



Appeal Decision

Site visit made on 19 April 2022

by Stuart Willis BA Hons MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 April 2022

Appeal Ref: APP/J0350/W/21/3285328

15 Elliman Avenue, Slough SL2 5AZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr A Singh against the decision of Slough Borough Council.
 - The application Ref P/05541/004, dated 17 May 2021, was refused by notice dated 20 July 2021.
 - The development proposed is conversion of existing 2-bedroom house into 1x 2 bedroom and 1x 1-bedroom flats with approved part single storey side extension, first floor rear/side extension, internal alterations.
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Decision

1. The appeal is allowed, and planning permission is granted for conversion of existing 2-bedroom house into 1x 2 bedroom and 1x 1-bedroom flats with approved part single storey side extension, first floor rear/side extension, internal alterations at 15 Elliman Avenue, Slough SL2 5AZ in accordance with the terms of the application, Ref P/05541/004, dated 17 May 2021, subject to the conditions in the attached schedule.

Preliminary Matters

2. I have taken the description of development from the application form. Although different to that on the decision notice, no confirmation that a change was agreed has been provided.

Main Issues

3. The main issues are the effects of the proposed development on:
 - the provision of family housing in the area; and
 - the character and appearance of the area.

Reasons

Family Housing

4. Core Policy 4 of the Core Strategy¹ states that there will be no net loss of family accommodation as a result of flat conversions, changes of use or redevelopment. Family housing is defined in the Core Strategy as a fully self-contained dwelling (with a minimum floor area of 76 square metres) that has direct access to a private garden, comprises a minimum of two bedrooms and

¹ Slough Local Development Framework Core Strategy

may include detached and semi-detached dwellings and townhouses, but not flats and maisonettes.

5. It is not disputed that the existing property falls within the definition of family housing. The proposed ground floor flat would meet the policy requirements for floor space and bedrooms. Moreover, sufficient private garden could be provided, and the building is a semi-detached property. Nonetheless, the policy excludes flats from being family housing.
6. Therefore, the proposed development would result in the reduction of family housing as defined by Core Policy 4 of the Core Strategy and be contrary to it.
7. Policy EN1 of the Local Plan for Slough (Local Plan) is included in the refusal reasons. However, as this relates to character and appearance it weighs neither for nor against the proposal in relation to this main issue.

Character and appearance

8. There is no clear evidence before me regarding the number of flats in the area in comparison to the number of single dwellings. There would be a single access point and nothing externally that would make it obvious the property was divided into flats. Comings and goings would not be greatly increased given the size of the scheme.
9. The external alterations are said to be the same as those approved for the building as a single dwelling. The proposed extensions would be no higher than the existing property. Those to the front and rear would be single storey and matching materials would be used. I also saw that there is some variety to the streetscene with some properties having been altered and extended nearby including where entrances have been added to the front elevation.
10. Consequently, the proposed development would not harm the character and appearance of the area. It would accord with the design and character protection aims of Core Policy 8 of the Core Strategy and Policy EN1 of the Local Plan.

Other Matters

11. The proposed extensions and alterations have previously been approved as an extension to the existing dwelling. There are no side elevation windows on 17 Elliman Avenue facing the appeal property and having limited separation between side elevations is not untypical of the street. Moreover, the extensions would not be forward of the existing building line. These factors would prevent any unacceptable effects on the living conditions of the occupiers of the neighbouring property.
12. Ownership Certificate A was submitted with the application and appeal forms declaring that nobody, except the applicant/appellant was the owner of any part of the land with which the application/appeal relates. No substantive evidence has been provided to the contrary.

Planning Balance

13. I have not been provided with any recent figures for family housing in the area. The scheme would provide sufficient outdoor space for a family unit and a condition can be imposed to ensure that this is retained for the 2-bedroom flat. Internal space would also be appropriate with direct access to the garden. Even

if I were to give full weight to Core Policy 4 of the Core Strategy, given the scheme would meet the other requirements of the policy, and in the absence of detailed justification for excluding flats from the definition of family housing, I give limited weight to the conflict with the policy.

14. The proposal would align with the Framework where it seeks to significantly boost the supply of housing and acknowledges that small-scale developments can make an important contribution to meeting the housing requirement and the efficient use of land. Given the scale of the proposal these attract limited weight.
15. The same weight is given to the economic and social benefits from the build and occupation of the dwellings as well as support for local services and facilities.
16. On the basis of the individual merits of the scheme, the material considerations indicate that planning permission should be granted notwithstanding the conflict with the development plan.

Conditions

17. In addition to the standard time limit condition, I have imposed one requiring that the development is carried out in accordance with the approved plans. This is in the interest of certainty.
18. To protect the character and appearance of the area a condition regarding the external materials is imposed. A condition is imposed securing the rear outdoor space for the 2-bedroom flat to ensure sufficient space is provided for the larger unit.
19. I have also imposed conditions requiring the provision of a bin store to ensure adequate refuse facilities are provided, as well as a cycle store to facilitate sustainable transport options. Finally, I have imposed a condition regarding the provision of parking spaces in the interest of highway safety.

Conclusion

20. For the reasons given, and having considered all matters raised, I conclude that the appeal should be allowed, subject to the conditions below.

Stuart Willis

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos 15EA-F/24112020/PD-1/2 and 15EA-F/24112020/PD-2/2
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building unless otherwise shown on the approved plans.
- 4) The rear external garden space shall be used for the ground floor flat only.
- 5) Prior to the occupation of any of the units hereby approved, bin and cycle storage facilities shall be erected in accordance with details that have first been submitted to and agreed in writing by the local planning authority. They shall be retained thereafter and not used for any other purpose.
- 6) Prior to the occupation of any of the units hereby approved, parking spaces shall be provided in accordance with the Proposed Site Plan on Drawing No 15EA-F/24112020/PD-2/2 and shall be retained thereafter and not used for any other purpose.