



Appeal Decision

Site visit made on 3 September 2026

by V Goldberg BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 September 2026

Appeal Ref: APP/J0350/C/24/3353347

Land at and to the rear of 12 Hinton Road, Slough SL1 5JA

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended) (The Act).
- The appeal is made by Mr Farrah Amjad against an enforcement notice issued by Slough Borough Council.
- The notice was issued on 9 September 2024.
- The breach of planning control as alleged in the notice is: Without planning permission, the erection of a self-contained dwelling on the Land as shown edged blue on the Plan and its use as a self-contained dwelling ("the Unauthorised Development").
- The requirements of the notice are to:
 - 5.1 Cease the use of the self- contained dwelling
 - 5.2 Remove the cooking facilities and shower room from the self- contained dwelling
 - 5.3 Remove the internal wall incorporating the shower room within the self- contained dwelling
 - 5.4 Remove the boiler, all plumbing and associated pipework in connections to the shower room within the self-contained dwelling.
 - 5.5 Demolish the self-contained dwelling in its entirety
 - 5.6 Remove from the land all materials, rubbish, debris, plant and machinery resulting from compliance with the above requirements.
- The period for compliance with the requirements is: Six (6) calendar months after this notice takes effect.
- The appeal is proceeding on the grounds set out in section 174(2)(c), (e) and (g) of the Town and Country Planning Act 1990 (as amended).

Summary of Decision: The appeal is dismissed and the enforcement notice is upheld with variations in the terms set out below in the Formal Decision.

The Enforcement Notice

1. The allegation concerns the erection of a self-contained dwelling and its use as such. Requirements 5.2, 5.3 and 5.4 seek the removal of individual internal fixtures, facilities and services. However, requirement 5.5 requires the dwelling to be demolished in its entirety, which would necessarily remove those elements. The separate requirements are therefore unnecessary to remedy the breach alleged. I shall therefore vary the notice by deleting requirements 5.2, 5.3 and 5.4.
2. These variations would not cause injustice to either party. This is because the varied requirements would still achieve the purpose of the notice, namely, to remedy the alleged breach, but would do so by requiring fewer and more proportionate steps to secure compliance.

Application for costs

3. An application for costs has been made against Mr Farrah Amjad. This is the subject of a separate decision.

Preliminary Matter

4. During my visit I did not gain entry to the self-contained dwelling that is the subject of the notice. The tenant of the main property advised that there were three large dogs inside which could not be controlled. However, as the existence of the dwelling and its use are not in dispute, I am able to determine the appeal on the basis of the written evidence and my external observations.

The Ground (e) appeal

5. This ground of appeal concerns whether the enforcement notice was served on all persons with an interest in the land.
6. Section 172(2) of the Act requires a copy of the notice to be served on the owner and occupier of the land to which it relates, and on any other person with an interest in the land that is materially affected by the notice.
7. Whilst the appeal form indicates that the facts relied upon in support of the ground (e) appeal are contained within the appeal documents, the only documents submitted are a building control completion certificate and an incomplete section 192 application form dated 1 October 2024. Neither document demonstrates that the notice was not served on all persons with an interest in the land.
8. Furthermore, the Council has provided copies of the certificates of service, which demonstrate that the notice was served on the owner, occupiers and bank in respect of both 12 Hinton Road and the self-contained dwelling that is the subject of the notice.
9. Accordingly, on the evidence before me, I am satisfied that the notice was served in accordance with section 172(2) of the Act. The ground (e) appeal therefore fails.

The Ground (c) appeal

10. An appeal on this ground is that the matter alleged, if it has occurred, does not constitute a breach of planning control. It is for the appellant to demonstrate, on the balance of probabilities, that the erection and use of the self-contained dwelling is not a breach of planning control, either because it does not constitute development requiring planning permission or because it benefits from deemed or express planning permission.
11. The appellant has submitted a building control completion certificate which describes the building as a single-storey detached outbuilding ancillary in use to the main property. However, building control and planning are separate statutory regimes. While the certificate may indicate compliance with building regulations, it does not grant planning permission or establish that the development alleged in the notice is lawful for planning purposes.
12. In any event, the appellant has not pursued a ground (b) appeal and therefore does not dispute that the matters alleged in the notice have occurred. Nor has it been claimed or demonstrated, on the evidence before me, that the development benefits from deemed or express planning permission.
13. Given that the allegation concerns the erection and use of a self-contained dwelling, and there is no provision in the General Permitted Development Order for such development, it could not fall within permitted development rights.

14. For the reasons above, it has not been demonstrated, on the balance of probabilities, that the matters alleged do not constitute a breach of planning control. The ground (c) appeal therefore fails.

The Ground (g) appeal

15. An appeal on ground (g) is made on the basis that the period specified for compliance falls short of what is reasonable.
16. In support of the ground (g) appeal, the appellant has submitted an incomplete section 192 application form. However, this document does not explain why the six-month compliance period is insufficient. Nor is there any substantive evidence before me to demonstrate that a longer period is necessary or reasonable.
17. Having regard to the nature of the breach and the steps required to secure compliance, I consider that the six-month compliance period specified in the notice is reasonable. The ground (g) appeal therefore fails.

Conclusion

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

Formal Decision

19. It is directed that the enforcement notice is varied by:
- *the deletion of requirements 5.2, 5.3 and 5.4;*
- and by:
- *changing the numbering of requirements 5.5 to 5.2 and 5.6 to 5.3 in section 5 of the enforcement notice.*
20. Subject to the variations, the appeal is dismissed and the enforcement notice is upheld.

V Goldberg

INSPECTOR