



Appeal Decision

by Gareth Symons BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date 16 October 2025

Appeal Ref: APP/N0410/C/25/3361521

Hillbrow Cottage, Wexham Street, Stoke Poges, Buckinghamshire SL3 6NX

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Tapinder Singh against an enforcement notice issued by Buckinghamshire Council.
 - The notice was issued on 21 January 2025.
 - The breach of planning control as alleged in the notice is: The erection of a building.
 - The requirements of the notice are: 1. Demolish the building marked hatched on the attached plan; 2. Remove from the Land (shown in thick black line under Appendix A) all material and debris resulting from complying with step 1 of this Notice.
 - The period for compliance with the requirements is: Three months.
 - The appeal is proceeding on the ground set out in section 174(2)(g) of the Town and Country Planning Act 1990 (as amended).
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Decision

1. The appeal is dismissed and the enforcement notice is upheld.

Preliminary Matters

2. The single ground of appeal under s174(2)(g) of the 1990 Act does not require consideration of any matters of planning merit. There is also no deemed planning application before me. Consequently, there is no need for a visual assessment of the site to see, for example, the effect of the building on the character and appearance of the area or its impact on the openness of the Green Belt. Therefore, I was able to determine the appeal without visiting the site. No appeal party has been prejudiced by this course of action.
3. The appellant has referred to the possibility of using permitted development rights to rebuild a very similar replacement building if the appeal building is demolished. This is akin to an appeal under s174(2)(f) of the 1990 Act which is that the requirements of the enforcement notice exceed what is necessary to remedy the breach of planning control or any injury to amenity which may have been caused by the breach.
4. However, there is no supporting information to support the claim that such permitted development rights would apply. The appellant also does not say that they would, in fact, rebuild the structure. Furthermore, the Council refer to the current building not being permitted development because of its height and closeness to the boundary meaning that it exceeds permitted development limitations. This has not been disputed by the appellant. This being the case, a new structure of similar size in the same position would also not be permitted development. Taking all this in the round, a fallback position of implementing permitted development rights has not been made out and it would thus have had very little weight when considering a ground (f) appeal.

Reasons

5. The appellant has not explained why the planning, funding and execution of the safe and proper demolition of the building would take longer than the three months allowed by the notice. I can see no substantive reason why the time given to comply with the notice falls short of what should be reasonably allowed. Therefore, the ground (g) appeal fails.

Conclusion

6. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the enforcement notice.

Gareth Symons

INSPECTOR