
Appeal Decision

Site visit made on 27 November 2025

by **Andrew Owen MA BA(Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 December 2025

Appeal Ref: APP/J0350/W/25/3364777

Land adjacent to Verona Apartments, 50 Wellington Street, Slough SL1 1YL

- 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 C Brown of CG Slough 2 Ltd against the decision of Slough Borough Council.
 - The application Ref is P/03596/074.
 - The development proposed is redevelopment of site to provide a residential building (Use Class C3) comprising 29 apartments with associated infrastructure, demolition, landscaping, drainage, car parking, cycle parking and ancillary works.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - i) whether the development would be required to provide financial contributions towards affordable housing, local infrastructure and to mitigate any impact on the integrity of the Burnham Beeches Special Area of Conservation (SAC), and if so whether a suitable mechanism to secure that has been provided;
 - ii) the effect of the proposal on the character and appearance of the area; and
 - iii) whether the proposal would prejudice the future development of adjacent land.

Reasons

Contributions

3. Core Policy 4 of the Slough Core Strategy (2008) identifies that at least 30% of all housing in schemes of 15 units or more will be required to be social rented. Also, Core Policy 10 sets out that planning obligations will be used to secure infrastructure including education, leisure and transportation. These policies are supported by the Developer Contributions and Affordable Housing Developers Guide (2017) which sets out the levels of contributions to education, and open space. It is understood that there is a shortfall in education capacity locally and hence it is reasonable for the development to fund improvements to cater for the additional demand generated by the proposal. The scheme would also fail to provide any significant outdoor amenity space and so it is reasonable for the development to secure a contribution to improve open space provision elsewhere.

4. With particular respect to the effect on the Burnham Beeches SAC, this is a European habitat site just over 5km from the site, whose qualifying features include its Atlantic acidophilous beech forests. It is common ground between the parties that as the site is within 5.6km of the SAC, the additional dwellings provided in the appeal could, in combination with other projects, result in a greater recreational pressure on the SAC. This would be likely to have a significant adverse effect on the qualifying features and hence the integrity of the SAC. As the competent authority, I am therefore required to conduct an Appropriate Assessment. The Council consider that a contribution to improvements at a Suitable Alternative Natural Greenspace, in this case Upton Court Park which is around 1km from the appeal site, would provide sufficient mitigation. They have provided details of a mitigation strategy which sets out the value of the contributions per dwelling that would be necessary. I am satisfied that this would be appropriate mitigation.
5. The scale and need for all the contributions are not in dispute and I am satisfied that they would accord with Regulation 122(2) of the CIL regulations. Moreover, the correct values are reflected in the submitted draft S106 agreement.
6. However the agreement has not been completed. It is understood that there have been delays with the completion of the agreement with respect to one of the signatories. Nonetheless, the appeal was submitted more than nearly 8 months ago and I am still not confident that the agreement could be completed promptly.
7. As such, in the absence of an appropriate completed mechanism in place, the development would fail to provide an appropriate amount of affordable housing and would fail to secure necessary contributions to open space and education. It would therefore conflict with Core Policies 4 and 10 as set out above. In addition, by virtue of the additional recreational pressure on the SAC that would result and in the absence of any mitigation, the development would be likely to have a significant effect on the integrity of the SAC. The proposal would therefore be contrary to Core Policy 9 which sets out that improvements to, and the future maintenance of, areas of environmental importance will need to be funded by developments.

Character and appearance

8. The appeal site essentially comprises part of a private two storey car park which, in part, serves Verona Apartments. This is a residential development of flats but was originally built as an office and was subsequently converted to residential use. To its rear is the multi-storey car park serving the Observatory shopping centre in Slough town centre whose vehicular access is to the west side of the appeal site. There is also an office building, known as HTC, which is on the opposite side of the car park access. The Observatory shopping centre sits alongside the Queensmere shopping centre. They are similarly sized indoor shopping centres running parallel to, and with pedestrian access onto, Slough High Street. They both have multi-storey car parks behind with vehicular access from Wellington Street.
9. The site, along with Verona Apartments, the HTC building and the multi-storey car parks, is within a strip of development fronting Wellington Street and backing onto the shopping centres.
10. On the opposite side of Wellington Street, there are some dwellings. But these present a rather blank rear elevation to the street and so do not contribute a strong residential character. In any case, Wellington Street is a dual carriageway at this point which visually separates the residential development opposite from the

appeal site. There is also a large Tesco superstore slightly further along the north side of Wellington Street. Overall, despite the residential use of Verona Apartments, the area has a strong commercial character.

11. Verona Apartments, at around seven stories, and the HTC building at five stories means tall buildings also form a key contribution to the commercial character of the area. The Observatory shopping centre car park is a lower building, but has a far greater width and massing.
12. The proposal would be 10 storeys high. However, from the drawings provided, it is apparent that the floor to ceiling height of the storeys in the proposal would be less than those in the Verona Apartments and HTC buildings. This may possibly be because they were built as commercial offices, not dwellings. As such, despite having more storeys, the proposal would not be significantly taller than Verona Apartments, though it would be taller than most of that building excepting the small central crown roof feature. It would also be taller than the HTC building and significantly taller than the shopping centre car park behind it.
13. However, the proposal would have a lesser width and depth than both the HTC building and Verona Apartments and therefore have a lesser massing effect. It would also be set substantially further back from Wellington Street than these neighbouring buildings. As such it would not appear as prominent in the street scene.
14. It would be close to Verona Apartments and would occupy a large proportion of the plot. However the access road to the west, the car park to its side and the small landscaped area to its front would assist in minimising any cramped effect. Also, despite being closer to the Observatory car park than Verona Apartments, it would not appear cramped in the context of that, given it would be substantially taller and as, from most viewpoints, the car park would be seen in its background rather than competing alongside it.
15. Indeed, from many positions along Wellington Road, it would not be prominently seen at all, being largely shielded by the HTC building when seen from the west, and the Verona apartments building when viewed from the east. It would be more striking when seen from positions around the HTC roundabout, but this would be only briefly between its neighbouring buildings, and the views from the houses here would be limited given they primarily face away from the site. The trees at the front of the site also provide a softening element. Moreover, most people experiencing this view would be in cars and hence their attention would be on the road, including negotiating the roundabout junction, rather than the building set back from the road.
16. For pedestrians walking past the appeal site into the Observatory shopping centre, or driving into the car park, the building would appear dominant. However this is just one view and it would not be unusual, in a town centre location, for tall buildings to sit adjacent to pedestrian footways. It would not, therefore, be incongruously overbearing. In addition, the small landscaped area in front of the building would provide a modest visual enhancement to the public realm compared to the car parking area there currently.
17. The Council raise concerns that the undercroft parking in the proposal could facilitate antisocial behaviour. However, this aspect replicates the existing car parking arrangement on the site, so would not introduce greater harm.

18. In summary, the proposal would not harm the character and appearance of the area. It would therefore accord with Core Policy 8 and policy EN1 of the Slough Local Plan (2004) which together aim to ensure that development is of high quality design and respects its surroundings, including in terms of scale, height and massing

Future development

19. The Site Allocations Development Plan Document (2010) allocates the Queensmere and Observatory shopping centres for retail and residential redevelopment (Site SSA14). The appeal site adjoins the allocated site and it is understood that there would be a gap of around 1.5m between the proposed building and the edge of the allocated site.
20. From ground to third floor level, the only windows on the southern elevation of the proposed building facing the Observatory shopping centre car park would serve the communal stairwell. At fourth floor level and above, additional south facing windows are proposed which would be above the car park. These would be secondary windows serving kitchen/living/dining rooms. These windows would have a close and direct view over the allocated site. If that site were developed for housing, the potential for overlooking from the appeal proposal or the potential for development to block the outlook from the appeal scheme, could be a constraint. However it was apparent, at my site visit, that a view from the south facing windows at Verona apartments which appeared to serve habitable rooms, would also directly face the allocated site, albeit not as close, and so could already be a constraint to development.
21. I understand that outline planning permission¹ has recently been granted for the redevelopment of the Queensmere shopping centre. However the application site for that does not extend to the Observatory shopping centre part of the allocation. Indeed, I have been provided with a newspaper article by the Council, in which the owners of that site have confirmed that there are no immediate plans to redevelop the Observatory shopping centre.
22. Moreover the allocation is very large; well over 5ha. Even if the presence of the windows in the appeal proposal did mean that the land in this part of the allocated site could not be redeveloped due to concerns of loss of outlook or privacy, I see no reason why that would sterilise the allocation's ability as a whole to secure its aims or the intended quantum of development.
23. The Council suggest the proposal would represent a fragmented, piecemeal approach to development. Whilst this may be a consideration if the appeal site were included within the allocation, as it is not, it simply represents the development of neighbouring land in a different ownership.
24. As a result the proposal would not prejudice the development of the adjacent allocated site and so there would be no conflict with Local Plan policy H9 which seeks to ensure that adjoining land which is capable of development is not sterilised. There would also be no conflict with policies EN1 or Core Policy 8 which aim to ensure development is compatible with its surroundings.

¹ Ref P/19689/000

Other Matters

25. It is not disputed by the parties that the Council do not have a five years housing land supply, with the evidence pointing to around a 2.5 years supply. This is a significant shortfall and the benefit of the development in providing housing is of substantial weight. However, because I could not conclude that the development would not have a significant harmful effect on the SAC, the application of the policies in the National Planning Policy Framework (the 'Framework') that seek to protect areas of particular importance, such as SACs, give a strong reason for refusing the scheme. Therefore, the proposal would fail to accord with paragraph 11) d) i) of the Framework and the presumption in favour of sustainable development does not apply.
26. Nonetheless, the site's location in the town centre means access to services and facilities for future occupant's day to day living is excellent, and the reuse of developed land, are both matters of substantial weight in favour of the proposal. The benefit to the local economy would also be significant given the proximity of the site to the town centre. There may be some modest benefits in terms of improving security and from an energy efficient building design.
27. Some nearby residents have raised other concerns, but as I am dismissing the appeal for other reasons anyway, I need not address those as they could not be determinative to my decision.

Conclusion

28. Although the proposal would not harm the character and appearance of the area, or prejudice the redevelopment of the neighbouring shopping centre, its failure to provide affordable housing, and contributions to education, open space and ecological mitigation mean that the proposal would conflict with the development plan taken as a whole. The other benefits set out above, do not outweigh that conflict or indicate a decision other than in accordance with the development plan. As such the appeal is dismissed.

Andrew Owen

INSPECTOR