
Appeal Decision

Site visit made on 29 April 2026

by **A Tucker BA (Hons) IHBC**

an Inspector appointed by the Secretary of State

Decision date: 21 May 2026

Appeal Ref: 6003753

Land at 324-372 Bath Road, Slough

- 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 Taj Sangha of Mackenzie (South West) Homes Ltd against the decision of Slough Borough Council.
 - The application Ref is P/19639/001.
 - The development proposed is the demolition of all existing buildings and structures, and the phased construction of a residential-led development delivering new homes (Use Class C3) and flexible non-residential floorspace (Class E) comprising a series of buildings, and all associated infrastructure, access, plant, public and semi-private realm, car/cycle parking, and hard and soft landscaping.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. An amended description for the proposal was used at appeal, but no evidence is provided to show that it was agreed. Therefore, I have reverted to the original description of the proposal in the banner heading above, which appears to adequately describe the development proposed.

Main Issues

3. The effect of the proposal upon:
 - a) the character and appearance of the area,
 - b) the living conditions of the occupiers of the dwellings to the north of the site, namely those at Burnham Lane, Brook Crescent and Iona Crescent.

Reasons

Character and appearance

4. The appeal relates to a linear site alongside the north side of Bath Road. Bath Road is a primary road that extends west from Slough town centre, to connect to nearby Maidenhead. In the area of the appeal site the road is wide, with two lanes of traffic travelling either way. Existing development alongside the road is generally low rise and mostly set back from the road edge. Much of this comprises commercial buildings with large footprints and includes the recently constructed self-storage building opposite the site. The building line fronting the road is not well defined, with many gaps between buildings given over to parking and many areas to the fronts of buildings dominated by parked cars.

5. In addition to the commercial buildings, the area is also characterised by residential development. This mostly takes the form of single and two storey dwellings, arranged singly or in pairs. Such low-rise residential development directly abuts the north side of the appeal site, and to the northwest of the site it takes the form of single storey detached bungalows. Whereas some of this is separated from Bath Road by the appeal site and existing development, along Burnham Lane two storey semi-detached housing is seen immediately alongside the appeal site. Additionally, similarly scaled development exists opposite the site to the southeast and further to the west.
6. To the east of the site Bath Road takes on something of a transition as it approaches the town centre. The distance between the fronts of opposing buildings increases and the road is lined with substantial trees that are an attractive natural feature that serve to soften the impact of development. At my visit the row of horse chestnuts that grow to the east of the site and in front of the adjacent retail park was particularly notable.
7. Taken together, although the area is characterised in part by large footprint commercial buildings, small scale residential development is also a key component of the character and appearance of the existing area; and the scale of the development in the area is predominantly low rise with notable rows of street trees.
8. For the purposes of the proposal, the appeal site is split into two. Site A is the western half of the site and would be developed with three high rise blocks of eight and nine storeys. These would be connected by two three-storey buildings. The three-storey links and high rise blocks would form a continuous road facing façade.
9. Site B is the eastern half of the site. This would be developed with three high rise blocks, with a seven-storey block at the western end, a five-storey block in the middle, and a nine-storey block at the eastern end, adjacent to the southern end of Burnham Lane. In a similar manner to the proposal for Site A, these would be linked by smaller buildings. Collectively, these five components would also form a continuous road facing frontage.
10. Together, the proposal would thus comprise a row of six high rise buildings fronting Bath Road. They would rise well above the surrounding low-rise development from every perspective. To the west, building A1 would tower above the adjacent brick retail building, which is a low-slung building that is set back from the road and typical of much of the development in the area.
11. From Iona Crescent to the north, the high-rise blocks would appear particularly incongruent. They would alter the character of what is currently a simple suburban street with limited visual intrusion, owing to their wholly insensitive scale; creating an irreconcilable conflict of scale between the neat row of single storey buildings and a parallel row of high-rise blocks. Some attempt to address this is made by the reducing scale of the Site A buildings at the rear, but short six and three storey sections would not be sufficient to address this. Indeed, it is difficult to envisage any form of massing or architectural treatment that would respond successfully to the huge disparity of scale that would be encountered over such a short distance.
12. Additionally, the incongruous manner by which the proposed high-rise blocks would stand behind the bungalows would harm the tranquil and peaceful character of this little road, which stands away from the activity and noise of Bath Road.

Furthermore, as Iona Crescent is to the north of the site, the high-rise blocks would cast a shadow on the side of Iona Crescent for most of the day, which would increase their harmful impact. This would be further worsened by the way that the development would turn its back architecturally on the land to the north with plain rear facades that would fail to engage successfully with the established domestic setting.

13. This conflict would be presented even more directly at the eastern end of the site, where the nine-storey form of building B3 would stand alongside and thus share a street façade with the modest two storey forms of the Burnham Lane dwellings. Again, there would be very little distance and thus no opportunity for a breathing space that might offer relief in a situation where there is a severe conflict in scale between adjacent buildings. Indeed, in this case no attempt has been made to address this stark and abrupt relationship. When approaching Bath Road from Burnham Lane building B3 would be seen to tower over the row of houses in a dominating and incompatible manner. From this perspective the building would also be seen in the context of the two-storey dwellings beyond the site on Bath Road. As a result, from Burnham Lane building B3 would appear entirely out of place where its nine-storey form would be sandwiched between two-storey dwellings.
14. It would appear as though there would be limited views from Bath Road where both building B3 and the two-storey dwellings of Burnham Lane would be seen together. However, at my visit I observed that the conflicting scale of the Burnham Lane streetscene would be observed from various positions of the adjacent retail park car park. Indeed, from the open area of the car park the consistent low-rise scale of existing buildings can be easily understood. The proposed high-rise buildings would stand well above this common building height, and would appear intrusive.
15. On the opposite side of the road stands the recently constructed self-storage building. This rises above the height of the surrounding development and therefore gives some precedent for increasing the scale of buildings in the area, but it still broadly follows the local arrangement of large low-rise commercial development with big footprints.
16. Opposite Site B the buildings are modestly scaled, of two and three storeys, with two-storey dwellings to the southeast. Owing to the generous road width, the disparity in scale between the two sides of the road would be less harmful, and provides some opportunity for some modest additional height at the appeal site. However, the very considerable difference in height between the proposal and surrounding low rise development that is immediately adjacent to the site remains a significant issue.
17. Beyond the site to the east the road opens up and benefits from well established street trees. The proposal would see the building line created by the existing terrace brought forward and completed across the front of the whole site. Provision is made for a series of small trees that would be contained in planters. These would mostly be to the front of Site A. Planting to the front of Site B would be minimal. As a result of the forward building line and minimal landscaping to the front, although the creation of a full building line to face the street would be of some benefit, the proposal would fail to assimilate with this distinctive and established characteristic of Bath Road to the east.

18. The six blocks would be arranged at different heights in a manner that does not appear logical. Along with the different façade treatments for Site A and Site B, the varying heights and differing infill arrangements would result in a scheme that lacks coherence when viewed from Bath Road.
19. In more general terms it is not clear what the rationale is for building to such a height in this location. The National Design Guide¹ (NDG) advises that well-designed tall buildings play a positive urban design role, but also expresses appropriate caution, where it says that such buildings require special consideration that includes their relationship to context and impact on local character.
20. In the case of the appeal proposal the high-rise buildings do not serve to frame or mark a particular destination. They would result in a row of tall buildings outside of the town centre, which would alter the hierarchy of spaces across the town. The buildings would be of a scale that would suggest arrival at an urban centre, whereas the town centre is further to the east. The images provided from distant views show that they would introduce a prominent skyline feature amongst low rise development in a manner that would appear uncoordinated and confusing to the identity of the settlement.
21. Neither do the proposed buildings mark the location of a local centre, or civic space that might warrant emphasis. Indeed, at the eastern end of the site one of the proposal's high rise components would define one side of a road junction; yet it would be unrelated to anything of a similarly elevated scale on any other side of the road junction, or anything that could be considered a comparative or complementary landmark building that could make sense of its scale that might allow it to be successfully stitched into the existing developed context.
22. The Site A area and part of the Site B area are within a wider area allocated for redevelopment, referred to as a selected key location for comprehensive regeneration, ref SKL1 of the Slough Local Development Framework Site Allocations Development Plan Document 2010 (SA DPD). It is therefore expected that the area will change. However, as the proposal only relates to part of the allocated area it is not possible for it to fully adhere to the objective that the allocation area is comprehensively planned. A further objective relative to this main issue of the appeal is that the development improves the appearance of this important main road frontage; For the reasons given I cannot agree that this would be the case.
23. The NDG advises that well-designed places do not need to copy their surroundings in every way. The aspirations for the comprehensive regeneration of the area are set out. However, it is not clear that this establishes a strategic approach to increase the scale of development in the area to this extent, by significantly increasing vertical massing. I accept that there may be scope in the future to regenerate some of the nearby commercial sites with taller buildings and developing the appeal site with buildings of a greater scale than those that currently exist has potential. However, the comprehensive replacement of the low scale housing to the rear of the appeal site is very unlikely; therefore, the disparity of scale between these modest buildings and the proposed high-rise blocks would exist for many years to come and result in a significant and long term lack of cohesion to the area's character and appearance.

¹ Ministry of Housing, Communities & Local Government 2019

24. I note that the scheme has significantly evolved and is the result of inputs from design review panels, Council officers and other professionals. This has included a reduction in the quantum of development, and the height and massing of the proposal. I have taken this into account in my consideration of the proposal, however this does not alter my findings on this main issue.
25. The appeal is submitted with a Design Review Statement, submitted as an appendix to the appellant's statement of case. Whilst the statement was written by an individual who is a member of a design review panel, it does not constitute a recommendation made by a design review panel in line with Paragraph 138 of the National Planning Policy Framework (Framework). I have therefore given this document limited weight.
26. In summary, the proposal would have a significant harmful effect on the character and appearance of the area. It would not accord with Core Policies 1 and 8 of the Slough Local Development Framework Core Strategy 2006 – 2026 Development Plan Document 2008 (CS DPD), and Saved Policy EN1 of The Local Plan for Slough 2004 (LP). Together these seek to ensure that the scale and density of development is related to the site's current character and surroundings, and shall be of a high quality of design that is compatible with and/or improves the surroundings in terms of scale, height, massing/bulk, siting, building form and design, architectural style, visual impact and relationship to nearby properties.

Living conditions

27. I have established that the proposed buildings would stand to the south of several dwellings. This would include those at the east end of Iona Crescent, and the south ends of Burnham Lane and Brook Crescent.
28. The submitted Daylight and Sunlight Report² includes a detailed analysis of the acceptability of the proposal in terms of its effect on the level of daylight and sunlight that reaches neighbouring dwellings. This reports that most surrounding properties would retain daylight and sunlight levels that are in line with British Research Establishment guidelines with the development in place. A reduction for some of the dwellings closest to the appeal site is reported, but impacts are suggested in the report to be minor. It is however also important to consider matters relating to outlook and privacy.
29. The proposal would introduce a solid mass of building to the south side of these dwellings. It would be broken up to a degree by the two and three storey linking sections, however the provision of 6 high rise blocks of between five and nine storeys needs careful consideration. No. 1 Burnham Lane would be very close to buildings B3 and B2. Its small garden would be entirely overwhelmed by the nine-storey bulk of building B3 as it would be very close to the side of this existing dwelling. Although the two-storey link would provide a clearer aspect in a southerly direction, the visual impact of the two high-rise buildings in such close proximity would be severe.
30. The impact on Nos 3-9 Burnham Lane would also be significant, particularly as their rear gardens would be to the north side of building B2 and the rear of the dwellings would face towards the larger B1 building. The relief offered by the two-storey linking elements would be of little benefit to these dwellings as their rear

² Waldrams Reference 2717 dated 19 February 2024

aspects are at an angle to the appeal site. Accordingly, they would be orientated towards the corners of the high rise blocks rather than towards the more open areas provided by the links.

31. A similar impact would occur to the dwellings at the southern end of Brook Crescent, particularly for Nos. 5 and 6 which would be very close to building A3. Although this building would be lower at the rear where it drops in two stages to six-storeys and then three-storeys, the primary nine-storey bulk of the building would have a severe impact on the outlook from the rear of these dwellings.
32. Iona Crescent is broadly parallel to Site A. Occupants of the dwellings at the eastern end of the road would look out towards the substantial massing of buildings A1 and A2, which would effectively be at the southern end of the rear gardens of those dwellings that are to the south of the road. The impact to outlook from the garden areas and rear aspects of these dwellings would also be severe. Occupiers of these dwellings would experience a significant sense of enclosure, as a result of the massing of the buildings and their proximity.
33. In addition to the impacts on outlook, the rear gardens of these dwellings and the openings that face towards the site would suffer from a significantly reduced level of privacy. Elevated gardens are proposed at the rear of the link buildings. All of these would create opportunity for future users to look down towards the existing rear gardens at close range. In addition, main living rooms, bedrooms and the side aspects of balconies would be positioned at the rear of the Site A buildings, where they would be in close proximity to the rear boundary of the existing gardens on Iona Crescent, and create multiple opportunities for overlooking, including for areas that would be used for extended periods such as the balconies.
34. Similarly, rear living areas and the side aspects of balconies would be positioned at the rear of the Site B buildings. The Site B buildings include limited set back at the rear, such that overlooking would occur towards the dwellings and their gardens at the rear for the full height of the proposed buildings. Openings at the rear of buildings B1 and B2 are limited and balconies are set back from the rear of these buildings; however, the balconies, living room and bedroom windows at the rear of building B3 across all its nine storeys would allow for direct overlooking towards the dwellings at the southern end of Burnham Lane.
35. It is often necessary to accept some minor impacts on living conditions in areas of urban regeneration. However, in this case the impacts would not be minor, and would be experienced by the occupiers of several dwellings. Furthermore, the impacts would be exacerbated by the disparity in scale of the buildings; Single and two storey dwellings with private rear gardens would stand alongside and be overwhelmed by high rise development in such close proximity, where the nature of their environs and the level of privacy previously enjoyed would be entirely changed.
36. The nature of the impact is also important to consider, and goes beyond a straightforward assessment of daylight and sunlight levels; in this case it is also necessary to take into account the scale of the proposed buildings, their position to the south of the neighbouring dwellings where they would create significant shaded areas, and the number of openings, which together would result in a significant adverse impact.

37. A substantial building with a large footprint previously stood close to the rear of the dwellings at Iona Crescent. However, it was of a significantly lower scale than the proposal and likely did not include any rearward openings. The former presence of this building does not therefore alter my views on this main issue.
38. In summary, when combined with their visual impact, the erosion to outlook and significant reduction to privacy, it is clear that the proposal would have a very significant adverse impact on the living conditions of a considerable number of existing dwellings to the north of the site. The proposal would therefore fail to accord with Core Policies 1, 4 and 8 of the CS DPD, and Saved Policies EN1 and H14 of the LP. Together these seek to ensure that development proposals are of a high-quality design that must be compatible with its surroundings in terms of relationship to nearby properties.

Other Matters

39. The Council's third refusal reason referred to the lack of a legal agreement to secure various obligations. There are references before me to a legal agreement that is in preparation, however this has not been submitted. In any case, as I am dismissing the appeal for other reasons this is not a matter that needs to be considered further.
40. The appeal site is within the zone of influence for recreational disturbance for the Burnham Beeches Special Area of Conservation. However, as I am dismissing the appeal for other reasons, this impact would not occur and does not need to be considered further.
41. The appellant owns Site A but only has an option on Site B which would likely fall away if the appeal is unsuccessful. It is suggested that the opportunity for comprehensive redevelopment of the whole site area would be unlikely to arise again. It is however clear from the layout and characteristics of the site that the two areas can be easily severed, whereby separate schemes could come forward in the future to either side of the footpath link. There are in any case design differences between the two site areas, and the area identified by SKL1 of the SA DPD does not cover the whole area of the appeal site. I therefore attach little weight to this matter.

Planning Balance

42. The proposal would deliver 231 new residential units, although would result in the loss of 8 flats/maisonettes within the existing terrace. It would therefore deliver an overall net gain of 223 dwellings, utilising previously developed land in a far more efficient manner than the existing development. This is a benefit that carries significant weight in the context of the Government's objective to significantly boost the supply of homes.
43. The proposal would also deliver public realm improvements to Bath Road, including a repositioned pelican crossing and remodelled bus stop. It would also deliver a significantly improved pedestrian connection through the site via Brook Path; this is currently a narrow and unwelcoming path that would be opened up and made safer and more attractive by the proposal. These benefits should attract moderate weight.

44. Additional benefits would arise from significant net gains in biodiversity, a reduction in surface water run-off and an increase in flood storage volume. These benefits should also attract moderate weight.
45. The proposal would however cause significant harm to the character and appearance of the area. This would be experienced over a large area, and owing to the scale of the proposal, its prominence and its wholly incongruent form in the context of the prevailing low-rise character and appearance of the area, this harm should be given very substantial weight.
46. Harm to living conditions would also arise for the occupiers of dwellings near to the site. The harm would be severe and experienced by many residents who live adjacent to the site to the north. It should also be given very substantial weight.
47. The Council is unable to demonstrate a five year supply of deliverable housing sites (5YHLS). The extent of the Council's shortfall is not before me. Nevertheless, Paragraph 11 d) of the Framework states that where the policies which are most important for determining the application are out-of-date (which footnote 8 clarifies includes for applications involving the provision of housing in situations where the Council cannot demonstrate a 5YHLS) the presumption in favour of sustainable development should be applied; unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
48. An exception to Paragraph 11 d) is provided where policies in the Framework that protect assets of particular importance provide a strong reason for refusing the proposal. Footnote 7 establishes that this includes designated heritage assets.
49. Although not a reason for refusal or main issue of the appeal, Historic England and the Council suggest that the proposal would result in a degree of harm to the significance of Windsor Castle, which is a grade 1 listed building. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.
50. The submitted verified views demonstrate that, owing to the scale of the proposal, it would be visible from this heritage asset, which enjoys an elevated and commanding position. The elevated and commanding position of the heritage asset, and the way that it connects with the surrounding landscape is an aspect of its setting that contributes to its significance. From Windsor Castle the proposal would be seen to rise above the prevailing building heights in the area; as a result, although a considerable distance from this heritage asset, it would be visible and noticeable. Historic England suggests that the level of harm would be at the low end of less than substantial, with regard to the Framework. Based on my assessment of the evidence before me and my understanding of the site's context from the site visit, I am satisfied that it is not necessary for me to take an alternative view.
51. Paragraph 215 of the Framework establishes that any harm should be weighed against the public benefits of the proposal. I have established that significant and moderate weight should be given to the public benefits of the proposal, which would be sufficient to outweigh the low level of heritage harm. Accordingly, Paragraph 11 d) i of the Framework is not engaged.

52. Turning to paragraph 11 d) ii of the Framework, I need to consider whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
53. The site is well located with easy access to a range of services and facilities via a genuine choice of transport modes. The proposal would make efficient use of land. However, with further reference to Paragraph 129 of the Framework, it would not maintain the area's prevailing character or secure a well-designed or attractive place.
54. With reference to Paragraph 135 of the Framework, the proposal would not add to the overall quality of the area, would not be visually attractive or sympathetic to local character, would not establish or maintain a strong sense of place owing to its incompatibility with the scale of existing buildings, and would not create a place that has a high standard of amenity for existing users. Furthermore, Paragraph 139 of the Framework establishes that development that is not well designed, which would be the case for the appeal proposal for the reasons given, should be refused.
55. In summary, having had regard to the harms and benefits outlined, I find that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, even if the extent of shortfall of 5YHLS is very great. Accordingly, the proposal would be contrary to the development plan, and there are no material considerations that indicate that planning permission should otherwise be granted.

Conclusion

56. For the reasons given, the appeal should be dismissed.

A Tucker

INSPECTOR