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## Appeal Decisions

Site visit made on 10 February 2026

by **T C King BA(Hons), MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 April 2026

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### **Appeal A Ref: APP/J0350/C/23/3335935 and APP/J0350/C/23/3335936**

#### **16 Mill Street, Slough, SL2 5DH**

- The appeals are made under section 174 of the Town and Country Planning Act 1990 (as amended).
  - The appeals are made by Mr Ramandeep Singh Dhaliwal and Mr Rod Hutchinson against an enforcement notice issued by Slough Borough Council.
  - The notice was issued on 20 November 2023.
  - The breach of planning control as alleged in the notice is Without planning permission, the material change of use for the storage of motor vehicles ("the Unauthorised Material Change of Use").
  - The requirements of the notice are:
    - 1) Cease the use of the Land for the storage of motor vehicles;
    - 2) Remove all motor vehicles from the Land;
    - 3) Remove the advertisements from the Land;
    - 4) Remove the boundary treatment which falls within one metre of the highway;
    - 5) Remove the metal container from the Land; and
    - 6) Remove all paraphernalia associated with the storage of motor vehicles.
  - The period for compliance with the requirements is three (3) calendar months after this notice takes effect.
  - The appeals are proceeding on the grounds set out in section 174(2)(a), (f), (g) 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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### **Formal decision**

1. It is directed that the enforcement notice be varied by extending the time period for compliance from three to six months. Subject to this variation the appeal is 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 1990 Act, as amended.

### **Preliminary Matters**

2. No 16 Mill Street is one of a pair of small semi-detached dwellings which are included on the Council's local list of buildings of particular importance. Following a fire some years ago the dwelling has lain derelict and is a state of marked disrepair. Its curtilage is being used intensively for the storage of motor vehicles, and it is understood that this has been the case for a number of years.
3. No 18 has similarly fallen out of residential use, and it appears that this property is now being used as the office for a car wash business which operates in the open, within its curtilage.
4. I am unaware of any current enforcement investigation as to the commercial use of no 18 but, for no 16, the Council saw it expedient to issue an enforcement notice essentially requiring that the use cease. The current appeals have been made in response to this action.

## **The appeal on ground (a); the deemed planning application (DPA)**

### **Main Issues**

5. The main issues in this appeal are:

- 1) the effect of the development on the character and appearance of the surrounding area;
- 2) the development's effect on the Council's housing stock; and
- 3) the effect on highway safety.

### **Reasons**

#### *Character and appearance*

6. The Council considers that the storage of motor vehicles and associated materials is visually intrusive and harmful to the character and appearance of the area. Also, it indicates that this is compounded by the potential of the use to affect the amenities of neighbouring residential occupiers due to noise and disturbance,.
7. From my site visit I must agree with the Council's assessment. Whilst motor vehicles which appear as roadworthy are arranged in rows along the site's side boundaries, at the rear of the site I observed trucks and small commercial vehicles, apparently in need of repair, and it was obvious these had been stored there for some considerable time.
8. This illustrates the difference between parking and storage. Whereas parking is the temporary placement of a vehicle in active use, and only on a short-term basis, storage is long-term, representing a holding for inactive vehicles. As indicated, there appears to a mixture here, but there is no evidence before me as to the length of time the unroadworthy vehicles have remained on the land, nor what the average turnover is for the cars that could be readily driven to and from the site. What is clear, though, is that the land has now been so used for over nine years.
9. The immediate locality is an area which has undergone considerable redevelopment in recent years and the appellants make the point that nos 16 and 18 and their associated yards are likely to be redeveloped in accordance with the Council's wider regeneration objectives. Although I imagine this will likely be the case I have seen no evidence to indicate that this will be occurring anytime soon. Nonetheless, the appellant makes the case that the vehicle storage use should be allowed to continue until such time. I consider, though, that the local economic benefits of such an approach would be very limited and there would also be significant environmental impacts therefrom.
10. Irrespective of the fact that residential uses – including a number of apartments created in new blocks – are evident in near proximity, and the vehicle storage use is a bad neighbour in such circumstances, the appellant's stance is that vehicle storage makes good use of vacant land that remains unutilised and unused. The use at no 16, though, is unsightly and its implications are not mitigated by the fact that there are other commercial uses close by on Mill Street. Indeed, these are of a different nature and character and are largely contained within their buildings. The high board fencing at the appeal site also visually detracts.

11. Admittedly, open car storage uses, by their very nature, means that policy 8 of the Slough Local Development Framework Core Strategy (CS), which requires for a high standard of design, can only be loosely applied, but a more organised site layout, properly surfaced and a much less haphazard arrangement, would be possible. Instead, the appellant is taking advantage of this vacant piece of land, but to the detriment of local occupiers and their reasonable expectations as to the safeguarding of normal residential amenities. The open storage of vehicles is certainly visible from facing upper floor windows.
12. On the above basis I have concluded that the use is harmful to the character and appearance of the surrounding area and conflicts with the objectives and requirements of CS policy 8. Given that the use has continued unabated for some nine years I see no justification for granting a planning permission subject to a time limitation condition, not least due to the fact that the permission, as a safeguard, would also have conditions attached to improve the nature of the use along the lines I have referred to. I consider it is unlikely that these would be economically viable nor acceptable to the appellants due to the permission's temporary nature, and further planning implications would thereby arise.

#### *Housing stock*

13. The use only directly involves the loss of a single dwellinghouse. However, as things stand, it is clearly unfit for human habitation. Although there would obviously be legal issues involved to coordinate matters it is quite likely that, given the extent of the surrounding redevelopment, at some point, both nos 16 and 18 will be demolished with the land redeveloped. This seems obvious as the adjoining sites appear in the wider context as anomalous and exhausted residential entities from a different age. Further, I note there was an application with the Council in 2003 which related to the redevelopment of nos 16 and 18 for twelve residential flats. Although planning officers recommended that planning permission be granted the application was subsequently withdrawn.
14. It is also likely that their redevelopment will involve new residential elements, if not in the scheme's entirety. Accordingly, there would be a consequential significant net gain of residential units. It is particularly relevant that the government's Housing Delivery Test, for Slough borough, on its most recent figures, achieved only 58% of its target and, it was estimated that at April 2025, the Council could only demonstrate a five year housing land supply of 2.6 years.
15. For the appellants to suggest that a temporary planning permission be granted for a period of three years would effectively mean blocking any proposals that may, indeed, be an attractive proposition to a number of parties, including the appellants, should a degree of certainty to this end arise. CS policy H8, therefore, also directly conflicts.
16. I must conclude that the current use represents a potential obstacle to such a realisation.

#### *Highway Safety*

17. The Council has raised concerns as to motor vehicles accessing and leaving the site and potential implications for highway safety. However, I have seen no compelling evidence from the Council to illustrate this assertion and that the use, at least at its current level, is prejudicial to highway safety.

## Conclusions on the DPA

18. I have found harm on two of the three main issues, and this is sufficient to convince me that the impacts of the use outweigh any benefits, and that the development is contrary to the objectives of the development plan, as a whole. This ground, therefore, does not succeed, and the DPA is thereby refused permission.

## The appeal on ground (f)

19. An appeal under ground (f) is the claim that the enforcement notice's required steps for compliance go beyond what is reasonably necessary to remedy any harm caused by the identified breach.
20. In this particular instance, apart from the request for a temporary planning permission, the appellants are saying that there is no need for the high, hoarding type, fencing, which abuts the footway, to be removed. However, this is a common requirement where fencing, seen as adjacent to the highway, and in excess of 1 metre in height, contains and facilitates the unauthorised use.
21. Under the Town and Country Planning (General Permitted Development) Order 2015, as amended, a fence or wall boundary enclosure cannot exceed 1 metre in height if it is adjacent to a highway used by vehicular traffic. Accordingly, a fence that stands above this height limit requires the benefit of express planning permission. This is a case in point.
22. The requirement to remove associated paraphernalia and any advertisements for the business at the site are similarly commensurate with the purpose of remedying the breach of control. The appellants say that signage which was attached to the front fence, and also the container mentioned in the enforcement notice, have been removed from the land. I can confirm, from my site observations, that this is correct. However, I must assume, in the absence of any ground (b) appeal, that these features were present at the time the notice was served. As such, so as to guard against their reappearance, I do not intend to vary the notice.
23. In light of the above, despite my conclusions as to the effect on highway safety, I am satisfied that the requirements are not excessive, and the appeal on ground (f) fails.

## The appeal on ground (g)

24. An appeal on ground (g) is that the appellant feels that the stipulated time period for compliance is unreasonably short.
25. Given that there will be some inconvenience to the appellants from complying with the enforcement appeal, I consider that an extension of the time period from three to six months will potentially allow alternative arrangements to be made and for the relocation of the use.
26. The appeal succeeds to this extent.

*T C King*

INSPECTOR