



Appeal Decision

by Ken McEntee

a person appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 23 April 2026

Appeal ref: APP/X0415/C/25/3377177

Land adjacent to Porch House, Village Road, Coleshill, Bucks.

- The appeal is made under section 174 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991.
- The appeal is brought by Mr John Roddison (Rosary Estates) against an enforcement notice issued by Buckinghamshire Council.
- The notice was issued on 18 November 2025.
- The breach of planning control as alleged in the notice is: "Without planning permission, the erection of a fence and gate".
- The requirements of the notice are: "1. Remove the fence shown marked as a dotted line on the attached plan. 2. Remove the gate as shown circled in photo 1. 3. Remove all materials and debris resulting from complying with steps 1 and 2 of this Notice from the Land".
- The time period for compliance with the requirements of the notice is "Within two months of this Notice taking effect".
- The appeal is proceeding on the ground set out in section 174(2)(g) of the Town and Country Planning Act 1990 as amended.

Summary of decision: The appeal is dismissed and the enforcement notice is upheld without variation.

Reasons for the decision

1. I note that there is a live planning appeal (6003056) against the refusal of a retrospective planning application to regularise the unauthorised development. The main basis of the appellant's case is that the period for compliance with the requirements of the enforcement notice should be extended until the planning appeal has been determined. The appellant therefore requests that the period be extended to 9 months.
2. While I appreciate the appellant's reasons for this request, I am mindful that nearly 4 months have elapsed since the appeal was submitted with enforcement action effectively suspended. As the compliance period will begin again from the date of this decision, the appellant will effectively have had some 6 months in which to await the outcome of the planning appeal and to carry out the required works to comply with the notice. I consider this period to be reasonable and proportionate.
3. I also note that a site visit took place in relation to the planning appeal on 14 April 2026. Therefore, it is reasonable to conclude that it is likely a decision will be made within the next couple of months. However, should that not be the case, it will be open to him to submit a request to the Council to use their powers under

section 173A(1)(b) of the 1990 Act to extend the compliance period themselves, should they be satisfied there is justification for doing so.

4. Therefore, on the evidence before me, I am not satisfied there is good reason to extend the period for compliance with the requirements of the notice further. The appeal fails accordingly.

Formal decision

5. For the reasons given above, the appeal is dismissed and the enforcement notice is upheld without variation.

K McEntee