th June 2022. However, the notice will not take effect until the appeal has been determined and only if the decision is to dismiss the appeal.

The Enforcement Notice – Operational Development was issued for the following reasons:

- (1) It appears to the Council that the above breach of planning control has occurred within the last four years.**
- (2) The building by reason of its design, materials, siting, scale and height fails to preserve the character and appearance of the Conservation Area and causes unacceptable harm to the setting of the Grade II listed building (66 Corn Street) and is therefore considered contrary to policies EH9, EH10, EH11 and OS4 of the West Oxfordshire Local Plan 2031, Section 16 of the NPPF 2021, and the provisions of the Witney and Cogges Conservation Area Appraisal.**

The enforcement notice requires the following steps to be taken:

Within 4 months of the date on which this notice comes into effect:-

(1) Permanently remove in its entirety the building from the land including the resultant materials following deconstruction.

The appellant has appealed against the notice on the following grounds:

Ground (a) - That planning permission should be granted for what is alleged in the notice. Please note that if the Appeal is allowed under ground (a), Planning Permission will be granted for the development, subject to any conditions the Inspector may choose to impose.

Ground (c) - That there has not been a breach of planning control.

Ground (f) - The steps required to comply with the requirements of the notice are excessive and lesser steps would overcome the objections.

These are grounds from the Section 174(2) of the Town and Country Planning Act 1990 (As Amended).

The appeal will be determined on the basis of **written representations**. The procedure to be followed is set out in the Town and Country Planning (Enforcement) (Inquiries Procedure) (England) Rules 2002 (Statutory Instrument 2002/2686).

If you wish to make comments, you can do so online at <https://acp.planninginspectorate.gov.uk>. If you do not have access to the internet, you can send your comments to:

**The Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN**

Email: teame3@planninginspectorate.gov.uk

All representations must be received by the Planning Inspectorate by 1st September 2022 and must quote appeal reference APP/D3125/C/22/3302787. Any representations submitted after the deadline will not usually be considered and will be returned. The Planning Inspectorate does not acknowledge representations.

Please note that any representations you submit to the Planning Inspectorate will be copied to the appellant and this local planning authority and will be considered by the Inspector when determining the appeal.

If you submit comments and then subsequently wish to withdraw them, you should make this request to the Planning Inspectorate by the date above.

If you would like to see a copy of the Enforcement Notice and/or the appellant's reasons for appealing, please contact us at Planning.Appeals@westoxon.gov.uk .

You can view the Planning Inspectorate's "Guide to taking part in enforcement appeals" at <https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal>.

If you are not the owner of the property you occupy, would you please pass a copy of this letter on to your landlord or his or her agent.

When made, the decision will be published online at <https://acp.planninginspectorate.gov.uk>

Yours sincerely

Chris Wood

Senior Planning Officer (Appeals)
Planning and Strategic Housing