



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 25 September 2026

Appeal Ref: APP/J0350/C/25/3369048

Land at 33 Hillside, Slough SL1 2RW

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
- The appeal is made by Ms Isabelle Sanoglu against an enforcement notice issued by Slough Borough Council.
- The notice was issued on 11 June 2025.
- The breach of planning control as alleged in the notice is: Without planning permission, the erection of part first floor/part two storey rear extension and the material change of use of the dwelling house to form self-contained flats with facilitating works.
- The requirements of the notice are to:
 - 5.1 Cease the use of the Land as flats;
 - 5.2 Remove any doors, partitions, separations or obstructions preventing free passage for all occupants of the dwelling;
 - 5.3 Remove all additional kitchens so that only one kitchen remains for use of all the occupants of the main dwelling;
 - 5.4 Demolish the part first floor/part two storey rear extension;
 - 5.5 Demolish the timber framed structure and remove the washing machines, dryer and mega flow system, from the rear garden;
 - 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: Nine (9) calendar months after this notice takes effect.
- The appeal is proceeding on the grounds set out in section 174(2)(a), (b), (f) and (g) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.

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.

Preliminary Matter

1. On 17 August 2026, the Government published a revised National Planning Policy Framework (Framework). As the appellant had referred to paragraphs of the former Framework which are no longer included, the parties were invited to comment on the relevance of the changes. The appellant confirmed that the revised Framework did not alter the substance of their case or the conclusions reached in the appeal submission.

The Enforcement Notice

2. Requirement 5.2 of the notice is unclear, it is not apparent which doors, partitions, separations or obstructions would need to be removed. It therefore lacks the precision necessary to enable the recipient to understand what is required to secure compliance and will therefore be deleted.
3. Requirement 5.3 requires the removal of all additional kitchens so that only one kitchen remains for use by all occupants of the main dwelling. Although it does not

identify which kitchens are additional, its intended purpose is clear. It is therefore capable of variation to require the removal of all but one kitchen.

4. The variations above would provide clarity as to what must be done to secure compliance with the notice, without changing the overall purpose of the requirements. They would not cause injustice to either party, as the appellant would better understand what is required, and the Council's objective of remedying the breach of planning control would be retained. I shall therefore delete requirement 5.2 and vary requirement 5.3 accordingly.

The Ground (b) appeal

5. An appeal on ground (b) is made on the basis that, in respect of any breach of planning control which may be constituted by the matters stated in the notice, those matters have not occurred.
6. The ground (b) appeal is limited to the alleged use of the property as flats as it is claimed that the use is more akin to a large House in Multiple Occupation (HMO) rather than six flats. In support of this claim, the appellant asserts that most units are accessed via a single front door, and that refuse, maintenance and utilities are centrally managed. Reference is also made to the property remaining registered under a single Council Tax account and that a valid HMO licence was issued on the 2nd December 2024.
7. However, flats do not have to be accessed directly from an external door, and it is not uncommon for blocks of flats or converted dwellings to have a centralised access point. In this case, each flat has its own bathroom and kitchen facilities, including a hob, extractor, sink, fridge and storage, together with sleeping and living accommodation. Although there appears to be an external area containing washing machines and a tumble dryer, which may be shared by occupants, this does not alter the fact that each flat contains the essential facilities required for day to day independent living. The physical arrangement of the accommodation is therefore consistent with use of the property as self-contained flats, rather than a HMO.
8. Furthermore, Council Tax records are not determinative of whether, in planning terms, the property is in use as a HMO or as flats. Although the property may have been recorded under a single Council Tax account, the Council has confirmed that its Council Tax department is aware of the flats and has been seeking to resolve the matter. Nor does the existence of an HMO licence determine, or negate, the planning status of the property. In any event, the Council has confirmed that the licence was revoked in August 2025.
9. Turning to the claim that refuse, maintenance and utilities are centrally managed, this is also not uncommon in buildings converted into flats. Shared refuse storage is a standard arrangement for many flats, and a landlord or management agent may also be responsible for maintaining communal areas or shared services. Although it is claimed that utilities are centrally managed, on site I noted that outside each flat there were separate meters and what appeared to be separate electrical consumer units or fuse boards. This is likely to indicate that the individual flats have separately metered electricity supplies, which would be consistent with occupation as self-contained flats rather than a HMO.

10. Taking the above matters together, I find that the property is in use as self-contained flats, as alleged in the notice. The matters alleged have therefore occurred, and the ground (b) appeal fails.

Appeal on Ground (a) and the Deemed Application for Planning Permission

11. An appeal under ground (a) is that planning permission should be granted for the matter alleged.
12. The matters alleged in the enforcement notice comprise both operational development, namely the erection of a part first floor/part two-storey rear extension, and the material change of use of the dwellinghouse to form self-contained flats with associated facilitating works.
13. The **main issues** are:
- the effect of the part first floor/part two storey rear extension on the character and appearance of the host dwelling;
 - the effect of the part first floor/part two storey rear extension on the living conditions of the occupiers of no 35 Hillside in respect of outlook and privacy;
 - whether the material change of use results in the net loss of family accommodation;
 - the effect of the material change of use on the living conditions of existing and future occupiers in respect of room sizes and;
 - the effect of the material change of use on parking stress in the locality.

Reasons

Character and Appearance

14. The appeal property is a two-storey, detached brick-built dwelling. Its front elevation has a traditional residential character, with a pitched tiled roof, balanced proportions and a broadly symmetrical arrangement of openings. The stock brickwork is relieved by contrasting red brick detailing, including decorative banding and arched brickwork above the openings, which adds visual interest and gives the building a degree of architectural quality. These features contribute positively to the character and appearance of the dwelling.
15. By contrast, the rear extension, which forms the operational development alleged in the notice, presents as an overly large, plain and utilitarian addition. It spans the full width of the property and has a broad, flat rear elevation with limited articulation. Although it uses red brick, this does not seamlessly match or reflect the more considered red brick detailing on the original dwelling, where such detailing is used selectively around openings and as decorative banding. Instead, the extension presents as a large expanse of modern brickwork which lacks the detailing and visual interest evident on the original dwelling. In addition, the flat roof fails to respect the form of the original pitched roof. As a result, the extension fails to appear subordinate to the host building; rather, it dominates the rear elevation and causes harm to the character and appearance of the dwelling.

16. Although the appellant asserts that, before the extension was built, the property had already been significantly extended by a part single-storey, part two-storey rear addition, those earlier additions were more limited in scale and appeared subservient to the host dwelling when compared with the current extension. While it is claimed that the development rationalises previous ad hoc additions and provides a more cohesive and consolidated appearance, I find that the present extension has instead introduced a far more dominant and unsympathetic form of development, which overwhelms rather than complements the host dwelling.
17. Reference is made to Policy EX27 of the Council's Residential Extensions Guidelines Supplementary Planning Document¹ (SPD), which indicates that two-storey rear extensions deeper than 3.3 metres may be acceptable where site circumstances permit. Whilst the property is detached, I do not consider that it has good separation from neighbouring properties. In any event, the acceptability of such an extension is not determined by depth alone. Regard must also be had to its scale, form, design and relationship with the host dwelling. For the reasons already given, the extension fails to respect the character, proportions and roof form of the original dwelling and therefore causes unacceptable harm to the character and appearance of the host property.
18. Although the appellant refers to the extension being screened from the public realm, and to the adjacent redeveloped terrace having rearward projections of a comparable depth, the notice alleges harm to the character and appearance of the host property, rather than to the wider area. Consequently, the fact that the extension may not be readily visible from public viewpoints, or that other rearward projections exist nearby, does not overcome the harm I have identified to the appeal property itself.
19. For the reasons above, the part first floor/part two storey rear extension has a significant adverse effect on the character and appearance of the host dwelling. It is therefore contrary to policies EN1, EN2 and H15 of The Local Plan for Slough 2004 (Local Plan) which requires development to reflect a high standard of design and extensions to be compatible with the scale, materials, design and proportions of the original structure. It would also conflict with the aims of policies DP1, DP2, DP3, DP4, DP5, EX26, EX27, EX28 and EX29 of the SPD, which collectively seek to ensure that extensions are subordinate to the original house, use materials that match it as closely as possible, and have roofs that respect the original roof form.

Living Conditions of the occupiers of 35 Hillside

20. No 35 Hillside shares a boundary with the appeal property. It has a two storey rear extension positioned close to the shared boundary. The flank elevation facing the appeal property does not contain any windows. A first floor window is located in the rear elevation of the two storey extension.
21. Whilst the rear extension forming the operational development projects beyond the rear elevation of the two-storey extension at No 35, it does not do so significantly. It is also set alongside the flank wall of that extension, which contains no windows facing the appeal property. In this context, the development does not result in an undue sense of enclosure for the occupiers of No 35.

¹ Adopted in January 2010

22. The Council assert that the rear extension could give rise to an actual or perceived loss of privacy. However, there are no windows at first floor level on the side elevation of the extension. Furthermore, any new openings in this position that could affect privacy would require planning permission, at which point their effect on neighbouring occupiers would be assessed.
23. For the reasons above, the rear extension does not adversely affect the living conditions of the occupiers of No 35 Hillside in respect of outlook and privacy. It therefore complies with Policy EN1 of the Local Plan, insofar as it relates to the relationship of development with neighbouring properties, and with Policies DP6 and DP8 of the SPD.

Family Accommodation

24. Core Policy 4 of the Slough Local Development Framework Core Strategy Development Plan Document² (Core Strategy) specifies that there will be no net loss of family accommodation as a result of flat conversions, changes of use or redevelopment. The Core Strategy defines family housing 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 may include detached and semi-detached dwellings and townhouses but not flats or maisonettes'.

25. Whilst the appellant asserts that the material change of use results in a net increase of five residential units, including a two-bedroom flat said to be suitable for family occupation, the definition of family housing expressly excludes flats and maisonettes. The two-bedroom flat therefore does not comply with that definition. Accordingly, the subdivision of the original dwelling into self-contained flats has resulted in the loss of family accommodation, contrary to Core Policy 4 of the Core Strategy.

Living Conditions of existing and future occupiers

26. The Council's Space Standards for Residential Development³ require all new residential development to be designed to meet the minimum space standards set out in the Technical Housing Standards – Nationally Described Space Standards.
27. The appellant accepts that some of the flats resulting from the material change of use fall below the minimum Gross Internal Area (GIA) thresholds set out in the standards, but considers that those shortfalls should not be determinative when viewed in isolation. However, the standards are expressed as minimum requirements, intended to secure an acceptable baseline of internal space for day to day living. In support of the appellant's position, it is asserted that the planning system allows for discretion where the overall quality of accommodation is acceptable, having regard to the facilities, daylight, outlook and access to outdoor space provided.
28. With reference to the accommodation provided, I recognise that each unit contains the essential facilities required for day to day living and that habitable rooms have openable clear glazed windows providing ventilation, daylight and outlook. Occupiers would also have access to a shared garden. However, these are

² Adopted December 2008

³ November 2018

features that would ordinarily be expected within acceptable residential accommodation. They do not amount to benefits capable of outweighing the failure to meet minimum space standards. The shortfall in GIAs therefore materially reduces the overall quality and functionality of the accommodation for existing and future occupiers.

29. For the reasons above, the development has an adverse impact on the living conditions of existing and future occupiers in respect of room sizes. Whilst Policy EN1 of the Local Plan does not contain specific minimum floor space or room size requirements, it seeks to secure a high standard of design. The units that fall below the minimum standards do not provide acceptable living conditions and therefore conflict with the design objectives of Policy EN1. The development also fails to comply with the Council's Space Standards for Residential Development and, in turn, the Technical Housing Standards – Nationally Described Space Standards.

Parking Stress

30. Hillside is a relatively narrow residential road. There are residential properties on both sides of the street. A single yellow line runs along one side of the road and on-street parking is present on the opposite side.
31. Policy T2 of the Local Plan requires residential development to provide a level of parking appropriate to its location, which overcomes road safety problems, protects the amenities of adjoining residents and does not result in an adverse visual impact. Policy H15 also requires appropriate parking arrangements to be provided in line with the aims of the integrated transport strategy. In broad terms, this supports development that is accessible by a choice of means of transport, while ensuring that parking demand is appropriately managed and does not give rise to unacceptable highway or amenity impacts.
32. The site appears to be reasonably well located with reference to public transport and local services, and the appellant is willing to provide secure cycle storage within the garden. These factors are likely to reduce, to some degree, reliance on private cars by future occupiers.
33. However, those factors do not demonstrate that the material change of use would avoid increasing parking stress. The appellant asserts that the recent residential development to the north of the appeal site includes its own off-street parking provision and therefore relieves, rather than adds to, parking demand in the locality. Nevertheless, that does not address the parking demand generated by the change of use. On my visit, I noted that the road was heavily parked during the day. The Council has also provided photographic evidence showing vehicles parked along the road and, partly on the footway and on yellow lines, which is indicative of parking stress. Future occupiers would not be prevented from owning or using cars and, even if not all occupants have access to a car, the net increase of five residential units is likely to increase demand for on-street parking in an area where parking is already under pressure.
34. For the reasons above, the material change of use exacerbates parking stress in the locality. It is therefore contrary to Policies T2 and H15 of the Local Plan, insofar as they require development to provide a level of parking appropriate to its location.

Other Matters

35. The enforcement notice refers to Core Policies 1, 7 and 8 of the Core Strategy. These are strategic policies relating respectively to the spatial strategy, transport, and sustainability and the environment. The Council has not relied on these policies in its appeal submissions or explained how the development conflicts with them. In any event, the matters raised by those policies are addressed, where relevant, through the more specific policies considered above. I have therefore not found it necessary to address Core Policies 1, 7 and 8 separately, and they do not alter my conclusions on the main issues.

Conclusion on Ground (a)

36. Policy S3 of the Framework states that decisions on development proposals should apply a presumption in favour of sustainable development. Within settlements, Framework Policy S4 states that development should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the Framework's national decision-making policies.
37. The development provides a net increase of five units when the Council has a housing land supply of 2.2 years therefore falling significantly below the five year requirement. No other benefits are advanced in favour of the appeal.
38. Against this, the development has a significant adverse effect on the character and appearance of the host dwelling, it results in the loss of family accommodation, adversely effects the living conditions of existing and future occupiers and exacerbates parking stress in the locality. This is contrary to the Framework's objective of creating well-designed places which function well over the lifetime of the development and support healthy, mixed, vibrant and integrated communities. In accordance with Policy DP3(3) of the Framework, development proposals which conflict with these principles should be refused. I therefore attach substantial weight to the identified harms.
39. Taking these points together, the benefits of granting planning permission are substantially outweighed by adverse effects, when assessed against the national decision-making policies of the Framework.
40. Consequently, the development conflicts with the development plan taken as a whole, and there are no material considerations which indicate that a decision should be taken other than in accordance with it. The appeal under ground (a) therefore fails.

The Ground (f) appeal

41. An appeal is made on ground (f) on the basis that the steps required by the notice exceed what is necessary to remedy the breach of planning control or, as the case may be, to remedy any injury to amenity arising from that breach.
42. In this case, the notice does not expressly state whether its purpose is to remedy the breach of planning control or to remedy injury to amenity. However, the requirements include ceasing the use of the land as flats and demolishing the rear extension. I therefore find that the purpose of the notice is to remedy the breach of planning control.

43. Section 177(1) of the Act allows planning permission to be granted in respect of the whole or any part of the matters stated in the notice as constituting a breach of planning control, or in relation to the whole or any part of the land to which the notice relates. The appellant relies on this provision and argues that the Council's concerns primarily relate to the material change of use of the building to self-contained flats, rather than the rear extension. However, that does not accurately reflect the notice, which alleges both the erection of the part first floor/part two storey rear extension and the material change of use of the dwellinghouse to form self-contained flats with facilitating works.
44. Based on this interpretation, the appellant seeks a lesser form of compliance, under which the rear extension and timber-framed structure in the garden would be retained, and only those internal fittings necessary to bring the unauthorised use to an end would be removed.
45. However, I have already concluded that the part first floor/part two-storey rear extension has a significant adverse effect on the character and appearance of the host dwelling. In addition, the notice alleges both the erection of the part first floor/part two-storey rear extension and the material change of use of the dwelling to self-contained flats and with facilitating works. As the purpose of the notice is to remedy the breach of planning control, the lesser steps proposed by the appellant would leave part of that breach in place and would therefore fail to achieve that purpose.
46. I am also satisfied that the timber-framed structure in the garden facilitates the material change of use and forms part of the facilitating works associated with that unauthorised use. It is not therefore capable of being granted planning permission and its removal is required as part of the steps necessary to remedy the breach.
47. As the purpose of the notice is to remedy the breach of planning control, the required steps must be sufficient to bring the unauthorised development to an end. The lesser steps proposed by the appellant would not achieve that purpose. Subject to the variations already identified, the steps required by the notice do not therefore exceed what is necessary to remedy the breach. The appeal underground (f) therefore fails.

The Ground (g) appeal

48. The appeal under ground (g) is made on the basis that the nine-month period for compliance specified in the notice is unreasonably short. The appellant contends that a period of 12 months is required to give notice to the existing tenants and allow them to relocate without undue financial, physical or mental pressure. Additional time is also sought to instruct contractors and carry out the required works once the property has been vacated.
49. The requirements of the notice are substantial and would need to be undertaken in stages. They include the cessation of the use of the land as flats, the removal of additional kitchens, and the demolition of the large part first floor/part two storey rear extension, together with the timber-framed structure in the rear garden. I am also mindful that compliance with the notice would require the existing occupiers of the six units to leave their homes. That is a serious matter and is a factor to which I attach weight when considering what would constitute a reasonable period for compliance.

50. The existing occupiers would clearly need to vacate the property before the required works could practically be carried out. Those works are not limited in scope, given the scale of the rear extension and the need to remove associated elements of the unauthorised development. I have also had regard to the time likely to be required for the appellant to arrange and complete the necessary works after the occupiers have left. In these circumstances, I consider that the nine-month compliance period is unreasonably short. A 12-month period would allow a reasonable time for the existing occupiers to make alternative arrangements and for the appellant to comply with the requirements of the notice, without being so long as to undermine its purpose. I shall therefore vary the compliance period accordingly. The appeal under ground (g) succeeds to that extent.

Overall Conclusion

51. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the enforcement notice with variations and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act as amended

Formal Decision

52. It is directed that the enforcement notice is varied by:

- the deletion of requirement 5.2 in its entirety from section 5 of the notice.
- the deletion of the words *'Remove all additional kitchens so that only one kitchen remains for use of all the occupants of the main dwelling'*.

and substitute with the words:

'Remove all but one of the kitchens from the dwelling' in requirement 5.3 of section 5 of the notice.

- changing the numbering of requirements 5.3 to 5.2, 5.4 to 5.3, 5.5 to 5.4 and 5.6 to 5.5.
- the substitution of *"Nine (9) calendar months after this notice takes effect"* for *"12 calendar months after this notice takes effect"* in section 6 of the notice.

53. Subject to the variations, the enforcement notice is upheld and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

V Goldberg

INSPECTOR