



Appeal Decisions

Site visit made on 30 July 2025

by Chris Preston BA (Hons) Town and Country Planning, Bachelor of Planning (BPI)

an Inspector appointed by the Secretary of State

Decision date: 11 August 2025

Appeal A Ref: APP/J0405/C/23/3331854

Appeal B Ref: APP/J0405/C/23/3332316

East side of Wicken Road, Leckhampstead, Buckinghamshire, MK18 5NZ

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - Appeal A is made by Ms Sally Lane and Appeal B by Mr Al-amin Satter against an enforcement notice issued by Buckinghamshire Council - North Area (Aylesbury).
 - The notice was issued on 21 September 2023.
 - The breach of planning control as alleged in the notice is: Without planning permission, the material change of use of the land shown outlined in black on the attached plan to B8 (Storage), the stationing of vehicles on the Land facilitating the unauthorised use and the erection of structures on the Land.
 - The requirements of the notice are to:
 - (1) Permanently cease the unauthorised storage use of the Land.
 - (2) Permanently remove (demolish) the structures (shown hatched in black on the plan) from the Land and ensure all materials used in its construction are removed from the Land.
 - (3) Permanently remove the vehicles stored on the Land.
 - (4) Permanently remove any debris or materials from the Land that comes as a result of complying with Steps 1, 2 and 3 of the Notice.
 - The period for compliance with the requirements is within 3 months of the notice taking effect.
 - Appeal A is proceeding on the grounds (b) and (c) and Appeal B is proceeding on ground (b) set out in section 174(2)(b), (c) of the Town and Country Planning Act 1990 (as amended).
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Decisions

1. The appeals are dismissed and the enforcement notice is upheld.

Preliminary Matters

2. The appeal relates to a field on the east side of Wicken Road, on the fringe of the village of Leckhampstead. Previously in single ownership and use it appears that the field has been sold to numerous different owners and parcelled up into smaller plots. The Council served two enforcement notices in relation to different parts of the field, referring to them as EN1 and EN2. The alleged breach is the same in both notices, referring to a material change of use for storage purposes, stationing of vehicles and erection of structures, as shown on respective plans.
3. EN1 relates to the bottom section of the field, at its narrowest point, opposite from the residential properties on the opposite side of the road. EN2 relates to land in the middle of the field. No appeal has been made in respect of EN1 but two different appellants have appealed against EN2, with the forms submitted independently of one another.
4. I have referred to them as Appeal A and Appeal B, as set out above. Appeal A is submitted on grounds (b) and (c) and Appeal B on ground (b) alone. It is not clear

what the relationship is between the different appellants, if any, or why both have an interest in the same small parcel of land. However, no question has been raised over the validity of the appeals. Given that the ground (b) appeals are similar in nature I have dealt with both appeals within this same letter.

The Appeals on Ground (b)

5. An appeal on ground (b) is made on the basis that the breach of planning control alleged in the notice has not occurred as a matter of fact. The onus is on an appellant to demonstrate their case, on the balance of probability. In this instance, both appeals are characterised by the paucity of information submitted, limited to a few lines on the appeal form, with no subsequent statements.
6. The appellant in Appeal B simply states that he owns “plots 2 and 3” and that there are no structures on the land belonging to him. He does say that a car was parked on his land which belonged to the owner of plot 4 but that has subsequently been removed. When the appellant refers to plots 2, 3 and 4 it is not immediately clear which part of the former field he refers to. However, he explicitly stated that he wished to appeal EN2 which relates to a small section of the field, clearly identified on the attached plan.
7. It is clear that vehicles were stored on the land at the time the notice was served and what appears to be the same car, old motorhome and horse box/van were still in situ at the time of my site visit. There was also an area where wood pallets and other similar wooden items were stored, a domestic style timber shed and a wooden structure/ hut which was still in the same place. None of those items or structures have any obvious connection with agriculture which is the lawful use of the land.
8. Therefore, on the face of it, the argument put forward in respect of Appeal B does not appear to be borne out by the facts. Whether that is down to confusion on the part of the appellant over which parcel of land is being referred to is not clear but no convincing argument has been presented to demonstrate that the alleged breach has not occurred.
9. The ground (b) case presented in Appeal A is similarly lacking in detail, simply stating “It is agricultural land, being used to raise sheep”. There were a small number of sheep in the field adjacent to the land identified in EN2 at the time of my visit. However, the structures and stored items on the land to which the notice relates have no obvious connection to that use. Timber pallets, a small domestic style shed, the timber hut and the various vehicles are not typically things one would find in the midst of a field being put to agricultural purposes.
10. It is suggested that the shed is used to store food but sheep generally graze the land and no indication as to what food is stored is provided. The fact that the same vehicles appear to have been in situ for a considerable period without moving also casts significant doubt on the claim that they are used in connection with raising livestock.
11. Overall, bearing in mind that the onus rests with an appellant to make their case, no convincing argument that the breach has not occurred has been presented. The use of the land appears very much as described in the notice, being small scale storage of items and small structures erected with no connection to

agriculture. That was the case judging by the photographs taken at the time the notice was served and not much had changed at the time of my visit.

12. For those reasons, the appeals on ground (b) must fail.

Appeal A on Ground (c)

13. The ground (c) appeal is linked to the appeal on ground (b). Namely, it is claimed that there has not been a breach of planning control because the land is in use for agriculture. However, for the reasons given above, no obvious connection between the vehicles, items stored and structures and any grazing of the adjacent land has been put forward.

14. Whilst small in scale, the activity and associated structures have had a notable visual impact and altered the character of the land which no longer has the appearance of a paddock used for grazing. The storage of items, vehicles and the erection of associated structures has therefore resulted in a material change of use of the land in question, as described in the enforcement notice. No planning permission has been granted for that development which, as a result, represents a breach of planning control. Consequently, Appeal A on ground (c) must fail.

Conclusion

15. For the reasons given above, I conclude that the appeals should not succeed and I shall uphold the enforcement notice.

Chris Preston

INSPECTOR