

Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

By Email: Aimee.Peckham@planninginspectorate.gov.uk

15th July 2025

Dear Ms Peckham,

Re: Appeal for the non-determination of planning application - objection

Demolition of existing buildings and redevelopment to comprise a Data Centre (Use Class B8) and Battery Energy Storage System (BESS) with ancillary substation, offices, associated plant, emergency backup generators and associated fuel storage, landscaping, sustainable drainage systems, car and cycle parking, and new and amended vehicular and emergency access from Poyle Road and other associated works.

Location: Land at Manor Farm and land north of Wraysbury Reservoir, Slough

PINS Ref: APP/J0350/W/25/3366043

LPA Ref: P/10076/013

Introduction

Heathrow Airport Limited (HAL) notes that Tritax (the Appellant) has appealed against Slough Borough Council (the Council) for the non-determination of planning application reference P/10076/013. The planning application is for the erection of a data centre and Battery Energy Storage Systems (BESS) with ancillary substation, offices, associated plant, emergency backup generators, fuel storage, landscaping, sustainable drainage systems, car and cycle parking, and new and amended vehicular and emergency access from Poyle Road (the Proposed Development). The site of the Proposed Development (the Application Site) is located circa 2km to the west of Heathrow Airport Terminal 5. The application was validated on the 2nd January 2025 with a determination date of the 3rd April 2025.

The Proposed Development would conflict with proposals for a third runway at Heathrow (the Expansion project, or “Expansion”). Our Masterplan identifies the Application Site as being required for freight forwarding and active travel proposals, namely a multifunctional green loop. The site would accommodate uses displaced as a result of Expansion and compulsory purchase acquisition of land. It has long been contemplated that the site may be required for these purposes if the Expansion project for the airport proceeds.

The Council supports this aspiration through emerging policy.

Following recent announcements by Government – as set out in more detail below – there is again a much greater likelihood of this than when the Appellant submitted its application. As a result, HAL raises a strong objection to the application.

This letter raises three grounds on which we say the appeal should be dismissed, as follows:

- The siting of proposals at Manor Farm which conflicts with plans for a third runway at Heathrow Airport to accommodate re-provision of displaced land uses;
- Impact of the proposal on the Strategic Gap;

- Impact of the proposal – which is inappropriate development - on the openness of the Green Belt.

Context

In its capacity as an airport operator, HAL was consulted on the planning application and responded on the 21st January 2025. HAL's response considered the matter of aerodrome safeguarding which, given the distance of the Application Site to Heathrow Airport, is a material consideration. In our response, we highlighted that the Proposed Development would conflict with safeguarding criteria unless pre-commencement conditions were imposed on any permission to address the safeguarding concerns. The conditions proposed by HAL related to the submission of a Bird Hazard Management Plan, submission of a Glint and Glare Assessment, an assessment of proposed plume rise if venting is proposed of hot air/gases and details of proposed crane installation and dismantlement. Condition wording was suggested. The consultation response is attached for reference. Should the Proposed Development be approved, HAL would request that the conditions previously proposed are imposed in order to ensure the safe operation of Heathrow Airport.

HAL's consultation response was submitted within the 13 week statutory timeframe within which the application was to be determined. An extension of time was agreed between Slough Borough Council and the Appellant to the 30th April 2025. On the 23rd May 2025, notification was received from Slough Borough Council informing HAL that the Applicant had lodged an appeal for non-determination with the Planning Inspectorate requesting a Public Inquiry.

At the time we submitted our representation, on 21st January 2025, proposals for Expansion at Heathrow were on hold following a pause during the period of the Covid-19 pandemic. In view of the uncertainties, at the time the pause was for an indefinite period. In this context, Slough Borough Council suspended their Regulation 18 Plan. Paragraph 16.10 of The Proposed Spatial Strategy (November 2020) says *"as part of it's planning for the third runway, the Council produced an Emerging Spatial Strategy for Accommodating Growth at Heathrow in December 2018. This contained a spatial Master Plan showing how all the necessary infrastructure and airport related development could be accommodated in the Colnbrook and Poyle area. There is no need to plan for this now and no proven need for additional airport related development in the area."*

At the time of HAL's representation, the uncertain status of airport expansion meant that it was reasonable for HAL not to object to the potential loss of the site to non Expansion-related uses in the short-to medium term. However, this position has since changed.

On the 29th January 2025, shortly after the submission of HAL's representation on the planning application, the Chancellor of the Exchequer set out the Government's latest reforms to support economic growth. This included an announcement that the Government supports and is inviting proposals for a third runway at Heathrow. This support was reflected in a Written Ministerial Statement made by the Secretary of State for Transport on transport and growth. Recognising the vital role of aviation in supporting connectivity and UK economic growth, the Ministerial Statement states that *"The Government recognises that air connectivity plays a vital role in supporting economic growth across the country, contributing £14bn to our GDP in 2023 and over 140,000 jobs across the UK in 2022. However, capacity constraints are hindering the country's ability to reap the growth benefits of aviation"*. In the context of these capacity constraints, the Written Ministerial Statement confirms the Government's support for a third runway at Heathrow. It states:

"There is a particular capacity challenge in the South East of England. Heathrow Airport, the largest airport in Europe by passenger traffic, the most internationally connected airport in the world and the UK's only hub airport, plays a critical role in enabling international connectivity for both passengers and

freight. This supports productivity and economic growth. Around 75% of UK long haul flights go from Heathrow and 60% of UK air freight goes through Heathrow. But Heathrow is running at nearly full capacity, which is limiting our potential to compete with major European hubs and holding back growth.

Tackling capacity constraints at Heathrow Airport could unlock growth benefits that a world-class aviation sector can provide. That's why the Government supports and is inviting proposals for a third runway at Heathrow, to be brought forward by the summer."

The Chancellor's speech and Written Ministerial Statement have restored Heathrow's confidence in actively reviving its proposals for a third runway. Only two weeks later, Heathrow announced its largest investment programme to expand Heathrow Airport namely 'UK's Gateway to Growth', which received Government support.

It is recognised that during consultation on the planning application, HAL did not raise the matter of the Proposed Development's conflict with the proposals for a third runway. However, this reflects the timing of events that immediately followed HAL's submission, the focus HAL has necessarily placed on developing its proposals for a third runway to meet the Government's timetable for a summer submission, and the fact that we expected further engagement between Slough Borough Council and the Appellant on the determination of this application.

Policy Context

National Planning Policy

The Airport National Policy Statement (ANPS) (2018) confirms at paragraphs 3.74 to 3.75 that the Heathrow Northwest Runway scheme is the Government's preferred option to deliver additional airport capacity in the South East of England. Paragraph 5 of the National Planning Policy Framework (NPPF) recognises *"that the Framework does not contain specific policies for nationally significant infrastructure projects. These are determined in accordance with the decision-making framework in the Planning Act 2008 (as amended) and relevant national policy statements for major infrastructure, as well as any other matters that are relevant (which may include the National Planning Policy Framework). National policy statements form part of the overall framework of national planning policy, and may be a material consideration in preparing plans and making decisions on planning applications"*.

The Airports Commission: Interim Report concluded that there was a need for one additional runway to be in operation in the South East of England by 2030. In the Final Report in July 2015, the Airports Commission concluded that the proposed Northwest Runway at Heathrow Airport presented the strongest case for expansion. Under paragraph 3.12 the Government confirms that the Heathrow Northwest Runway scheme, of all the three shortlisted schemes, is the most effective and most appropriate way of meeting the needs case. This is an important material consideration in HAL's view for safeguarding land at Manor Farm and carries significant weight in the determination of the appeal.

As set out above, the Government's support for a third runway at Heathrow has recently been confirmed in the Chancellor's announcement and Written Ministerial Statement made on the 29th January 2025 on transport and growth. Paragraph 6 of the NPPF (2024) reads as follows: *"Other statements of government policy may be material when preparing plans or deciding applications, such as relevant Written Ministerial Statements and endorsed recommendations of the National Infrastructure Commission"*. The Written Ministerial Statement is thus a material consideration in the determination of the appeal that carries significant weight in view of its implications for this site.

Paragraph 85 of the NPPF says *"planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider*

opportunities for development". This is appropriate in considering the extension of Poyle Business Park that HAL's Masterplan seeks to promote. Paragraph 87 of the NPPF says *"planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for: c) the expansion or modernisation of other industries of local, regional or national importance to support economic growth and resilience"*. To retain this land for HAL's use is in accordance with paragraph 87 c) in order to facilitate expansion of the aviation industry. Safeguarding this land for displaced freight forwarding would support economic growth and resilience.

Paragraph 153 of the NPPF says *"inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations."*

Development Plan Policy

The Slough Local Development Framework includes the Core Strategy 2006. The Core Strategy recognises Poyle Industrial Estate as the second largest estate in Slough Borough and highlights that its development has not been properly planned, with the area suffering from congestion and a poor environment. The Core Strategy, given its age (being adopted in 2008 when Terminal 5 first opened its doors and became operational), recognised that Poyle Industrial Estate is likely to come under even more pressure to accommodate airport related developments.

The most notable policies in the Core Strategy are Core Policy 1 (Spatial Strategy) and Core Policy 2 (Green Belt and Open Spaces).

Saved policies of the Slough Local Plan (adopted March 2004) remain and form part of the Local Development Framework. The saved policies notable for HAL's written representation are Policy CG9 (Strategic Gap).

Development of Slough's New Local Plan

Slough Borough Council are currently working on a new Local Plan for Slough to cover the period from 2016 – 2036. The most recent stage under the development of this Local Plan was the Regulation 18 consultation on the Proposed Spatial Strategy, which took place in November 2020 to January 2021. The Proposed Spatial Strategy does not contain any specific planning policies and Slough's existing Local Development Framework remains as above.

However, it is useful to set the context of Slough Borough Council's early preparation in the Local Plan making process and identification of sites and anticipated allocated growth. The Proposed Spatial Strategy was written and went out to consultation in late 2020, this followed the pause of the Heathrow Expansion Project (HEP) in Spring 2020. The Proposed Spatial Strategy sets out a vision and objectives along with proposals for what the pattern, scale and quality of development will be in Slough. Paragraph 3.3 says *the main difference is that it is now assumed that there will not be any expansion of Heathrow Airport in the short to medium term. This means that the Spatial Strategy does not have to plan to accommodate the proposed third runway. Any further proposals for the expansion of the airport can be considered in a review of the Local Plan.*

The narrative of the Proposed Strategy reflected a moment in time this was published, as in the case of HAL's written representation to the Manor Farm planning application. However paragraph 15.2 is relevant recognising Poyle Trading Estate is perfectly located and already has strong links with Heathrow Airport. Paragraph 15.4 says *whilst the comprehensive redevelopment of the Estate would be encouraged; this should be done in a way which provides a variety of high quality units which meet the specific needs of freight forwarders. There should not be any large scale non airport related warehousing*

or distribution centres which would generate more traffic and potentially displace airport cargo operations which need to be close to Heathrow. Despite the position of Expansion reflected in this Proposed Strategy, paragraphs 15.3, 15.4 and 15.7 align with Slough's direction in planning for Poyle Trading Estate and recognising the intrinsic link with Heathrow to be retained, and sets a policy expectation for what is an appropriate land use at Poyle Trading Estate. The Emerging Spatial Strategy (December 2018) pre-dates the Proposed Spatial Strategy. Both strategies form phase two of the Consultation Stages in preparing a Local Plan. The Emerging Spatial Strategy was prepared when an application for a Development Consent Order (DCO) for a third runway was in preparation. The Strategy identified benefits to Slough as a result of expansion, recognising new airport related development in the Poyle area. On page 9, the Emerging Spatial Strategy proposes that the Poyle Trading Estate should be expanded and transformed into an area for more airport related development. Furthermore the supporting text states to this effect *"Poyle is perfectly located and already has strong links with the airport. It is important, given pressures on land, that Poyle is protected for airport supporting industries. Consultation 1 showed there will be a loss of existing business premises in Poyle in order to accommodate new roads and new junctions. This, along with the potential land take for other infrastructure and non employment generating uses, means that the Council will have to consider the most sustainable option to enable the expansion of Poyle Trading Estate for airport related employment uses. This is necessary to enable the estate to remain viable."*

Whilst work on the new Local Plan has been delayed, in light of the recent Written Ministerial Statement and now Manor Farm appeal, the above context is relevant to the proposed intended land use Heathrow's Masterplan presents.

Heathrow Site Selection and Airport Related Development

The Application Site is located on the west side of the airport, running parallel to the M25 and the proposed diverted A3044. This area includes the communities of Colnbrook and Poyle as well as parts of the Metropolitan Green Belt, including the Colne Valley Regional Park. Heathrow's Masterplan below proposes ARD at the siting of the application site and an electrical substation with green infrastructure along the southern boundary. Feedback from Heathrow's consultation (January 2018) subsequently reduced the provision of land for industrial use and the boundary was amended, set away from residential properties and the listed Poyle Farmhouse. The remainder of the area is proposed to serve as mitigation and enhancement of the green infrastructure. The reasoning behind this is to improve the quality of the Metropolitan Green Belt and preserve continuity of the Colne Valley Regional Park.



Image 1: HAL Masterplan

As a result of expanding Heathrow and delivering a third runway, many buildings and facilities in use today will need to be displaced, including businesses, properties, utilities and airport related facilities, open space, recreation and community facilities, as well as homes. Airport Related Development (ARD) is a term used to describe a range of development that is related to the airport's operation and includes uses such as airport operations, cargo, maintenance, industrial, freight forwarding, hotels and offices.

A survey conducted in 2017 identified a total land take of circa 293 hectares for existing airport operations, cargo, maintenance and industrial airport related development. Growth factors related to the increase in passenger numbers or aircraft movements were used to generate a figure for the increased demand for these ARD uses. The proposed land take was forecast as circa 386 hectares (by 2035) – an additional 93 hectares for increased demand in ARD. To note, these forecasts were established several years ago and are now considered by HAL to underestimate the current position on ARD. Heathrow's Masterplan recognises additional freight forwarding facilities to support the growth in cargo operations to be focused in established locations for these uses around the airport, including to the south of the airport, in an arc between the industrial area in Poyle including the application site and Feltham Trading Estate. The qualities of the application site include location in close proximity to on and off-airport cargo functions, major highways and create efficiencies by clustering an existing land-use and to expand. HAL's Masterplan aligns with Slough's Spatial Strategy (both emerging and proposed) recognising that Poyle is protected for ARD.

The Proposed Development would conflict with the proposed green land parcel west of Poyle Trading Park as it operates today and as denoted in the image above. The proposal would take up land required for expanding Heathrow Airport. It is HAL's intention to bring forward a Masterplan and that the site is required to accommodate displaced users, namely freight forwarding. Expansion will result in the need

to relocate many displaced uses and that there is scarcity of suitable sites given the changing landscape of land-use demand over the last five years, from the point at which the Expansion project was paused in Spring of 2020. Over the past five years, land use and demand has changed, demand in land for development of data centres given proximity to the Slough Availability Zone, and demand for cargo storage has risen, new site allocations have come forwards for housing and employment. This site will be needed for displaced freight forwarding use. Freight forwarding is categorised by the provision of cargo coming off planes, passing through customs and requiring a short interim storage location before being transported off the periphery of the airport. Therefore, in terms of efficiency this use is required to be in close proximity to the airport, given the reliance on planes landing and a quick turnaround to get the cargo off the airport grounds to free up space.

HAL's Masterplan intends to safeguard future sites to support with the delivery of expanding Heathrow primarily the third runway, which would result in compulsory acquisition of land and accommodate displaced users. The ANPS confirms preference for a north-west runway at Heathrow Airport to expand airports in the South East of England and to maintain Heathrow's UK's hub status. Paragraph 3.14 of the ANPS recognises the positive impacts of increasing airport capacity and maintaining the UK's hub status, these are better international connectivity and growth of the freight industry.

HAL intends on pursuing this masterplan as its foundation to re-mobilise Expansion and subsequent preparation of an application for development consent.

The Proposed Spatial Strategy (November 2020) recognises under paragraph 15.2 that Poyle Trading Estate is perfectly located and already has strong links with Heathrow Airport. Furthermore, at paragraph 15.3 because of its location it is said that its main function should be to serve Heathrow. Paragraph 15.4 says redevelopment of the Estate should be done in a way which provides a variety of high quality units which meet the specific needs of freight forwarders. There should not be any large scale non airport related warehousing or distribution centres which would generate more traffic and potentially displace airport cargo operations which need to be close to Heathrow. The Strategy forms part of the Local Plan process and sets out the direction a Local Plan will take with regards to future site allocation.

Furthermore, reference to any future growth and land use at Poyle Trading Estate is for freight forwarding, which Heathrow has safeguarded for with anticipated displacement of uses in expanding the airport. The proposed data centre and battery energy storage system does not fall within this land use nor does it need to be close to Heathrow.

Paragraph 15.7 of the Proposed Spatial Strategy says safe walking and cycling connections around the Estate should be created to connect it to neighbouring areas, bus routes and informal recreation areas. HAL's Masterplan proposals show a green active network bordering Wraybury Reservoir to the north and southern boundary of Poyle Trading Estate extension. This Active Green Network would pass through Colnbrook and Poyle. The Masterplan therefore aligns with Slough's Proposed Spatial Strategy with regards to strengthening existing ties with Heathrow regarding airport related development and building on Slough's vision to strengthen connectivity via safe walking and cycling connection. In addition to HAL safeguarding this site for airport related development, the proposed development would conflict with HAL's active travel proposals which is supported by both the ANPS and the NPPF.

Paragraph 5.9 of the ANPS says *"the applicant must prepare an airport surface access strategy in conjunction with its Airport Transport Forum, in accordance with the guidance contained in the Aviation Policy Framework. The airport surface access strategy must contain specific targets for maximising the proportion of journeys made to the airport by public transport, cycling or walking"*. Paragraph 5.17 says *"any application for development consent and accompanying airport surface access strategy must include details of how the applicant will increase the proportion of journeys made to the airport by public*

transport, cycling and walking to achieve a public transport mode share of at least 50% by 2030, and at least 55% by 2040 for passengers". HAL's Masterplan supports the ANPS in seeking to achieve opportunities and uptake for active travel such as walking and cycling connecting Colnbrook to Poyle Trading Estate. The green active network is proposed to serve the perimeter of the airport making connections to the wider regional pedestrian and cycle networks as well as the communities, providing access to Heathrow. The NPPF promotes healthy and safe communities. Paragraph 96 (c) says "planning policies and decisions should aim to achieve healthy, inclusive and safe places which enable and support healthy lives, through both promoting good health and preventing ill-health – for example through the provision of safe and accessible green infrastructure with layouts that encourage walking and cycling". The NPPF advocates for sustainable transport in both plan-making and development proposals. Paragraph 111 (d) says "planning policies should provide for attractive and well-designed walking and cycling networks".

The proposal would conflict with the Ministerial Statement issued on the 29th January 2025 which decision makers must give material weight to when determining applications. This is confirmed by paragraph 6 of the NPPF. The proposal would undermine Slough Borough Council's early development of their Local Development Framework regarding the Regulation 18 Consultation on the Proposed Spatial Strategy (November 2020), recognising the Council's intended policy direction to redevelop Poyle Trading Estate for freight forwarding use, as well as recognising its main function is to serve Heathrow Airport and ambition to create safe walking and cycling connections around the Estate.

Conflict with the Strategic Gap

Core Policy 1 (Spatial Strategy) of the Core Strategy states that *"all development will have to comply with the Spatial Strategy set out in this document. All development will take place within the built up area, predominantly on previously developed land, unless there are very special circumstances that would justify the use of Green Belt land. A strategic gap will be maintained between Slough and Greater London.*

Core Strategy Policy 2 (Green Belt and Open Spaces) says *"development will only be permitted in the Strategic Gap between Slough and Greater London and the open areas of the Colne Valley Park if it is essential to be in that location".*

Local Plan Saved Policy CG9 (Strategic Green Belt Gap between Slough and Greater London) says *"any proposal which threatens the clear separation or the role of open land within the strategic Green Belt gap between the Slough urban area and Greater London will not be permitted".*

The Core Strategy recognises the remaining open land in Colnbrook & Poyle is particularly important because it forms part of the Colne Valley Park and acts as the strategic gap between the eastern edge of Slough and Greater London. Furthermore, the Core Strategy says restraint to built form will be applied to this vulnerable part of the Green Belt and therefore only essential development that cannot take place elsewhere will be permitted in this location. The subsequent supporting text of Core Strategy Policy 2 emphasises there should be very little development in the Colnbrook and Poyle area apart from regeneration of the Poyle Trading Estate.

Core Strategy Policy 2 emphasises the need for development to be essential in this location. Heathrow's proposals to extend Poyle Trading Estate to accommodate displaced freight forwarding users would align with the Core Strategy, because it is essential that development for airport-related development be close to the airport and there are very few sites which could accommodate that. Furthermore, the Masterplan seeks to improve open space, what currently serves as enclosed fields is proposed to be designed with a multifunctional green loop accompanying the extension of Poyle Trading Estate, the proposal aligns with Slough's Emerging Preferred Spatial Strategy.

It is HAL's view that it is not essential for the proposed data centre to be located on the Application Site such that the Proposed Development is not in accordance with Core Strategy Policy 2. The Appellant's case asserts that the Proposed Development is essential on the premise it is 'critical national infrastructure' for which there is an extremely strong national and local need. Whilst HAL does not positively assert the absence of a critical need for this type of infrastructure in general (and hence of the case for establishing the priority need to develop it), we do challenge the robustness of the alternative sites assessment and its subsequent outcome and suggest that the Appellant's case is not made out on the evidence.

Paragraph 1.16 of the Appellant's Alternative Site Assessment (December 2024) recognises that in an optimum solution, the development would occupy a larger site for a number of reasons including, to provide greater circulation space, greater distance with the perimeter fence, greater distance between the data centre and electrical substation, closer proximity between the data centre and Battery Energy Storage System (BESS). It is noted the proposed site is piecemeal with the two land parcels proposed to deliver the scheme separated by a track road which currently also serves existing buildings. The estate road would be retained and used to serve the proposal, requiring demolition of existing buildings. The BESS and data centre would be separated and so the proposals certainly do not fit the description of an "optimum site" to deliver this type of development, despite the above the site is still being taken forward.

The proposed site forms part of the Slough to Hayes corridor recognised for availability of land and power along with access to the major fibre routes. The Alternative Site Assessment does not justify the weighting given to this site as the most suitable above a total of 1957 individual ownership titles/ sites assessed. Stage 4 of the analysis reduced the pool of potential sites to 24 locations. The proposal would conflict with Core Strategy Policy 2, the proposal would be sited in the strategic gap and the open area of Colne Valley Regional Park with no sufficient evidence to justify the essential need for a data centre, battery energy storage system and substation at Manor Farm.

In short, we do not consider that the Appellant has demonstrated why it is essential for the Proposed Development to be located here – either in light of HAL's conflicting demand for the site for airport-related development or generally. Indeed the essential need for airport-related development on the site represents an important differentiator between a HAL proposal to develop the site and the Appellant's separate aspirations to develop it.

Conflict with Green Belt

The Application Site is located in the Green Belt. Paragraph 153 of the NPPF says *"when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations."*

Core Strategy Policy 1 says all development will take place within the built up area, predominantly on previously developed land, unless there are very special circumstances that would justify the use of Green Belt land.

The Saved Local Plan policies - notably Policy CG9 as referred to above - place great weight on protecting the Green Belt in the Strategic Gap. The policy supporting text emphasises the importance of the strategic gap being maintained and that any proposals for development which would affect the openness of the Green Belt within the strategic gap will not be permitted.

Appeal Ref: APP/J0350/A/09/2096331 for Manor Farm (referred to by the Appellant in its Statement of Case), concerns its lawful use today and includes the land known as "Parcel A" which is the subject of this inquiry. The Inspector there confirmed the proposal for the use of land for concrete crushing and screening, and inert waste recycling, as inappropriate development in the Green Belt. The Inspector recognised that stockpiles would not result in unrestricted sprawl or contribute to the merging of towns. However, it was concluded there would be harm to the openness of the Green Belt but that this effect would be limited. The Appeal decision does not explain the very special circumstances (VSC) that justify the development of industrial use on this parcel of land and that outweigh the harm to the openness, however the development was granted permission and subsequently developed. Nevertheless, this appeal decision does not comment on the quality of the Green Belt for the whole of the appeal site as it related only to Parcel A. It in fact confirms there would be harm to the openness, noting there is no mass of built form on this site but in fact it remains very open (albeit there are no longer green fields) with buildings sparsely sited.

In this case the proposed height of the data centre would be 30m and comprises nearly the full width of the land parcel. The proposal would harm the openness as a result of its mass and bulk. Some of the suggested Very Special Circumstances (VSC) put forward by the Appellant are; the urgent need for data centres and BESS, contribution to reduction in greenhouse gas emissions through delivery of battery storage to support renewable energy schemes, contribution to economic benefits for local area and indirect employment, the location of site within Slough Access Zone (SAZ), poor quality Green Belt, and the Alternative Sites Assessment providing evidence that there are no suitable and available alternative sites. HAL's written representation focuses on one of these very special circumstances, the merit of the Appellant's Alternative Sites Assessment (ASA).

On the latter point the ASA does very little by way of demonstrating the suitability of Manor Farm over and above other potential green RAG rated sites on grounds other than provision of power and fibre, such that the policy protection afforded to the site can justifiably be overridden. Given the provision of power required to operate modern data centres today, cooling systems are required with facilities often employing liquid or evaporative cooling systems to manage thermal loads. Therefore desirable or essential traits for land to accommodate a data centre are an abundance and ready access to water supplies. Proximity to a ready supply of water is important and yet the presence of Wraysbury Reservoir does not feature in the scoring of other potential sites as a beneficial characteristic. In fact there is no mention of the weighting given to provision of access to water in operating a data centre and the subsequent need to be sited in close proximity to a water source.

The area of search is narrow, as paragraph 3.8 points out under the ASA *"the data centre occupiers have traditionally 'clustered' around Slough, particularly around Equinix's Internet exchange point on Slough Trading Estate. This provides an extensive ecosystem to meet the demand for network exchange services and access to multiple cloud providers"*. Paragraph 3.9 says *"the shortage of suitable sites has expanded the location, with much of the activity moving east to Hayes, with significant clusters around Stockley Park"*. Reference is made to a shortage of sites around Slough Trading Estate, although this has not been evidenced in the ASA. The search area does not cover Slough or the Trading Estate. Furthermore, whilst reference is made to the Slough to Hayes Golden Corridor, there has been no further assessment of this area at large including up to Hayes, in the jurisdiction of Hillingdon Borough Council. It appears the draw to develop a data centre and BESS at Manor Farm is owing to a firm power supply contract to Iver National Grid Substation along with the Laleham National Grid Supply Point at Ashford. The intention of the Appellant at a later stage is to apply for planning permission with regards to installation of two power cables to enable energisation of the proposal. It is unknown whether other sites subject to the search area or possible sites outside would have had provision of an electricity connection and this has not been explored in the ASA.

The conclusions of the ASA under paragraph 5.6 cite *“the inability to deliver a site capable of facilitating the proposed development due to timing (through, necessary infrastructure works), the ability to gain vacant possession/ potential delays in acquiring the site, on the basis it was not currently available or technical constraints in particular to delivering a BESS”*. This paragraph reinforces that the area of search subject to this ASA is too narrow, a greater pool or different site area should have been ascertained to negate concerns with readily accessible sites. This would have resulted in greater opportunity to find both larger and compact sites to deliver both a data centre and BESS, as opposed to the piecemeal approach demonstrated by the proposals.

HAL considers that the inevitable harm to the Green Belt, arising from the footprint and height of the data centre in an otherwise sparse site with no built form in excess of 30m, has not been justified by any very special circumstances. As outlined above under the assessment of alternative sites, whilst data centres generally are recognised as critical national infrastructure, the alternative site assessment does not justify the requirement for the siting of a data centre at Manor Farm in the Green Belt.

Furthermore, the alternative site assessment concedes that Manor Farm is not the optimum solution in any event given that the site layout is separated into two parcels with a track road in between. The proposal is considered inappropriate development and would cause substantial harm to the openness of the Green Belt which goes against the purposes of the Green Belt as set out in paragraph 143 and 153 of the NPPF. The proposal would also conflict with Core Strategy Policy 1 and saved Local Plan Policy CG9.

Conclusion

To conclude, this written representation raises a strong objection to the scheme for a Data Centre, Battery Energy Storage System (BESS) with ancillary substation, creation of new entrance and ancillary development for the following reasons; (1) conflict with proposals for a third runway and, therefore, established Government policy support for the expansion of Heathrow Airport, (2) recognition of SBC’s vision for this site is to accommodate freight forwarding and uses related to Heathrow Airport, and (3) impact on the Strategic Gap and openness of Green Belt without any Very Special Circumstances (VSCs) to outweigh the harm.

The application materials submitted by the Appellant, and its conduct since the January 2025 Ministerial announcements (indicating the likelihood of Heathrow’s expansion proposals returning – and, with them, the requirement for this site to accommodate airport-related development), all strongly suggest a selection of this site for purely commercial reasons with subsequent attempts to reverse-engineer site selection criteria to justify the choice already made. The re-emergence of credible proposals for Heathrow expansion have evidently led the Appellant to try and expedite the decision-making through an unheralded non-determination appeal, no doubt in the vain hope that the earlier a decision can be made the less likely it is that an Inspector will be influenced by the competing need for this site for airport-related development. But, as this objection letter illustrates, these tactics do not commend themselves and the Inspector should respectfully see through them.

For the reasons sets out within the body of this letter, HAL would respectfully request that the appeal is dismissed.

Your Sincerely,



Emily Fitzpatrick MRTPI

Senior Town Planning Manager

Attached: copy of HAL's consultation response to SBC Ref: P/10076/013, consulted on safeguarding aerodrome grounds, during the eight week statutory determination period.

Classification: Public

Heathrow
Making every journey better

Slough Borough Council
Development Management Team
Planning & Transport Department
By email

Heathrow Airport Limited
Airside Operations Facility
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Email: Safeguarding@baa.com

21/01/25

Dear Sir/Madam,

Re: Planning Application No. P/10076/013

Demolition of existing buildings and redevelopment to comprise a Data Centre (Use Class B8) and Battery Energy Storage System (BESS) with ancillary substation, offices, associated plant, emergency backup generators and associated fuel storage, landscaping, sustainable drainage systems, car and cycle parking, and new and amended vehicular and emergency access from Poyle Road and other associated works.

Location: Land at Manor Farm and land north of Wraysbury Reservoir, Slough.

Our Ref: LHR6138

We refer to your email dated 14/01/25, received in this office on the same day.

The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless any planning permission granted is subject to the conditions detailed below:

Submission of a Bird Hazard Management Plan

Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:

- Management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with CAST Advice Note 3 'Wildlife Hazards Around Aerodromes'.

The Bird Hazard Management Plan shall be implemented as approved and shall remain in force for the life of the buildings. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

Reason: It is necessary to manage the flat roofs to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport.

Information

The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by Heathrow Airside Operations staff. In some instances, it may be necessary to contact Heathrow Airside Operations

staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof. The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Natural England before the removal of nests and eggs

Submission of a Glint & Glare Assessment

No solar panels shall be installed until a glint and glare assessment has been submitted to and approved in writing by the Local Planning Authority. No subsequent alterations to the approved scheme are to take place unless submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development does not endanger the safe movement of aircraft or the operation of Heathrow Airport. The airport requires a glint and glare assessment to be completed to determine the full impact on Air Traffic Control Tower and pilots approaching the airport.

Pluming Venting

If Pluming venting of hot air/gases are proposed as part of this development, Heathrow Airport will require evidence of an Operational Assessment of the Proposed Plume Rise to show that this will not impact aircraft operations.

Reason: To ensure the development does not endanger the safe movement of aircraft or the operation of Heathrow Airport.

We will need to object to these proposals unless the above-mentioned conditions are applied to any planning permission.

We would also make the following observation:

Cranes

Due to the site being within 6km of Heathrow Airport the crane operator is required to submit all crane details such as maximum height, operating radius, name, and phone number of site manager along with installation and dismantling dates to the CAA Airspace Coordination and Obstacle Management Service (ACOMS) system.

For notification, please follow the link via CAA website:

[Crane notification | Civil Aviation Authority \(caa.co.uk\)](#)

Once crane notification has been received from the CAA, Heathrow Works Approval Team will assess and issue the necessary crane permit. No cranes should operate on site until a crane permit has been issued.

Specific CAA guidance for crane lighting/markings is given in [CAP1096: Guidance to crane users on the crane notification process and obstacle lighting and marking \(caa.co.uk\)](#)

Lighting

The development is close to the aerodrome and the approach to the runway. We draw attention to the need to carefully design lighting proposals. This is further explained in [Advice Note 2, 'Lighting' \(available at <http://www.aqa.org.uk/wp-content/uploads/2016/09/Advice-Note-2-Lighting-2016.pdf>\)](http://www.aqa.org.uk/wp-content/uploads/2016/09/Advice-Note-2-Lighting-2016.pdf). Please note that the Air Navigation Order 2005, Article 135 grants the Civil Aviation Authority power to serve notice to extinguish or screen lighting which may endanger aircraft.

Classification: Public

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It is important that any conditions requested in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Heathrow Airport Ltd, or not to attach conditions which Heathrow Airport Ltd has advised, it shall notify Heathrow Airport Ltd, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.

Yours sincerely

Simon Vince
For and on behalf of Heathrow Airport Limited