
Appeal Decision

Site visit made on 23 September 2025

by **C Billings BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 October 2025

Appeal Ref: APP/J0350/W/25/3365433

1 Cannon Gate, Slough, SL2 5NH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr Amarjit Singh against the decision of Slough Borough Council.
 - The application Ref is P/14635/001.
 - The application sought planning permission for conversion of existing garage to habitable accommodation and erection of an attached garage with pitched roof without complying with a condition attached to planning permission Ref P/14635/000, dated 26/11/2009.
 - The condition in dispute is No 4 which states that: The garage(s) hereby permitted shall only be used to accommodate cars which are used ancillary to the enjoyment of the dwelling-house on the site and shall not be used for any trade or business purposes; nor adapted as habitable room(s) without the prior permission in writing from the Local Planning Authority.
 - The reason given for the condition is: To ensure that adequate on-site parking provision is available to serve the development and to protect the amenities and visual amenities of the area in accordance with Policy T3 of the Local Plan for Slough 2004.
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Decision

1. The appeal is allowed and planning permission is granted for conversion of existing garage to habitable accommodation and erection of an attached garage with pitched roof at 1 Cannon Gate, Slough, SL2 5NH, in accordance with the application Ref P/14635/000 dated 26/11/2009 and plan No AS/1/01 Rev A, dated July 2009.

Applications for costs

2. Applications for costs have been made by Mr Amarjit Singh, the appellant, against the Council and also, by the Council against the appellant. These are subject to separate decisions.

Preliminary Matters

3. While the reason for condition 4 of the original planning permission ref. P/14635/000 refers to Policy T3 of the Local Plan for Slough, yet the informative on the Council's decision notice refers to Policy T2. The Council sets out that reference to Policy T3 was a typing error on the decision notice and that it should have referred to Policy T2, as Policy T3 was not a saved policy at the time of its decision on the original application. However, even though an incorrect policy was referenced by the Council when it made its decision on the original application, I have referred to relevant adopted development plan policies in reaching my decision on the appeal proposal, as required by s.38(6) of the Planning and Compulsory Purchase Act 2004 (as amended).

4. Even though the Council assert that the correct ownership certification was not completed for the application, the Council accepted and subsequently determined the planning application. Therefore, the validity of the appeal proposal is not a matter for my consideration in this appeal.

Main Issues

5. The main issues are whether the condition is reasonable and necessary having regard to the effect of the appeal development on highway safety, the living conditions of occupiers of nearby dwellings and the character and appearance of the surrounding area.

Reasons

Highway safety

6. The appeal site is within a housing development comprising a mix of houses and apartments set around a shared private parking court. From my site observations, the parking spaces are not specifically marked or allocated to a particular dwelling. Also, from the evidence provided and signage at the development, only residents of the housing development with a parking pass are authorised to park within the parking court and other private parking spaces around the periphery of the development, including those located along Holmedale.
7. Therefore, regardless of how many vehicles the appellants own or their vehicle registration numbers, they may only park within the private parking areas of the development if they have a valid parking pass. Furthermore, subject to having the appropriate parking passes, they could park within any space available within the wider development and not just within their garage currently.
8. The parking court and access thereto is private, with parking passes controlled by a private company. Therefore, parking in such spaces would not likely be guaranteed for the appellant indefinitely in any case. The Council asserts that the space in front of the garage is not suitable for parking, due to its size, relationship to a footway and ownership. However, the proposal would still involve the loss of one existing parking space overall at the appeal site.
9. I viewed the private parking areas and the surrounding roads on two separate occasions, including in the early evening on one day and in the morning the next day. While only snapshots in time, on both occasions, there were spaces available within the wider development, particularly most of the private parking spaces off Holmedale were available during my visits. Also, there were some spaces available within the private parking court and in designated on-street parking bays along the slip road, only a short walk from the appeal site. Similarly, the Council's planning officer noted in the delegated report, that during their daytime site visit, there was no evident shortfall of parking capacity locally.
10. Although the proposal would involve the loss of one garage parking space for the appeal property and even though no detailed parking surveys have been provided, the evidence and my site observations indicates that there would be sufficient parking available for the occupiers of the appeal property either within the wider development or nearby. Even if the Council's maximum parking standards would not be met, it has not been demonstrated that the proposal would result in undue pressure on local parking, or road safety issues, including from road user conflict,

increased traffic accidents, or negative disruption to the free flow of traffic in the surrounding area. Therefore, the proposed loss of one garage parking space for the appeal property would not cause unacceptable harm to highway safety.

11. In view of the above, the proposal would not have a harmful impact on highway safety. Accordingly, it would not conflict with saved Policy T2 and H15 of the Slough Local Plan (March 2004) (LP) and Core Policy 7 (Transport) of the Slough Local Development Framework (December 2008) (LDF), which amongst other matters, require appropriate parking provision and consideration of road safety.

Living conditions and character and appearance

12. The appeal site is within a predominately residential area. No external alterations or additional built form are proposed to the host property. Therefore, the proposal would not have any visual impact on the surrounding area, nor would it result in any harmful impact on the outlook or privacy of nearby occupiers. Additionally, the proposal would not generate any increase in vehicular movement to or from the appeal property or the wider private parking areas as the overall size of the host dwelling is not being increased by the proposal. Consequently, it is unlikely to cause undue noise and disturbance to nearby residents. In view of such and, given my findings that sufficient parking is available in the surrounding area to accommodate the displaced parking space, the proposal would not result in any detrimental impact on the living conditions of neighbouring residential occupiers.
13. Furthermore, as the proposal would not make any discernible changes to the host property or its surroundings, with the garage remaining associated with its residential use, the proposal would not be harmful to the residential character and appearance of the surrounding area.
14. In view of the above, the proposal would not have a harmful effect on the living conditions of occupiers of nearby dwellings or the character and appearance of the surrounding area. Accordingly, there would be no conflict with saved Policies T2, H14, H15, EN1 and EN2 of the LP or Core Policies 7 and 8 of the LDF, which amongst other matters, require development to safeguard the amenities (living conditions) of adjoining residents and protect the character of the surrounding area.

Other Matters

15. Even if some of the appellant's supporting information is misleading, this does not mean that the appeal proposal would have a harmful effect on highway safety, the living conditions of nearby residents, or the character and appearance of the area. While no comments have been received from the Council's highway engineer, based on the evidence before me and my site observations, the proposal would not result in any unacceptable harm to highway safety in this instance. Furthermore, although no substantive evidence has been provided regarding the development approved at 58 Station Road, that example has a different site context and is in a different location and so, is not directly comparable to the appeal proposal. As such, these are neutral matters in relation to my findings on the main issues.

Conditions

16. By allowing this appeal, a new planning permission is created. The Planning Practice Guidance sets out that decision notices for the grant of planning permission under section 73 should restate the conditions imposed on the earlier

permission that continue to have effect unless they have already been discharged. As the development has already been implemented, it is not necessary for me to include the standard time limit condition or a condition to ensure suitable matching external materials are used. Although, to define the permission, it is necessary and reasonable to include reference to the approved plan in my decision.

17. An informative would have no weight on the planning decision. However, if the converted garage were used for purposes not incidental or ancillary to the enjoyment of the dwellinghouse, there would be other appropriate mechanisms to deal with such. Therefore, an informative in regard to such would be unnecessary.

Conclusion

18. For the reasons given above, the appeal proposal would accord with the development plan read as a whole and there are no material considerations that indicate otherwise. Therefore, the disputed condition is not necessary or reasonable and should be removed.
19. Accordingly, I conclude that the appeal should be allowed.

C Billings

INSPECTOR