

SLOUGH BOROUGH COUNCIL

REPORT TO: Planning Committee

DATE: 9th September, 2015

PART 1

FOR INFORMATION

Planning Appeal Decisions

Set out below are summaries of the appeal decisions received recently from the Planning Inspectorate on appeals against the Council's decisions. Copies of the full decision letters are available from the Members Support Section on request. These decisions are also monitored in the Quarterly Performance Report and Annual Review.

WARD(S)

ALL

Ref	Appeal	Decision
2012/00626/ENF	<p>6 Cranbourne Close, Slough, SL1 2XJ</p> <p>Without planning permission, the change of use of the land from use as a single residential dwellinghouse to use as two separate residential dwelling units.</p> <p>The appeal was allowed insofar as it relates to that part of the garden flat /outbuilding, shown cross hatched black on the plan at annexe A to the decision (the pre-2012 /2013 extension building), and the enforcement notice is quashed in so far as it relates to this part of the appeal building which is immune from enforcement action (except for the new window which has been inserted into the western elevation, to give natural light to a bedroom as part of the 2012 /2013 side and front extension to the building which is not so immune.</p> <p>The Inquiry proceeded on the basis of grounds (d) and (g).</p> <p><u>Ground (d)</u></p> <p>The inspector noted that the relevant time period is 4 years and the notice was dated 7 April 2014. It follows that the alleged change of use, to a separate residential dwelling, had to have happened on or before 7 April 2010 for protection against enforcement action to apply.</p> <p>The Inspector considered that the Appellants' version of what happened was sufficiently precise and unambiguous to be accepted on the balance of probabilities (that it was more likely to have happened that way than not).</p> <p>The Inspector found that the separate residential use of the original appeal building (that part which existed before the</p>	<p>Appeal Granted In Part</p> <p>13th July 2015</p>

	<p>2012 /2013 extension) started in September 2008 and continued unabated until the execution of the December 2012 /January 2013 extension.</p> <p>So by September 2012 the separate residential use of the original part of the appeal building would have become lawful.</p> <p>None of the Council's concerns were sufficiently compelling to affect the "sworn" oral evidence give to the Inquiry by the Appellants and their witnesses.</p> <p>The Inspector considered that there was no deception on the part of the appellant.</p> <p><u>Ground (g)</u></p> <p>The appeal under this ground (time period for compliance) also succeeded in a limited regard only, in order to allow the existing tenants to be served with an eviction notice and to allow for any possible Court proceedings, 9 months was considered be a more appropriate time for compliance</p>	
P/08786/004	<p>9 London Road, Slough, SL3 7RL</p> <p>CONSTRUCTION OF DETACHED TWO STOREY THREE BEDROOM DWELLING WITH ASSOCIATED PARKING AREA.</p>	<p>Appeal Dismissed</p> <p>28th July 2015</p>
P/14455/002	<p>329 Bath Road, Slough, SL1 5PR</p> <p>APPLICATION FOR A DROPPED KERB AND CONSTRUCTION OF 600MM HIGH X 6 METRE LONG RAILING.</p>	<p>Appeal Dismissed</p> <p>14th July 2015</p>
2014/00019/ENF	<p>234, Wexham Road, Slough, SL2 5JP</p> <p>HIGH WALL. (BELIEVED POSSIBLE OUTBUILDING)</p>	<p>Appeal Dismissed</p> <p>7th August 2015</p>
2014/00245/ENF	<p>236, Wexham Road, Slough, SL2 5JP</p> <p>HIGH WALL. (BELIEVED POSSIBLE OUTBUILDING)</p>	<p>Enforcement Notice Quashed</p> <p>7th August 2015</p>