

Appeal Decisions

Site visit made on 5 August 2025

by Paul Dignan MSc PhD

an Inspector appointed by the Secretary of State

Decision date: 22 August 2025

Appeal A Ref: APP/N0410/C/24/3341765

Appeal B Ref: APP/N0410/C/24/3341766

59 Heath Road, BEACONSFIELD, HP9 1DG

- The appeals are made under section 174 of the Town and Country Planning Act 1990 (as amended).
- The appeals are made by Mr Amardeep Mann (Appeal A) and Dr Harjit Bains (Appeal B) against an enforcement notice issued by Buckinghamshire Council - South Area (South Bucks).
- The notice was issued on 23 February 2024.
- The breach of planning control as alleged in the notice is Without planning permission, the erection of a detached building.
- The requirements of the notice are: 1. Remove the building hatched on the attached plan; and 2. Remove all materials and debris resulting from complying with step 1 of this Notice from the Land.
- The period for compliance with the requirement is 3 months.
- The appeals are proceeding on the ground set out in section 174(2)(a) of the Town and Country Planning Act 1990 (as amended). An application for planning permission deemed to have been made under section 177(5) of the Act also falls to be considered.

Decisions

1. The appeals are dismissed, the enforcement notice is upheld, and planning permission is refused on the application deemed to have been made under section 177(5) of the Act.

Reasons

2. The appeal property is on the corner of Heath Road and Longview. Longview is a loop road that passes the side and rear of No 59. Planning permission¹ was granted in March 2022 for a detached outbuilding in the rear and side garden. The building the subject of the notice is similar in many respects to that approved, but it is built on a newly raised patio area making it about 0.3m higher, and hence projecting about 0.7m above the close-boarded boundary fence rather than the 0.4m of the approved scheme. The front roof edge is also considerably closer to the boundary.

3. Since the notice was issued, a screen of bamboo planted in planter boxes has been placed around the Longview boundary in the vicinity of the building which screens views of much of the building from Longview. However, there is insufficient space, as far as I could see, between the front corner of the building and the boundary fence for effective screening by landscaping of this part of the development. As a result the proximity of the building to the boundary is all too obvious and its height above the boundary fence gives it an undue prominence in the streetscene that is discordant and incongruous. The surrounding area has a mature residential character with buildings generally set back from the highway in reasonably spacious plots. In this local context the obvious close proximity of the building to the boundary and its projection above it gives the plot a crowded appearance that is at odds with the surrounding pattern of

¹ Council Ref. PL/21/2815/FA

development. The 2022 approved building would not have had this impact due to its lower height and setback from the boundary at the front of the building, notwithstanding that landscaping was not a part of the planning permission granted.

4. The development is thus in conflict with saved policies EP3 and H13 of the South Bucks District Local Plan which aim to ensure that development is compatible with the character of the site and surrounding area. In the absence of other policy support, I find that the development is contrary to the development plan read as a whole. There are not material considerations sufficient to indicate that permission should be granted contrary to the development plan, and accordingly the appeals must be dismissed.

Paul Dignan

INSPECTOR