



Directorate for Planning, Growth and Sustainability

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Ms Nicole McCaig
By Email

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2 April 2025

Dear Ms McCaig

TOWN AND COUNTRY PLANNING ACT 1990 APPEAL UNDER SECTION 174

Site Address: Bellswood Farm Bellswood Lane Iver Buckinghamshire SL0 0LU
Alleged breach: Without planning permission, the laying of hardstanding and erection of fencing and gates.
Appellant's name: Mr Paul Kelly
Appeal reference: APP/N0410/C/25/3361284
Council reference: ES/24/00255/COU
Appeal start date: 24/03/2025

Further to my letter on 26/03/2025, 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 06/01/2025.

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.

1. The site is located within the Metropolitan Green Belt wherein there is a general presumption against inappropriate development except in very special circumstances. The development constitutes inappropriate development within the Green Belt, which by definition is harmful. As well as causing harm to the Green Belt by reason of its inappropriateness, other harm is caused to the Green Belt by way of a reduction in its openness and a conflict with its purposes. The NPPF sets out that substantial weight should be given to any harm to the Green Belt. In the opinion of the Local Planning Authority, no very special circumstances have been advanced because the harm to the Green Belt by reason of inappropriateness and a reduction in openness and a conflict with its purposes, and any other harm, cannot be clearly outweighed. 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.

2. In the opinion of the Local Planning Authority, by its very nature, the extent of operational development, unconnected to any agricultural use, has an urbanising appearance which is incompatible with the more rural character of the surrounding area. As such, the development is contrary to Paragraph 154 of the NPPF and saved policy EP3 and GB1 of the South Bucks District Local Plan (adopted March 1999, Consolidated September 2007 and February 2011).

The enforcement notice requires the following steps to be taken:

1. Rip up and remove the hardstanding (shown in the approximate position marked hatched on the attached plan);
2. Remove the fencing and gates (shown in the approximate position marked as a dotted line on the attached plan);
3. Back-fill any holes or level changes created by the removal of the hardstanding from the Land and seed the Land with grass seed (shown in the approximate position marked hatched on the attached plan);
4. Remove from the Land all material and debris resulting from complying with steps 1 and 2 of this Notice.

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

***Ground (d)** – that, at the time the enforcement notice was issued, it was too late to take enforcement action against the matters stated in the notice.

The appeal will now be determined on the basis of an **inquiry**. The procedure to be followed is set out in the Town and Country Planning (Enforcement) (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2002.

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:

Ben White
The Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN.

All representations must be received by 05/05/2025. 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.**

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.

[Councils Public Access System](#)

You can get a copy of one of the Planning Inspectorate's "Guide to taking part in enforcement appeals" booklets free of charge from GOV.UK at <https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal> or from us.

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

Yours faithfully

Stephanie Penney
Enforcement South, East and West Team Leader