

**TOWN AND COUNTRY PLANNING ACT 1990**

**APPEAL RELATING TO  
MANOR FARM AND LAND NORTH OF WRAYSBURY RESERVOIR , POYLE  
ROAD, SLOUGH, SL3 0AA**

**APPEAL BY MANOR FARM PROPCO LIMITED AGAINST NON-  
DETERMINATION FOR 'DEMOLITION OF EXISTING BUILDINGS AND  
REDEVELOPMENT TO COMPRISE A DATA CENTRE (USE CLASS B8) AND  
BATTERY ENERGY STORAGE SYSTEM (BESS) WITH ANCILLARY  
SUBSTATION, OFFICES, ASSOCIATED PLANT, EMERGENCY BACKUP  
GENERATORS AND ASSOCIATED FUEL STORAGE, LANDSCAPING,  
SUSTAINABLE DRAINAGE SYSTEMS, CAR AND CYCLE PARKING, AND NEW  
AND AMENDED VEHICULAR AND EMERGENCY ACCESS FROM POYLE ROAD  
AND OTHER ASSOCIATED WORKS.'**

**Proof of Evidence**

**Heathrow**

**Daniel Ray**

**LOCAL PLANNING AUTHORITY REF: P/10076/013**

**PLANNING INSPECTORATE REFERENCE: APP/J0350/W/25/3366043**

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## 1. Introduction

- 1.1. My name is Daniel Ray, I hold an MSc in Spatial Planning and a BA (hons) in Archaeology and Landscape History. I have worked in various Planning roles since 2006 and I have been employed by Slough Borough Council since April 2020. I have been the Council's Chief Planning Officer and Director of Planning Services since April 2023. I led the Simplified Planning Zone work on behalf of the Local Planning Authority and am the lead Officer in relation to Slough's response to Heathrow related activity from a Planning perspective.
- 1.2. The evidence I have prepared and provide for this Inquiry (PINS Reference APP/ J0350/W/25/3366043) is true and I confirm that the opinions expressed are my true and professional opinions.
- 1.3. This Proof of Evidence relates to the subject "Heathrow" and whether the proposal complies with Government statements on the third runway and the NPS.

## 2. Background

- 2.1. The Airports National Policy Statement (ANPS) published on 5<sup>th</sup> June 2018 (CD 14.1) provides the planning framework and justification for expanding capacity in the South East, specifically through building a Northwest Runway, or Heathrow Runway 3 (HR3). It is therefore established national policy that supports the expansion of Heathrow through the provision of a third runway.
- 2.2. Significant work took place by Heathrow Airports Limited (HAL) in preparation of the submission of a Development Consent Order (DCO) and a preferred Masterplan for HR3 and Airport Related Development (ARD) and Airport Supporting Facilities (ASF) was published in June 2019 following consultation in 2018.
- 2.3. The June 2019 Masterplan identified the appeal site for ARD functions for off-airport cargo functions and specifically for freight forwarding as well as power infrastructure.
- 2.4. The pursuit of the DCO however appeared to be initially delayed as a result of legal challenges to the ANPS and then paused as a result of COVID-19 and was held in abeyance for some time. Notwithstanding this, the ANPS remained national policy and was not retracted.
- 2.5. On 29<sup>th</sup> January 2025 the Chancellor announced, alongside a Written Ministerial Statement (CD 11.2 Appendix A) on transport and growth, that the Government supports expansion at Heathrow (CD 11.2 Appendix D)

and is inviting proposals for a third runway, with submissions expected by the Summer of 2025.

- 2.6. On 30<sup>th</sup> June 2025 the Rt Hon Heidi Alexander MP, Secretary of State for Transport published a letter officially inviting proposals for a third runway at Heathrow Airport with the aim and ambition of enabling a third runway by 2035 (CD 14.4) Proposals were invited to be submitted to Government by 31<sup>st</sup> July 2025. One of the important features of this guidance from the Secretary of State is that expansion schemes should maximise cross-economy growth opportunities and value for money. The guidance sought scheme costs to be minimized. The Secretary of State Guidance in this letter said the following.

“The expansion scheme should seek to maximise cross-economy growth opportunities and value for money. Scheme costs should be minimised for passengers, customers, and government by financing through private funding, including any surface transport costs. All proposals should demonstrate how they are compatible with the UK’s legal, environmental and climate obligations, including in relation to local noise and air pollution.”

- 2.7. It was confirmed by 1<sup>st</sup> August 2025 that two submission had been made to Government for HR3. One submitted by HAL which re-affirmed its position in relation to the published Masterplan and a second by the Aurora Group for a shorter runway, which, it should be noted, does not conform to the ANPS insofar as it does not propose a runway of a 3500+. Given that Aurora Group have no open NSIP pre-app with the PINS and the conflict with the existing ANPS, it is considered that greater weight can

be given to the consideration of HAL's proposal, and this Proof deals with this matter on that basis.

- 2.8. On 1<sup>st</sup> September 2025 the Planning Inspectorate published HAL's Scoping Report Addendum (which follows the May 2018 Scoping Report) and indicative Draft Order Limits Boundary. What is made clear is the appeal site is within the DOL and the SRA makes clear the site is required for the delivery of the Heathrow Expansion.

**3. Is National Policy statements and Governments Statements on Heathrow Runway 3 and the expansion of Heathrow Airport a Material Planning Consideration and what weight should be afforded to it?**

3.1. Of strict relevance to this consideration are paragraphs 5 and 6 of the National Planning Policy Framework (NPPF) (December 2024) which states the following:

*5. The Framework does not contain specific policies for nationally significant infrastructure projects. These are determined in accordance with the decision making framework in the Planning Act 2008 (as amended) and relevant national policy statements for major infrastructure, as well as any other matters that are relevant (which may include the National Planning Policy Framework). National policy statements form part of the overall framework of national planning policy, and may be a material consideration in preparing plans and making decisions on planning applications.*

*6. Other statements of government policy may be material when preparing plans or deciding applications, such as relevant Written Ministerial Statements and endorsed recommendations of the National Infrastructure Commission.*

3.2. One must therefore ask themselves when considering paragraph 5 of the NPPF when considering the determination of this appeal is there a) a National Policy statement for major infrastructure that *could* be related to the appeal site. The answer is yes. The 2018 ANPS relates to the

expansion of Heathrow Airport and specifically sets out the requirement of a third runway.

- 3.3. The second question that follows is does the proposed development on the appeal site have the potential to conflict National Policy (which R (Plan B Earth) v Secretary of State for Transport [2020] UKSC 52 (Supreme Court)) (CD 11.2 Appendix B) established the legality of the ANPS and affirming it as designated policy under the Planning Act 2008. The answer is yes.
- 3.4. The letter from Heidi Alexander of 30<sup>th</sup> June (CD 14.4) which whilst directed at promoters but is clearly a wider consideration in support of the ANPS makes clear the Government supports the third runway and that the objective is to maximize growth opportunities and value for money. This Data Centre/BESS scheme would lead to additional expense (inflated costs associated with a CPO) and therefore would conflict with value for money considerations and would ultimately lead to potential costs passed on to customers and the government.
- 3.5. The reason for this answer is demonstrated in both HAL's Master Plan (CD 14.3), their submission to the Government on 31<sup>st</sup> July 2025 outlining their proposal for HR3 and the SRA and indicative DOL extent submitted to PINS on 1<sup>st</sup> September 2025.
- 3.6. On 1 September 2025, HAL asked the Planning Inspectorate on behalf of the Secretary of State for an addendum to the Scoping Opinion to reflect changes to the proposed development, legislation, guidance, assessment methodologies and baseline information. The Scoping Report Addendum was published on the 'Find a National Infrastructure Project' on the 2<sup>nd</sup> September 2025 under reference TR02003.

- 3.7. The SRA updated the project to be called “Heathrow Expansion” and described the proposal as *“Heathrow Expansion comprises the expansion and remodelling of the current two runway, four terminal Heathrow Airport by adding a third runway, new terminal, apron and taxiway infrastructure. The expansion includes associated development in the form of Airport Supporting Facilities (ASF), Airport Related Development(ARD) and associated development both on and off airport. Transport infrastructure changes are also proposed including modification of the M25 between junctions 14, 14a and 15 and the replacement and re-routing of local roads such as the A4 and A3044.”*
- 3.8. The emerging DCO is therefore is a holistic proposal which extends beyond just the introduction of the Third Runway and this additional expansion proposals are referred to in HAL’s letter of objection to this appeal of the 15<sup>th</sup> July 2025.
- 3.9. HAL identify the appeal site as being required for on and off-airport cargo functions, namely a displaced (as a result of HR3 itself) freight forwarding site and for green infrastructure and utilities.
- 3.10. A number of plans (CD 11.3 Appendix 3) were submitted to PINS on the 1<sup>st</sup> September that are appended to the SRA including the indicative area for the Heathrow Expansion DOL (Figure 3.1) as well as the different requirements associated with areas within the DOL.
- 3.11. Figure 3.2A shows land that is being considered for Green Infrastructure which is within the appellants appeal site and adjacent. Figure 3.3A includes land for Utilities Infrastructure which also falls within the appeal

site and adjoining landownership while figure 3.5A demonstrates that land within and adjacent to the appeal site is being considered for upgraded transport infrastructure. Transport infrastructure includes the incorporation of active travel linkages such as footpaths and cycleways.

- 3.12. Figure 3.7 of the Scoping Report Figures dated 1<sup>st</sup> September 2025 makes clear that the majority of the appeal is identified for ASD.
- 3.13. When considering the SRA, DOL and supporting information within the Scoping Report Figures plans, it is clear that the proposed data centre would conflict with Heathrow's 2019 Masterplan and subsequent updates and additions being brought forward in 2025. The outcome of this therefore is one where it clearly does not show the uses required by the airport. There is no suggestion that a data centre can be compatible with such uses.
- 3.14. When considering para 6 of the NPPF the obvious question is *are there any Written Ministerial Statements* [or other statements of government policy] related to HR3 which are of relevance to this site. The answer is yes.
- 3.15. The reason for this is the existence of the Written Ministerial Statement dated 29<sup>th</sup> January 2025 [CD.5.9] which reaffirmed the 2018 ANPS (with the potential of expeditiously reviewing to enable the submission of a DCO), its support for HR3 and expecting submissions by the summer of 2025.
- 3.16. The Ministerial Statement recognised the potential benefits of the expansion, noting it expected to inject billions (of pounds) into the economy, create over 100,000 additional jobs, solidify Heathrow's global

hub status, and provide passengers with benefits such as lower fares and fewer delays.

- 3.17. It must be noted that the DfT statement of the 30<sup>th</sup> June 2025 set out an outline of a timetable of events, namely that a DCO shall be submitted to and approved within this parliament and HR3 operational by 2035.
- 3.18. Progress relating to the submission of a DCO is now happening at pace. A SRA has been submitted to PINS with the indicative DLO HAL submitted “Expanding Heathrow Proposal” on 31<sup>st</sup> July 2025 which helpfully includes an indicative timeline for the DCO submission, with statutory consultation taking place in 2027 and the submission taking place in 2028, which supports HAL’s intention to prepare a DCO for HR3.
- 3.19. Government departments are clearly aligned and geared to progress this in line with Ministerial Statements and letters. An email received by Slough Borough Council on 22<sup>nd</sup> August 2025 from the Office of Health Improvement and Disparities which sits with the Department of Health and Social Care (DHSC) established the following in a briefing to Public Health departments that would be affected by the proposals:

#### **Heathrow expansion – Regional briefing**

##### **Summary**

- The expansion plans by Heathrow Airports Ltd (HAL) of Heathrow airport is about to recommence following postponement due to the pandemic.
- The normal Nationally Significant Infrastructure Project (NSIP) system will be used to determine the application by the SoS for Transport
- Given the pre-pandemic work the application will not repeat the scoping phase but will release the preliminary environmental information report (PEIR) in late 2025/early 2026
- RPS will be the lead impact assessment consultants for health and will recommence the technical working groups with health stakeholders, including OHID.
- OHID will work with UKHSA to provide a combined response to any consultations
- Regional OHID teams will be key to working with local DsPH and provide local knowledge.

##### **The scheme** (based on original submission and subject to confirmation)

- Heathrow Airport Limited (HAL) proposes to remodel and expand the current two runway (northern and southern), four terminal, Heathrow Airport. The expansion includes adding a North West Runway, additional passenger terminal facilities and a range of associated development.
- The North West Runway will enable an increase in operating capability of at least 260,000 additional Air Traffic Movements (ATMs) per annum, increasing the Airport's capacity from 480,000 ATMs per annum to approximately 756,000 ATMs per annum, and from around 76 million passengers per annum (mppa) to around 142mppa by 2050.
- The expansion of the Airport includes changes to the infrastructure and facilities as well as major changes to the M25 and the motorway junctions serving the Airport, replacing and re-routing local roads such as the A4 and A3044 and alterations to the water environment in the Colne Valley.
- There will be considerable land take involving the loss or displacement of public open space, recreational areas, homes (756 properties & 1,800 residents), businesses (2.4% office space, 1.9 % industrial floorspace and 1446 hotel rooms within study area) and farm land (1,000 Ha).

3.20. It is my view that that the appellants position that a National Planning Statement, Ministerial Statements and the submissions to Government and PINS are not material planning considerations in the determination of this appeal is untenable. I do however appreciate that more information is being released at pace, however the 2018 ANPS and other statements of government policy indecision making.

3.21. It is my professional view that the amount of weight given to the ANPS would have attracted tempered weight following the pause in the process as a result of the COVID 19 pandemic due to the uncertainty of the delivery of the expansion.

3.22. It is also my professional view that following the Ministerial Statement of the 29<sup>th</sup> January 2025 that the expansion of Heathrow of HR3 would now attract more substantial weight in the decision making process and greater consideration as to the affects of development within the potential area of expansion being brought to front of the decision making process. This statement set out the following.

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

*"Expansion could inject billions into our economy, create over 100,000 extra jobs, strengthen Heathrow's status as a global passenger and air freight hub, and deliver major benefits for passengers, including lower fares and reduced delays.*

3.23. This statement that Heathrow would create over 100,000 jobs and inject billions into our economy is a clear Government statement of some of the headline benefits. It contrasts with the likely employment generation claimed for the DC by the appellant which is up to 490 FTE construction jobs and circa 65 FTE operational jobs. [see Statement of Case 7.28, CD 9.1] The Claimed GVA is £5.9m [ibid].

3.24. The letter from Rt Hon. Heidi Alexander MP as SoS for the DfT of the 30<sup>th</sup> June 2025 reiterated the clear Government support for the expansion of Heathrow and set out its objectives for that. It set a short timetable for submission invitations for proposals for a third runway. The ongoing and strengthening commitment of the Government is apparent from their

objective to enable decisions on the DCO to be approved within the current Parliament and the additional runway delivered by 2035.

- 3.25. What should be at the forefront of the decision makers mind when determining this appeal is the significant amount of work that HAL undertook prior to 2020 in publishing its preferred Masterplan, the fact that this has formed the basis of the July 31<sup>st</sup> submission to Government and what has formed the proposed development submitted to PINS on the 1<sup>st</sup> September 2025 for the SRA and indicative DOL boundary.
- 3.26. The DHSC briefing to Local Authority re-affirms the Governments formal position of the anticipated proposal of HR3 being firmly based on the June 2019 Masterplan and now confirmed in the recent submission to Government and PINS.
- 3.27. The proposal directly conflicts with a National Infrastructure Project which is Government Policy which has far great economic benefits than the appeal proposal. It puts a DC and BESS on a site required for ARD which is inconsistent with it It should be remembered that Heathrow is an extremely important project for the Government “Heathrow Airport, the largest airport in Europe by passenger traffic, the most internationally connected airport in the world and the UK’s only hub airport, plays a critical role in enabling international connectivity for both passengers and freight. This supports productivity and economic growth. Around 75% of UK long haul flights go from Heathrow and 60% of UK air freight goes through Heathrow. But Heathrow is running at nearly full capacity, which is limiting our potential to compete with major European hubs and holding back growth. [29 Jan press release] ADD in Chancellor comments in press release 29 Jan possibly about the expansion. In addition it is my

professional view that should this appeal be allowed, it would lead to significant cost implications in relation to the cost-effective deliverability of the proposed expansion of Heathrow.

- 3.28. I believe that the proposed development should, on the issue of HR3 alone, be refused for the reasons outlined above.

#### **4. How the Appeal Proposal Conflicts with Policy Statements**

- 4.1. Paragraph 85 of the NPPF says “planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider Public opportunities for development”.
  
- 4.2. Paragraph 87 of the NPPF says “planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for:  
  
“c) the expansion or modernisation of other industries of local, regional or national importance to support economic growth and resilience”.
  
- 4.3. Having regard to paragraphs 85 and 87 of the NPPF, the ANPS and subsequent Written Ministerial Statement of the 29<sup>th</sup> January 2025 (CD11.2 Appendix 1) and further comment on the 30<sup>th</sup> June from the DfT, with National Policy supporting the development of HR3, significant weight needs to be attributed to realising this nationally important economic growth opportunity.
  
- 4.4. The HAL Masterplan of June 2019 and recent SRA and accompanying indicative DLO clearly identifies this site of being part of the holistic expansion of Heathrow to realise HR3 and maximising economic growth opportunities in this location.

- 4.5. HAL in their letter of objection of 15<sup>th</sup> July states clearly their view of the intrinsic importance of Poyle Trading Estate and the expansion to this Estate for Heathrow related development with specific reference to displaced Freight Forwarding location as a result of the laying down of the Runway itself. This importance and recognition of the sites importance and relation within the Airport is identified in the Slough Local Development Framework Core Strategy document of 2006. It recognises the importance Poyle Industrial Estate. The Core Strategy recognised that Poyle Industrial Estate is likely to come under even more pressure to accommodate airport related developments following Terminal 5 being introduced.
- 4.6. The preferred Spatial Strategy, even at a time of uncertainty relating to HR3 notes at Paragraph 16.2 recognises that Poyle Trading Estate is perfectly located and already has strong links with Heathrow Airport.
- 4.7. Paragraph 16.4 states that comprehensive redevelopment of the Estate would be encouraged and that this should be done in a way which provides a variety of high quality units which meet the specific needs of freight forwarders. There should not be any large scale non airport related warehousing or distribution centres which would generate more traffic and potentially displace airport cargo operations which need to be close to Heathrow.
- 4.8. Whilst the Council considered HR3 to not be forthcoming at the time of publication, within the Proposed Strategy, paragraphs 16.3 to 16.7 makes clear a vision for Poyle Trading Estate and seeks to cement further the intrinsic link with Heathrow which should be retained and reinforced.
- 4.9. HAL state on page 9 of their objection letter that “the proposed development would conflict with HAL’s active travel proposals which is

supported by both the ANPS and NPPF. As set out within the 2019 Masterplan this site is anticipated to provide a multifunctional green loop along the north and south boundaries of the site. With reference to page 72 of the Appellants DAS – the appellant hasn’t confirmed whether their footpaths would conflict with HAL proposal.



Figure 6.12.3: Illustrative Plan - Zone L

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4.10. Paragraphs 4.4 and 4.5 of the ANPS sets out the general principles of assessment and decision making, the latter point under 4.4 ‘its potential adverse impacts (including any longer term and cumulative adverse impacts)’ and 4.5 ‘in this context, environmental, safety, social and economic benefits and adverse impacts should be considered at national,

regional and local levels' [emphasis added]. While this would be a consideration at the time of the DCO, the 30<sup>th</sup> June letter states clearly that proposals being submitted to Government should *consider[e] with the ambition of maximising economic growth opportunities for the UK while minimising costs for consumers, customers, and government.*

- 4.11. As set out within this Proof, the proposed development the subject of this appeal directly conflicts with HAL's proposed HR3 expansion which when considering the origin of these proposals, therefore conflicts with the ANPS and Ministerial Statement of the 29<sup>th</sup> January 2025. Both of which are material considerations in the determination of this appeal
- 4.12. It naturally follows that when applying national policy and the Policy statements etc. above, any decisions which could potentially frustrate HR3 together with its ARD would conflict with policy. They would additionally add to the overall cost of the development which could cost the developer, consumer, customers and government additional expense are in conflict with these Government statements and policy. This could be through having to redesign in a compromised way the entire project (as one worst case scenario would entail) due to the scheme no longer being able to be delivered should this site be intrinsically required to deliver HR3 in the most cost effective way... or add substantial costs in associated with CPO knock on effects.
- 4.13. The developer has failed to show that the proposal complies with the ANPS or these ministerial statement and other statements of government policy. The appellants statement of case in May 2025 does not deal with this despite all of the Government's statements of January 2025.

4.14. Their case in the SOCG also fails to explain why their proposal are consistent with the Policy support of HR3 but surprisingly claims that the ANPS and other statements relating to Heathrow are not material. Therefore the appellant has not demonstrated compliance with these policies.