



Appeal Decision

by John Braithwaite BSc(Arch) BA(Hons) RIBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th October 2025

Appeal Ref: APP/J0350/C/23/3334644

18 Lynwood Avenue, Slough SL3 7BH

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Srinivasa Chandaka against an enforcement notice issued by Slough Borough Council.
 - The notice was issued on 10 November 2023.
 - The breach of planning control as alleged in the notice is the material change of use of a single family dwelling house to two separate dwellings and facilitating works.
 - The requirements of the notice are: 1. Cease the use of the property as two separate residential dwellings; 2. Remove any doors, partition, separations or obstruction preventing free passage for all occupants of the dwelling; 3. Remove any kitchen so that only one kitchen remains for use of all occupants of the main dwelling; and 4. 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 calendar months.
 - The appeal is proceeding on the grounds set out in section 174(2)(b) of the Town and Country Planning Act 1990 (as amended).
-

Decision

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

Preliminary Matter

2. The appeal has been made under ground (b). Under this ground the Appellant claims that the breach of planning control alleged in the notice has not occurred as a matter of fact. To determine whether the breach has occurred requires an assessment of written and photographic evidence and nothing would be achieved by visiting the site. The appeal has therefore been determined without undertaking a site visit.

Reasons

3. 18 Lynwood Avenue is a two storey detached dwelling that originally had an integral garage. The garage has been converted to residential accommodation that comprises, as shown in photographs provided by the Council, a living/sleeping area, a kitchen and a shower room. Documentary evidence provided by the Council indicates that the converted garage, which includes everything necessary for independent living, has been advertised for let as a self-contained residential unit. Furthermore, evidence by a third party and from the Council does indicate that the converted garage has been occupied independently of the main house.
4. The Appellant maintains that the works to convert the garage comply with the Building Regulations, that no harm is caused to the character of the area, and that there is no conflict with Development Plan policies. None of these matters are relevant to consideration of the ground (b) appeal.

5. The converted garage has been let and used as a separate dwelling so the alleged breach of planning control has occurred as a matter of fact. The ground (b) appeal therefore fails.

John Braithwaite

Inspector