



Appeal Decision

by J Moss BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 September 2026

Appeal Ref: APP/C3105/C/25/3369931

Land at Point to Point Farm, Street from Claydon to Southam Road, Mollington Banbury, Oxfordshire OX17 1QE

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr David Jeffries against an enforcement notice issued by Cherwell District Council.
 - The notice was issued on 26 June 2025.
 - The breach of planning control as alleged in the notice is: Without the benefit of planning permission, the erection of a barn (identified in green on the attached plan titled 'Location Plan'¹) and an associated hardstanding (indicated in the approximate position marked blue on the plan titled 'Location Plan') and change of use of the land on which the barn and hardstanding is located to a mixed use comprising agriculture (which, inside the barn, is taking place in the approximate position marked orange on the plan titled 'Location Plan'), an equestrian riding arena (which, inside the barn, is taking place in the approximate position marked purple on the plan titled 'Location Plan'), Pilates studio and chiropractic clinic (which, inside the barn, is taking place in the approximate position marked yellow on the plan titled 'Location Plan'). The hardstanding area is used for ancillary purposes in association with the unlawful mixed uses taking place inside the of barn.
 - The requirements of the notice are to:
 1. Demolish the barn identified in green on the attached plan titled 'Location Plan' and restore the land to its condition before the breach took place;
 2. Remove from the land the hardstanding indicated in the approximate position marked blue on the plan titled 'Location Plan' and restore the land to its condition before the breach took place;
 3. Cease the use of the land for use as an equestrian riding arena indicated in the approximate position marked purple on the plan titled 'Location Plan';
 4. Cease the use of the land for use as a pilates studio and as a chiropractic clinic indicated in the approximate position marked yellow on the plan titled 'Location Plan';
 5. Remove from the land all waste and debris resultant from compliance with (1) and (2) above.
 - The period for compliance with the requirements is within 6 months of the notice taking effect.
 - The appeal was made on the ground set out in section 174(2)(a), (b), (d), (f) and (g) of the Town and Country Planning Act 1990 (as amended).
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Formal Decision

1. The appeal is dismissed and the enforcement notice is upheld.

Preliminary Matters

2. Whilst the appeal was initially made on ground (a), this ground of appeal was subsequently withdrawn early in the appeal timetable.

Reasons

3. The appeal was made on 25 July 2025. At the time the appellant was represented by DLP Planning Ltd (Rugby). The necessary documents and grounds of appeal were submitted with the appeal and, as such, the appeal was accepted as valid.

¹ Reference to a plan here and elsewhere in the header is to a plan attached the enforcement notice to which this appeal relates.

4. The appeal had initially commenced via the public inquiry procedure, and the parties were advised of the appeal timetable for the submission of statements of case, final comments and proofs of evidence. The parties were also advised that the appeal would be determined alongside a separate appeal from the same appellant in respect of other land at Point to Point Farm, appeal reference APP/C3105/C/25/3369925.
5. In an email dated 24 September 2025, Rhys Bradshaw of DLP Planning Limited advised the Inspectorate that his company were no longer acting on behalf of the appellant on the appeal. In doing so, Mr Bradshaw said that all correspondence should be sent to Emma Jeffries, with the email address for her provided.
6. The email address provided was subsequently used in an attempt to contact the appellant. This revealed that the email address was not in service.
7. In accordance with the appeal timetable that had been set, the statements of case (otherwise known as the inquiry statement) for both appeals should have been submitted no later than 20 October 2025 and final comments submitted no later than 10 November 2025. The appellant failed to submit a statement of case and final comments in respect of both appeals.
8. The Inspectorate subsequently wrote to Mr Pinwell of Ashfords LLP via email on 18 November 2025. Mr Pinwell was the agent acting for the appellant on the 3369925 appeal. He was asked if he had been appointed by the appellant to represent them on both the 3369925 appeal and this appeal. The email also asked that Mr Pinwell provide an updated email address for the appellant as that given for Emma Jeffries was not in service. A response to this was received from Mr Pinwell on the same day to advise that he was no longer appointed by the appellant in respect of the 3369925 appeal and that he had copied in Emma Jeffries (with the same email address as that given above) and a Heidi Jeffries into this correspondence.
9. The Inspectorate attempted to contact the appellant using both of the email addresses provided. Both were out of service at the time.
10. In view of the above, a letter dated 18 December 2025 was sent via Royal Mail Special Delivery to the appellant to request that he contact the Planning Inspectorate to update his electronic contact details so that correspondence in respect of both appeals could be sent to them digitally, this would include the arrangement of the site visit for both appeals. The letter also invites the appellant to comment on the proposed change of procedure to the written procedure. Royal Mail returned the correspondence to the Inspectorate, stating that it had been refused.
11. The above demonstrates that reasonable steps were taken to contact the appellant in order to correspond with them during the course of this appeal and the associated 3369925 appeal. This contact was necessary in order to seek the appellant's comments on the proposed change of procedure and to make the necessary arrangements for the appeal site visit. Nevertheless, all means of contact available to the inspectorate has failed.
12. The above conduct demonstrates undue delay in the progress of the appeal and has, therefore, led to the exercise of the powers under section 176(6) of The Town and Country Planning Act 1990 as amended (the 1990 Act). This allows the

Secretary of State to ‘(a) give the appellant notice that the appeal will be dismissed unless the appellant takes, within the period specified in the notice, such steps as are so specified for the expedition of the appeal, and (b) if the appellant fails to take those steps within that period, dismiss the appeal accordingly’.

13. A letter to the appellant from the Inspectorate, dated 23 July 2026, sets out that formal notice is given to them under the above provisions. This informed the appellant that unless they take each of three steps, the appeal would be dismissed. Those steps were, in short:
 - i. Within 2 weeks of the date of the letter provide the Planning Inspectorate with their email address, via which they will be able to receive correspondence from the Planning Inspectorate, and will be able to correspond with the Planning Inspectorate regarding the appeal.
 - ii. Within two weeks of the date of the letter, confirm that either they or their representative will be on the land that is the subject of the enforcement notice at a time and date specified in order for me and the Council’s representative to inspect the appeal site; and
 - iii. That they or their representative will be on site at the specified time and date to provide me and the Council’s representative with the necessary access to the land and buildings.
14. A similar letter was prepared in respect of the 3369925 appeal.
15. Both letters were placed in envelopes and posted by me into the post box at the entrance to the appeal site on 24 July 2026. At the same time, I also displayed both letters on the site by attaching them to the timber enclosure at the appeal site entrance.
16. The appellant has failed to comply with the first two steps set out in the letter. In light of this, a site visit was not attempted.
17. If any further correspondence were sent by mail to the appellant, I have little confidence that the Planning Inspectorate would receive a response to this, such that the appellant’s comments on the change of procedure would be obtained and it would be possible to arrange the site visit.
18. Having regard to the circumstances set out above, I find that the appellant has been responsible for undue delay in the progress of the appeal. The appellant’s failure to take the first two steps set out in the 23 July 2026 letter, within the period specified in that letter, allows me to exercise the powers set out in section 176(6)(b) of the 1990 Act and dismiss the appeal. The Planning Practice Guidance on Enforcement and post-permission matters advises that effective enforcement is important to maintain public confidence in the planning system. All of this considered, it is appropriate to exercise the powers set out in section 176(6)(b) of the 1990 Act in this case. Accordingly, I conclude that the appeal should be dismissed in accordance with these powers.

J Moss

INSPECTOR