



Directorate for Planning, Growth and Sustainability

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Ms Karen Crowhurst
Consult - Parish

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25 September 2024

Dear Ms Crowhurst

TOWN AND COUNTRY PLANNING ACT 1990

Site Address:	Land Adjacent To Former Electricity Substation, Thorney Lane South, Iver, Buckinghamshire, SL0 9AE
Alleged Breach:	Appeal against the erection of a building and the erection of extensions to an existing building; plus the laying of a concrete hard surface without planning permission.
Appellant's name:	Mr Satvinder Gill
Inspectorate's Ref	APP/N0410/C/24/3351015
Council's ref:	ES/22/00550/COU
Appeal start date:	20 September 2024

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 28th February 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 FOUR years.

The site is located within the Metropolitan Green Belt wherein there is a general presumption against inappropriate development except in very special circumstances. By virtue of the scale, footprint and spread of the development alongside the intensification of the use, the development has a greater impact upon the openness of the Green Belt and conflicts with the purposes of the Green Belt. The development therefore constitutes inappropriate development within the Green Belt, which by definition is harmful. As well as causing harm to the Green Belt by virtue of its inappropriateness, other harm is caused to the Green Belt by way of a reduction in its openness. The NPPF sets out that substantial weight should be given to any harm to the Green Belt. No very special circumstances have been advanced that clearly outweigh the harm that has been caused to the Green Belt and other harm identified. As such, the development is contrary to Policy GB1 of the South Bucks District Local Plan (adopted March 1999) and section 13 (Protecting Green Belt Land) of the NPPF.

The development results in an intensification of use of an existing access at a point where visibility is substandard and leads to danger and inconvenience to people using it and to highway users in general. The development is therefore contrary to the National Planning Policy Framework, Buckinghamshire Council Local Transport Plan 4 (adopted April 2016) and the Buckinghamshire Council Highways Development Management Guidance document (adopted July 2018).

There is insufficient space within the site for parking of vehicles clear of the highway. As such, the development causes additional on-street parking to the detriment of public and highway safety. The development is therefore

contrary to the National Planning Policy Framework, Buckinghamshire Council Local Transport Plan 4 (adopted April 2016), the Buckinghamshire Council Countywide Parking Guidance Policy (adopted September 2015) and the Buckinghamshire Council Highways Development Management Guidance document (adopted July 2018).

Circular 06/2005 states that it is essential that the presence or otherwise of protected species, and the extent that they may be affected by development, is established before planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. Core Policy 9 requires that development within Biodiversity Opportunity Areas or on other non-designated land, on rivers and their associated habitats, and as part of development proposals, enhancement and net gain in local biodiversity should be sought. No ecological survey information has been submitted in support of the development and nor has an information been submitted with regards to biodiversity net gain. Insufficient evidence has been submitted to appropriately address or compensate biodiversity loss. As such, the development is contrary to Policy CP9 of the South Bucks Core Strategy (adopted February 2011) and the requirements of the NPPF.

Neighbourhood Plan Policy IV14 requires that development should demonstrate compliance with passivhaus standards. In this instance, no information has been submitted to demonstrate compliance with this Neighbourhood Plan policy. As such, the development fails to comply with Policy IV14 of The Ivers Neighbourhood Plan 2021-2040.

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. Demolish and remove from the Land the building, including the steps, handrails and timber decking at the front of it, as shown outlined and crosshatched in blue on the attached site layout plan.*
- 2. Demolish and remove from the Land the extensions, including the steps and handrails, as shown outlined and crosshatched in green on the attached site layout plan.*
- 3. Break up and remove from the Land the concrete hard surface within the area outlined by the red line as shown on the attached photograph labelled A.*
- 4. Remove from the Land all materials, debris, plant and equipment associated with steps 1 to 3 above.*

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

(g) The time given to comply with the notice is too short.

The appeal will be determined on the basis of written representations. The procedure to be followed is set out in Part 2 of the Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2009.

If you wish to make comments, or modify/withdraw your previous representation, please use the Appeals Casework Portal (<https://acp.planninginspectorate.gov.uk>), or if you do not have access to the internet you can send your comments via post to the Temple Quay House address below:

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

All representations must be received by 1 November 2024. 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/24/3351015.

Please ensure that your representation/s submitted to the Planning Inspectorate are UK GDPR compliant. This is to protect sensitive information about individuals, as all representations will be shared with the Appellant/Agent and the Local Planning Authority (LPA). Information provided in your representation will be published on the Council's website.

If you submit comments and then subsequently wish to withdraw them, you should make this request to the Planning Inspectorate by 1 November 2024.

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

Jonathan Murray
Enforcement Officer