



Directorate for Planning, Growth and Sustainability

Walton Street Offices, Walton Street, Aylesbury, HP20 1UA

planning.csb@buckinghamshire.gov.uk

01494 732950 | 01895 837210

www.buckinghamshire.gov.uk

To Owner/Occupier

Officer: Stephanie Penney

Email: planning.appeals.csb@buckinghamshire.gov.uk

Tel: 01494 732950 / 01895 837210

14 November 2023

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990 APPEAL UNDER SECTION 174

Site Address: Orchard House, 1 Sutton Lane, Slough, Buckinghamshire, SL3 8AR
Reason for appeal: Appeal against an Enforcement Notice alleging without planning permission, a material change of use of the Land to a (sui generis) mixed use, comprising residential, commercial storage and parking of motor vehicles, car sales and commercial storage and integral to that use, the stationing of shipping containers and the stationing of a static caravan and the laying of hardstanding and the erection of lighting, all undertaken to facilitate the unauthorised mixed use.

Appellant's name(s)
Inspectorate's Ref APP/N0410/C/23/3330462
Council's ref: ES/23/00115/COU

Appeal start date: 7 November 2023

I refer to the above details. An appeal has been made to the Secretary of State against an enforcement notice issued by Buckinghamshire Council on 2nd August 2023.

The enforcement notice was issued for the following reasons:

It appears to the Council that the above breach of planning control has occurred within the last TEN years.

- 1. The site is within the Metropolitan Green Belt wherein most development is inappropriate. The development does not fall within an "exception" category as outlined in paragraphs 149 and 150 of the National Planning Policy Framework (2019). The development compromises the purposes of including land in the Green Belt and does not retain its open and undeveloped character, and as such the development is, by definition, harmful to the Green Belt. There are no very special circumstances because the substantial harm to the Green Belt, and any other harm, cannot be clearly outweighed. The development is therefore contrary to GB1 and GB4 of the South Bucks District Local Plan - Adopted March 1999 Consolidated September 2007 and February 2011 and Section 13 of the NPPF.*
- 2. By its very nature, the unauthorised use, as a result of the operational development and associated paraphernalia, has an urbanising appearance which is incompatible with the more rural character of the surrounding area. As such, the use is contrary to Paragraph 130 of the NPPF and policies GB1 and EP3 of the South Bucks District Local Plan - Adopted March 1999 Consolidated September 2007 and February 2011*

The Council does not consider that planning permission should be given, because conditions could not overcome these objections to the development.

The enforcement notice requires the following steps to be taken:

- 1. Cease the use of the Land for the commercial storage and parking of vehicles;*
- 2. Cease the use of the Land for car sales;*
- 3. Cease the use of the Land for commercial storage;*
- 4. Remove from the Land any motor vehicles not related to any lawful use of the Land;*
- 5. Remove the shipping containers (shown in the approximate position cross hatched on the attached plan), from the Land;*
- 6. Remove the static caravan and associated paraphernalia (shown in the approximate position marked A on the attached plan) from the Land;*
- 7. Rip up and remove the hardstanding (shown in the approximate position hatched on the attached plan) from the Land;*
- 8. Remove all lighting, lighting columns and poles, not related to any lawful use of the Land, from the Land;*
- 9. Remove from the Land (shown in thick black line under Appendix A) all materials and debris resulting from complying with Steps 1 to 8 of this notice.*

These requirements are necessary to satisfactorily resolve the breach of planning control.

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

Ground (a) that, in respect of any breach of planning control which may be constituted by the matters stated in the notice, planning permission ought to be granted or, as the case may be, the condition or limitation concerned ought to be discharged;

Ground (g) (a) that any period specified in the notice in accordance with section 173(9) falls short of what should reasonably be allowed.

The appeal will be determined on the basis of an Inquiry procedure.

If you wish to make comments, please write to or email: Rebecca Gray at TeamE5@planninginspectorate.gov.uk If you do not have access to the internet, you can send your comments to:

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

All representations must be received by 19 December 2023. Any representations submitted after the deadline will not usually be considered and will be returned. The Planning Inspectorate does not acknowledge representations. All representations must quote the appeal reference APP/N0410/C/23/3330453

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. Information provided in your representation will be published on the Council's website. We will use our best endeavors to ensure that signatures, telephone numbers and personal email addresses are not published.

If you submit comments and then subsequently wish to withdraw them, you should make this request to the Planning Inspectorate by 19 December 2023.

You can view the appeal documents on the Council's website:

[View and comment on a planning application | Buckinghamshire Council](#)

Select the Chiltern and South Bucks link, then Enforcements tab and insert the Council's reference ES/23/00115/COU.

If you do not have access the internet, please contact us and we will send you the relevant documents by post.

You can get a copy of one of the Planning Inspectorate's "Guide to taking part in appeals" booklet(s) at

www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal.

When made, the decision will be published on the Planning Inspectorate's and on the Council's websites.

Yours sincerely

Stephanie Penney
Planning Compliance & Enforcement Team Leader