



Appeal Decision

Site visit made on 16 June 2026

by Thomas Shields DipURP MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 September 2026

Appeal Ref: APP/J0405/F/25/3370104

New Bengal Blue, 17-19 Walton Road, Aylesbury, Buckinghamshire, HP21 7SR

- The appeal is made under section 39 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended (the Act).
 - The appeal is made by New Bengal Blue against a listed building enforcement notice issued by Buckinghamshire Council - North Area (Aylesbury).
 - The enforcement notice was issued on 3 July 2025.
 - The contravention of listed building control alleged in the notice is without listed building consent the installation of UPVC windows to the first-floor front elevation, attachment of a CCTV pole, installation of new signage with external lighting and painting of the front elevation of the building.
 - The requirements of the notice are:
 - Step 1: Replace the first-floor front elevation UPVC windows with solid timber windows to match those that were removed which were side opening eight paned single glazed timber windows - as shown in "Photo 1" attached to this Notice and paint the window frames in cream (RAL 9001) using appropriate paint.
 - Step 2: Remove the advertisement fascia from the front elevation of the building.
 - Step 3: Remove all plastic, metal, timber and other materials used to install the fascia board, from the building.
 - Step 4: Where any coring through brickwork or stonework has been undertaken to attach the fascia board, this must be in filled with a mix of lime mortar to match the colour of the existing brick, stonework or render so it will blend in seamlessly.
 - Step 5: Permanently remove the CCTV camera and the pole from the front elevation of the building and where any coring through brickwork or stonework has been undertaken to attach the CCTV pole, this must be in filled with a mix of lime mortar to match the colour of the existing brick, stonework or render so it will blend in seamlessly.
 - Step 6: Paint the exterior of the front elevation of the building, including downpipes, a pale blue colour (Sizing No. 314) or cream (RAL 9001) using appropriate paint.
 - Step 7: Paint the frames of the ground floor front elevation windows in cream (RAL 9001) using appropriate paint.
 - Step 8: Paint the ground floor front elevation door in cream (RAL 9001) using appropriate paint.
 - Step 9: Paint the first-floor dormer apex boards in cream (RAL 9001) using appropriate paint. See "Image 2" attached to this Notice for reference.
 - Step 10: Paint the first-floor dormer soffit boards in black (RAL 9005) using appropriate paint. See "Image 2" attached to this Notice for reference.
 - Step 11: Paint all windowsills on the front elevation of the building in cream (RAL 9001) using appropriate paint.
 - Step 12: Remove all debris resulting from complying with steps 1 to 11 of this Notice from the Land outlined in thick black on the attached plan.
 - The period for compliance with the requirements is 6 months.
 - The appeal is made on the grounds set out in section 39(1)(g) of the Act.
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Decision

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

Appeal on ground (g)

2. The appeal on this ground is that the requirements of the listed building enforcement notice (LBEN) exceed what is necessary for restoring the building to its condition before the works were carried out. The appellant's case on this ground relates only to LBEN requirements 2, 3, 4, 5 and 6.
3. Requirements 2, 3, 4 and 6 relate to remedial works to remove the building's front advertisement fascia and restoration and painting of the front elevation.
4. The appellant does not deny that the unauthorised works were carried out, and advances no argument as to why requirements 2, 3, 4 and 6 exceed what is necessary for restoring the building to its former condition. Given that the requirements simply seek to undo what has been done, they clearly do not exceed what is necessary for restoration of the building.
5. Requirement 5 relates to the pole mounted CCTV. Again, no argument is advanced as to why this requirement exceeds what is necessary for restoring the building to its former condition. Given that the requirement goes no further than its removal, restoring the building to its former condition, it is clearly not an excessive requirement for that purpose.
6. The appeals on ground (g) therefore fail.

Other matters

7. Part of the appellant's submissions are that more time should be given to allow for the retention of the front fascia signage until an alternative scheme is approved, and also that the pole mounted CCTV should be permanently retained. These are effectively matters for consideration on the grounds available under section 39(1)(e) and (h) of the Act, but no such appeals were made.
8. With regard to allowing more time for an alternative scheme to be approved, the appellant has had over a year to submit an alternative scheme to the Council and still has a further 6 months from the date of this Decision. A further extension of time for compliance with the LBEN requirements for this purpose is therefore unjustified.
9. With regard to the pole mounted CCTV, I see no reason why any alternative security measures would not be adequate, and without resulting in harm to the listed building. Again, should listed building consent be required for any new alternative scheme, the appellant has sufficient time for such an application to be made to the Council.
10. Consequently, had appeals been lodged on grounds (e) and (h) they would have failed for these reasons.

Thomas Shields

INSPECTOR