



Quod

Statement of Case

on behalf of Manor Farm Propco Limited

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

MAY 2025

Q230369

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1 Introduction

- 1.1 This Statement of Case has been prepared by Quod on behalf of Manor Farm Propco Limited (hereafter referred to as **“the Appellant”**).
- 1.2 This planning appeal is made under section 78(2) of the Town and Country Planning Act 1990 (**“Appeal”**) against the non-determination by Slough Borough Council (**“SBC”**) of full planning application Ref No: P/10076/013 (**“the Application”**) in respect of land known as Manor Farm, Poyle Road, Slough (**“the Appeal Site”**).
- 1.3 The Application was submitted to SBC on 13 December 2024 and sought planning permission 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”**)
- 1.4 The Development comprises a hyperscale data centre - critical national infrastructure for which there is an urgent national and local unmet need - and Battery Energy Storage System (**“BESS”**) which is also vital infrastructure.
- 1.5 The Appeal Site is predominantly previously developed land. There are no appropriate alternative sites, and it is essential that the Development is located on the Appeal Site.
- 1.6 The power connections secured by the Appellant mean that if planning permission is granted, the Development can be delivered quickly to meet identified need and achieve national policy objectives. The grid connections secured are capable of being operational by 2027, providing a unique opportunity for the Development to rapidly meet unmet need and avoid the significant constraints and delays to power supply being experienced in the West London area.
- 1.7 The Appeal is being made in light of the urgent need for the Development and the ability to utilise the available power connections. Quite simply, there is no time to lose.
- 1.8 The 13-week determination period for the Application ran to 3 April 2025. The Appellant sought to engage constructively with SBC during the determination process and agreed to extend the statutory determination period to 30 April 2025 in order for the Application to be heard at the Planning Committee scheduled for 23 April 2025. SBC did not determine the Application within this time period.
- 1.9 The purpose of this Statement of Case (**“the Statement”**) is to:
 - set out the facts on which the Appeal is based;
 - outline the particulars of the case and relevant arguments that the Appellant proposes to put forward in relation to the Appeal; and

- demonstrate why the Appeal should be allowed and planning permission granted for the Development.
- 1.10 The Appellant reserves its rights to expand or vary its case as necessary in response to any relevant change of circumstances and/or further relevant matters that might arise during the Appeal.
- 1.11 Copies of supporting documents referred to within this Statement and those that may be referred to or put forward in evidence are enclosed in the Appeal, as listed in **Appendix A**.
- 1.12 This Statement has been prepared following the guidance within Section 12 of the Planning Inspectorate Procedural Guide: Planning Appeals – England April 2025, and pursuant to The Town and Country Planning (Inquiries Procedure) (England) Rules 2000 and tThe Town and Country Planning (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2000.
- 1.13 The sections of this Statement are as follows:
- **Section 2 - Factual Background** confirms the relevant context of the Appeal Site, including a description of the Appeal Site and surrounding area, and confirmation of the relevant planning history.
 - **Section 3 - Background to the Development** details the context of the Pre-Application consultation and engagement, application submission and the consultation that has taken place with SBC and key stakeholders during the determination period.
 - **Section 4 - Development** describes the Application to which this Appeal relates.
 - **Section 5 - Importance of Data Centres to the Digital Economy and Need** details the need that would be met by the Development.
 - **Section 6 - Planning Policy and Material Considerations** summarises the context of the Development Plan and relevant policies to the Development.
 - **Section 7 - The Appellant's Case – Green Belt, Strategic Gap and Colne Valley Regional Park** details key relevant strategic matters to inform the Appellant's case.
 - **Section 8 - The Appellant's Case - Other Matters** set out other relevant technical matters to inform the Appellant's Case.
 - **Section 9 - Third Party Representatives** summarises the consultation responses received to date.
 - **Section 10 - Other Matters** provide detail on other procedural matters.
 - **Section 11 - Conclusion** provides a summary of the Appellant's case.

2 Factual Background

- 2.1 This section outlines the features of the Appeal Site and its surroundings that are most relevant for the purposes of the Appeal.
- 2.2 In summary, the Appeal Site is an appropriate and desirable location for development. It is largely previously developed land that has long established commercial and industrial uses, and is in very close proximity to an established industrial estate – as shown via the red boundary in Figure 1.



Figure 1: Site Location

- 2.3 The more general characteristics of the Appeal Site are described in Section 2 of the Revised Planning Statement and Section of the Design & Access Statement submitted in support of the Application. It is anticipated that the description and character of the Appeal Site will be agreed with SBC in the Statement of Common Ground.

Appeal Site

- 2.4 The Appeal Site lies within the Slough Availability Zone ("**SAZ**"). An Availability Zone is a cluster of data centres towards which data centre development should be directed to ensure resilience and support. The SAZ, the largest Availability Zone in Europe, is one of five Availability Zones within London, the others being Hayes, North Acton, Hemel Hempstead and London Docklands.

- 2.5 The Appeal Site is made up of two main land parcels connected by an internal access road as shown edged red below (Figure 2).



Figure 2: Parcel A and Parcel B

- 2.6 The northern parcel, referred to as "**Parcel A**", is the larger of the two parcels, extending to 5.8 ha.
- 2.7 Parcel A is previously developed land. It was previously used as landfill and has a recent history of industrial uses which are detailed in paragraph 2.18 below.
- 2.8 Parcel A currently contains a range of industrial, storage and transportation uses, including:
- HGV maintenance workshop;
 - Car parking and valet parking associated with Heathrow Airport;
 - Building, and sand and gravel supplies;
 - Metal works welding facility.
- 2.9 Parcel A contains five warehouse buildings up to 8 metres in height, supported by areas of hardstanding used as associated external storage and serving yard. The remaining parts of Parcel A comprise areas of hardstanding used for open air storage of building materials, as well as parking for coaches and commercial vehicles.
- 2.10 Limited vegetation exists within Parcel A. The only notable features consist of an established hedge to the west and sporadically located trees.
- 2.11 Having been relatively heavily developed previously, the uncoordinated industrial activities and poor quality structures and spaces 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.

- 2.12 The Development will address these issues and bring forward a comprehensive redevelopment that optimises the Appeal Site and its economic contribution to Slough, London and the South East.
- 2.13 Parcel B is much smaller than Parcel A and is undeveloped and arable in nature with thick hedgerow boundaries. These limit views into and out of this part of the Appeal Site.

Surrounding Area

- 2.14 The character of the surrounding area is dominated by commercial uses which strongly influence the character of the Appeal Site.
- 2.15 Poyle Trading Estate (also known as the Britannia Industrial Estate) forms the industrial backdrop to the Appeal Site and is located immediately to the east of the Appeal Site on the opposite side of Poyle Road. Beyond this is the M25 and Heathrow Airport. Hilton London Heathrow Airport Hotel is located immediately to the north of the Appeal Site.

Planning History

- 2.16 The planning history for the Appeal Site is summarised at **Appendix B** and demonstrates that various intensive uses of Parcel A have previously been permitted.
- 2.17 Parcel A has a complex planning history associated with various uses including:
- 2.17.1 **General industrial** – Use Class B2 buildings and areas of hardstanding and open land used in connection with the processing of concrete (including concrete crushing and screening) to produce hardcore.
 - 2.17.2 **Storage and distribution** – Use Class B8 buildings (including ancillary offices) and areas for the open storage of non-perishable, salvaged and/or reclaimed materials arising from works undertaken as part of a demolition contractors business.
 - 2.17.3 **Sui generis uses** – Use of land for the importation, storage and delivery/distribution of primary aggregates, and use of land for vehicle parking and storage.
 - 2.17.4 **Residential** – Use Class C3 (residential) and C4 (house in multiple occupation) within the former Manor Farm farmhouse and adjoining buildings.
- 2.18 Of note is planning permission ref. P/10076/006 for Class B2 uses on Parcel A which was granted at appeal in September 2009 (appeal ref: 2096331). The planning permission permitted the use of the land for a concrete processing plant, which is significant because it reinforces the principle of industrial uses on the Appeal Site and the acceptability of such uses in this location to the Planning Inspectorate. The planning permission was implemented, and operated under a licence which permitted the processing of 85,000 tonnes per annum and the storage of 84,000 cubic metres at any one time.

Conclusion

- 2.19 The Appeal Site is an appropriate location for development.
- 2.20 Although located in the Green Belt, the Appeal Site is underutilised brownfield land. Parcel A (which forms the majority of the Appeal Site) clearly functions as 'grey belt' land within the scope of the latest 2024 updates to the NPPF and is the type of site that the Government is committed to seeing developed to provide critical national infrastructure. It comprises previously developed land that has secured numerous permissions for intensive commercial and industrial activities, establishing the principle of industrial development at the Appeal Site. It currently houses a range of different uses which are entirely consistent with the character of the wider area.
- 2.21 Whilst Parcel B is undeveloped land, this smaller parcel has strong boundaries in the form of dense hedgerows. This means that the land is well contained and there is limited intervisibility. The land meets the 'grey belt' definition and makes no meaningful contribution to the wider landscape.

3 Background to the Development

Pre-application Consultation and Engagement

- 3.1 Prior to the submission of the Application, the Appellant engaged in pre-application discussions with SBC, albeit no written feedback was provided by SBC.
- 3.2 The Appellant formally submitted a pre-application request to SBC on 6 December 2023.
- 3.3 The first pre-application meeting took place in April 2024, where the principle of the development was discussed. Officers requested further details before commenting on the emerging proposals. This included a request for more information on the height of the proposed buildings, the potential scale of harm to the Green Belt, the availability of alternative sites and details of the economic benefits expected from the development.
- 3.4 A follow up pre-application meeting was held with SBC planning and highways officers in September 2024. To ensure sufficient information was available to SBC officers, the Appellant commissioned a series of assessments/documents which were provided to SBC on 16 August 2024, including:
 - Pre-Application Planning Statement
 - Pre-Application Design Statement
 - Draft plans including Site Location Plan and Proposed Site Plan
 - Strategic Landscape Masterplan
 - Economic Outputs Statement
 - Alternative Site Assessment Scope
 - Baseline Green Belt Appraisal
 - Baseline Landscape Visual Impact Assessment
 - Transport Scoping Note
- 3.5 No formal written feedback was provided by SBC. The minutes (**Appendix C**) of the meeting were issued to SBC for agreement, but no response was received.
- 3.6 Verbal feedback received during the pre-application meeting informed the final design submitted as part of the Application. In particular, the design and positioning of the data centre was revised to respond to officer comment that the office element of the building have a stronger relationship to Poyle Road.
- 3.7 A subsequent meeting was held with SBC highway officers in September 2024.

Environmental Impact Assessment

- 3.8 A request for an EIA Screening Opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) was submitted to SBC on 7 October 2024 (**Appendix D**).

- 3.9 The Appellant received a formal Screening Opinion from SBC on 6 November 2024 confirming that the Development does not constitute EIA development (**Appendix E**).

Application Submission

- 3.10 The Application was submitted on 13 December 2024 via the Planning Portal. The formal description of development is:

“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.”

- 3.11 The Application was registered on 2 January 2025 and assigned reference number P/10076/013, with a 13-week determination period extending to 3 April 2025. A copy of the Application Form has been submitted with the Appeal.
- 3.12 On 25 February 2025, additional material was submitted to SBC, including to reflect a small amendment to the red line of the Appeal Site. These documents are listed at **Appendix A**.

Post-Submission Consultation and Engagement

- 3.13 The Appellant sought to engage constructively and proactively with SBC during the determination process.
- 3.14 Following the expiry of the statutory consultation period on 23 January 2025, the Appellant wrote (via Quod) to SBC on 6 February 2025 to request a meeting to discuss next steps towards determination.
- 3.15 SBC responded on 10 February 2025 declining the invitation for a meeting citing “*we do not have consultee responses that allow us to adopt a position on the proposal yet*”. As part of the email SBC requested additional elevational plans of the BESS and sought clarity on heating and cooling strategy. SBC also requested a formal extension of time to 30 April 2025 in order to achieve the scheduled Planning Committee on 23 April 2025.
- 3.16 The Appellant formally responded in writing on 25 February 2025, providing the requested elevational plans and clarification relating to heating and cooling strategy. The letter also responded to a number of the public consultation comments that had been made available on the SBC website, and the Appellant also confirmed agreement to the extension of time as requested, on the basis that the Application would be heard at the April Planning Committee.
- 3.17 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. The email noted that “*there are still some fundamental consultation responses outstanding and I am chasing these. Notably I am awaiting comments from our Planning Policy Colleagues, Highways, Urban Design and Environmental Quality.*”

- 3.18 On the whole the consultation responses provided were supportive. To assist SBC, the Appellant responded in writing on 1 April 2025 providing responses to consultee comments where necessary, and also providing a revised Planning Statement (responding to the NPPF updates in particular relating to grey belt), and draft head of terms for a Section 106 Agreement.
- 3.19 A summary of the consultee comments and Appellant responses is included in Section 9 of this Statement.
- 3.20 Meetings were held with the head of planning and Executive Directive for Housing & Property in March 2025, and twice in April 2025.
- 3.21 The Application was not reported to SBC's Planning Committee on 23 April 2025.
- 3.22 On this basis and given the clear and urgent unmet need for the Development, as set out in Section 5 below, the Appellant made the decision to submit the Appeal.

4 The Development

- 4.1 Full details of the Development (which forms the basis upon which the Appeal should be determined) are set out in the application drawings, Design & Access Statement and supporting documents submitted with the Application, as well as the information submitted in support of subsequent amendments/clarifications, as listed in **Appendix A**.
- 4.2 The Development comprises a hyperscale data centre on the northern part of the Appeal Site (Parcel A) and a BESS on the southern part (Parcel B), with associated infrastructure and works, as shown in Figure 3.

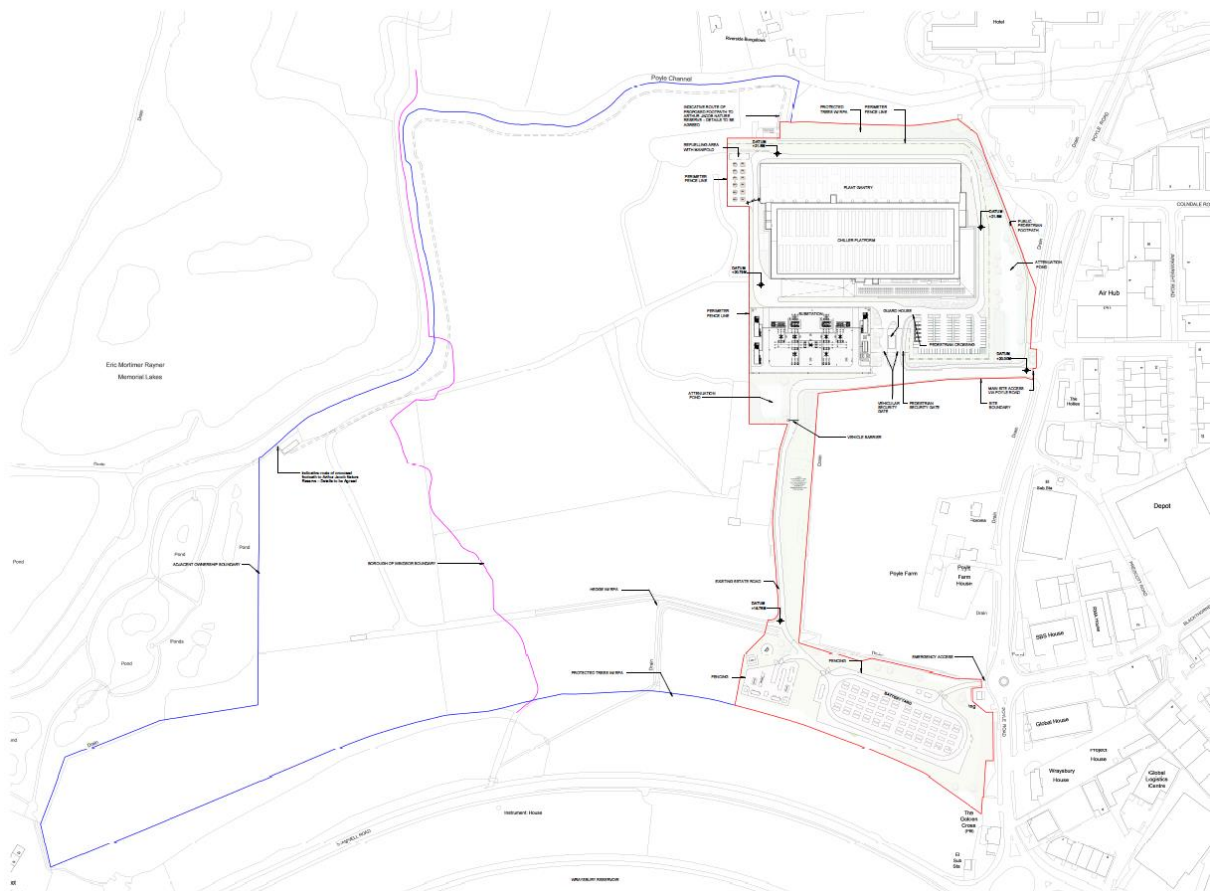


Figure 3: Development Site Plan

Parcel A

- 4.3 Hyperscale data centres have the ability to scale quickly to respond to demand. It is a modular system where servers and storage can be added quickly as demand increases which is why they are the most sufficient and sustainable way of responding to increases in demand.
- 4.4 The data centre consists of office floorspace, data halls, a gantry and fuel storage for backup generators, as well as 86 car parking spaces (Figure 4). Once operational, the data centre will have a IT load capacity in the region of 72 MW.

Parcel B

- 4.8 Parcel B of the Appeal Site contains the BESS (Figure 5). 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 that is screened on all sides with dense vegetation/hedgerows.



Figure 5: BESS Site Plan on Parcel B.

- 4.9 The BESS is required to be delivered as part of the grid connection.
- 4.10 Given the nature of the operation, the BESS has infrequent access and maintenance requirements. The BESS will connect to Parcel A's main access via a link road, serving as the primary point of entry.
- 4.11 An emergency access to Parcel B is provided onto Poyle Road via an existing vehicle crossover which forms part of the Poyle Road / Blackthorne Road roundabout. The access is gated and is suitable for a fire tender if required.

General

- 4.12 The Development includes upgrades to the existing main access junction into Parcel A from Poyle Road. The main access is due 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 highway land off Poyle Road and will be delivered via a section 278 agreement.

- 4.13 Additional works are proposed to improve pedestrian access to the nearby 'Colndale Road' bus stops to the north of the site access, via a new 2 metre wide footway along the western side of Poyle Road. A new pedestrian crossing is also proposed immediately south of the Appeal Site access which provides access to the southbound bus stop via the existing eastern footway of Poyle Road.
- 4.14 The existing secondary access to Parcel A 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 connects to Arthur Jacobs Nature Reserve on land in the Appellant's control.
- 4.15 The Development includes a range of habitat, ecological and biodiversity enhancements which provide a biodiversity net gain well in excess of 10%.
- 4.16 The Development delivers significant landscape improvements to the Appeal Site providing a successful landscaped environment that supports biodiversity and provides a pleasant space for all users. The key landscape principles are as follows:
- To create a high-quality environment with an attractive green outlook.
 - Retain and enhance the natural environment, supporting the existing local landscape character.
 - Protect, create and support habitats for biodiversity, allowing species to survive and thrive.
- 4.17 The Appeal Site is located within Flood Zone 1 and Sustainable Urban Drainage System ("SuDS") features will be used to provide the necessary drainage.

5 Importance of Data Centres to the Digital Economy and Need

- 5.1 The Development comprises a hyperscale data centre with a IT load capacity of c.72 MW and a BESS for which there is a clear and compelling need at both local and national level.

Importance of Data Centres

- 5.2 The Government has made its position on data centres clear and has taken proactive steps to unlock the potential of data centres. In an early move following the general election, the Government reversed planning appeal decisions that had previously halted the construction of data centres in Hertfordshire and Buckinghamshire, leveraging data centres as a crucial part of national economic infrastructure.
- 5.3 Data centres are central to the Government's economic and digitisation strategy. The Appellant's proposal to bring forward the Appeal Site for data centre use is in therefore in close alignment with the key policy direction of this Government, as expressed in the Government's consultation on its industrial strategy:

*"additional data centre capacity and access to fast, secure, and reliable digital connectivity is essential to enabling economic growth and to reap the transformational productivity benefits of digitalisation and the adoption of AI"*¹

- 5.4 Data centres are critical to operation of the economy and an essential form of national infrastructure. They consolidate information technology functions for organisations by transmitting, receiving, processing, storing and managing digital data. As such, data centres are essential infrastructure that support a significant part of the UK economy including business processes, government services, telecommunications, transport infrastructures and social networks.
- 5.5 The demand for data centres is driven by the exponential increases in digital and data driven technologies across all business sectors. This rate of growth is expected to continue increasing due to the rise of the 'cloud', artificial intelligence and 5G. There is rapid growth in the amount of data that is being generated and that needs to be stored.
- 5.6 Hyperscale data centres are vitally important as they provide the core infrastructure required to support digital activity. Driven by economies of scale and the need for increased capacity to deal with large volumes of data, there is a shift away from enterprise data centres (which serve one business) to colocation and hyperscale data centres (serving multiple). These data centres need to be located in Availability Zones so that data can be transferred instantaneously and to ensure that resilience and support in the event of a loss of power.

¹ Consultation on the Government's industrial strategy, Invest 2035: the UK's modern industrial strategy, 24 November 2024

- 5.7 The London data centre market is the second largest globally, with the epicentre of activity being located in the SAZ, in which the Appeal Site is located. The SAZ is one of the most fibre rich areas in the UK, which has resulted in it being the second largest data centre hub in the world. As a direct result of this identified need, there is a sustained demand around Slough.
- 5.8 The importance of data centres was recognised by the Government when it designated data centres as ‘Critical National Infrastructure’ in September 2024. In the associated press release, the Government noted that the move showed *"the fundamental importance of data centres for the government"*².
- 5.9 The revised NPPF paragraph 87 enshrines this importance in national policy and states that planning decisions should make 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)."*
- 5.10 National policy is therefore placing significant weight on the need for data centres and their role in contributing towards the economy. The Development seeks to address this need.

Need for Data Centres

- 5.11 The urgent need for data centres is well-known and there are an abundance of decisions by planning inspectors and the Secretary of State which recognise this.
- 5.12 While detailed evidence will be submitted as part of the Appeal that will evidence the clear national and local need for data centres, the following decisions are of relevance and provide a flavour of the acute need for data centres:

- 5.12.1 **Woodlands Park, Buckinghamshire** (PINS Ref: 3307420) – this recent appeal for a hyperscale datacentre in the Green Belt identified the notable need for data centres, both locally and nationally, and their essential role in supporting the national and regional economy. The Secretary of State’s decision letter states that there is:

"a significant and substantial demand for new data centres in the Slough Availability Zone (SAZ), that the provision of data centres would make a significant contribution to the UK economy, and that the appeal proposal would make a significant contribution to this need".

- 5.12.2 **Abbots Langley, Three Rivers** (PINS Ref: 3346061) – this appeal for a hyperscale data centre was allowed on 12 May 2025. The decision letter notes:

"I consider that there is a clear and pressing need for new data centre capacity in both the London Availability Region, and the Hemel Hempstead AZ. In my view, significant weight should be attached to this need."

² Department for Science, Innovation and Technology, press release, 12 September 2024

5.12.3 **Court Lane, Iver** (PINS Ref: 3337981) – the Secretary of State granted planning for this hyperscale data centre on 6 December 2024. Her conclusions on need were as follows:

"The Secretary of State agrees with the Inspector that the site is an optimal site and location for data centre use and there is a clear lack of alternative sites available at present to meet the demand for such data centres in the Slough and Hayes Availability Zones. She agrees with the Inspector that failure to meet this need could have significant negative consequences for the UK digital economy"

5.13 These decisions are just a small sample of recent data centre decisions where the critical need for data centres was recognised.

5.14 This need is reflected in the commercial reality – the Appellant has already received strong occupational interest in the Development from hyper-scalers and significant co-locators.

5.15 As noted above, there are critical location drivers for hyperscale data centres which relate to resilience and business performance. Whether a data centre can come forward is closely linked to factors which include:

5.15.1 the size of site;

5.15.2 access to an adequate and reliable power supply;

5.15.3 access to fibre connectivity;

5.15.4 physically resilience (including not being at risk of flooding); and

5.15.5 close proximity to other data centres to provide resilience in the event of any failure.

5.16 These factors (which are all satisfied at the Appeal Site) restrict the supply of available sites to satisfy the need and make the need for data centre capacity even more challenging to meet. The Appeal Site satisfies these elements and is available to meet the identified need.

5.17 Of particular importance in respect of the Development are the accelerated grid connections. These will be operational by 2027 – thus making the Development unique in that it has secured the power to actually deliver the data centre requirements within a short period. Alternative grid connection dates would not be expected for some time, potentially c.10 years.

5.18 In summary, there is a critical need for data centres which is not being met. The Development provides the rare opportunity to meet that need within an accelerated timeframe. This should attract significant weight.

Battery Energy Storage System

5.19 A BESS will be delivered on Parcel B of the Development.

5.20 Batteries are used to store energy at times where supply exceeds demand, which is released back into the energy system as and when required. Battery storage is widely considered vital infrastructure for a reliable and sustainable energy grid. It supports the production and

consumption of renewable energy and provides energy security, and are important for creating conditions where the production of renewable energy can increase.

- 5.21 The Development comprises this vital infrastructure and will therefore support the shift to renewable energy, offering flexibility by storing energy during high levels of production and returning it back into the national grid when demand increases.
- 5.22 The NPPF and 2024 Ministerial Statement makes reference to national infrastructure growth ambitions by making it “*simpler and faster to build the clean energy sources needed to meet zero carbon energy generation by 2030*”. Furthermore, the NPPF states that development of local, regional or national importance would not be inappropriate development in the Green Belt. It is clear from Government policy that BESS is an example of nationally important infrastructure.
- 5.23 The Appellant will further demonstrate the national and local imperative to deliver data centres and BESS quickly and efficiently.

6 Planning Policy and Material Considerations

Relevant Development Plan Policies

- 6.1 The Appellant reserves its rights to refer to additional policies as part of the preparation of detailed evidence, including considering the receipt of SBC's Statement of Case or any interested party correspondence.
- 6.2 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).
- 6.3 The Appeal Site is not allocated for development in the Site Allocations Development Plan Document (2010).
- 6.4 The adopted Development Plan policies that the Appellant considers to be relevant to this Appeal are set out below.

Core Strategy DPD (December 2008)

- 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)

- Saved Policy EMP4 (Development Outside of the Existing Building Areas)
- Saved Policy CG1 (Colne Valley Park)
- Saved Policy CG9 (Strategic Gap)
- Saved Policy CG10 (Heathrow Airport Safeguarded Area)

Material Considerations

- 6.5 The following material considerations are considered by the Appellant to be 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)
- 6.6 There are a significant number of additional material considerations which are referred to in the Appellant's Application and Appeal submission documents. The above list of material considerations is not exhaustive.
- 6.7 Following the introduction of the revised NPPF in December 2024, Quod undertook a review of the revised policies in the context of the submitted application and submitted a Revised Planning Statement in April 2025.
- 6.8 The SBC Local Plan (adopted in 2008 and 2010 respectively) is considered out-of-date. It is clear that the SBC Development Plan and policies do not reflect relevant changes in national policy.
- 6.9 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. For decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay. Paragraph 11 Part D states that where there are no relevant development plan policies, or they are out-of-date, permission should be granted unless there are strong reasons for refusing the development proposed or the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 6.10 SBC had been progressing a revised Local Plan. Consultation on Spatial Strategy took place from 9 November 2020 to 11 January 2021, however, there has been no activity since that point.

7 The Appellant's Case – Green Belt, Strategic Gap and Colne Valley Regional Park

Introduction

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that *"if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise"*.
- 7.2 It is the Appellant's case that there is no conflict with the development plan. There are no strong reasons for refusing planning permission and any adverse impacts are outweighed by the benefits.
- 7.3 This section and section 8 below outline how the Development complies with the development plan. As this Appeal is being submitted on the grounds of non-determination, the Appellant's case covers all technical matters.
- 7.4 In the Appellant's view, the primary issues at the Appeal are the Appeal Site's location within the Strategic Gap, Green Belt and Colne Valley Regional Park. It therefore intends to deal with these items first for the purposes of setting out its case.

Strategic Gap

- 7.5 The Appeal Site lies within the area designated by SBC as the Strategic Gap, which is a form of Green Belt with additional protections in light of its fragmented and vulnerable nature.
- 7.6 The Strategic Gap is addressed in Core Policy 2 (Green Belt and Open Spaces) and Saved Policy CG9:
 - 7.6.1 Core Policy 2 provides that:

"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"
 - 7.6.2 Saved Policy CG9 states that:

"Any proposed which threatens the clear separation or role of open land within the strategic Green Belt gap between the Slough urban area and Greater London will not be permitted."
- 7.7 These policy tests must be satisfied in addition to requirements relating to Green Belt.

- 7.8 The Appellant will demonstrate that the Development itself is essential and it is essential for the Development to be located on the Appeal Site, including by reference to previous appeal decisions and high court judgements.
- 7.9 As noted above, data centres are critical national infrastructure for which there is an extremely strong national and local need. The alternative sites assessment submitted with the Application shows that there are no other available sites on which the need can be met with less harm. Further evidence will be provided showing that it is essential for the Development to be located on the Appeal Site and that there are no other appropriate alternative sites.
- 7.10 Further, the Development will not cause harm to the Strategic Gap in any event as the Appeal Site currently makes no meaningful contribution to the clear separation or role of open land comprising Strategic Gap:
- 7.10.1 Parcel A is previously developed land with industrial uses that cause higher impacts on local amenity (in terms of dust, noise and traffic impacts) than the Development. It is patently not open land and cannot reasonably be said to contribute towards the Strategic Gap. The development of Parcel A will therefore have a negligible impact on the Strategic Gap, as it will not affect the clear separation of Slough and London.
- 7.10.2 Parcel B is a small enclosed area of land at the edge of the Strategic Gap. Its dense hedgerow boundaries mean that there is limited intervisibility between the plot and the wider landscape. As shown in the Landscape and Visual Impact Assessment ("LVIA") submitted with the Application, only very small glimpses of the proposed BESS (if at all) will be visible from the rights of way to the south or west, or from Poyle Road to the East.
- 7.11 The LVIA recognises in paragraph 5.6 that *"whilst there would be some adverse effects on Parcel B, due to the introduction of development where currently there is none, the Proposed Development would be accommodated with no adverse effects on the prevailing landscape character of the wider area and the CVRP"*.
- 7.12 Notwithstanding the fact that the Development is essential and so should be permitted on the Appeal Site in any event, the Development therefore cannot be reasonably be said to harm the Strategic Gap or threaten the separation between Slough and Greater London.
- 7.13 It therefore accords with Core Policy 2 and Saved Policy CG9.

Green Belt

- 7.14 The Appeal Site lies within the Green Belt – although the majority of the site is previously developed land which contains various forms of built development and urbanising influences, and is actively used for industrial, commercial, storage and residential purposes.
- 7.15 SBC policies on Green Belt (which don't reflect the Government's latest NPPF) are:
- 7.15.1 Core Policy 1 (Spatial Strategy) which requires that *"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"*.

7.15.2 Core Policy 2 (Green Belt and Open Spaces) which confirms that "*the existing areas of Metropolitan Green Belt will be maintained*".

7.16 Paragraph 143 of the NPPF sets out the five purposes of the Green Belt. Paragraph 153 explains that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances, which will not exist unless the potential harm to the Green Belt by reason of its inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

7.17 NPPF Paragraph 153 states that when "...*considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness*" - other than in the case of development on previously developed land or grey belt land, where development is not inappropriate (ie footnote 55).

7.18 A definition for 'grey belt' is included in NPPF Annex 2 as:

"For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development"

7.19 NPPF Paragraph 155 has been introduced to state that:

*"The development of homes, **commercial and other development** in the Green Belt should not be regarded as inappropriate where:*

a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;

b. There is a demonstrable unmet need for the type of development proposed;.

c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and

*d. **Where applicable** the development proposed meets the 'Golden Rules' requirements set out in paragraph 156-157 below."* (emphasis added)

7.20 It will be evident from Section 2 of this Statement that the Appeal Site comprises very poor quality Green Belt land. This has already been recognised by the Planning Inspectorate on a number of occasions:

7.20.1 Parcel A was considered by a Planning Inspector in respect of appeal ref: 2096331. In allowing use of the land for a concrete processing plant, the Inspector concluded that it is "*somewhat remote from Slough*" and as it is contained by development on three sides it is of "*little use in terms of objectives of the Colne Valley Park*". Similarly, the Inspector concluded that development of the Appeal Site would "*not conflict with Local Plan Policies GC1 and GC9 for the prevention of urbanisation and landscape maintenance*" as such there is "*no material harm*".

7.20.2 Similarly, the Secretary of State decision on appeal ref: 1116914 for a data centre on land immediately north of the Appeal Site (the land currently containing the Hilton hotel) noted the poor quality of the Green Belt. The Secretary of State noted that the appearance of the data centre “*would not be unlike those of other modern commercial buildings as seen in the nearby business park*” and concluded that the proposed “*mitigation measures such as new planting and well landscaped grounds*” would result in any harm to the Green Belt being limited.

7.21 In these appeals the Inspectors also found that Parcel A does not perform a strong Green Belt function³ and that land immediately north of the Appeal Site was poor quality Green Belt⁴.

7.22 In this context, the Green Belt Assessment submitted with the Application concluded that:

- Parcel A does not currently contribute to any of the purposes of the Green Belt.
- Parcel B makes a limited contribution to NPPF purpose a) (checking the unrestricted sprawl of large built-up areas) and a significant contribution to purpose c) (assisting in safeguarding the countryside from encroachment) on the basis that Parcel B can be characterised as countryside.

7.23 These conclusions are aligned with those reached by the planning inspectors in the appeal decisions referred to above.

7.24 Reflecting the inspector's decisions and Green Belt Assessment, the Appeal Site clearly falls within the definition of ‘grey belt’ land (see paragraph 7.18 above; there is no footnote 7 conflict) and is arguably the archetypal location that the Government intended to be caught by the definition because:

- the majority of the Appeal Site (Parcel A) comprises previously developed land; and
- the Appeal Site does not make a strong contribution to any of purposes a), b) and d) of the Green Belt.

7.25 The other requirements of paragraph 155 are also clearly met, meaning that the Development is appropriate development in the Green Belt:

7.25.1 The previously developed nature of Parcel A and small, self-contained nature of Parcel B means that the development would not in any way undermine the remaining Green Belt across the area of the plan.

7.25.2 As set out in section 5 above, there is a demonstrable and proven unmet need for a data centres, which were designated as critical national infrastructure in September 2024, and infrastructure that supports the zero-carbon agenda in the form of a BESS.

7.25.3 The Development is in a sustainable location, having regard to the type of development proposed, as set out in the Transport Assessment submitted with the Application.

³ Planning permission reference P/10076/006, appeal reference APP/J0350/A/09/2096331

⁴ Planning permission reference P/10914/005, appeal reference APP/J0350/V/03/1116914

7.26 There are no statutory objections raised on Green Belt grounds.

Very Special Circumstances Case

7.27 As demonstrated above, the Appeal Site is archetypal grey belt and the Development meets the tests in NPPF paragraph 155. This means that development is not considered inappropriate in line with NPPF Paragraph 153 and very special circumstances are not required to be met.

7.28 However, should it be concluded that the Appeal Site were not grey belt, the Appellant will present a series of very special circumstances that clearly outweigh the low levels of harm created as a result of the Development:

- There is a clear and urgent need for data centres and BESS, both of which are considered to be critical infrastructure of national importance.
- The Development will make a contribution to the global incentive to reduce greenhouse gas emissions, and the national incentive to increase energy security through the delivery of battery storage facilities to support renewable energy schemes, as per paragraph 160 of the NPPF.
- The Development is expected to result in substantial economic benefits for the local area, by providing:
 - up to 490 FTE construction jobs
 - c.65 FTE operational jobs, a net increase in operation jobs on the existing site;
 - a GVA of £5.98 million
 - £3.5 million business rate revenue to SBC.
- Indirect employment across Slough, London and the South East of England:
 - Indirect, non-tradeable local jobs resulting from on-site roles within local services such as restaurants and retail.
 - Indirect employment within Slough's local data economy.
 - Indirect employment within London and the South East of England throughout the data economy.
- The SAZ is critical to the economic success of London, and therefore the UK, and it is essential the Development is located on the Appeal Site.
- The Alternative Sites Assessment submitted with the Application provides evidence that there are no suitable and available alternative sites.
- The Development will provide diverse, high-quality jobs within the technology sector to ensure that Slough residents are able to benefit from the economic activity that takes place within the borough.
- The Appeal Site is poor quality Green Belt, and Parcel A is visually unattractive previously developed land, within the wider context of the industrial estate.
- The Appeal Site is not visually sensitive as there are existing dense landscaped boundaries, and proposed enhanced landscaping, that will screen the Development from the wider area.

- The development of the Appeal Site is not considered to have a significant impact on the openness of the Green Belt owing to existing natural screening from public view, which is enhanced through the Development and will result to a significant visual improvement to the existing uses on Site.
- The Development includes enhancements to biodiversity and improved accessibility to existing green space and will achieve on-site Biodiversity Net Gain in excess of 10%.

Colne Valley Regional Park

7.29 The Appeal Site is within the Colne Valley Regional Park. It is also located in the Horton and Wraysbury Lowlands Landscape Character Area.

7.30 The following SBC policies deal with the Colne Valley Park:

7.30.1 Saved Policy CG1 (Colne Valley Park) which states that:

"Proposals for development within the countryside or other open areas in the Colne Valley Park will not be permitted unless they:

a) maintain and enhance the landscape and waterscape of the park in terms of its scenic and conservation value and its overall amenity;

b) resist urbanisation of existing areas of countryside;

c) conserve the nature conservation resources of the park; and

d) provide opportunities for countryside recreation which do not compromise the above.

Where development is permitted in these areas, measures to mitigate any visual impact and/or to enhance nature conservation and/or provision of new or improved access to the countryside will be sought by agreement and/or required by condition.

Where development is permitted within the built up area of the Colne Valley Park, which would have a significant visual impact on the Park, appropriate mitigation measures to realise the aims and objectives of the Colne Valley Strategy will be sought by agreement and/or required by conditions."

7.30.2 Core Policy 2 (Green Belt and Open Spaces) which confirms that the existing areas of Metropolitan Green Belt are to be maintained and notes that development will only be permitted in the Strategic Gap and the open areas of the Colne Valley Park if it is essential to be in that location.

7.31 The Landscape Character Assessment notes that much of the area 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, and in places the area reflects a lack of management and suffers from fly tipping, resulting in an unkempt low-quality character.

7.32 This is especially the case with the northern part of the Appeal Site which accommodates a range of industrial activities, resulting in poor quality landscape character and negative

environmental impacts. The southern part of the Appeal Site has strong boundary features meaning that it fails to contribute toward the objectives of the Regional Park.

7.33 As a result, the existing built-up character of the Appeal Site offers a very limited contribution to the characteristics of the Regional Park and fails to support the principles of the Strategic Gap.

7.34 The LVIA submitted in support of the Application demonstrates that:

7.34.1 The landscape sensitivity of the Appeal Site is low, and the sensitivity of nearby visual receptors is also low.

7.34.2 The scale and type of development proposed on Parcel A could be accommodated without resulting in major adverse landscape or visual effects due to the low sensitivity of the receiving landscape, the lack of sensitive visual receptors and the prevailing character of the context.

7.34.3 The BESS will have no impact on the landscape character of the Colne Valley Regional Park, largely because visibility of the structures/infrastructure is limited through/above the existing dense boundary vegetation.

7.34.4 Overall, the Development will have a minimal impact on the landscape character of the Colne Valley Regional Park. The existing enhanced and proposed boundary treatments will play a significant role in screening views into the Appeal Site.

7.35 The Development will be carried out within a built-up and urbanised area of the Colne Valley Regional Park but will not have a significant visual impact on the park. The Development will deliver significant enhancements to landscaping and pedestrian/cycle connectivity on site and facilitate the delivery of a new route from the northwest corner of the Appeal Site to the Arthur Jacobs Nature reserve. This approach was supported by the Colne Valley Regional Park's formal consultation response.

7.36 The Development is therefore in line with, and exceeds, the requirements of Policy CG1.

7.37 No objections have been received from any statutory consultees with regards to landscape and visual impact.

Summary

7.38 The Appeal Site is located within the Green Belt, Strategic Gap, and Colne Valley Regional Park and subject to additional planning policy requirements. This Statement and supporting documents demonstrate how these policy tests are met.

7.39 When assessed against the policies within the adopted Core Strategy, Saved Local Plan policies, the requirements of the NPPF, and other material considerations, the Development is considered to be appropriate development given the urbanised grey belt status of the Appeal Site, and will not give rise to any significant adverse highways, heritage, air quality, noise, landscape, drainage, or biodiversity implications.

8 The Appellant's Case – Other Matters

Design and Heritage

- 8.1 No objections have been received from any statutory consultees with regards to design and heritage.
- 8.2 The Development adopts a careful and thorough design approach which is detailed in full in the Design and Access Statement submitted with the Application.
- 8.3 The Development has minimised land take from a Green Belt perspective by keeping the footprint of the built form to a minimum. Whilst the proposed built form on Parcel A is larger in scale than the buildings which currently occupy the Appeal Site, impact on views has been carefully considered and found acceptable in the supporting LVIA, which concludes that the Development could be accommodated with no adverse effects on the prevailing landscape character of the wider area.
- 8.4 The Development includes a carefully considered active frontage at the Appeal Site entrance and sets the massing back from the eastern boundary on Poyle Road. This allows room for the creation of a green buffer/area of public open space, which maximises opportunities for landscape, green space and ecology enhancement.
- 8.5 Development on Parcel B proposes to retain, and where necessary enhance, the existing thick boundary hedges reducing the visibility of the BESS infrastructure from the east on Poyle Road or on the Public Rights of Way to the west and south.
- 8.6 The Appeal Site is located in close proximity to Grade II listed Poyle Farmhouse and The Hollies. Balancing the proximity of the Development to the listed buildings, with the fact that there is currently significant industrial development within the surrounding area and that there would be inbuilt design mitigation, the Heritage Impact Assessment submitted with the Application concluded that there would be a less than substantial degree of harm to the significance of these built heritage assets through impacts to their setting.
- 8.7 NPPF paragraph 215 provides that where a development proposal will cause less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 8.8 In this instance, the less than substantial harm to the two heritage assets would be outweighed by the public and economic benefits of the Development.
- 8.9 Historic England have raised no objection in their formal consultation response.
- 8.10 The development complies with Core Policy 9 (Natural and Built Environment).

Ecology

- 8.11 No formal objections have been received from any statutory consultees with regards to ecology.
- 8.12 The Development has been sensitively designed to avoid any impact on the surrounding natural environment, including the Site of Special Scientific Interest, Special Area of Conservation and Local Nature Reserve located to the west.
- 8.13 The Development will primarily impact habitats of negligible ecological importance. Loss of trees and mixed scrub of local ecological importance will be compensated for by replacement native tree and scrub planting. With the enhancement and habitat creation proposed across the Appeal Site habitats of ecological importance will be enhanced and additional opportunities for biodiversity on the Appeal Site will be created, particularly compared to the existing ecological state of the previously developed land in Parcel A.
- 8.14 The Development would result in a biodiversity net gain of 11.76 habitat units (115.53%) and 0.23 hedgerow units (10.07%), offering an overall net gain in excess of 10% and thus in compliance with national policy.
- 8.15 The development complies with Core Policy 9 (Natural and Built Environment).

Transport

- 8.16 National Highways have made no objection to the Development. A formal consultation response from the Highway Authority has not been received, but a constructive response was received at the pre-application stage.
- 8.17 Junction improvement works have been set out and comprise upgrades to the existing access to provide a left-in, left out junction. The current secondary access to the north is proposed to be closed and repurposed for pedestrian/cycle access purposes. This will reduce the number of junctions on this part of Poyle Road.
- 8.18 Importantly, the Development is expected to reduce the impact of traffic on the local road network compared to the existing uses of onsite. This is a material benefit of the development.
- 8.19 The Transport Assessment which accompanied the Application concluded that the Development promotes sustainable modes of transport by facilitating and improving access to the existing public transport network through improved access to bus stops on Poyle Road and through the provision suitable cycle parking facilities, allowing staff to travel sustainably to the Appeal Site.
- 8.20 The development complies with Core Policy 7 (Transport).

Flood Risk and Drainage

- 8.21 The Environment Agency's flood map for planning shows that the site is located in Flood Zone 1 and is at very low risk of flooding from watercourses or the sea.

- 8.22 The LLFA support the proposed drainage strategy and stated "*there is **sufficient information** available to comment on the acceptability of the proposed surface water drainage scheme for the proposed development. Considering that if the following planning conditions are included as set out below, the impacts of surface water drainage will have been adequately addressed at this stage*" (our emphasis).
- 8.23 The proposed SuDS include permeable paving, rain gardens and detention basins. These SuDS will be designed to provide amenity and biodiversity gains, as well as sufficient water quality treatment to protect the receiving sewers and groundwater.
- 8.24 The Development therefore has an acceptable flood risk within the terms and requirements of the NPPF and does not increasing flood risk on Site or elsewhere.
- 8.25 The development complies with Core Policy 8 (Sustainability and the Environment).

Contaminated Land

- 8.26 No formal consultation responses have objected to the Development on land contamination grounds.
- 8.27 The Appeal Site is not considered to be heavily contaminated, although there is a degree of contamination that will need to be managed to improve the site conditions. In general terms there is the potential for ground contamination to exist associated with prior activities and two historical underground storage tanks in the north-east corner. The Development is to implement the following remediation measures:
- Capping the site to limit infiltration and limit the mobilisation of residual contamination in the ground;
 - The removal of two underground storage tanks and associated refuelling infrastructures in the builders yard area;
 - Assessment of gas risk and design appropriate gas mitigation measures; and
 - Taking any appropriate action in relation to unexpected finds (if identified).
- 8.28 The Appellant discussed the Development with the SBC Environmental Health Officer at the pre application stage.
- 8.29 The development complies with Core Policy 8 (Sustainability and the Environment).

Airport Safeguarding

- 8.30 Heathrow Airport Limited does not object to the Development.
- 8.31 The Appeal Site lies in an area subject to aerodrome safeguarding. Assessment has been undertaken of the Appeal Site's location in relation to London Heathrow Airport's height restrictions for flight path movements. The proposed 30-metre-high data centre is acceptable from an aviation perspective and falls outside of the technical safeguarding frames indicated in the Civil Aviation Authority guidance.

Alternative Sites

- 8.32 The Alternative Site Assessment that accompanied the Application demonstrated that there is a lack of supply of data centre sites to meet the demand for this type of critical infrastructure which is essential for the national and local economies.
- 8.33 The Appeal Site is within 10km of the central core of the SAZ. Proximity to other data centres is critical in terms of latency and resilience. Data centres in the same availability zone are connected via a private fibre optic cable. The accepted maximum distance for this is 20km, but site constraints mean that cables are rarely laid down in a straight line. In order to guard against unforeseen complications during construction, geographical distances are often shorter than 20km. A maximum preferred distance of 10km has been established and accepted for other data centres in the area.
- 8.34 While there is a significant and substantial need for new data centres in the SAZ, there are significant power constraints in the local area which limit the ability to provide hyperscale data centres.
- 8.35 Importantly given the severe power constraints in the local area, the Appellant has contractually secured power from the Laleham and Iver substations which will become operational in 2027. The Appeal Site is therefore able to meet the requirements of a hyperscale data centre and has secured the power to actually deliver on that requirement in the short term.
- 8.36 The Alternative Site Assessment submitted with the Application confirms that there are no alternative sites in the SAZ currently available for the Development to meet the specific requirements of this project – namely a location that is able to be served from both Iver and Laleham sub stations and can be delivered in time to meet the availability of the power connection in 2027.

Economic Benefits

- 8.37 No objections have been received from any statutory consultees with regards to the economic benefits of the Development.
- 8.38 The Berkshire Local Enterprise Partnership provided a consultation response which expressly supported the Development.
- 8.39 The Development will deliver a world-class data centre and BESS. It is expected to result in substantial economic benefits for Slough, London and the South East. It will strengthen Slough as a data centre cluster in London, and more broadly help to alleviate the supply constraints for the storage of data in London.
- 8.40 It is anticipated that the Development would generate approximately c.65 FTE operational roles, a high proportion of which will be highly skilled and high wage jobs.
- 8.41 The Appellant is committed to working alongside SBC to identify schools and colleges within Slough that would benefit from education programme funding, to support local access to and

understanding of opportunities within the logistics and real estate sector, and is committed to providing long-term employment to local residents.

- 8.42 The Development will generate approximately £5.98m per year in Gross Value Added (GVA)^{5,6}, which measures the economic value of the employment supported by the Development. It is anticipated that up to £3.56m in business rates will be generated annually by the Development and of that 45% will be retained by SBC.
- 8.43 A hyperscale data centre at the Appeal Site will provide indirect, catalytic and down-stream effects to the broader IT economic geography in the South East. At a regional level, a data centre and BESS will provide minimised latency, as well as support the thriving eco-system of data centres in London. At a local level, data centres will provide essential infrastructure to Slough firms, contributing to the functioning of the local economy and providing employment.

⁵ GVA is the value generated by any unit engaged in the production of goods and services.

⁶ Calculated based on the c. 65 FTE operational jobs generated. Accompanying Economic Statement prepared by Quod submitted with Planning Application

9 Third Party Representations

9.1 The Appellant acknowledges the statutory representations received via SBC in an email dated 7 March 2025, comprising:

- Heathrow Airport Limited – Heathrow did not object to the Development and has requested three conditions be imposed relating to Glint & Glare Assessment, Bird Hazard Management Plan and Pluming Venting. The Appellant has confirmed it is willing to accept suitably worded conditions on these matters.
- National Highways - National Highways raised no objection and requested a condition is imposed for the submission of a Construction Transport Management Plan. The Appellant has confirmed it is willing to accept suitably worded condition.
- Thames Valley Police - Thames Valley Police raised no objection and requested suitably worded conditions are imposed with regards to Secure by Design. The Appellant has confirmed it is willing to accept suitably worded condition.
- Berkshire Archaeology - Berkshire Archaeology raised no objection and requested a condition is imposed for a Written Scheme of Investigation. The Appellant has confirmed it is willing to accept suitably worded condition.
- Historic England - Historic England raised no objection to the Development.
- Lead Local Flood Authority - The LLFA supported the proposed drainage strategy and have requested a condition is imposed. The Appellant has confirmed it is willing to accept suitably worded condition.
- Thames Water - Clarification requested with regards to foul water. The Appellant reviewed the drainage strategy in light of Thames Water's comment and confirmed that the scheme would be able to reduce the surface water runoff rate as requested. The Appellant has confirmed it is willing to accept suitably worded condition.
- Colnbrook with Poyle Parish Council - In-principle support for the proposed development. The Parish Council has confirmed support for the design of the proposed development being appropriately set back from Poyle Road, with tree and vegetation planting to minimise visibility. The Parish Council also notes the positive biodiversity net gains achieved and the increased connectivity for pedestrians and cyclists.
- Colne Valley Regional Park - CVRP supported the proposed new pedestrian route from the Site to the Arthur Jacobs Nature Reserve and welcomed the proposed landscaping and enhanced pedestrian/cycle connectivity delivered as part of the application proposals. CVRP raised a number of comments which the Appellant responded to in their letter dated 1 April 2025.

9.2 No objection has been received from any statutory consultee.

9.3 The SBC website records 11 responses from members of the public, all of which are objections. The comments relate to the following topics/matters:

- Noise - concern that the data centre will result in excessive noise pollution
- Power - concern that the development will impact local grid supply
- Fire - concern about fire risk associated with the proposed uses
- Transport - concern that the proposals will result in additional traffic on Poyle Road, and reservations about the access into the BESS
- Biodiversity - impact on local wildlife
- Flood/Drainage - concern that the development will lead to increased flood risk
- Green Belt - loss of Green Belt land
- Design - unsightly building appearance
- Air quality - concern that the development will result in harms to the local air quality
- Lighting - concern with flood lighting proposed around the BESS

9.4 A response to each matter was provided in the Appellant's letter dated 25 February 2025.

10 Other matters

Notice of Intention to Submit an Appeal

- 10.1 Quod, on behalf of the Appellant, submitted by email a Notification of Intention to Submit an Appeal under the inquiry procedure to SBC and copied in the Planning Inspectorate on Tuesday 29 April 2025. A copy of this notification is contained in **Appendix F**.

Inquiry Procedure

- 10.2 An inquiry has been requested as the most appropriate method of dealing with the Appeal. The reasons for requesting the inquiry route are as follows:
- As will be clear from this Statement, the Appeal raises complex planning issues, including those relating to Green Belt, grey belt and Strategic Gap, and highly technical issues relating to the need for the Development in the particular location and specific requirements of data centres. These can only be properly tested in evidence through formal questioning by an advocate.
 - Given the complex and highly technical nature of the matters under discussion, it will be necessary to call expert witnesses to properly address the issues and it is expected that legal submissions will be necessary.
 - The Development is of a significant scale and of national importance given the critical national and local need for data centres and the limited supply of available land.

Costs

- 10.3 The Appellant reserves its right to apply for costs against a party who has behaved unreasonably and caused it to incur unnecessary or wasted expense in the Appeal.

Statement of Common Ground

- 10.4 A draft Statement of Common Ground (“**SoCG**”) has been prepared by the Appellant.
- 10.5 The Appellant intends to discuss common ground with SBC and any other relevant stakeholders to agree common ground on all relevant matters for the Appeal. This includes proposed planning conditions for consideration by the Planning Inspector.
- 10.6 The Appellant will seek to agree a list of Appeal Core Documents with SBC through discussions on the SoCG.

Planning Conditions and Planning Obligations

- 10.7 A draft set of planning conditions and a draft Section 106 Agreement have been prepared by the Appellant (**Appendices G and H**). The Appellant will liaise with SBC and other relevant stakeholders to seek to agree and finalise these documents.

11 Conclusions

- 11.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 11.2 The Appellant will clearly and demonstrably show that the Development complies with the Development Plan and there are no material considerations which indicate that the Appeal should be refused.
- 11.3 Accordingly, planning permission should be granted.