
Appeal Decision

Site visit made on 9 December 2025

by **P Burley BA (Hons) MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 December 2025

Appeal Ref: APP/J0350/W/25/3366180

12 Bromycroft Road, Slough SL2 2BQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Bernard Klein against the decision of Slough Borough Council.
 - The application Ref is P/11239/001.
 - The development proposed is the change of use from an HMO of 6 persons to a *Sui Generis* large HMO of 7 persons.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the appeal scheme accords with the development strategy for the area, specifically in respect of the supply of family-sized accommodation; and
 - the effect of the appeal scheme on the living conditions of occupiers of nearby dwellings and on the future occupiers of the appeal scheme.

Reasons

Type of Accommodation

3. Core Policy 4 of the Slough Core Strategy (2008) (CS) states that there will be no net loss of family accommodation as a result of flat conversions, changes of use or redevelopment, and that within existing suburban residential areas there will only be limited infilling which will consist of family houses that are designed to enhance the distinctive suburban character and identity of the area.
4. The appellant has noted that whilst CS Core Policy 4 aims to protect family homes, it also allows for context-sensitive decisions and that the Council has approved multiple similar applications. However, I have not been provided with full details of the considerations that were taken into account in making those decisions, or to enable me to gauge whether there are any similarities between those cases and the appeal scheme. This limits the weight that I can attach to those decisions as material considerations, notwithstanding that each proposal must be considered on its own merits.
5. The appeal site is currently in use as a six-person house in multiple occupation (HMO) which falls within Use Class C4 and it is possible to change from Use Class

C4 to Use Class C3 (dwellinghouses) and *vice versa* without having to apply for planning permission. Conversion from a *sui generis* seven-person HMO to a Class C3 use would require express planning permission, however.

6. Both the appellant and the Council have referred to a concern that was raised in an appeal elsewhere in the borough¹, specifically that if a *sui generis* seven-person HMO was put on the market, prospective purchasers looking for family accommodation could be deterred by the need to apply for planning permission to change the use back into a single-family home.
7. The appellant has noted that it is standard practice for those purchasing properties to seek professional advice, that the cost of a planning application would not deter a serious purchaser, and that current development plan policy would support a change of use back to a Class C3 dwellinghouse. It has also argued that if CS Core Policy 4 were to change or be withdrawn in the future, the obligation or incentive to revert the property to Class C3 would fall away, that in such a scenario future purchasers might buy the property as an HMO depending on prevailing market conditions and need and that, either way, there would be no demonstrable or enduring planning harm.
8. However, these are arguments to which I attach limited weight. Even if the appeal site was marketed as having the potential for reversion to a Class C3 dwellinghouse subject to planning permission, I consider that the additional layer of complexity that would be added to the purchasing process, as well as the additional time and cost, could act as a deterrent to prospective purchasers, even if any internal physical changes were easily reversible.
9. The appellant has also noted that although Core Policy 4 aims to safeguard family homes, the current housing mix in Slough is dominated by flats, amounting to 94% of new completions, according to the Council's 2022/23 Annual Monitoring Report. I have not been provided with a copy of that document or any other information to allow me to see whether the need for housing is such that flatted development is now the most sought-after form of accommodation, or whether the evolving mix of housing in the borough makes it all the more important to avoid the loss of family houses in the town's suburbs.
10. In any event, no argument has been advanced which suggests that CS Core Policy 4 and its approach to the delivery of different types of housing is out-of-date or that the aim to avoid the loss of family-sized housing is any less important now than it was when the CS was prepared.
11. Therefore, and even though it might not harm the residential character of the area overall, I consider that the appeal scheme would conflict with CS Core Policy 4 which says that there will be no net loss of family accommodation as a result of flat conversions, changes of use or redevelopment. Whilst the appeal scheme would result in accommodation for one additional person and thus also make an efficient use of existing housing stock, I do not find that those benefits outweigh the conflict with CS Core Policy 4.
12. CS Core Policy 3, which was also noted in the first reason for refusal, refers to housing distribution across the borough and I do not find it to be directly relevant to this issue.

¹ APP/J0350/W/24/3343896

Living Conditions

13. In its officer report, and to support its conclusion that the appeal scheme would give rise to a significant increase in activity, the Council referred to the conclusions in an appeal decision². Whilst it has not provided any further details, the quote indicates that a comparison was being made between a house occupied by a single household and a seven-bedroom HMO. Whilst a Class C3 dwellinghouse could also be used as a six-person HMO without having to seek express planning permission, it appears that the circumstances referred to are not directly comparable to the appeal scheme which proposes a change of use from a six-person HMO to a seven-person HMO. Having regard to the particular circumstances of the present case, I do not find that the addition of one occupant would give rise to a significant increase in activity or noise, or in terms of comings and goings, to the detriment of the occupiers of nearby dwellings.
14. Whilst the reason for refusal states that the appeal scheme would not meet minimum amenity space requirements, the Council's officer report states that there are no adopted standards for room provision / size and amenity space for HMOs and also notes that the amenity space would be 200m² which is considered to be acceptable for a seven-person dwelling.
15. The Council also raised concerns that the kitchen would be too small for seven occupants, that there would only be two bathrooms, and that there would also be likely noise and disturbance where one of the proposed bedrooms adjoins the kitchen. However, at present two bedrooms are adjacent to a kitchen and the proposed drawings indicate that all of the bedrooms would have their own shower and toilet rooms. Furthermore, and bearing in mind the absence of any standards relating to room sizes, I do not find the proposed kitchen to be unduly small.
16. Overall, therefore, the appeal scheme would not result in a cramped and overly-intensive use that would be detrimental to the living conditions of the occupiers of neighbouring dwellings or the future occupiers of the proposed large HMO. Furthermore, and notwithstanding that each application must be considered on its own merits, I do not find that the appeal scheme would set a precedent for other proposals which would result in increasing numbers of residents living in substandard accommodation. As such, the appeal scheme would not conflict with CS Core Policy 8 and saved Policy H20 of the Slough Local Plan (2004) which together say that all development in existing residential areas should respect the amenities of adjoining occupiers and that HMOs should provide satisfactory living accommodation and facilities.

Conclusion

17. The appeal scheme conflicts with the development plan when taken as a whole and there are no material considerations which indicate that a decision should be made other than in accordance with the development plan. Therefore, for the reasons given above the appeal should be dismissed.

P Burley

INSPECTOR

² APP/J0350/W/20/3245330