



Quod

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# Statement of Common Ground

Appeal against non-  
determination of  
planning application  
P/10076/013 for a Data  
Centre and Battery  
Energy Storage System  
development at Manor  
Farm, Poyle, Slough

APP/J0350/W/25/3366  
043

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8 AUGUST 2025

Q230369

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# 1 Introduction

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- 1.1 This Statement of Common Ground ("**SoCG**") has been prepared in conjunction with Slough Borough Council ("**SBC**" and/or "**Local Planning Authority**" / "**LPA**") and Manor Farm Propco Limited (hereafter referred to as "**the Appellant**"). SBC and the Appellant shall together be referred to as the "**Parties**" in this SoCG.
- 1.2 This SoCG is made in support of a planning appeal made pursuant to Section 78(2) of the Town and Country Planning Act 1990 ("**Appeal**") in respect of non-determination by SBC of full planning application Ref. No: P/10076/013 in respect of land known as Manor Farm, Poyle Road, Slough ("**the Appeal Site**") for:

*"Demolition of existing buildings and redevelopment to comprise a Data Centre (Use Class B8) and Battery Energy Storage System 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" ("the **Development**")*
- 1.3 The purpose of the SoCG is to identify the areas where the Parties are in agreement and to narrow down the issues that remain in dispute.

## 2 The Appeal Site Location and Description

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- 2.1 The details contained within this section are agreed by the Appellant and SBC.
- 2.2 The Appeal Site extends to approximately 8.16 ha and falls entirely within the administrative boundary of SBC. It is within the Slough Availability Zone ("**SAZ**") for data centres. The Appeal Site lies entirely within the Green Belt and is within the locally designated Strategic Gap and part of the Colne Valley Regional Park.
- 2.3 It is bounded by Poyle Road to the east, Poyle Channel and Hilton Hotel to the north and a mature tree belt to the south. The west of the Appeal Site is defined by soil mounds and open fields, and the Colne Brook beyond.
- 2.4 The Britannia Industrial Estate (also known as a Poyle Trading Estate) is located immediately to the east and forms the industrial back drop to the Appeal Site.
- 2.5 The Appeal Site is made up of both previously developed land and undeveloped land and is identified edged red below (Figures 1).



Figure 1: Site Location Plan

- 2.6 The northern part of the Appeal Site is bound by Poyle Channel to the north, Poyle Road to the east, and soil mounds and agricultural land to the south and west.

- 2.7 The western part of the northern area of the Appeal Site, as well as the entire southern area of the Appeal Site, is understood to have been used for minerals and aggregates extraction and landfill in the twentieth century.
- 2.8 There is development on the northern parcel of the Appeal Site. This area contains five warehouse buildings and some areas of hardstanding.
- 2.9 The northern part of the Appeal Site formerly contained a series of industrial, storage and transportation uses. It is understood that at the time the planning application for the Development was submitted by the Appellant uses included:
- HGV maintenance workshop;
  - Car parking and valet parking associated with Heathrow Airport;
  - Building, sand and gravel supplies;
  - Metal works welding.
- 2.10 Vegetation exists within the northern part of the Appeal Site.
- 2.11 The southern parcel, approximately 280 metres to the south of the northern part of the Appeal Site, is smaller at 1.8 ha and is bound by Poyle Road to the east, a mature tree belt (known as Poyle Poplars, part of the Poyle Poplars Woodland Nature reserve) to the south, and agricultural land to the north and west.
- 2.12 The southern parcel is undeveloped and arable in nature. It has hedgerow boundaries.
- 2.13 The northern and southern parts of the Appeal Site are connected via an existing unmade track.
- 2.14 There are no environmental designations or heritage assets on the Appeal Site.
- 2.15 The Appeal Site does not contain any protected sites as defined under the Conservation of Habitats and Species Regulations (2017) (as amended).

### Surrounding Area

- 2.16 Poyle Trading Estate is located immediately to the east of the Appeal Site on the opposite side of Poyle Road. Beyond Poyle Trading Estate to the east is the M25 and to the east of the M25 lies Heathrow Airport. Hilton London Heathrow Airport Hotel is located immediately to the north of the Appeal Site. Agricultural land lies to the west of the Appeal Site, with the Poyle Poplars and Wraysbury Reservoir to the south.
- 2.17 The Royal Borough of Windsor and Maidenhead lies to the west of the Appeal Site.
- 2.18 The following statutory designated environmental and heritage assets are in the vicinity of the Appeal Site:
- Poyle Farmhouse, a Grade II Listed Building, is located to the west of Poyle Road, south of the northern part of the Appeal Site.

- The Hollies, Grade II Listed Building, is located to the east of Poyle Road, opposite the existing site access off Poly Road in the northern part of the Appeal Site.
- South West London Waterbodies Ramsar Site and Special Protection Area, and Wraysbury Reservoir Site of Special Scientific Interest (“**SSSI**”) are located to the south of the Appeal Site beyond a wooded area and Stanwell Road.
- Staines Moor SSSI is located further to the south-east, adjacent to the M25.

2.19 The following locally designated nature reserves are owned and/or managed by The Royal Borough of Windsor & Maidenhead:

- The Arthur Jacob Nature Reserve is located to the southwest of the Appeal Site beyond agricultural fields.
- Part of Poyle Poplars Woodland Nature Reserve sits to the south of the southern part of the Appeal Site and extends to the south-west away from the Appeal Site.



## 3 The Development

3.1 The details contained in this section relating to the Development are agreed by the Appellant and SBC.

3.2 The Appellant seeks planning permission for the Development comprising:

*“Demolition of existing buildings and redevelopment to comprise a Data Centre (Use Class B8) and Battery Energy Storage System 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.”*

3.3 The Development consists of a hyperscale data centre on the northern part of the Appeal Site and a Battery Energy Storage System (“BESS”) on the southern part with associated infrastructure and works (see the Site Plan at Figure 3).

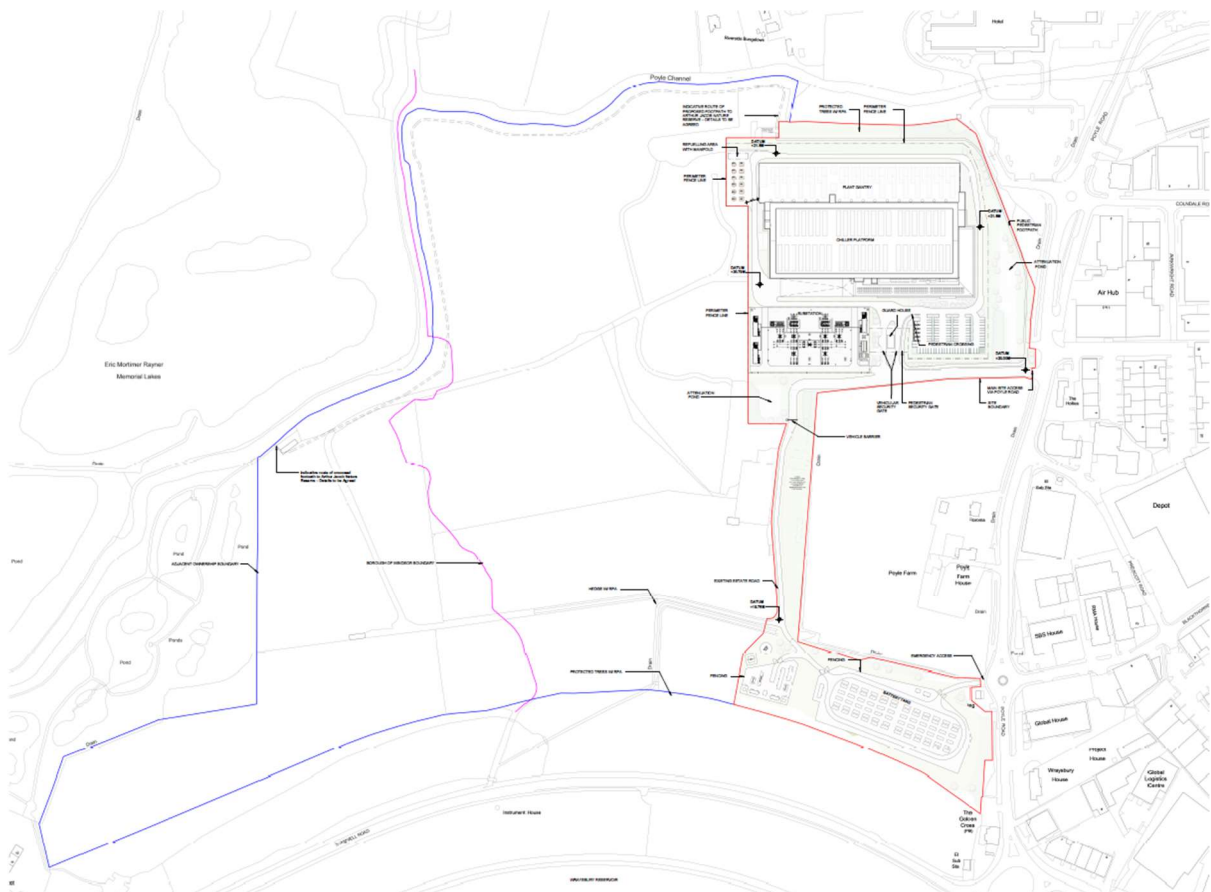


Figure 3: Site Plan

3.4 The main components of the Development are as follows:

- The data centre consists of office floorspace, data halls, a generator gantry and fuel storage for backup generators, as well as 86 car parking spaces.

- The proposed building, including the data halls and office, extends to a gross internal area of c. 36,368 square metres, with a parapet height of 23 metres and maximum screen height of 30 metres, which is required to support the equipment contained at roof level.
- Ancillary infrastructure and buildings associated with the data centre include a substation and the gate house. A loading bay is integrated within the ground floor of the building at its western end. An independently fenced substation facility, is located in the southwestern corner of the northern part of the Appeal Site.
- A one-way access road is proposed around the periphery of the data centre. The car parking is separated from Poyle Road by an attenuation pond.
- The southern part of the Appeal Site contains the BESS. The BESS comprises a number of lithium-ion batteries with a 100 MW capacity system to store electricity which are contained within a strip of land.
- The BESS will connect to the northern part of the Appeal Site and main access via a link road, serving as the primary point of entry.
- An emergency access to the southern part of the Appeal Site is provided onto Poyle Road via an existing vehicle crossover which forms part of the Poyle Road / Blackthorne Road roundabout. This access is gated and is suitable for a fire tender if required.
- The Development includes upgrades to the existing main access junction into the Appeal Site from Poyle Road. The main access is proposed to be modified to provide a left-in/left-out arrangement and an island to separate inbound and outbound vehicles. These works all fall within existing highways land off Poyle Road and will be delivered via a section 278 agreement.
- Additional works are proposed to improve pedestrian access to two nearby bus stops to the north of the site access, via new 2-metre-wide footways along the western side of Poyle Road. A new pedestrian crossing is also proposed immediately south of the Appeal Site access.
- The existing secondary access to the Appeal Site off Poyle Road will be repurposed as a dedicated pedestrian/cycle route that connects to an on-site footpath, which runs to the north and provides public access to Arthur Jacobs Nature Reserve on land in the Appellant's control.
- The Appellant proposes a range of habitat, ecological and biodiversity enhancements including a biodiversity net gain well in excess of 10%, with a net gain of 115.23% for habitat units and 10.07% for hedgerow units. The LPA is currently verifying this.
- Sustainable Urban Drainage System features are proposed to provide the necessary drainage for the Appeal Site.

3.5 The Parties agree that the Development does not amount to airport-related development.

3.6 The Parties agree that the Tritax Big Box REIT plc released a statement following the acquisition of land of which the Appeal Site formed a part, which noted that the land acquired has potential for an initial data centre and also offers the potential for further expansion with a possible second phase data centre of 40 MW, both of which are subject to planning.



## 4 Application Plans and Documents

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4.1 It is agreed that the application plans and supporting documents that comprised the planning application at the time the Appeal was lodged were as follows:

- Original Full Planning Application Submission, December 2024:
  - Application Form
  - Application Cover Letter
  - Certificate B Notice
  - Submission Plans:
    - Site Location Plan (CON-COR-ZZ-ZZ-D-A-00101P01)(*now superseded*)
    - Existing Site Plan (CON-COR-ZZ-ZZ-D-A-00102 P01)(*now superseded*)
    - Demolition Site Plan (CON-COR-ZZ-ZZ-D-A-00103 P01)(*now superseded*)
    - Proposed Site Plan (CON-COR-ZZ-ZZ-D-A-00104 P01)(*now superseded*)
    - Existing Site Section – North and South (CON-COR-ZZ-ZZ-D-A-00106 P01)
    - Existing Site Section – East and West (CON-COR-ZZ-ZZ-D-A-00107 P01)
    - Proposed Site Section – North and South (CON-COR-ZZ-ZZ-D-A-00108 P01)
    - Proposed Site Section – East and West (CON-COR-ZZ-ZZ-D-A-00109 P01)
    - Proposed Parcel A Plan (CON-COR-ZZ-ZZ-D-A-00116 P01)
    - Proposed Data Centre – Ground Floor Plan (CON-COR-ZZ-B100-D-A-00203 P01)
    - Proposed Data Centre – First Floor Plan (CON-COR-ZZ-B101-D-A-00220 P01)
    - Proposed Data Centre – Second Floor Plan (CON-COR-ZZ-B102-D-A-00229 P01)
    - Proposed Data Centre – Roof Floor Plan (CON-COR-ZZ-B103-D-A-00238 P01)
    - Proposed Data Centre – Roof Platform Plan (CON-COR-ZZ-B104-D-A-00239 P01)
    - Proposed Data Centre – Elevations East and West (CON-COR-ZZ-B1ZZ-D-A-00501 P01)
    - Proposed Data Centre – Elevations North and South (CON-COR-ZZ-B1ZZ-D-A-00502 P01)
    - Proposed Data Centre – Sections (CON-COR-ZZ-B1ZZ-D-A-00601 P01)
    - Proposed Guard House – Plans, Sections and Elevations (CON-COR-ZZ-B2ZZ-D-A-00250 P01)
    - Proposed Substation – Plans (CON-COR-ZZ-B300-D-A-00260 P01)
    - Proposed Substation – Sections (CON-COR-ZZ-B3ZZ-D-A-00602 P01)
    - Parcel A – Strategic Landscape Masterplan (P24-1155-EN-001E)(*now superseded*)
    - Parcel B – Strategic Landscape Masterplan (P24-1155-EN-002D)(*now superseded*)
    - Detailed Landscape Proposals – Parcel A (P24-1155-EN-003C)(*now superseded*)

- Detailed Landscape Proposals – Parcel B (P24-1155-EN-004B)(*now superseded*)
- Illustrative Landscape Section (P24-1155-EN-005C)
- Submission Statements:
  - Air Quality Assessment
  - Alternative Site Assessment
  - Arboricultural Impact Assessment
  - Archaeological Impact Assessment
  - Aviation Safeguarding Assessment
  - Biodiversity Net Gain Calculations
  - Outline Construction Environment Management Plan
  - Design and Access Statement
  - Flood Risk Assessment and Drainage Strategy
  - Ecological Impact Assessment
  - Economic Statement
  - Energy and Sustainability Statement
  - Fire Strategy
  - Generic Quantitative Risk Assessment
  - Green Belt Assessment
  - Heritage Impact Assessment
  - Landscape and Visual Impact Assessment
  - Noise Assessment
  - Phase 1 Preliminary Risk Assessment
  - Outline Remediation Strategy
  - Statement of Community Involvement
  - Shadow Habitat Regulation Assessment
  - Security Design Statement
  - Transport Assessment
  - Travel Plan
  - Utility Assessment

4.2 A revised Application Form was submitted on 2 January 2025 to reflect the updated site address and description of development.

4.3 The following additional material was submitted to SBC on 25 February 2025 including to reflect a small amendment to the red line of the Appeal Site:

- Amendments Submission Covering Letter prepared by Quod
- Revised plans:
  - Site Location Plan (CON-COR-ZZ-ZZ-D-A-00101P02)
  - Existing Site Plan (CON-COR-ZZ-ZZ-D-A-00102 P02)
  - Demolition Site Plan (CON-COR-ZZ-ZZ-D-A-00103 P02)
  - Proposed Site Plan (CON-COR-ZZ-ZZ-D-A-00104 P02)
  - Parcel A – Strategic Landscape Masterplan (P24-1155-EN-001F)
  - Parcel B – Strategic Landscape Masterplan (P24-1155-EN-002E)
  - Detailed Landscape Proposals – Parcel A (P24-1155-EN-003D)
  - Detailed Landscape Proposals – Parcel B (P24-1155-EN-004C)

- Additional plans:
  - Proposed Parcel B Layout Plan (CON-COR-ZZ-ZZ-D-A-00119 P02)
  - MVS5000 (CON-EDFR-ZZ-B4ZZ-D-01200)
  - Storage Container (CON-EDFR-ZZ-B4ZZ-D-01201)
  - BESS Unit (CON-EDFR-ZZ-B4ZZ-D-01202)
  - DNO Substation (CON-EDFR-ZZ-B4ZZ-D-01203)
  - Intermediate Substation (CON-EDFR-ZZ-B4ZZ-D-01204)
  - Auxiliary Transformer / Earthing Transformer (CON-EDFR-ZZ-B4ZZ-D-01205)
  - LV Auxiliary Switch Room, Control Room & Welfare Unit Arrangement (CON-EDFR-ZZ-B4ZZ-D-01206)
  - Water Tank Arrangement (CON-EDFR-ZZ-B4ZZ-D-01207)
  - Fencing and Gate Elevations (CON-EDFR-ZZ-B4ZZ-D-01208)
  - Harmonic Filter Arrangement (CON-EDFR-ZZ-B4ZZ-D-01210)
  - BESS Substation Arrangement (CON-EDFR-ZZ-B4ZZ-D-01211)
  - Control Room (CON-EDFR-ZZ-B4ZZ-D-E-01213)

4.4 On 1 April 2025, the following additional material was submitted to SBC:

- Consultation Responses Covering Letter prepared by Quod
- Revised Planning Statement
- S106 Heads of Terms

4.5 The Appellant formally submitted a pre-application request to SBC on 6 December 2023. Pre-application meetings were held in April 2024 and September 2024. SBC did not provide formal written feedback to either of these meetings however advice and responses were provided during the meetings.

4.6 The planning application was submitted to SBC on 13 December 2024. It was registered on 2 January 2025. The initial target determination for the application was 3 April 2025. On 10 February 2025, SBC requested an extension of time to 30 April 2025. This was agreed by the Appellant on 25 February 2025 on the basis that the Planning Application would be heard at committee on 23 April 2025.

4.7 The Appellant (via Quod) emailed SBC on 27 February, 3 March and 7 March to ask for confirmation that the information issued on the 25 February had been received and to ask for copies of any consultation responses. A response was provided by SBC on 7 March which attached nine responses from various consultees and noted that consultation responses were outstanding. The Appellant provided comments on the consultation responses that had been received on 1 April 2025.

4.8 It is agreed that the Executive Director of Regeneration, Housing and Environment and the Chief Planning Officer at the LPA met with Quod and Tritax on the 25 March 2025 where the LPA provided direct feedback that the Development would not be supported. The LPA indicated that it may support development of the Appeal Site and adjoining land principally for airport related development. It was agreed that the Appellant would consider this alternative with its stakeholders.

- 4.9 The Appellant informed the LPA on 16 April 2025 that it had decided to appeal for non-determination. A further meeting to discuss this was held on 17 April 2025.
- 4.10 Following this, SBC did not have the opportunity to take the planning application to its planning committee before the statutory determination timeframe expired on 30 April 2025.

## 5 Planning History

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- 5.1 The planning history of the Appeal Site will be addressed in a separate statement of common ground to be agreed by the Parties.

## 6 Development Plan and Material Considerations

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- 6.1 This section identifies the planning policies and guidance that will be of most relevance to this Appeal. All documents referred to will be included in the list of Core Documents.

### *The Development Plan*

- 6.2 Under the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 6.3 The relevant Development Plan documents for this Appeal are:
- Saved Policies of the Slough Local Plan (March 2004);
  - Core Strategy Development Plan Document (December 2008); and
  - Slough Local Development Framework (LDF) Proposals Map (November 2010).
- 6.4 The Appeal Site is not allocated for development in the Site Allocations Development Plan Document (2010).

### *Core Strategy DPD (December 2008)*

- 6.5 The Slough Core Strategy was adopted in 2008 and covers a plan period up until 2026.
- 6.6 The plan itself is more than 17 years old and its policies pre-date the current NPPF.
- 6.7 Paragraph 225 of the NPPF states that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. A self-assessed compliance check of the LPA's planning policies was undertaken in 2013 through which the LPA established that it considered the Core Strategy Policies and Saved Local Plan Policies to remain aligned with the NPPF as in force at that date. SBC is preparing a new local plan and the 2013 assessment documents remain available on the relevant pages of the LPA's website as the basis for continued policy alignment with the NPPF.
- 6.8 The Core Strategy does not include specific policies relating to the provision of data centres.
- 6.9 The most important planning policies for the purposes of this Appeal are:
- Core Policy 1 (Spatial Strategy)
  - Core Policy 2 (Green Belt and Open Spaces)
  - Core Policy 5 (Employment)
  - Core Policy 7 (Transport)
  - Core Policy 8 (Sustainability and the Environment)



- Core Policy 9 (Natural and Built Environment)
- Core Policy 10 (Infrastructure)

#### *Saved Policies of the Slough Local Plan (March 2004)*

6.10 Slough Local Plan was adopted in 2004 and saved policies were determined in 2010. It pre-dates the current NPPF and plans for the development needs of the Borough up to 2006.

6.11 The most important planning policies for the purposes of this Appeal are:

- EN1 – Standard of Design
- EN3 – Landscaping Requirements
- EN5 – Design and Crime Prevention
- EN34 – Utility Infrastructure
- EMP4 – Development Outside of Existing Business Areas
- CG1 – Colne Valley Park
- CG9 – Strategic Gap
- T2 – Parking Restraint
- T7 – Rights of Way
- T8 – Cycle Network and Facilities

#### *Material Considerations*

6.12 It is agreed that the following material considerations are relevant to the Appeal:

- National Planning Policy Framework (February 2025) ("**NPPF**")
- Planning Practice Guidance ("**PPG**")
- Ministerial Statement (July 2024)
- National Data Strategy (2019)
- UK Digital Strategy (2022)
- National Cyber Strategy (2022)
- Overarching National Policy Statement for Energy (EN-1) (2023)
- UK Government Consultation on Industrial Strategy (November 2024)

6.13 In respect of the NPPF 2025, the following Chapters are relevant

- Chapter 2. Achieving sustainable development
- Chapter 4. Decision-making
- Chapter 6: Building a Strong Competitive Economy
- Chapter 8. Promoting healthy and safe communities
- Chapter 9. Promoting sustainable transport
- Chapter 10: Promoting High Quality Communications

- Chapter 11. Making effective use of land
- Chapter 12. Achieving well-designed places
- Chapter 13: Protecting Green Belt Land
- Chapter 14: Meeting the challenge of climate change, flooding and coastal change
- Chapter 15: Conserving and Enhancing the Natural Environment

6.14 Both Parties will make reference to these to support their case.

## 7 Matters not in Dispute

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- 7.1 This section sets out the matters that are not in dispute between the Appellant and the LPA.

### *Format of Planning Application and Supporting Material*

- 7.2 It is agreed that the format of the planning application, the forms, plans and the supporting documents fulfilled the requirements of the various regulations and validation checklists.

### *Environmental Impact Assessment*

- 7.3 It is agreed that the Development is not EIA development for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- 7.4 It is agreed that this Appeal should proceed on the basis that the Development would not be EIA Development.

### *Development Plan Designations*

- 7.5 It is agreed that the Appeal Site is located within the Green Belt.
- 7.6 It is agreed that the Appeal Site lies within the Colne Valley Regional Park.
- 7.7 It is agreed that the Appeal Site lies within the Strategic Gap.
- 7.8 It is agreed that there are no designated heritage assets within the boundary of the Appeal Site and the Appeal Site is not located within a Conservation Area.

### *Need for the Development*

- 7.9 It is agreed that the Secretary of State (current and former) found that there is a significant and substantial demand for new data centres in the SAZ (appeal refs: 3337981 and 3307420). The Secretary of State's most recent articulation of this need (in her decision of appeal ref. 3347353 dated 9 July 2025) is that need within the SAZ "*has continued to rise significantly, from a short to medium term need of 1700MW identified in the Court Lane decision to a mid-range estimate of some 2,486MW of additional capacity needed between 2024 and 2029, which will continue to rise to some 2,858MW*". It is agreed that the need outlined above was an undisputed position. The Secretary of State pointed out she had reached this conclusion and "considered the matter on the basis of the evidence before her" in that case.
- 7.10 The Appellant has designed the data centre to deliver an IT capacity of around 72 MW towards demand in the SAZ.

### *Locational Requirements and Alternative Sites*

- 7.11 As per the CMC note, the parties will collaborate on the issue of alternative sites including those which may be useful for the Inspector to visit.

- 7.12 It is agreed that there is an established Availability Zone at Slough (the "**SAZ**"), which is an internationally recognised location for data centres, and that the Appeal Site is within the SAZ.
- 7.13 It is agreed that the Slough Trading Estate Simplified Planning Zone ("**SPZ**") sits within the SAZ.
- 7.14 It is agreed that there are a significant number of data centres within the Borough of Slough.

#### *Economic Development*

- 7.15 It is agreed that the revised NPPF demonstrates that the Government places considerable importance on the need to deliver economic growth.
- 7.16 It is agreed that the revised NPPF seeks to address the specific locational requirements of different sectors at paragraph 87:

*"Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for:*

- a) clusters or networks of knowledge and data-driven, creative or high technology industries; and for new, expanded or upgraded facilities and infrastructure that are needed to support the growth of these industries (including data centres and grid connections);*
- b) storage and distribution operations at a variety of scales and in suitably accessible locations that allow for the efficient and reliable handling of goods, especially where this is needed to support the supply chain, transport innovation and decarbonisation; and*
- c) the expansion or modernisation of other industries of local, regional or national importance to support economic growth and resilience."*

- 7.17 The inward investment creation of new jobs and multiplier effects that would arise from the proposed development would positively align with the economic objectives of SBC.
- 7.18 The LPA has not done any analysis on any of the figures that the Appellant presented as part of the planning application with regards to the scale of inward investment, construction jobs to be created, operational jobs to be created, wage levels, annual direct GVA and multiplier effects for Slough and the wider area if the Development is delivered.

#### *Green Belt*

- 7.19 The parties agree that the entire site is located in the Green Belt.
- 7.20 It is agreed that the planning inspector in respect of Appeal Ref: 2096331 in September 2009 on the northern part of the Appeal Site concluded that the appeal development "would not result in unrestricted sprawl or contribute to the merging of towns, in conflict with Local Plan Policy CG9 or Waste Local Plan Policy WLP30", and "would have a limited effect in terms of the loss of openness".

#### *Strategic Gap*

- 7.21 It is agreed that the Appeal Site is located in the Strategic Gap.
- 7.22 It is agreed that the planning inspector in respect of Appeal Ref: 2096331 in September 2009 on the northern part of the Appeal Site commented that the relevant land is situated in the extreme south west corner of a designated strategic gap, but remote from Slough, and as a result it is not prominent in this part of the gap. The inspector concluded that the appeal development would serve to fill in and regularise the boundary of the gap without threatening the open area to the west to the site. The inspector imposed a condition requiring the land to be returned to agricultural land following the cessation of the use thereby permitted.

#### *Colne Valley Regional Park*

- 7.23 It is agreed that the Appeal Site lies in the Colne Valley Regional Park and the Horton and Wraybury Lowlands Landscape Character Area.
- 7.24 The Colne Valley Regional Park's consultation response to the planning application for the Development welcomed the new pedestrian route to the Arthur Jacobs Nature Reserve, significant landscape enhancements and enhanced pedestrian/cycle connectivity.
- 7.25 There are no public rights of way across the Appeal Site.

#### *Prematurity*

- 7.26 There are currently no grounds to refuse planning permission based on prematurity relating to the development of a new Local Plan having regard to paragraphs 50 and 51 of the NPPF.

#### *Traffic and Transport*

- 7.27 The LPA raises no objection on transport grounds. It is agreed that subject to appropriate planning conditions and/or planning obligations securing the improvements proposed by the planning application there will be no unacceptable impact on highway safety or severe cumulative impacts on the road network.
- 7.28 Subject to appropriate planning conditions and/or obligations securing the improvements proposed by the planning application, the Development will result in a reduction in vehicle movements compared to the existing and previous uses at the Appeal Site.
- 7.29 The proposed highway works within the planning application would improve pedestrian access to two bus stops in the vicinity of the Appeal Site, cycle access and construct a new pedestrian crossing on Poyle Road and a wider shared pedestrian shared cycleway on the western side of the Poyle Road which would enhance the opportunity for sustainable and active modes of travel for future occupiers and ensure that the Appeal Site is accessible via sustainable transport modes should consent be granted with appropriate planning conditions and/or obligations.
- 7.30 No objections to the Development were received from National Highways, the local highway authority or Active Travel England.

### *Trees and Hedgerows*

- 7.31 The landscape enhancements will provide new habitats and expand those currently existing on site, such as planting new tree groups, shrub areas, long grass and wildflower meadows. There will be no unacceptable impacts upon on trees and hedgerows.

### *Built Heritage*

- 7.32 The LPA agrees that the impact of the Development on the nearby heritage assets is less than substantial and raises no objection on heritage grounds on the basis that the public benefits of the Development outweigh the less than substantial level of heritage harm.

### *Archaeology*

- 7.33 The LPA and Berkshire Archaeology raise no objection on archaeology grounds subject to the imposition of appropriately worded planning conditions.

### *Ecology & Biodiversity Net Gain*

- 7.34 Subject to securing the recommended mitigation through conditions, the Development will not have an unacceptable impact on protected species or habitats.
- 7.35 National policy and legislation require proposals to provide net gains for biodiversity (+10%). In principle, it is agreed that this should be achieved by the Development and would be a benefit in planning terms and should be secured by deemed planning condition.

### *Noise*

- 7.36 The noise impacts of the Development will be less than the previous use on the Appeal Site in relation to the northern parcel of the Appeal Site.
- 7.37 The LPA does not object on noise grounds, subject to agreement of conditions.

### *Air Quality*

- 7.38 The LPA does not object to the Development on air quality grounds, subject to agreement of conditions.

### *Energy and Sustainability*

- 7.39 Subject to appropriate and necessary conditions, details of energy efficiency and renewable/low carbon energy measures can be submitted.

### *Aviation*

- 7.40 Subject to appropriate and necessary conditions, the Development within close proximity of Heathrow Airport would not result in unacceptable harm to the safe movement of aircrafts as per HAL's consultation response of the 21<sup>st</sup> January 2025.
- 7.41 It is agreed that the position with regard to the expansion of Heathrow Airport is as follows as at the date of this SoCG:



7.41.1 There was a Ministerial Statement issued on 29 January 2025 stating that the Government supports and is inviting proposals for a third runway at Heathrow, to be brought forward by the summer. A letter by the Secretary of State on 30 June 2025 invited proposals from third runway promoters by 31 July 2025

7.41.2 It is agreed that the Appeal Site was located within Heathrow Airport Limited's preferred masterplan in the Airport Expansion Consultation from Heathrow (June 2019). This masterplan has not been endorsed by the Government as of August 2025.

7.41.3 It is agreed that as far as the Parties are aware, two proposals have been submitted to Government by the 31<sup>st</sup> July 2025 deadline for the introduction of a third runway at Heathrow.

7.41.4 No application for development consent for the third runway has been submitted to or accepted by PINS.

7.42 It is agreed that SBC identified part of the Appeal Site as being suitable for the potential extension to Poyle Trading Estate if the proposed third runway was to go ahead in its document "Emerging Spatial Strategy Accommodating Growth at Heathrow: proposals for development in Colnbrook and Poyle" ("**ESS**", published in December 2018 prior to the pause in proposals for a third runway), and that this growth should relate to Heathrow related uses and functions. The ESS stated on page 16:

*"It should be noted that in the short term the Council will continue to rigorously apply Green Belt and Strategic Gap policies to any proposals that come forward in advance of the future of the airport being resolved. This will prevent development happening in an unplanned way".*

#### *Residential Amenity*

7.43 The LPA raises no objection with regards to any unacceptable impact on residential amenity.

#### *Flood Risk and Drainage*

7.44 The LPA agrees that the impacts of surface water drainage have been adequately addressed and that the Development is not at risk of flooding or will increase the flood risk off site.

7.45 The lead local flood authority raised no objections to the proposed drainage strategy subject to the imposition of an appropriate condition.

#### *Contamination*

7.46 Any issues relating to any potential contamination can be addressed by condition.

#### *Landscape & Visual Impacts*

7.47 The methodology used in the submitted Landscape and Visual Impact Assessment (**LVIA**) is acceptable and complies with good practice, including the Guidelines for Landscape and Visual Impact Assessment (GLVIA3) published by the Landscape Institute and IEMA.

7.48 Whilst the Appeal Site is located within the Colne Valley Regional Park, it is not subject to any other landscape designations.

- 7.49 At a National level, the Appeal Site is located within National Character Area (**NCA**) Profile: 115 Thames Valley. The NCA covers a wide area, and the scale is such that it is agreed that there would be no notable effects at a National level resulting from the Development.
- 7.50 It is agreed that SBC have not published their own 'Borough' level landscape character assessment.
- 7.51 The Colne Valley Regional Park Landscape Character Assessment identifies broad landscape character types and locates the Appeal Site in in the north-eastern corner of Landscape Character Area (**LCA**) Horton and Wraybury Lowlands.
- 7.52 Areas to the east of Poyle Road, including the Britannia Industrial Estate, are located in LCA Colne Valley: Harmondsworth to Stanwell Moor.
- 7.53 The existing northern part of the Appeal Site has an adverse effect upon the landscape character of this part of the Colne Valley Regional Park due to its industrial use.
- 7.54 The Appeal Site is not considered to be a 'valued' landscape as per Paragraph 187(a) of the NPPF.
- 7.55 Key viewpoints of the Appeal Site have been assessed in the submitted LVIA.
- 7.56 The LVIA states that views towards the Appeal Site are screened and/or filtered from several publicly accessible viewpoints and that following the completion of the Development:
- Users of Horton Bridleway 4 will experience Minor effects
  - Users of PRow in Poyle Poplars will experience Negligible effects
  - Visitors to the Arthur Jacob Nature Reserve will not experience any adverse effects
  - Users of Poyle Road will experience Minor effects
  - Residents of Floroma and Poyle Farmhouse will experience Minor effects
  - Residents of properties on Poyle Road to the north of the Appeal Site will not experience any adverse effects

## 8 Benefits of the Development

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- 8.1 The Appellant and LPA agree that the Development will deliver the following benefits, if it is delivered:
  - 8.1.1 Contributing to demand for data centres.
  - 8.1.2 Biodiversity Net Gain.
  - 8.1.3 Temporary Employment in the construction and some permanent employment at end user phases.

## 9 Matters that Remain in Dispute

9.1 The following matters remain in dispute:

Appellant's Position	LPA's Position
The Appeal Site Location and Description	
The northern part of the Appeal Site comprises underutilised brownfield land.	It is not underutilised brownfield land. In fact a considerable portion of the northern part of the Appeal site has either a condition requiring reinstatement to agriculture or an enforcement notice requiring restoration to agriculture.
The uncoordinated industrial activities and poor quality structures and spaces at the Appeal Site result in a degraded landscape character. The Appeal Site has limited on-site landscaping and offers a poor visual impression from the street-scene. This combination creates a series of negative environmental consequences including an undesirable visual appearance, noise, dust and impact on the road network from HGV and other vehicular traffic movements.	The site needs to be judged by reference to the full planning history and the requirements of in particular the enforcement notices and the condition requiring restoration. When this is done the site would play a valuable role in the vulnerable part of the green belt and strategic gap. The existing unlawful uses that are being carried out on the site cannot be a good justification for granting planning permission.
The southern part of the Appeal Site's thick hedgerow boundaries limit views into and out of this part of the Appeal Site.	The southern part of the Appeal site is entirely arable greenfield land and is not previously developed land. The Inspector will be able to judge the views into and over the appeal site.
The character of the surrounding area is dominated by commercial uses (of which Poyle Trading Estate forms the industrial backdrop) which strongly influence the character of the Appeal Site.	The considerable extent of commercial uses on the Poyle Trading Estate mean that this land is particularly important for its Green Belt and strategic gap functions.
The northern part of the Appeal Site has previously been developed.	The baseline for much of the extent of the northern part of the Appeal Site is considered to be agricultural land.
The Development	
The BESS will be screened on all sides by dense vegetation / hedgerows.	In the Solar Farm Appeal the Inspector sums up the Council's case in para 17 where he states:  Put simply you cannot make inappropriate development in the Green Belt acceptable by screening it.  In his conclusions in para 64 the Inspector quotes case law which states "Any

	construction in the Green Belt harms openness.... irrespective of its actual level of visual impact"
The BESS has infrequent access and maintenance requirements, given the nature of the operation.	The LPA are yet to be satisfied what the term "infrequent" means.
The Development delivers significant landscape improvements to the Appeal Site providing an enhanced landscaped environment that respects the existing character, supports the biodiversity of the spaces and provides a pleasant space for all users.	The Development in the northern part of the site will be a very large building. It will have a height of 30m maximum and according to the DAS page 86 a Gross External Area of 41,792 sqm. The Landscape mitigation will not disguise the adverse effect on openness Green Belt purposes and the strategic gap.
<b>Need and Alternatives</b>	
Data centres are critical infrastructure. The scale of need for data centres at the SAZ and national level is overwhelming, urgent and of national importance.	It is necessary to consider all the recently granted permissions and indeed the Slough Trading Estate that already has 31 Data centres and a simplified planning zone which has a pipeline which has the ability to deliver 4.3m sq ft of additional data centre accommodation over the next 7 years. There are a large number of alternative sites that are capable of contributing further to the supply of data centres in the Slough Availability Zone. There is no need for the development to be located in this Green Belt and Strategic Gap.
The BESS element of the Development is critical infrastructure to support the shift to renewable energy and promote energy security. There is a clear and compelling need for battery storage facilities which the Development will help to meet	No alternative site assessment has been done for the BESS apart from being part of the data centre site. The Secretary of State and have refused the solar farm to the north and the SRFI even despite there being a regional or national need for those.
It is critical that the Appeal Site is located within the SAZ.	The appeal site is located in the Green Belt, Strategic Gap and Colne Valley Regional Park, it has not been demonstrated that it is critical to be in this location. The appellant has also not demonstrated that it is critical for a hyperscale DC to be in the SAZ... but even if it is there other locations.
There is a need for hyperscale data centres to be located in clusters (known as Availability Zones).	There is a preference for hyperscale data centres to be located in clusters (known as Availability Zones).
There are no other reasonable alternatives within the SAZ where the Development could be met in full.	There are reasonable alternatives for data centres in the SAZ as set out above and in the LPA's statement of case.
There are no alternative sites within the SAZ which can be served from both the	There is considerable doubt about the deliverability of this site with its

Iver and Laleham substations and can be delivered in time to meet availability of the power connection in 2027.	considerable need for connections to 2 power stations which have not yet been applied for. There are many alternative sites which can be developed for data centres.
The grant of planning permission would contribute to the Government's objectives of being at the forefront of the global digital economy and that data centres are central to the Government's economic and digitisation strategy.	The Government objectives in policy are being and can be fulfilled without permitting this site. Slough has a nationally significant number of data centres and has the SPZ and numerous planning permissions on more suitable sites.
Hyperscale data centres have specific locational requirements which mean that they can only be located in particular locations. These locational requirements include size of site, availability of fibre, reliable power, stable ground conditions and being outside of zones at risk from external factors such as fault lines, blast zones and flooding. These locational requirements restrict the availability of alternative sites.	Locational requirements such as these are available across the UK with a significant number of data centres and campuses located outside of the SAZ.
<b>Green Belt and Grey Belt</b>	
The northern part of the Appeal Site includes previously developed land and does not currently contribute to any of the purposes of the Green Belt and cannot be considered as part of the countryside.	The northern part of the appeal site is largely compelled to be restored to agriculture. It contributes strongly to purpose (a) which is to check the unrestricted sprawl and purpose (b) which is to prevent neighbouring towns merging.
Development of the northern part of the Appeal Site would not undermine the remaining Green Belt across the plan area.	The appeal site plays a critical role in the Green Belt in the area. Development of it would fundamentally undermine the purposes of the remaining Green Belt in the area.
The self-contained nature of southern part of the Appeal Site means that the development would not fundamentally undermine the remaining Green Belt across the area of the plan.	The southern site plays a critical role in the Green Belt in the area. Development of it would fundamentally undermine the purposes of the remaining Green Belt in the area.
In line with NPPF Paragraph 155 and Annex 2, the Appeal Site falls within the definition of 'grey belt land'.	It is not Grey Belt for all the reasons set out in the LPA's statement of case and the Appellant has agreed that part of the site is not PDL.
The Appeal Site does not comprise open land and currently offers very limited value to the purposes of the Strategic Gap. The northern part of the Appeal Site is previously developed which does not act as a gap in any meaningful sense.	The southern part of the appeal site is open arable land. The northern part is predominantly subject to requirements to restore to agriculture as set out above.
The southern part of the Appeal Site has limited intervisibility with the wider landscape and that the Development on	There will be clear views of development in the Southern part of the site.



Parcel would mostly not be visible from outside the Appeal Site.	
<b>Colne Valley Regional Park</b>	
Much of the Colne Valley Regional Park has been altered by gravel extraction and due to the proximity of Heathrow Airport, planes are often seen and heard impacting the feeling of tranquillity.	This needs to be considered by reference to the planning history which requires restoration of much of the northern part of the appeal site to agriculture. The southern part is greenfield arable land.
The vicinity of the Appeal Site in places reflects a lack of management and suffers from fly tipping, resulting in an unkempt low-quality character.	The Colne Valley Regional Park is in decline due to pollution development pressures and fragmentation of habitats. This development will further increase the urbanisation of the Regional park and reduce its ability to attract visitors.  It has not been shown that this development is essential to be in this open area of the Colne Valley Regional Park as a result it fails to comply with Core Policy 2.
The existing character of the Appeal Site offers a very limited contribution to the characteristics of the Regional Park.	
The landscape sensitivity of the Appeal Site is low, and the sensitivity of nearby visual receptors is also low.	
The Development delivers significant enhancements to both landscaping and pedestrian/cycle connectivity on site and off site in the form of a new route from the northwest corner of the Appeal Site to the Arthur Jacobs Nature reserve.	
Overall, the Development will not have a significant visual impact on the Colne Valley Regional Park.	
The Development has minimised land take from a Green Belt perspective by keeping the footprint of the built form to a minimum	The development is wholly within the Green Belt and strategic gap and Colne Valley Regional Park when there are numerous data centres which can be built outside of those designations in the SAZ. It has not been shown to satisfy Green Belt policy, Colne Valley Regional Park or the strategic gap. It is not essential to be in this location.
<b>Landscape</b>	
The level of landscape effect arising from the Development would be Minor (Low) in relation to LCA Horton and Wraysbury Lowlands.	The LPA has not been able to review the impacts in detail and so cannot comment at this stage.
The level of landscape effect arising from the Development would be Negligible in relation to LCA Colne Valley: Harmondsworth to Stanwell Moor.	
The Appeal Site with its current uses has a localised and limited adverse effect upon visual amenity in the surrounding area.	
<b>Aviation</b>	
The Appellant does not agree that the Airports National Policy Statement and Ministerial Statements relating to Heathrow	The Airports National Policy Statement 26 June 2018 and Ministerial Statement issued on 29 January 2025 stating that the Government supports and is inviting

<p>Airport are material considerations to the determination of the Appeal.</p>	<p>proposals for a third runway at Heathrow, to be brought forward by the summer, is a material planning consideration.</p> <p>Department for Transport Guidance Letter to potential promoters of Heathrow expansion on 30th June 2025 is a material planning consideration.</p> <p>The Appeal Site is located within Heathrow Airport Limited's preferred masterplan in the Airport Expansion Consultation from Heathrow (June 2019). The submission by HAL on 31<sup>st</sup> July 2025 relating to Runway 3 repeats this strategy with the Appeal Site within the area of the proposed DCO, specifically identifying the site for infrastructure and freight forwarding.</p> <p>The LPA's position is that the Airports National Policy Statement, Ministerial Statements and Government and Departmental Support are material considerations at the time of this SoCG and any subsequent statements or announcements of relevance are material considerations in the determination of this Appeal.</p>
<p><b>Benefits of the development</b></p>	
<p>The Development will deliver the following benefits in addition to those stated at section 8:</p> <ul style="list-style-type: none"> <li>• Contributing to a significant and urgent unmet need for data centres both nationally and locally.</li> <li>• Delivery of BESS infrastructure to support the shift to renewable energy and promote energy security.</li> <li>• Achievement of power connections to enable rapid delivery of the Development.</li> <li>• Comprehensive redevelopment and reuse of a large area of brownfield land.</li> <li>• Provision of a widened footway along Poyle Road and cycle access.</li> <li>• Biodiversity new gain of 115.23% for habitat units and 10.07% for hedgerow units.</li> <li>• Significant landscape improvements.</li> </ul>	<p>Demand has to be judged by reference to the existing supply, and pipeline.</p> <p>The achievement of power connections is not a separate benefit on any view.</p> <p>The appellant hasn't shown that taking for power of this development would not deprive a better located data centre of power.</p> <p>The appellant has not shown that their data centre is deliverable... and do not have an operator to take on the data centre.</p> <p>This will use a large amount of greenfield land, which will exclusively be on Green Belt, Strategic Gap and Colne Valley Regional Park.</p>

<ul style="list-style-type: none"> <li>• Improved pedestrian connectivity to the Arthur Jacobs Nature Reserve.</li> <li>• Reduced traffic on the local road network.</li> <li>• Improvements to local amenity in terms of noise and dust.</li> </ul>	<p>It's important to make any comparisons not with the existing unlawful situation, but comparisons actually take place with lawful uses, in particular much of the site is required to be restored to agriculture.</p> <p>The use approved by way of appeal in 2009 has ceased and Conditions requiring the land be returned to agriculture is the start position for the majority of northern part of the Appeal site.</p>
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## 10 Planning Conditions and Planning Obligations

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- 10.1 The Parties will seek to agree a schedule of suggested planning conditions to be provided at the exchange of evidence stage in line with the CMC summary note.
- 10.2 The Appellant has provided a draft agreement pursuant to Section 106 of the Town and Country Planning Act as part of its Statement of Case. The Parties will seek to agree the draft planning obligations in line with the CMC summary note.

# 11 Agreement

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11.1 This SoCG has been prepared jointly between the LPA and the Appellant.

Signed on behalf of Slough Borough Council



.....  
Name: **Daniel Ray**

Date: **8 August 2025**

Signed on behalf of the Appellant



.....  
Name: **Charles Withers**

Date: **8 August 2025**