



Appeal Decisions

Site visit made on 19 August 2025

by Simon Hand MA

an Inspector appointed by the Secretary of State

Decision date: 20th August 2025

Appeal A Ref: APP/T0355/C/24/3340649

Land at The Crown Public House, Horton Road, Horton, Slough, SL3 9NU

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Surinder Hayer against an enforcement notice issued by Royal Borough of Windsor and Maidenhead.
 - The notice was issued on 13 February 2024.
 - The breach of planning control as alleged in the notice is Without planning permission, the material change of use from a drinking establishment to a mixed use comprising drinking establishment and airport parking; with facilitating operational development comprising fencing and a hardsurface.
 - The requirements of the notice are: a) Cease the use of the land for airport parking. b) Remove all cars from the land associated with the airport parking. c) Following compliance with step (b) dig up and remove from the land all the hardsurfacing within the area of blue hatching. d) Dismantle and remove from the land the fencing indicated with a thick green line.
 - The period for compliance with the requirements is: 28 days.
 - The appeal is proceeding on the grounds set out in section 174(2) (f) and (g) of the Town and Country Planning Act 1990 (as amended).
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Appeal B Ref: APP/T0355/C/24/3354331

The Crown Public House, Horton Road, Horton, Slough, SL3 9NU

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Surinder Singh Hayer against an enforcement notice issued by Royal Borough of Windsor and Maidenhead.
 - The notice was issued on 13 February 2024.
 - The breach of planning control as alleged in the notice is Without planning permission, the erection of two buildings with associated hard surfacing and fencing.
 - The requirements of the notice are a) Demolish the buildings and associated hardsurfacing and fencing in the approx. position hatched in blue and identified in the image marked AJH1. b) Following compliance with step (a) remove all materials from the land.
 - The period for compliance with the requirements is: 28 days.
 - The appeal is proceeding on the grounds set out in section 174(2) (a) and (f) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Appeal C Ref: APP/T0355/C/24/3354662

Land at The Crown Public House, Horton Road, Horton, Slough, SL3 9NU

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
- The appeal is made by Mr Surinder Hayer against an enforcement notice issued by Royal Borough of Windsor and Maidenhead.
- The notice was issued on 13 February 2024.
- The breach of planning control as alleged in the notice is without planning permission, the removal of part of the wall on the rear elevation of the barn to form a new opening for a door, with associated external steps; the replacing of a small barn door with a window in the side elevation; and the removal of part of a wall to form a new opening for a window also in the side elevation..
- The requirements of the notice are: a) Remove the door in the rear elevation of the barn as identified in the appended images marked AJH1. b) Following compliance with step (a), close up the opening using bricks to match the existing. c) Following compliance with step (b) paint the area in off-white to

match the existing colour using a breathable, mineral based paint. d) Detach from the building, and remove from the land, the external staircase. e) Following compliance with step (d), repair any defects in the wall areas using matching materials. f) Remove the window in the side elevation (north facing) show in the attached image marked AJH1. g) Following compliance with step (f) reinsert the original barn door and repair any defects in the area using matching materials. h) Remove the window in the side elevation (north facing) show in the attached image marked AJH1. i) Following compliance with step (h), close up the opening using bricks to match the existing. j) Following compliance with step (i) paint the area in off-white to match the existing colour using a breathable, mineral based paint.

- The period for compliance with the requirements is: 28 days.
 - The appeal is proceeding on the ground set out in section 174(2) (a) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Appeal D Ref: APP/T0355/F/24/3354374

Land at the Crown Public House, Horton, Slough, SL3 9NU

- The appeal is made under section 39 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.
 - The appeal is made by Mr Surinder Hayer against a listed building enforcement notice issued by the Royal Borough of Windsor and Maidenhead.
 - The enforcement notice was issued on 13 February 2024.
 - The contravention of listed building control alleged in the notice is: Without listed building consent, the removal of part of a wall on the rear elevation of the barn to form a new opening for a door, with associated external steps; the replacing of a small barn door with a window in the side elevation; and the removal of part of a wall to form a new opening for a window also in the side elevation.
 - The requirements of the notice are: (a) Remove the door in the rear elevation of the barn as identified in the appended images marked AJH1. b) Following compliance with step (a), close up the opening using bricks to match the existing. c) Following compliance with step (b) paint the area in off-white to match the existing colour using a breathable, mineral based paint. d) Detach from the building, and remove from the land, the external staircase. e) Following compliance with step (d), repair any defects in the wall areas using matching materials. f) Remove the window in the side elevation (north facing) show in the attached image marked AJH1. g) Following compliance with step (f) reinsert the original barn door and repair any defects in the area using matching materials. h) Remove the window in the side elevation (north facing) show in the attached image marked AJH1. i) Following compliance with step (h), close up the opening using bricks to match the existing. j) Following compliance with step (i) paint the area in off-white to match the existing colour using a breathable, mineral based paint
 - The period for compliance with the requirements is 28 days.
 - The appeal is made on the grounds set out in section 39(1) (e) and (g) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.
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Decisions

Appeal A - 3340649

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

Appeal B - 3354331

2. It is directed the enforcement notice is corrected by replacing the word “two” in the allegation with the word “three”. Subject to that correction the appeal is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act (as amended) for the development already carried out, namely the erection of three buildings with associated hard surfacing and fencing at the Crown Public House, Horton, Slough, SL3 9NU as shown on the plan attached to the notice and subject to the following condition: the buildings hereby granted planning permission shall be used only for storage purposes and no other purposes within the Schedule to

the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Appeal C - 3354662

3. The appeal is dismissed and the enforcement notice is quashed.

Appeal D - 3354374

4. It is directed that the listed building enforcement notice be corrected by: the deletion of the words "*the removal of part of a wall on the rear elevation of the barn to form a new opening for a door, with associated external steps*" from the allegation and the deletion of requirements (a), (b), (c), (d) and (e). Subject to these corrections the appeal is dismissed and the listed building enforcement notice is upheld. Listed building consent is refused for the retention of the works carried out in contravention of section 9 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

Appeal A – 3340649, Airport Car Parking

5. The appeal was originally made under ground (a) as well as (f) and (g). However the required fee was not paid so ground (a) lapsed. No representations were received from the appellant apart from those on the appeal form itself and they argued for ground (f) that the Council should have waited for the appellant to make an appeal against the refusal of an application he had made to regularise the parking. The Council confirm that no appeal was made. He also argued that time should have been given to make an application for something else other than car parking. The ground (g) argument is simply that more time is required.
6. There is no reason why more time should be allowed for speculative and unnamed applications to be made. That process can carry on whether or not airport car parking ceases. I noted from my site visit that a few cars were parked in the rear of the pub (which is now an Indian restaurant), but that appeared to be informal rather than airport car parking.
7. It would not seem that more time is required, as the use has ceased and in any event there is no reason why a use such as car parking should not cease within 28 days. The Appeals on grounds (f) and (g) fail.

Appeal B – 3354331 – the Garage Buildings

8. The notice alleges two buildings have been constructed, but the plans and photographs attached to the notice show the three buildings described below. I assume the Council have treated the two “garages” as a single building but the plans submitted by the appellant and my site visit confirmed they were two separate buildings. I shall correct the notice to refer to three buildings. This will not cause any injustice as both parties have dealt with the appeal in their representations as if there were three buildings and there is no confusion as to which buildings are meant.
9. This appeal is proceeding on grounds (a) and (f). However, the appellant argues the units were always there and have merely been repaired. This, as the Council

point out, is a hidden ground (b) that the matters alleged have not taken place and I shall deal with that first.

10. It seems uncontested that there were originally two garages and a shed on the same footprint as the current storage units. Plans and photographs show a typical flat roof single garage next to a much smaller building which, although it has a pair of garage doors, would not be large enough to contain a car, and next to that a typical wooden shed which looks as if it was a free-standing building. The current buildings are labelled “stores” on the plans and occupy the same footprint. However, the two pairs of garage doors have been replaced by single doors (which appear to be domestic front doors) and a small window, although that on the smaller unit seems now to have been removed. The wooden shed seems to have been replaced entirely by a wooden store now attached to the other small unit.
11. The rebuilding of the shed and the new front façades, along with new roofs all add up to what are effectively new buildings which do require planning permission which is the object of the appeal on ground (a).
12. Given that there were garages and a shed on the site it doesn’t seem unreasonable to replace them with similar buildings. The area to the rear of the pub would seem to have always been fenced off from the pub garden and that is true now. Immediately behind the buildings lie much larger light industrial units which dominate the views to the rear. I saw inside the units and they were crammed with storage relating to the pub. On that basis it is difficult to see what harm they cause. Although the site is in the green belt they would fall within paragraph 154 (c) and (d) which allows for alterations or rebuilding of existing buildings as long as they are not materially larger than the originals, which would seem to be the case here.
13. However, they sit to the rear of the pub which is listed grade II. I do not think they are within the curtilage of the listed building, that would seem to be more closely related to the area of the pub garden which borders the rear yard area, but they are certainly within its setting. However, they are some way from the listed building and are seen more directly in conjunction with the much larger commercial buildings to the rear. They are somewhat scruffy, but that is more to do with the fact the yard has been left to get overgrown and there are odd piles of rubbish up against the walls of the buildings. The buildings themselves are simple, utilitarian, modest in scale and barely noticeable. Their use is simply for storage which has a neutral impact and in my view therefore they do not cause less than substantial harm to the setting of the listed building.
14. It follows from my description above they do not cause harm to the character and appearance of the area, which I would describe as an urban enclave within a wider semi-rural area. The amount of hardstanding associated with the buildings is modest, and sitting behind the pub is not out of place, while the fencing simply separates this area from the pub garden. The development of the 3 stores is not therefore contrary to QP3, QP5 or HE1 of the Borough Local Plan and I shall grant planning permission for their retention subject to a condition they are used for storage purposes only. I do not need to consider the appeal on ground (f).

Appeals C & D 3354662 & 3354374 – Listed Building Issues

15. Attached to the pub building and forming part of its listing is a small barn, that presents its gable ends to the road and the rear area of the pub. There have been three alleged alterations, one to create a new first floor rear entrance door with a metal stairway, secondly to remove a small first floor side door and replace it with a window and thirdly to make a new opening, next to the new window for a second window. Both windows had modern plastic frames.
16. The appellant argues the rear door and staircase already existed. They have merely been replaced with similar ones. There is a photograph labelled “existing” which shows an older plank wooden door and a black painted staircase that appears to be slightly larger than the new one. I don’t think this proves definitively there was an original door and staircase, but it seems a sensible conclusion. As far as I could see there was no other way to access the first floor of the barn. Given the historic side entrance at first floor level (that was replaced by a window) it would seem that there was a first floor for many years and this is accepted by the Council.
17. Given that assumption the replacement would seem to be if anything a slight improvement. The black wooden door is entirely inoffensive and the metal staircase seems to be marginally smaller and lighter than the one it replaced. Consequently, the development has not affected the special architectural or historic character of the building. This is a hidden ground (c)¹, but I do not think there would be an injustice to either party by considering it as both have had an opportunity to comment on it. I shall correct the notice to remove this allegation and requirements.
18. There is no dispute that the two windows were inserted in the side wall as alleged. However, I noticed on my site visit the first floor barn door has been returned to its position and the window removed. The second window, which required removal of some of the fabric of the building, has been boarded up but remains in place.
19. The barn is of simple construction and modest proportions. The introduction of the two first floor windows gave it a much more domestic form and clearly detracted from its traditional functional appearance. The return of the small barn door is to be welcomed but the extra wooden boarding, hiding the second window adds a sense of clutter to the wall. There is no historic reason or purpose for a window at this location and the loss of historic fabric is to be regretted. Replacing the brickwork and making good the damage is the only way of dealing with the less than substantial harm caused.
20. The appellant argues that the upper floor rooms require windows to enable them to function. I saw the upper storey had been subdivided into two small rooms, which had no windows. However, the site of the second window remains and it was low down at floor level. Even if opened up, it would provide only a very poor amount of light for one room. This marginal benefit certainly does not outweigh the harm caused to the building. It might be possible for roof lights to provide some form of natural light to the upper floor, but that is a matter that does not seem to have been explored and is not before me. In any event, either one on its own or both together, the windows have caused less than substantial harm to the listed

¹ Ground (c) is that the matters alleged do not constitute a contravention of section 9(1) or (2) of the Act.

building and there are no offsetting public benefits. I shall dismiss the appeal on ground (e).

21. The ground (g) appeal refers only to the rear staircase and door and I have dealt with that as ground (c). The enforcement notice mirrors exactly the listed building enforcement notice. I am not sure why both notices were issued the listed building enforcement notice would have done the job on its own. To avoid confusion I shall dismiss Appeal C but quash the enforcement notice, then uphold the listed building enforcement notice suitably corrected to require only the replacement of the two windows. As one has already been replaced by the return of the barn door, only the second window needs to be removed and the brickwork made good as required.

Simon Hand

INSPECTOR