

Proof of Evidence of Mr David Webster. Addressing Green Belt & Landscape Matters.

Land at Manor Farm, Poyle.

On behalf of Manor Farm Propco Limited (the Appellant).

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- CD1.36:** Design and Access Statement (DAS)
- CD1.43:** Green Belt Assessment (GBA)
- CD1.44:** Heritage Impact Assessment (HIA)
- CD1.45:** Landscape and Visual Impact Assessment (LVIA)
- CD2.6:** Proposed Site Plan
- CD2.25:** Revised Planning Statement
- CD3.11:** Consultation Response – Colne Valley Regional Park
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- CD8.7:** Statement of Common Ground – Main
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- CD 13.1:** Buckinghamshire Green Belt Assessment (2016)
- CD 13.3:** Colne Valley GI Strategy – Area 3 (2019)
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- CD 13.5:** Colne Valley Regional Park Landscape Character Assessment (2017)
- CD 13.6:** Guidelines for Landscape and Visual Impact Assessment (GLVIA3)
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- CD 13.9:** National Character Area Profile 115: Thames Valley
- CD 13.14:** Spelthorne Green Belt Assessment (Stage 1, 2018)
- CD 13.15:** Spelthorne Grey Belt Planning Note (2025)
- CD 13.16:** Visual Representation of Development Proposals, Landscape Institute
- CD 13.17:** Planning on the Doorstep: The Big Issues – Green Belt, PAS
- CD 13.18:** Research Paper on Settlement Patterns, Urban Form & Sustainability, RTPI



1. Witness's Particulars.

- 1.1. My name is David Webster, and I hold a Bachelor of Science degree in Economics (BSc Hons), a Master of Science degree in Parallel Computing (MSc), and a Master of Arts degree in Landscape Architecture (MA). I am also a Chartered Landscape Architect, Chartered Member of the Landscape Institute (CMLI).
- 1.2. I am a Director within the Environmental Planning division at Pegasus Group, which was established in 2003. The company is a corporate member of the Institute of Environmental Management and Assessment (IEMA) and was a founding member of IEMA's Quality Mark scheme.
- 1.3. I have practised as a Landscape Architect for over 15 years, during which time I have been personally involved in the strategic and detailed landscape design for a variety of large-scale developments, including mixed-use/residential schemes, data centres, major business parks, retail outlets, leisure facilities, and renewable energy schemes. I have also specialised in addressing landscape planning issues related to a wide range of development projects, many of which have involved sites in Green Belts as well as statutory protected landscapes including National Parks (NP), National Landscapes (formally AONB), as well as non-statutory landscape designations such as a Special Landscape Areas (SLAs) and landscape gaps, often considered to be 'valued' landscapes.
- 1.4. I have presented evidence at public inquiries on many occasions to address various Green Belt, landscape planning, design and visual issues, and how these relate to landscape character and appearance.
- 1.5. I am based in the London office of the Pegasus Group, where I manage a team of nine landscape planners and designers in our London and Cambridge offices. We undertake our work in accordance with the Landscape Institute's Code of Standards of Conduct and Practice for Landscape Professionals.
- 1.6. The Green Belt, Landscape and Visual Impact evidence that I have prepared and provided for this appeal (ref: APP/JO350/W/25/3366043) in this proof of evidence is true and has been prepared and is given in accordance with the guidance of my professional institution, and I confirm that the opinions expressed are my true and professional opinions.

2. Introduction & Scope of Evidence.

Introduction

- 2.1. I am instructed on behalf of Manor Farm Propco Limited (the 'Appellant'), to present evidence relating to Green Belt, Landscape and Visual matters in respect of this planning appeal (ref. APP/JO350/W/25/3366043), submitted pursuant to Section 78 of the Town and Country Planning Act 1990, concerning development (the 'Proposed Development') of Land at Manor Farm, Poyle (the 'Appeal Site').
- 2.2. In presenting this evidence I explain why the Appeal Site is judged to be Grey Belt land; however, should the Inspector conclude that the Appeal Site is not Grey Belt land, my Proof also provides evidence to explain why the Proposed Development would still be acceptable in the Green Belt, recognising that the overall planning balance is for the Appellant's Planning Consultant, Mr. Phil Murphy of Quod to comment upon.

Planning Application

- 2.3. A full summary of the background to the Appeal is set out in the Appellant's Statement of Case [and within Mr. Murphy's Proof of Evidence. The description of the Proposed Development is as follows:

"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."

Scope of Evidence

- 2.4. My Proof considers the Appeal Site's potential to be considered 'Grey Belt' land, a concept introduced by the National Planning Policy Framework (the 'NPPF' published 12th December 2024). My evidence will cover the following areas:
- Description of the Appeal Site.
 - Consideration of the Appeal Site's Grey Belt potential.
 - Description of Proposed Development.
 - Effect on character and appearance (including the Colne Valley Regional Park).
 - Effect on the Openness of the Green Belt.
 - Effect on the remaining Green Belt.
 - Policy Context (in particular the 'Strategic Gap').
 - Summary & Conclusions.

2.5. I rely upon the Statement of Common Ground (the 'SoCG', **CD8.7**) where the parties have reached agreement. In preparing my evidence, I have additionally reviewed the following planning application documents to inform my professional judgement:

- Revised Planning Statement (the 'RPS' by Quod, December 2024, **CD2.25**).
- Design & Access Statement (the 'DAS' by Corgan, December 2024, **CD1.36**).
- Landscape & Visual Impact Appraisal (the 'LVIA' by Bryant Landscape Planning Ltd, December 2024, **CD1.45**).
- Green Belt Appraisal (the 'GBA' by Bryant Landscape Planning Ltd, November 2024, **CD1.43**).
- Built Heritage Impact Assessment (the 'BHIA' by RPS, December 2024, **CD1.44**).

2.6. Where appropriate I draw upon relevant information from these documents; however, in presenting my evidence and in the interests of brevity, I do not unnecessarily state detailed amounts of information where this has been previously documented. I have reviewed the LVIA prepared by Bryant Landscape Planning and agree with the broad findings. I have also reviewed the Proposed Development with reference to the application LVIA viewpoints surrounding the Appeal Site. I have set out my own analysis with regard to the scheme in this proof of evidence. Whilst I note that an LVIA was prepared for the application, in preparing for this Inquiry I have undertaken my own analysis, which has assisted me in forming my professional judgements.

Representative Viewpoints & Visualisations

2.7. I consider the representative viewpoints included within the LVIA (**CD1.45, Appendix F**) are both appropriately located and proportionate in their coverage of the Appeal Site. It is anticipated that the Inspector would visit these representative viewpoints and use all the visuals that have been provided as an aide memoire.

2.8. It should be recognised that it is not practical to include viewpoints from every possible location. The viewpoints which have been selected illustrate a range of visual receptors at different distances and directions from the Appeal Site. The locations of the viewpoints have been carefully considered, and the photography has been undertaken when atmospheric conditions and visibility were good. I consider that the photography is appropriate given the type and scale of development.

2.9. The representative viewpoints and visualisations have been prepared mindful of the Guidelines for Landscape and Visual Impact Assessment 3rd Edition (GLVIA3) (**CD13.6**) and other relevant Landscape Institute guidance (**CD13.16**) at the time of production.

2.10. To assist the Inspector in this inquiry four additional verifiable (Type 4) wire-line images of the Proposed Development have been prepared based on surveyed data combined with a 3D model of the built form, to gain an understanding as to how the introduction of the data centre would have a bearing upon the sense of openness associated with the Appeal Site and surrounding areas, and also the landscape character of the surrounding area, including the Colne Valley Regional Park (CVRP).



Professional Judgement

- 2.11. Mindful of GLVIA3 (**CD13.6**) and the recently published Landscape Institute's Technical Guidance Note (LITGN) 2024-01 (August 2024) Notes and Clarifications on Aspects and Guidelines for Landscape and Visual Impact Assessment Third Edition (GLVIA3, **CD13.8**), I have reviewed the scheme based on the viewpoints as part of my field work and Appeal Site visits. This has allowed me to ascertain both the landscape and visual effects and to make informed professional judgements concerning these matters and to establish the level and nature of change from a landscape and visual perspective.
- 2.12. I have reviewed the LVIA that was prepared for the application and note the effects that were identified with regard to landscape character and visual amenity. I agree with the general conclusions that are reached in this document. Notwithstanding this, I have undertaken my own assessment as to how the scheme would have an effect upon landscape elements, landscape character and visual amenity. My assessment is based on a methodology, which is set out in **Appendix A** to my Proof.
- 2.13. In undertaking this exercise, there are some differences between my analysis and that of the author of the LVIA; however, the overall conclusions are not dissimilar.
- 2.14. I have also reviewed the submitted GBA; however, I note that this report was completed prior to the December update to the NPPF using the St Albans and City District Council's Green Belt Review methodology (prepared by SKM, November 2013).
- 2.15. In contrast, when assessing the Appeal Site's contribution to the purposes of the Green Belt, I have followed the methodology provided by the PPG that has effectively superseded older published Green Belt assessments (including the SKM methodology). My evidence does not therefore reflect that of the GBA. Where relevant, I make reference to neighbouring Borough's published Green Belt evidence.
- 2.16. In terms of assessing effects and levels of harm on the purposes and aspects of openness of the Green Belt, I have used a word scale with reference to **Limited**, **Moderate** and **Substantial** to identify levels of harm.

3. Description of the Appeal Site.

- 3.1. It is common ground that the Appeal Site extends to approximately 8.16ha and falls entirely within the administrative boundary of SBC. The Appeal Site lies entirely within the Green Belt and is within the locally designated Strategic Gap and part of the CVRP.
- 3.2. The Appeal Site is bounded by Poyle Road to the east, Poyle Channel and Hilton Hotel to the north and Poyle Poplars, a mature tree belt to the south. The west of the Appeal Site is defined by soil mounds and open fields, and the Colne Brook beyond.
- 3.3. The Britannia Industrial Estate (also known as a Poyle Trading Estate) is located immediately to the east and forms the industrial back drop to the Appeal Site (as illustrated by my **Site Location Plan** at **Figure 1**).
- 3.4. The Appeal Site is made up of both previously developed land (PDL) and undeveloped land and is identified edged red at **Figure 1** (below).



Figure 1: Site Location Plan

- 3.5. The Appeal Site comprises two parcels of land (referred to as 'Parcel A' and 'Parcel B'), linked by a narrow strip of land which contains an existing track, referred to as the 'Link Road'.
- 3.6. Parcel A is located to the north of the Appeal Site and bound by Poyle Channel to the north, Poyle Road to the east, and soil mounds and agricultural land to the south and west. The western part of Parcel A, as well as the entire southern area of the Appeal Site (Parcel B), is understood to have been used for minerals and aggregates extraction and landfill in the twentieth century.

- 3.7. There is existing development within Parcel A, and this area **currently** contains five warehouse buildings and some areas of hardstanding. Parcel A is 5.8ha in area and formerly contained a series of industrial, storage and transportation uses.
- 3.8. It is understood that at the time the planning application for the Proposed Development was submitted by the Appellant uses included:
- HGV maintenance workshop.
 - Car parking and valet parking associated with Heathrow Airport.
 - Building, sand and gravel supplies.
 - Metal works welding.
- 3.9. Parcel A contains very little existing vegetation, limited to a mature hedgerow that is inset from and parallel to the western boundary, and a scrubby area of land to the north-west that is presumed to relate to previous attempts to reseed this land, and a tree belt of poplars along the northern boundary (as demonstrated by my **Aerial Site Location Plan** at **Figure 2**).
- 3.10. Parcel B is located to the south of the Appeal Site, circa 280m to the south of Parcel A, is smaller at 1.8ha and is bound by Poyle Road to the east, a mature tree belt (known as Poyle Poplars, part of the Poyle Poplars Woodland Nature reserve) to the south, and agricultural land to the north and west. Parcel B is undeveloped and arable in nature. It has hedgerow boundaries.
- 3.11. Parcel A is generally level at approximately 20m Above Ordnance Datum (AOD). The hedgerow on the western boundary is located on an earth bund which is approximately 4.5m in height. Parcel is generally level at between 19.75m and 21.30m (AOD). There is a field ditch on the northern boundary and a pond in the southwestern corner. The landform of the Appeal Site is illustrated by my **Topography Plan** at **Figure 4**.
- 3.12. There are no landscape or environmental designations covering the Appeal Site, and no heritage assets within the Appeal Site (as illustrated by my **Environmental Designations Plan** at **Figure 3**).
- 3.13. The Appeal Site does not contain any protected sites as defined under the Conservation of Habitats and Species Regulations (2017) (as amended).

Surrounding Area

- 3.14. Poyle Trading Estate is located immediately to the east of the Appeal Site on the opposite side of Poyle Road. Beyond Poyle Trading Estate to the east is the M25 and to the east of the M25 lies Heathrow Airport. Hilton London Heathrow Airport Hotel is located immediately to the north of the Appeal Site. Agricultural land lies to the west of Parcel A, with Horton Quarry located between this agricultural land and the Queen Mother reservoir circa 1.55km to the north-west of the Appeal Site. The Wraysbury Reservoir is located circa 155m to the south of Parcel B (see **Figures 1 and 2**).
- 3.15. The extent of published landscape character areas (LCA) in the vicinity of the Appeal Site is illustrated by my **Landscape Character Plan** at **Figure 5**.



- 3.16. The Royal Borough of Windsor and Maidenhead lies to the west of the Appeal Site.
- 3.17. The following statutory designated environmental and heritage assets are in the vicinity of the Appeal Site:
- Poyle Farmhouse, a Grade II Listed Building, is located to the west of Poyle Road, south of Parcel A.
 - The Hollies, a Grade II Listed Building, is located to the east of Poyle Road, opposite the existing site access off Poyle Road to Parcel A.
 - South West London Waterbodies Ramsar Site and Special Protection Area, and Wraysbury Reservoir Site of Special Scientific Interest (“SSSI”) are located to the south of the Appeal Site beyond a wooded area and Stanwell Road.
 - Staines Moor SSSI is located further to the south-east, adjacent to the M25.
- 3.18. The following locally designated nature reserves are owned and/or managed by The Royal Borough of Windsor & Maidenhead:
- The Arthur Jacob Nature Reserve is located to the south-west of the Appeal Site beyond agricultural fields.
 - Part of Poyle Poplars Woodland Nature Reserve sits to the south of Parcel B and extends to the south-west away from the Appeal Site.

4. Grey Belt Appraisal.

- 4.1. The Appeal Site is located within the Green Belt and as such, my Proof first considers its potential to be reclassified as 'Grey Belt' as defined by the National Planning Policy Framework (the 'NPPF'), and whether the Proposed Development would fundamentally undermine the purposes (taken together) of the remaining Green Belt land within the plan area.

Grey Belt Definition

- 4.2. The Grey Belt definition, set out in the Glossary to the NPPF, is as follows:

"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."

- 4.3. Green Belt purposes (a), (b) and (d) are set out in § 143 of the NPPF:

- (a) To check the unrestricted sprawl of large built-up areas;
- (b) To prevent neighbouring towns merging into one another; and
- (d) To preserve the setting and historic character of historic towns.

- 4.4. Footnote 7 identifies the following elements:

1. Habitat sites which consist of any site falling within a definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 including existing and proposed Special Areas of Conservation, Sites of Community Importance, existing and potential Special Protection Areas and any relevant Marine Sites, listed or proposed Ramsar sites and sites identified or required as compensatory measures for adverse effects on habitat sites;
2. Sites of Special Scientific Interest;
3. Local Green Space;
4. National Parks, National Landscapes or Defined Heritage Coast;
5. Irreplaceable habitats;
6. Designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75);
7. Areas at risk of flooding or coastal change.

- 4.5. The online Planning Practice Guidance (PPG) was updated on 27th February 2025 to provide additional guidance on the assessment of the Green Belt to identify Grey Belt land.

4.6. For the proposal to be considered as 'appropriate' development, it is necessary to satisfy all the criteria (a) to (d), listed in § 155 of the NPPF, specifying 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 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 paragraphs 156-157 below."

4.7. The Proposed Development does not include the provision of new housing, and therefore criteria (d) is not strictly applicable. Nonetheless, the 'Golden Rules' include requirements that would be beneficial irrespective of the type of development proposed. In this regard, the proposed improvements to local infrastructure, and the provision of a new walking route to improve connectivity between Poyle/Colnbrook and the Arthur Jacob Nature Reserve and Poyle Poplars should be treated as material benefits arising from the Proposed Development.

4.8. My evidence concludes that the Appeal Site should be considered Grey Belt land and that the Proposed Development would **not** fundamentally undermine the purposes (taken together) of the remaining Green Belt across the plan area, thereby fulfilling the requirements of NPPF §155(a).

4.9. The starting point for this assessment is that it is common ground that the Appeal Site comprises areas of PDL and undeveloped land (**CD8.7, §2.5**). It is also agreed that the western part of Parcel A and the entirety of Parcel B was used for minerals and aggregates extraction and landfill in the 20th Century (§2.7).

4.10. At the time of the planning application, Parcel A comprised extensive open storage alongside a number of buildings, typically of a warehouse typology, with some prefabricated porter cabins, and a residential dwelling with outbuildings at the main entrance from Poyle Road.

4.11. Specifically, at that time the Appeal Site included (with data from **Appendix B: Existing Hardscape & Softscape Plan** by Corban):

- Several buildings, including 5no. warehouses up to 8m in height, offices, and the house at the main entrance, with a combined footprint of circa 2,131m²
- Main access road of circa 1,873m² hardstanding.
- Vehicle parking areas of circa 40,640m² hardstanding.
- Other vehicular routes of circa 1,363m² hardstanding.
- Areas of soft landscape or planting, including the mature hedgerow in the western part of Parcel A, with a combined area of circa 11,874m².

- 4.12. On this basis, Parcel A comprised approximately 79.49% built form/hardstanding and 20.51% soft landscape at the time of the planning application. The only notable vegetation on the Appeal Site would be retained and/or enhanced by the Proposed Development, including the mature hedgerow to the west (proposed for translocation) and the trees on the northern boundary. This vegetation is not visible from the surrounding area, and consequently the public face of Parcel A is dominated by its industrial character.
- 4.13. It is common ground that Parcel B is undeveloped and arable in nature (**CD8.7**, §2.12), whilst the Link Road connecting Parcel A and Parcel B comprised circa 56.53% built form/hardstanding (largely to the north) and 43.47% undeveloped land (largely to the south). In overall terms, built form and hardstanding covered circa **60.44%** of the Appeal Site at the time of the planning application. I also note the National Historic Landscape Characterisation (NHLC) by DEFRA, identifies the Appeal Site as being 'Industry', as illustrated by my **Figure 8**.
- 4.14. The Council's SoC maintains that the Appeal Site represents 'a large area of undeveloped "agricultural" land' (**CD10**, §6.115). The Council take this position on the basis that there are planning conditions in place that require land within western part of Parcel A to be returned to agricultural use within 6-months of the permitted use ceasing (§6.112). The eastern portion of Parcel A was subject to an enforcement notice upheld at appeal in 2003 which required removal of caravans and seeding for agriculture. It is my understanding that this seeding was completed; however, the land was subsequently used for other unlawful activity. In this regard, the unplanned development within the Appeal Site should be ignored and the Appeal Site should be considered in its lawful state, i.e. that of largely agricultural land.
- 4.15. In summary, the Appeal Site has been washed over by the Metropolitan Green Belt since its establishment in 1959, with its primary purpose being to limit the Greater London built-up area and prevent its spread. Since that time the Appeal Site has been exploited for mineral extraction, subsequently used for landfill, and then subject to a mix of lawful and unlawful development.
- 4.16. The NPPF states that the Grey Belt is defined as land in the Green Belt comprising PDL **and/or** any other land that, **in either case**, does not strongly contribute to any of purposes (a), (b), or (d) in §143. The 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.
- 4.17. The broad characteristics of the Appeal Site, including existing built form, hardstanding, off-site mounds, degree of enclosure, urbanisation, etc. are all relevant considerations to an appraisal the Appeal Site's contribution to Green Belt Purposes (a), (b), and (d), and to the assessment of openness if, contrary to my opinion, the Inspector concludes that the Appeal Site is not Grey Belt.
- 4.18. The starting point for my Grey Belt assessment is that Parcel A comprises some lawful (PDL) and some unlawful development, and the Link Road contains some lawful development, as illustrated at **Appendix C: Planning History Summary Plan** (by Corban). The lawful development includes the main access route from Poyle Road, the residential dwelling at the main entrance (no.56), and the lawful built form that addresses the main access road (nos.55, 60, 68 and 58). There is further PDL (no.61) within the Link Road. Buildings no.59, 66 and 67, along with the hardstanding to the north of them (no.54) is not considered to be PDL as these areas are required to be returned to agriculture. The remainder of the Appeal Site is assumed to be undeveloped.

Purpose (a): To check the unrestricted sprawl of large built-up areas

4.19. The PPG provides the following considerations for informing judgements as to whether land is Grey Belt in relation to Purpose (a):

Purpose (a): To check the unrestricted sprawl of large built-up areas	
<i>This purpose relates to the sprawl of large built-up areas. Villages should not be considered large built-up areas.</i>	
Contribution	Illustrative Features
Strong	<p>Assessment areas that contribute strongly are likely to be free of existing development and lack physical feature(s) in reasonable proximity that could restrict and contain development. They are also likely to include all of the following features:</p> <ul style="list-style-type: none"> - be adjacent or near to a large built-up area - if developed, result in an incongruous pattern of development (such as an extended “finger” of development into the Green Belt)
Moderate	<p>Assessment areas that contribute moderately are likely to be adjacent or near to a large built-up area, but include one or more features that weaken the land’s contribution to this purpose (a), such as (but not limited to):</p> <ul style="list-style-type: none"> - having physical feature(s) in reasonable proximity that could restrict and contain development - be partially enclosed by existing development, such that new development would not result in an incongruous pattern of development - contain existing development - being subject to other urbanising influences
Weak or None	<p>Assessment areas that make only a weak or no contribution are likely to include those that:</p> <ul style="list-style-type: none"> - are not adjacent to or near to a large built-up area - are adjacent to or near to a large built-up area, but containing or being largely enclosed by significant existing development

Table 1: Extract from PPG (Paragraph 005)

4.20. There is no clear definition of what constitutes urban sprawl. The PAS guidance makes the following important point in relation to Purpose (a) (CD13.17, PDF p.6):

“The terminology of ‘sprawl’ comes from the 1930s when Green Belt was conceived. Has this term changed in meaning since then? For example, is development that is planned positively through a local plan, and well designed with good masterplanning, sprawl?”

4.21. The RTPI Research Paper on Settlement Patterns, Urban Form & Sustainability (2018), attempts to provide a meaningful definition (CD13.18, PDF p.6):

“An urban form characterised by the physical expansion of low-density development into surrounding agricultural or natural land, creating patchy or dispersed settlement patterns with buildings separated by empty or underutilised space.”

- 4.22. On this basis, the Proposed Development would **not** constitute sprawl, as it has been well-designed to meet a specific need (as evidenced by Mr. Powney) and is necessarily high-density to fulfil its functional requirements. The introduction of the new data centre would **not** create a ‘patchy or dispersed’ settlement pattern and the new landscape context surrounding the proposed built form would deliver a number of amenity, aesthetic, and ecological benefits. There would be **no** empty or underutilized space.
- 4.23. The *Spelthorne Grey Belt Planning Advice Note (2025)* notes that ‘Sprawl’ is a broad term that does not only cover buildings and development but the wider spread of the large built-up area and its urbanizing influences. It refers to the definition of sprawl provided by the Oxford Dictionary Online as *“spread out over a large area in an untidy or irregular way”* (CD13.15, §3.9). On this basis, appropriately located and well-planned urban extensions, including the expansion of commercial facilities such as the proposed data centre, would **not** constitute urban sprawl.
- 4.24. The Advice Note goes on to note that a *“site that makes a strong contribution to purpose a) will likely be free of development. Consideration will need to be given to whether development would result in an irregular pattern of development that would be at odds with the existing Green Belt form”* (CD13.15, §3.9).
- 4.25. The Appeal Site **does** contain lawful development within Parcel A and at the northern extent of the Link Road. In addition, Parcel A is largely enclosed by existing development to the north, including the Hilton Hotel and residential dwellings to the west of the hotel. There are also residential dwellings at Poyle Farmhouse within the area of land separating Parcels A and B.
- 4.26. This was recognised by the Inspector in the 2009 Appeal decision relating to Poyle Manor Farm, who concluded that (CD7.6, §15) – with my emphasis:
- “... looking westwards from [the Poyle Industrial Estate], Poyle Road is already crossed in terms of development by the lawful buildings on the appeal site, together with the opportunity for development under the previous planning permissions. The appeal site is situated in the extreme south west corner of a designated strategic gap. It is however somewhat remote from Slough, and indeed the South East Plan has suggested a review of designations such as this. Residential properties are situated to the north of the site, and these extend into the gap. In the south of the site are the lawful buildings to which I have already referred, together with others to the south of the site. The site is therefore not prominent in this part of the gap, and the appeal development would serve to fill in and regularise the boundary of the gap, without threatening the open area to the west of the site.”*
- 4.27. An important consideration is therefore the Appeal Site’s relationship with adjoining built-up areas. The proposed data centre would **not** result in an incongruous pattern of development, and certainly not an ‘extended finger of development’ into the Green Belt. In contrast, the Proposed Development would introduce a compact and high-density scheme, that is well-related to the existing development at the Poyle Industrial Estate to the east and with the Hilton Hotel to the north. The Proposed Development would clearly **not** represent uncontrolled or unrestricted sprawl by any definition.

- 4.28. It is also important to consider the extent to which the Proposed Development would be perceived as 'sprawl' from viewpoints in the surrounding area. The submitted LVIA (**CD1.45**) has demonstrated that the Proposed Development would not be perceptible from the surrounding area, other than from Poyle Road and a limited number of other locations in the immediate vicinity of the Appeal Site.
- 4.29. This conclusion is supported by the fact that the Council have raised no concerns in relation to visual amenity. I note that the Council's SoC does suggest that the Proposed Development would result in the further urbanisation, loss of countryside recreation opportunities and severance of the CVRP (**CD10**, §7.2.3); however, there is no specific allegation that the proposed data centre would be visually prominent in views from the surrounding area.
- 4.30. In views from Poyle Road, the existing lawful development is already clearly perceptible and detracts from the visual amenity of the area. The introduction of the Proposed Development to Parcel A would inevitably introduce new built form; however, the new data centre would only be visible from a short stretch of Poyle Road.
- 4.31. In relation to the proposed BESS, Parcel B is well contained by Poyle Poplars woodland to the south, mature hedgerows to the east along the boundary with Poyle Road, and mature hedgerow along the northern boundary with the agricultural field associated with Poyle Farm House. The BESS would not be visible from Poyle Road.
- 4.32. Having dealt with the first part of Purpose (a), unrestricted sprawl, I now turn to the second consideration of what constitutes a 'large built-up area'. The NPPF does not define what is meant by this term.
- 4.33. The Council's SoC asserts that the Appeal Site is located adjacent to the Poyle Industrial Estate, which is in itself a large built-up area (**CD10**, §6.126). I believe this conclusion to be flawed, as the large built-up areas to be considered is that of London and other large built-up areas in the neighbouring local authorities. I do not consider the Poyle Industrial Estate to form a large built-up area in its own right, given its more compact and isolated nature, holding a limited relationship with other nearby settlements.
- 4.34. It is instructive to review how this matter has been assessed previously. The Council has not prepared their own Green Belt Assessment; however, the neighbouring authorities of Buckinghamshire and Spelthorne have completed their own assessments, both by Arup.
- 4.35. The *Buckinghamshire Green Belt Assessment (2016)* defines sprawl as the "*the outward spread of a large built-up area at its periphery in an untidy or irregular way*" (**CD13.1**, §4.4.8). The assessment goes on to identify large built-up areas within the four Buckinghamshire districts and within neighbouring local authorities. Table 4.1 (at internal page 51) lists the large built-up areas considered by the Purpose (a) assessment, with Burnham treated as one large built-up area together with Slough. The Poyle Industrial Estate was not identified as a large built-up area (or indeed Colnbrook and Poyle).
- 4.36. The *Spelthorne Green Belt Assessment (2018)* notes that the original strategic purpose of the Green Belt was to check the sprawl of London; however, the assessment recognises that the wider Green Belt also plays a role in preventing the unrestricted growth of other large settlements. The assessment therefore considers the role of the Green Belt in preventing the sprawl of London, and the sprawl of large built-up areas within adjacent neighbouring local authorities (**CD13.14**, §4.5.1).

4.37. The assessment includes Heathrow Airport as part of the Greater London large built-up area, although Terminal 5 appears to be washed over by the Green Belt. Notably the Poyle Industrial Estate, and ribbon development at Poyle and Colnbrook are not identified as part of a large built-up area, as illustrated at **Figure 2** (below):

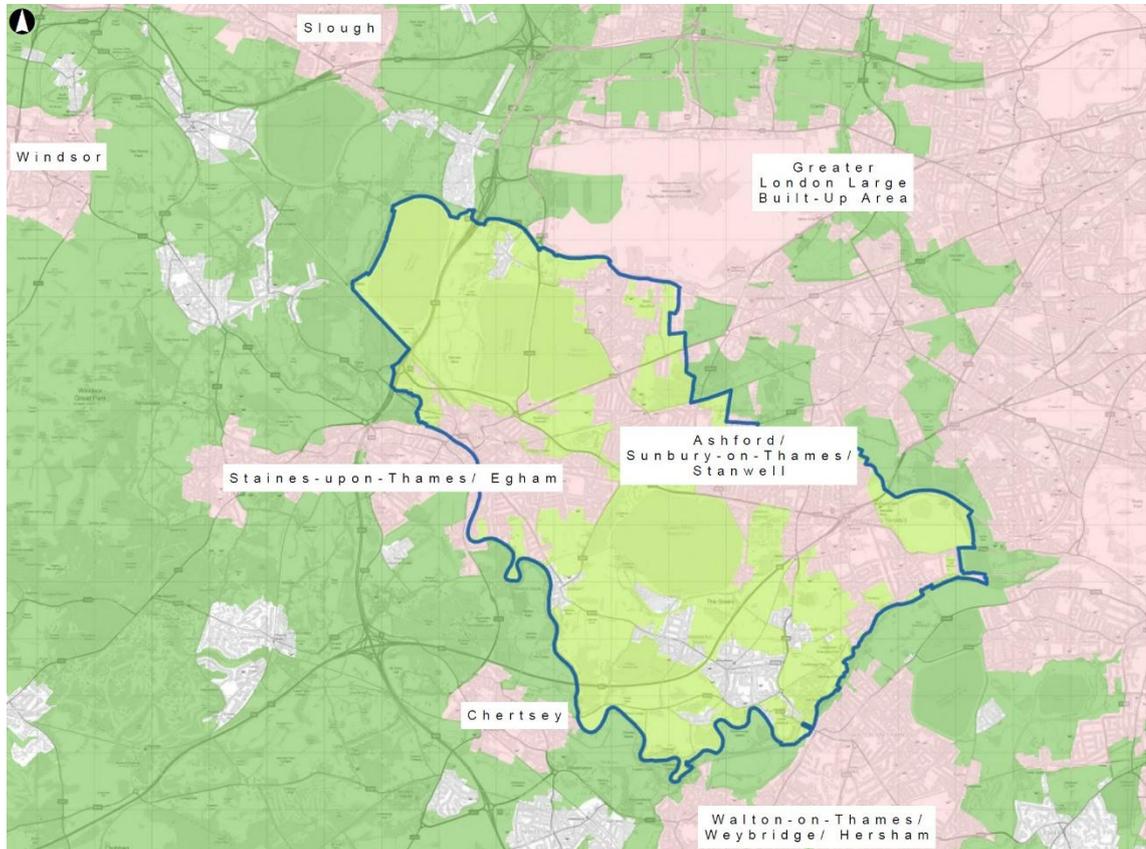


Figure 2: Extract from Map 4.4 of Spelthorne Green Belt Assessment (2018)

4.38. I **agree** with this approach and note that the large built-up area of Slough includes Brands Hill to the north-west of the Appeal Site, with the other large built-up areas including Windsor to the west and Staines-upon-Thames/Egham to the south. Other settlements that are not included as large built-up areas include Datchet to the west of The Queen Mother Reservoir, and Wraysbury and Old Windsor to the south-west of the Appeal Site.

4.39. On this basis, I do **not** consider the Appeal Site to be adjacent to a large built-up area; however, I accept that an argument can be made that it is located near to the edge of Greater London.

4.40. The PPG makes clear that the Appeal Site would contribute strongly to Purpose (a) if:

- a) it was free of existing development.
- b) it was adjacent or near to a large built-up area.
- c) there was a lack of physical feature(s) in reasonable proximity that could restrict and contain development.
- d) the proposals would result in an incongruous pattern of development into the GB.

- 4.41. Looking at each criterion in turn; the Appeal Site is **not** free of existing development. There is existing lawful development within Parcel A and to the north of the linking land between Parcels A & B; however, I acknowledge that Parcel B is free of existing development.
- 4.42. As noted above, I do **not** consider the Appel Site to be adjacent to the large built-up area of Greater London and the Poyle Industrial Estate clearly does **not** form a large built-up area in its own right, given its more compact and isolated nature. Nonetheless, I recognise that the Inspector may conclude that the Poyle Industrial Estate does form the outer edge of Greater London.
- 4.43. There are physical features in reasonable proximity to the Appeal Site that could restrict and contain development. To the north, the Appeal Site is contained by the Poyle Channel and the Hilton Hotel with its associated car park and well-treed landscape setting. To the east, the Appeal Site adjoins Poyle Road and the Poyle Industrial Estate. To the south, Parcel B is well-contained by mature field boundaries that limit intervisibility with the surrounding area, with a substantial tree belt at Poyle Poplars along its southern boundary, with Stanwell Road and Wraysbury Reservoir beyond. To the west, land under the control of the Appellant is framed by dense vegetation and waterbodies at the Arthur Jacob Nature Reserve, and mature riparian vegetation along the Colne Brook and around the Eric Mortimer Rayner Lakes. These features provide a substantial level of containment within reasonable proximity to the Appeal Site.
- 4.44. Importantly, development of the Appeal Site would **not** result in an incongruous pattern of development, as claimed by the Council in their SoC (**CD10**, §6.126). The Proposed Development would introduce a compact and high-density scheme, that is well-related to the existing development at the Poyle Industrial Estate to the east and with the Hilton Hotel to the north. The Proposed Development would clearly **not** represent ‘unrestricted sprawl’.
- 4.45. In my judgement, there are several features identified by the PPG that weaken the land’s contribution to this Purpose (a). Taking all these matters into account, I believe that the Appeal Site makes a **Moderate** contribution to Purpose (a).

Purpose (b): To prevent neighbouring towns merging into one another

- 4.46. The PPG provides the following considerations for informing judgements as to whether land is Grey Belt in relation to Purpose (b):

Purpose (b): To prevent neighbouring towns merging into one another	
<i>This purpose relates to the merging of towns, not villages.</i>	
Contribution	Illustrative Features
Strong	<p>Assessment areas that contribute strongly are likely to be free of existing development and include all of the following features:</p> <ul style="list-style-type: none"> - forming a substantial part of a gap between towns - the development of which would be likely to result in the loss of visual separation of towns

	Assessment areas that contribute moderately are likely to be located in a gap between towns, but include one or more features that weaken their contribution to this purpose, such as (but not limited to):
Moderate	<ul style="list-style-type: none"> - forming a small part of the gap between towns - being able to be developed without the loss of visual separation between towns. This could be (but is not limited to) due to the presence or the close proximity of structures, natural landscape elements or topography that preserve visual separation
	Assessment areas that contribute weakly are likely to include those that:
Weak or None	<ul style="list-style-type: none"> - do not form part of a gap between towns, or - form part of a gap between towns, but only a very small part of this gap, without making a contribution to visual separation

Table 2: Extract from PPG (Paragraph 005)

- 4.47. The NPPF is explicit with its terminology in relation to this purpose, citing ‘towns’ rather than other types of settlements such as villages and hamlets. The recent PPG update specifically states that this purpose *“relates to the merging of towns, not villages”*. When assessing this purpose, it is important to identify what constitutes a town and their extent.
- 4.48. Mt evidence will demonstrate that the Appeal Site forms a very small part of the gap between Slough and Greater London, this separation being the focus of Saved Policy CG9 that introduces the concept of a ‘Strategic Gap’.
- 4.49. The Strategic Gap is defined as the Green Belt in Langley, and all Green Belt east of Brands Hill to the Borough boundary by the M25. Saved Policy CG9 requires that: *“Any proposal which threatens the clear separation or the role of open land within the strategic Green Belt gap between the Slough urban area and Greater London will not be permitted” (CD6.7, §7.31).*
- 4.50. The preamble to this policy explains the relationship with older PPG2 guidance that one of the main purposes of including land within the Green Belt is to prevent neighbouring towns from merging into one another. Saved Policy CG9 therefore bears an enduring relationship to Purpose (b) and reflects the importance of the strategic break between the eastern edge of Slough, Colnbrook and Poyle, and Greater London. The importance of the Strategic Gap is reiterated by the Core Strategy, where Core Policy 1 states that a *“strategic gap will be maintained between Slough and Greater London” (CD6.11, §7.17)*
- 4.51. In this context, I accept that development of the Appeal Site would result in ‘some’ degree of harm to the Strategic Gap, and that the Appeal Site clearly makes ‘some’ contribution to Purpose (b). I now consider the extent of that contribution.
- 4.52. In purely spatial terms, the Strategic Gap between Slough and Greater London, as the crow flies on a north–west to south–east diagonal from the eastern edge of Brands Hill to the western side of Junction 14 of the M25 measures approximately 2.43km. This bearing passes diagonally through Parcel A, measuring approximately 346m from its north–western to south–eastern corners. On this basis, the Appeal Site comprises less than **14.5%** of the Strategic Gap between Slough and Greater London. This does not amount to a substantial part of the gap as required to demonstrate a strong contribution to Purpose (b).

- 4.53. The location of the Strategic Gap (with the red line measuring the 2.43km extent of the gap through the Appeal Site) is illustrated below at **Figure 3**:

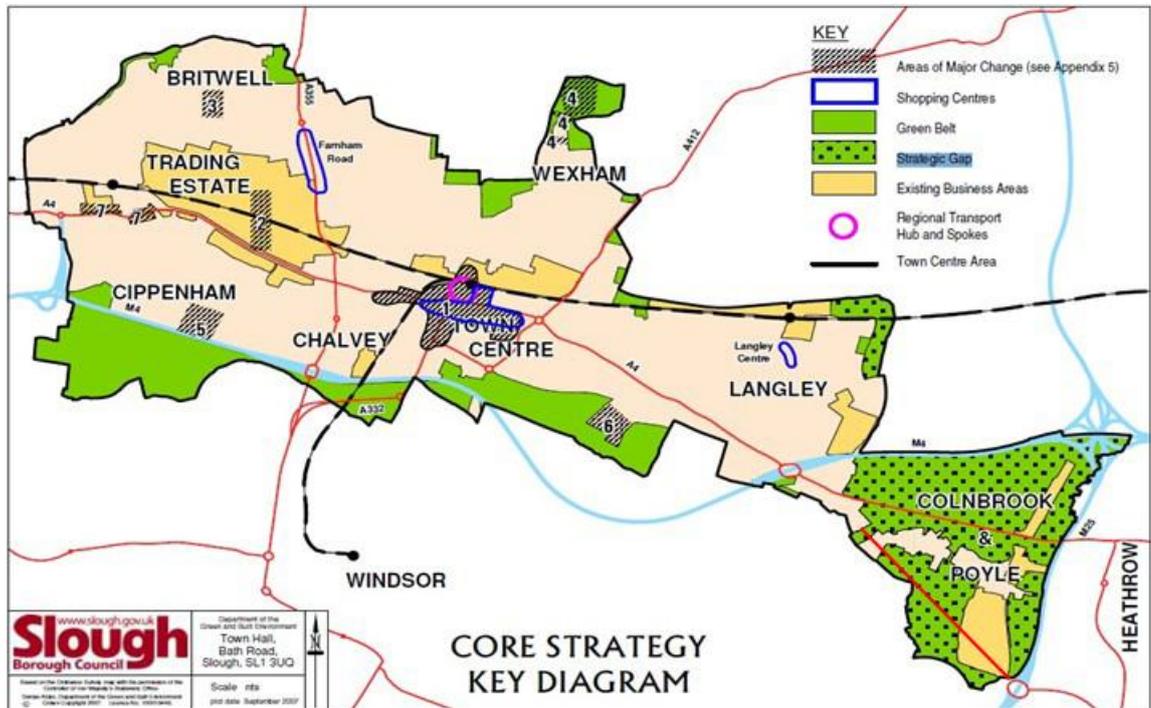


Figure 3: Extract from Slough Core Strategy – with added red line extent (2008)

- 4.54. Looked at another way, the part of the Strategic Gap to the east of Brands Hill to the Borough boundary by the M25 (i.e. excluding the Langley part of the gap), measures approximately 426.3ha in area. The Appeal Site therefore represents only **1.91%** in area of this part of the Strategic Gap.
- 4.55. Whilst this spatial analysis is somewhat crude, it demonstrates that the Appeal Site does **not** form a ‘substantial’ part of the Strategic Gap and in reality, comprises a very small part of the gap between Slough and Greater London.
- 4.56. Given that the Strategic Gap extends from Slough to Greater London, or more precisely the eastern settlement edge of Slough at Brands Hill to the outside perimeter of the M25, it is clear that the Poyle Industrial Estate, and the villages of Poyle and Colnbrook are all located within the Strategic Gap, as demonstrated by **Figure 3** (above). The ribbon-like development of Poyle/Colnbrook along Bath Road and the High Street result in the gap with Brands Hill (between a petrol service station and Colnbrook Recreation Ground) being very narrow.
- 4.57. Indeed, as the Inspector considering the SIFE appeal concluded, *“Green Belt assists in maintaining the distinct identity of a town and a well-defined edge to the built development. The swathe of Green Belt separating Slough and Greater London is interrupted by several settlements. The gaps between them are of varying widths and the separation distances between Brands Hill, Colnbrook and Poyle are very tenuous... The development of SIFE would not of itself result in the merging of Slough and Greater London. Nevertheless, the swathe of open land would be significantly eroded by the proposed SRFI, which within its context would be a massive development...”* (CD10, §12.14).
- 4.58. However, the Proposed Development would not add to or exacerbate this situation, given the location and urban form of the Poyle Industrial Estate. This was recognised by the Inspector

in the 2009 Appeal decision, who judged that “... *The appeal site is situated in the extreme south west corner of a designated strategic gap...The site is therefore not prominent in this part of the gap, and the appeal development would serve to fill in and regularise the boundary of the gap, without threatening the open area to the west of the site*” (CD7.6, §15).

- 4.59. This remains the case today, and the Proposed Development would introduce a compact and high-density scheme, that is well-related to the existing development at the Poyle Industrial Estate to the east and with the Hilton Hotel to the north. The data centre building in Parcel A would not extend further into the gap than existing development to the north, and similarly the BESS in Parcel B would not extend further into the gap than the existing dwellings at Pyle Farm House and existing lawful development within the Appeal Site.
- 4.60. Put simply, the introduction of the Proposed Development would not result in any loss of physical separation between Brands Hill and the Poyle Industrial Estate, or indeed the Strategic Gap between Slough and Greater London. I accept that the proposed data centre would be a substantial building in scale; however, its location and relationship to the existing settlement morphology provides the opportunity to ‘regularise’ the existing patchy and sporadic development to the west of Poyle Road, without any further erosion of the open space at the heart of the gap. The Proposed Development is therefore an entirely different proposition to the SIFE proposals.
- 4.61. Visual separation is another key consideration when assessing the Appeal Site’s contribution to Purpose (b). For the Appeal Site to make a ‘strong’ contribution, its development would be likely to result in the loss of visual separation of towns.
- 4.62. This existing development at the Poyle Industrial Estate introduces an ‘island’ of built form within the Strategic Gap between Slough and Greater London, that necessarily compromises any sense of visual separation between Slough and Greater London. This is clearly illustrated at **Figure 3** (above) by the orange area described as ‘Existing Business Areas’ through which the **red line** cuts. On this basis, anyone located on the eastern side of the gap in the vicinity of the M25 would have no visual link with Slough, and any perception of the gap would simply be the open space between the motorway and the industrial estate. Similarly, anyone at Brands Hill would have little conception of a ‘strategic’ gap, as the observable separation between the eastern edge of Slough and any settlement to the east is that of the ‘tenuous’ gap with Colnbrook. From either side of the gap, there is no perception of its strategic nature.
- 4.63. The Council take the approach that the land to the east of Poyle Road is completely developed by the Poyle Trading Estate and that as a result the western side of Poyle Road is ‘critical’ for retaining the impression of visual separation within the Green Belt (CD10, §6.181), suggesting that their focus is not the Strategic Gap itself but a smaller part of that gap.
- 4.64. To be consistent with the PPG guidance, the Council’s argument relies upon the assumption that the Poyle Industrial Estate should be treated as a ‘town’ when considering the degree of visual separation between Slough and Poyle Road. This is essentially the approach taken by the neighbouring Borough of Spelthorne, whose published Green Belt assessment classifies the combined settlement of Poyle / Colnbrook as a town.
- 4.65. However, by taking this approach it is clear that the towns of Slough and Poyle / Colnbrook have already merged, albeit in a linear fashion along Bath Road, as illustrated by **Figure 4** (below). This illustration also demonstrates why, in spatial terms, the development of the Appeal Site would not result in any further merging of Slough and Poyle / Colnbrook, or indeed Greater London.

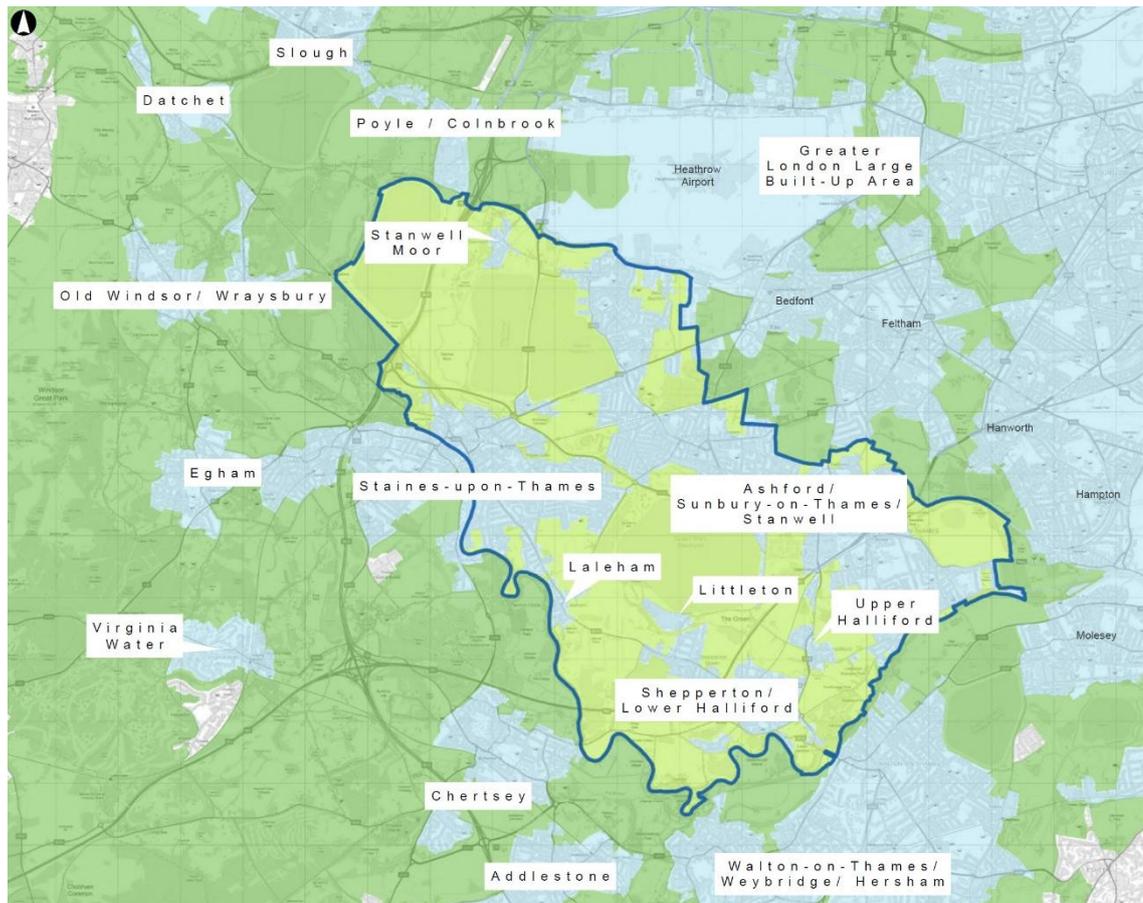


Figure 4: Extract from Map 4.5 of Spelthorne Green Belt Assessment (2018)

- 4.66. Nonetheless, to follow the Council's argument further, I now consider the visual separation between Slough and Poyle Road, working southwards from the junction of Poyle Road and Bath Road.
- 4.67. To the west of Poyle Road there is an agricultural field (**No.1** at **Figure 5**, below), with an open aspect onto Poyle Road, that currently provides access to the Poyle Quarry Western Extension, an active mineral extraction site accessed from Poyle Road. Whilst the field has an open character, it is well-enclosed by mature vegetation around its northern, southern and western boundaries, that screen views across the gap between Poyle Road and Slough, or indeed views towards the Appeal Site from Bath Road to the north. There are three small groups of trees at the centre of the field that further interrupt views to the west.
- 4.68. To the south of this field is the Hilton Hotel and its car park (**No.2**), that are located to the north of Parcel A. The hotel is well-enclosed by trees that effectively screen views of the hotel and the car parking. There is no perception of the gap between Slough and Poyle Road when passing the hotel.
- 4.69. To the south of the hotel, Parcel A is characterised by lawful development along the main entrance from Poyle Road. This includes a residential dwelling at the entrance, facing on to Poyle Road, and other buildings within the Appeal Site that address the main access road as it extends to the west. The remaining frontage of Parcel A includes dense vegetation that screens views into the Appeal Site. Overall, there is very little appreciation of the gap from this part of Poyle Road, and where available, the view to the west already includes built form.

4.70. The Appeal Site encloses a horseshoe-shaped agricultural field (**No.3**), and residential dwellings to the west of Poyle Road. There are relatively open views across this field; however, the lawful development at the northern end of the Link Road is therefore perceptible in these views. The residential dwellings to the west of Poyle Road, including Florama and Poyle Farm House are well-enclosed by existing trees and other vegetation within the curtilage of these properties. This vegetation obscures any views to the west from adjacent locations on Poyle Road. Dense roadside vegetation to the south of Poyle Farm House also screens views across the southern part of Field No.3 from Poyle Road.

4.71. Parcel B is located between Field No.3 and Poyle Poplars, a dense belt of trees that contains the Appeal Site to the south. A water pumping station is located just beyond the north-eastern corner of Parcel B near the Blackthorne roundabout. The Golden Cross pub and its car park are located at the eastern end of Poyle Poplars. For users of Poyle Road, there is very little appreciation of Parcel B given the height and depth of this vegetation. There is therefore no perception of a gap to Slough from the southern end of Poyle Road.



Figure 5: Aerial View to illustrate visual context to the west of Poyle Road

4.72. In summary, views towards Slough from Poyle Road are either fully screened by roadside vegetation, interrupted by the existing built form within the Appeal Site, or heavily restricted by intervening vegetation.

4.73. Within the gap itself, there are agricultural fields immediately to the west of Appeal Site, that are understood to have been used for minerals and aggregates extraction and landfill in the 20th century. These fields are contained to the west by the Colne Brook that is lined by dense tree-planting and riparian vegetation along its length. These fields are within the ownership of the Appellant.

- 4.74. To the west of the Colne Brook, a series of lakes, assumed to be gravel pits, are located within this part of the gap, including the Eric Mortimer Rayner Lakes that are heavily fringed with trees and other vegetation. The Poyle Quarry Western Extension is located to the north of the Appeal Site, whilst the Arthur Jacob Nature Reserve and its own dense vegetation is located to the south-west. There are further agricultural fields to the west of the Eric Mortimer Rayner Lakes, with the Horton Quarry lying between these fields and The Queen Mother Reservoir. The reservoir is located to the south-east of Slough and formed from an elevated embankment that interrupts views within the gap.
- 4.75. A bridleway passes through this part of the gap on a north-south axis; however, there is only a single location from where views of the Appeal Site can be obtained, as the route is channeled by a bund to the east and a dense hedgerow to the west. This bridleway forms part of the Colne Valley Trail but this part of the route is very enclosed, and views of the CVRP are restricted by dense woodland and other vegetation, the aforementioned bund, palisade fencing along the PRoW, and built form including industrial uses at Foundry Lane.
- 4.76. On this basis, the presence of existing built form, the layering effect of intervening vegetation, and localised variations in topography, particularly the embankment of The Queen Mother Reservoir serve in combination to preserve visual separation of Slough and Poyle Road. I also note that when travelling along roads to the south of the Appeal Site, roadside vegetation and built form serve to maintain the visual separation between Slough and Poyle Road. To the north of the Appeal Site, there is no perception of the Strategic Gap, given the dense vegetation to the north of Field No.1 and the Intertype Lakes, then ribbon development along both sides of Bath Road / Park Street / Bridge Street / High Street.
- 4.77. In my opinion, the published landscape character assessments, considered later in my evidence, accurately represent the existing character of the CVRP in the vicinity of the Appeal Site. The overarching impression is of a heavily degraded landscape significantly altered by the introduction large reservoirs and lakes in former gravel pits. The reservoir embankments rise to 20m and contrast starkly with otherwise flat topography of the area and dominate adjoining settlement and road corridors, interrupting local views. There continues to be areas of active sand and gravel extraction within the gap to the north and west of the Appeal Site.
- 4.78. When considered in the round, the Appeal Site forms a very small part of the Strategic Gap between Slough and Greater London. There are numerous existing physical, natural and topographic features that preserve the visual separation of these settlements. The development of the Appeal Site would not result in the loss of visual separation, and there would be no further coalescence given the existing pattern of development to the west of Poyle Road. On this basis, I conclude that the Appeal Site makes a **Weak** contribution to Purpose (b) and therefore to the maintenance of the Strategic Gap between Slough and Greater London.

Purpose (d): To preserve the setting and special character of historic towns

- 4.79. The PPG provides the following considerations for informing judgements as to whether land is Grey Belt in relation to Purpose (d):

Purpose (d): To preserve the setting and special character of historic towns

This purpose relates to historic towns, not villages. Where there are no historic towns in the plan area, it may not be necessary to provide detailed assessments against this purpose.

Contribution	Illustrative Features
Strong	<p>Assessment areas that contribute strongly are likely to be free of existing development and to include all of the following features:</p> <ul style="list-style-type: none"> - form part of the setting of the historic town - make a considerable contribution to the special character of a historic town. This could be (but is not limited to) as a result of being within, adjacent to, or of significant visual importance to the historic aspects of the town
Moderate	<p>Assessment areas that perform moderately are likely to form part of the setting and/or contribute to the special character of a historic town but include one or more features that weaken their contribution to this purpose, such as (but not limited to):</p> <ul style="list-style-type: none"> - being separated to some extent from historic aspects of the town by existing development or topography - containing existing development - not having an important visual, physical, or experiential relationship to historic aspects of the town
Weak or None	<p>Assessment areas that make no or only a weak contribution are likely to include those that:</p> <ul style="list-style-type: none"> - do not form part of the setting of a historic town - have no visual, physical, or experiential connection to the historic aspects of the town

Table 3: Extract from PPG (Paragraph 005)

- 4.80. This purpose makes specific reference to 'historic towns' not individual historical assets or smaller settlements such as villages and hamlets. This is supported by the PAS guidance (CD13.17) which states *"this purpose is generally accepted as relating to very few settlements in practice"* and is considered particularly relevant to the Green Belts of York, Chester, Bath, Durham, Oxford and Cambridge.
- 4.81. The connection between a historic town's historic character and the wider countryside does not have to be physical, indeed successions of development often isolate core historic areas from the surrounding countryside; it is often a visual connection. This visual connection can be defined through movement through the area or views into or out of the settlement.
- 4.82. It has also been determined through fieldwork that there is no intervisibility between Windsor Castle and the Appeal Site, and the *Heritage Impact Assessment (CD1.44)* submitted as part of the planning application concluded that there would be no harm to the setting of Windsor Castle or the Great Park.
- 4.83. The Council's SoC (CD10) does not suggest any conflict to this purpose. Overall, the Appeal Site is not considered to be located within the setting of any historic town and therefore this purpose is not relevant to the Site. The Site therefore makes **No Contribution** to Purpose (d).

Footnote 7

- 4.84. The following section considers the relevance of the criteria listed in Footnote 7 of the NPPF, which confirms that none of the identified environmental or policy constraints constitute a **strong** reason to refuse or restrict development within the Appeal Site:

Criteria	Commentary
Habitat Sites	The various reservoirs and gravel pits to the south, south-east, and south-west of the Appeal Site are designated as the South West London Waterbodies Special protection Areas (SPA, ref: UK9012171). The Arthur Jacobs Nature Reserve that adjoins the south-western corner of the Appeal Site is designated as a Local Nature Reserve (LNR, ref: 1009362). The presence of these designations would not constitute a strong reason to refuse or restrict development within the Appeal Site.
Site of Special Scientific Interest (SSSI)	There are a number of SSSI located in proximity to the Appeal Site, including Wraysbury Reservoir SSSI circa 145m to the south, Staines Moor SSSI circa 1.7km to the south-east, and Wraysbury No.1 Gravel Pit SSSI / Wraysbury & Hythe End Gravel Pits SSSI circa 1.6km to the south-west. The presence of these designations would not constitute a strong reason to refuse or restrict development within the Appeal Site.
Local Green Space	The Appeal Site is not located within or in proximity to a Local Green Space.
National Parks	The Appeal Site is not located within or in proximity to a National Park.
National Landscapes	The Appeal Site is not located within or in proximity to a National Landscape.
Defined Heritage Coast	The Appeal Site is not located in proximity to a defined Heritage Coast.
Irreplaceable habitats	The Proposed Development would not result in the loss or deterioration of any irreplaceable habitats.
Designated heritage assets	It is common ground that the impact of the Proposed Development on the nearby heritage assets is less than substantial, and the Council raises no objection on heritage grounds on the basis that the public benefits of the Proposed Development outweigh the less than substantial level of heritage harm (CD8.7 , §7.32). The agreed less than substantial degree of harm does not constitute a strong reason to refuse or restrict development within the Appeal Site.
Areas at risk of flooding or coastal change	The low risk of flooding from surface water extent does not constitute a strong reason to refuse or restrict development within the Appeal Site.

Table 4: Summary of Footnote 7 criteria in relation to the Appeal Site

Grey Belt Conclusion

- 4.85. The most recent iteration of the NPPF defines Grey Belt to include land which does not strongly contribute to any of purposes (a), (b) and (d). The NPPF also states that the Grey Belt definition 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.

4.86. In my judgement, the Appeal Site does **not** contribute ‘strongly’ to Purposes (a), (b) or (d) and my Grey Belt assessment findings are summarised at **Table 5** (below):

Receptor	Purpose (a): Checking unrestricted sprawl	Purpose (b): Preventing the merging of towns	Purpose (d): Preserving the setting and special character of historic towns
The Appeal Site	Moderate contribution	Weak contribution	No contribution

Table 5: Summary of Grey Belt assessment

4.87. There are **no** identified Footnote 7 constraints that would provide a strong reason for refusing or restricting the Proposed Development. As such, the Appeal Site is considered to meet all the requirements to be reclassified as Grey Belt land.

Green Belt Purposes across the Plan Area

4.88. NPPF §155 provides for the possibility of development in the Green Belt not being regarded as inappropriate subject to it meeting a series of criteria. Having established that the Appeal Site meets the definition of Grey Belt land, it is necessary to consider the second element of Criteria §155(a), namely whether the Proposed Development would fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.

4.89. My evidence has already demonstrated that the Appeal Site does not make a ‘strong’ contribution to Purposes (a), (b), and (d). By restricting development beyond urban boundaries Purpose (e), seeks to encourage the recycling of derelict and other urban land. As such all Green Belt land contributes towards this purpose. The loss of the Appeal Site for the purpose of a data centre and BESS would not undermine Purpose (e) as this is not a use which could be provided on derelict or other land elsewhere within the urban area, as evidenced by Mr. Alex Cole.

4.90. The only remaining Green Belt purpose which would be breached by the Proposed Development is Purpose (c), as the proposals would represent an irreversible encroachment of built form into the countryside (part of which is PDL).

4.91. An assessment of Purpose (c) requires consideration of the extent to which land constitutes ‘countryside’ on the basis of its usage. Some open land may, through its usage, have a stronger relationship with the adjacent urban area and, as a result, not be considered ‘countryside’ to the same degree as other open land. Equally, some land may be largely contained by urban development but may nonetheless retain, as a result of its usage and its size, a countryside character. In addition, the presence of urban development within an assessment parcel will clearly have an impact on the degree to which land is countryside.

4.92. The extent to which land can be considered to relate to an urban area or to the wider countryside can be referred to as the degree of ‘distinction’ from the urban area. Expansion into land that lacks strong distinction from a settlement is likely to have less perceived

encroaching impact on the countryside. The PAS guidance recognises this, stating that, when considering release of land:

“The most useful approach is to look at the difference between urban fringe – land under the influence of the urban area – and open countryside, and to favour the latter in determining which land to try and keep open, taking into account the types of edges and boundaries that can be achieved”. (CD13.17, p.6)

- 4.93. Parcel A relates more strongly to the existing urban development along Poyle Road, and its appearance and land uses are distinct from that of the landscape to the west. The areas of PDL within this part of the Appeal Site relate to the main access road from Poyle Road, the dwelling at the main entrance, and some of the buildings that address the main access road.
- 4.94. In this regard, should the remaining non-PDL part of Parcel A be returned to agriculture, in publicly accessible views from Poyle Road this land would be largely screened by intervening lawful development along the access road. Parcel A would continue to be perceived as semi-developed, with a degree of encroachment into the countryside already in place.
- 4.95. Parcel B is agreed to be undeveloped agricultural land; however, its character is that of settlement edge land given its adjacency with Poyle Road and Poyle Trading Estate immediately to the east. Parcel B is well-screened by roadside vegetation; however, from within this area there are views towards the upper floors of taller buildings within the industrial estate, and the noise and frequent movement of HGVs along is clearly perceptible. Nonetheless, Parcel B is well-contained by mature vegetation to the north, east, and south, ensuring that the proposed BESS would be barely perceptible from publicly accessible locations.
- 4.96. The Proposed Development would result in a physical intrusion into the countryside; however, in Parcel A this intrusion is partly mitigated by lawful PDL and built form along the main access road from Poyle Road. The Appeal Site as a whole relates more strongly to the existing urban development along Poyle Road. The Proposed Development benefits from a very limited visual envelope and the visual intrusion into the countryside would be modest.
- 4.97. The Hilton Hotel together with its associated car parking, and access roads are washed over by the Green Belt, and the Proposed Development would represent development of a similar scale and volume to this existing encroachment into the countryside.
- 4.98. The landscape strategy (outlined in the next section of my Proof) that supports the planning application includes mitigation and enhancement measures that would allow for the creation of a new campus that would provide a number of amenity, aesthetic, and ecological benefits.
- 4.99. On this basis, the Proposed Development would result in **Moderate** harm to Purpose (c).
- 4.100. The area of the Slough Green Belt measures approximately 867ha and therefore the area lost would be circa 0.94% in relation to the totality of Green Belt within the plan area of the borough. When considered in the round, the introduction of the Proposed Development would **not** ‘fundamentally’ undermine the purposes, when taken together, of the remaining Green Belt within the plan area of Slough Borough Council.
- 4.101. Criteria 155(a) is therefore satisfied and detailed evidence will be presented in respect of Criteria 155(b) and 155(c) by Mr. Mark Powney and Mr. Phil Murphy respectively.

5. Description of the Proposed Development.

- 5.1. The scheme design is described in detail by the SoCG (CD8.7, §3.4); however, a brief overview is provided below.
- 5.2. The Proposed Development consists of a hyperscale data centre within Parcel A and a Battery Energy Storage System (“BESS”) within Parcel B, with associated infrastructure and works as illustrated by **Figure 6** (below):

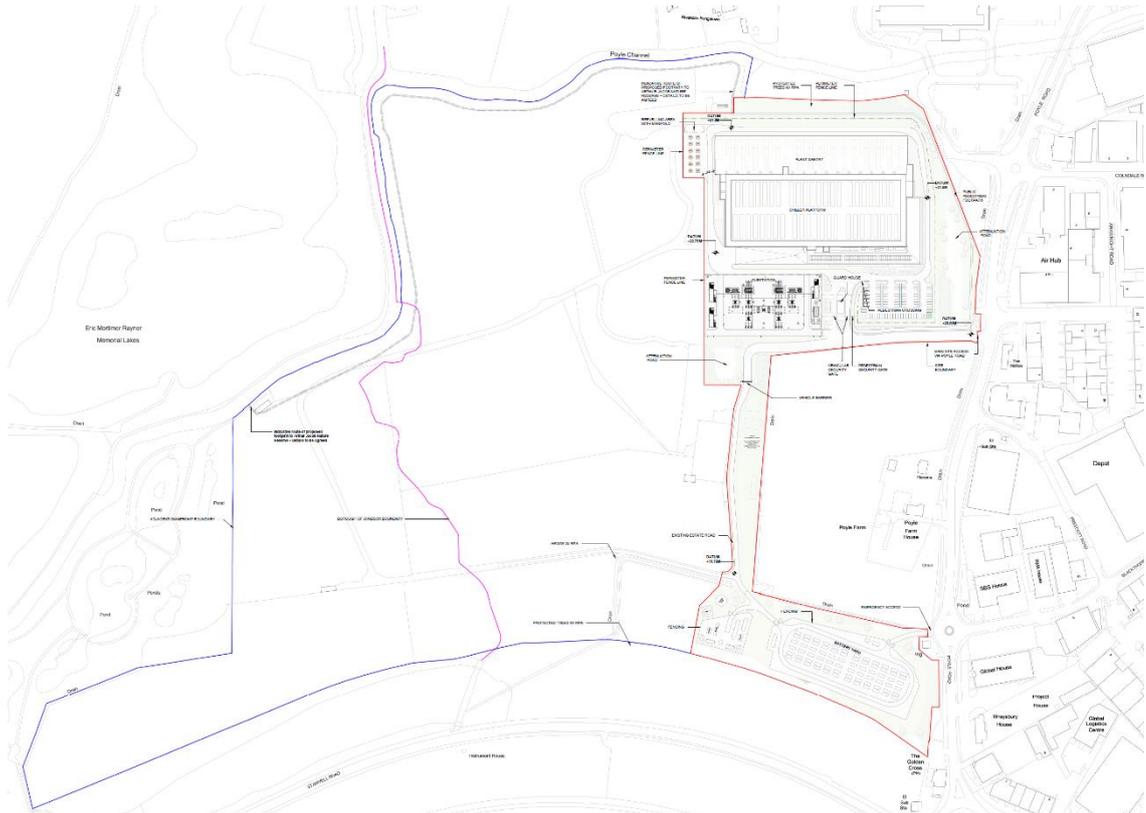


Figure 6: Extract from the Site Plan (Corban, CD2.6)

- 5.3. The main components of the Proposed Development include:
- The data centre consists of office floorspace, data halls, a generator gantry and fuel storage for backup generators, as well as 86 car parking spaces.
 - The proposed building, including the data halls and office, extends to a gross internal area of circa 36,368sqm, with a parapet height of 23m and maximum screen height of 30m, which is required to support the equipment contained at roof level.
 - Ancillary infrastructure and buildings associated with the data centre include a substation and the gate house. A loading bay is integrated within the ground floor of the building at its western end. An independently fenced substation facility is located in the south-western corner of Parcel A.
 - A one-way access road is proposed around the periphery of the data centre. The car parking is separated from Poyle Road by an attenuation pond.

- Parcel B contains the BESS. The BESS comprises a number of lithium-ion batteries with a 100 MW capacity system to store electricity which are contained within a strip of land.
- The BESS will connect to Parcel A and main access via a link road, serving as the primary point of entry.
- 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. This access is gated and is suitable for a fire tender if required.
- The Proposed Development includes upgrades to the existing main access junction into the Appeal Site from Poyle Road. The main access is proposed to be modified to provide a left-in/ left-out arrangement and an island to separate inbound and outbound vehicles. These works all fall within existing highways land off Poyle Road and will be delivered via a section 278 agreement.
- Additional works are proposed to improve pedestrian access to two nearby bus stops to the north of the site access, via new 2-metre-wide footways along the western side of Poyle Road. A new pedestrian crossing is also proposed immediately south of the Appeal Site access.
- The existing secondary access to the Appeal Site off Poyle Road will be repurposed as a dedicated pedestrian/cycle route that connects to an on-site footpath, which runs to the north and provides public access to Arthur Jacobs Nature Reserve on land in the Appellant's control.
- The Appellant proposes a range of habitat, ecological and biodiversity enhancements including a biodiversity net gain well in excess of 10%, with a net gain of 115.23% for habitat units and 10.07% for hedgerow units.
- Sustainable Urban Drainage System features are proposed to provide the necessary drainage for the Appeal Site.

Landscape Strategy

- 5.4. The 'Vision' for the landscape proposals is to provide a successful landscaped environment which respects the existing landscape character, supports the biodiversity of the spaces and provides a pleasant space for users, please refer to Section 4.5 of the DAS (**CD1.36**).
- 5.5. The key landscape principles include:
- To create a high-quality environment with an attractive green outlook;
 - To retain and enhance the natural environment, supporting the existing local landscape character;
 - To protect, create and support habitats for biodiversity, allowing species to survive and thrive; and
 - To provide on-site landscape treatments enhancing the wider Green Belt context.

Parcel A

- 5.6. The landscape strategy states that large ‘swathes’ of existing vegetation will be retained along the northern boundary of Parcel A, with additional planting in the north-east corner to filter views and extend the existing habitat. The eastern side of this part of the Appeal Site includes an attenuation basin forming part of the wider sustainable urban drainage system which would be appropriately landscaped with a wildflower meadow which is tolerant of seasonally wet soils, and planted at the edge with trees which can thrive on wet soils.



Figure 7: View of Data Centre from main entrance (Corgan, CD1.36)

- 5.7. A new bund on the south-eastern of this part of the Appeal Site provides additional height to a block of woodland planting, to assist in the screening/softening of the built form in views from Poyle Road.
- 5.8. The car parking area and main entrance areas benefit from a more formal planting style. The car park includes hedgerows, ornamental planting and regularly spaced trees to soften the appearance of this hard landscaped area and to provide seasonal interest. The main entrance is intended to provide a visually pleasing and welcoming environment, guiding visitors to the reception area.

To the front of the office building, raised beds are proposed to bring structure to the planting, to offer the opportunity for employees to enjoy the landscape, with outdoor seating provided for individual and group use.

Parcel B

- 5.9. The landscape proposals within Parcel B focus on retaining and enhancing the existing natural habitat, through the addition of scattered native tree species, large swathes of native shrub planting (to the northern and eastern boundary) and the introduction of tussock grassland and wildflower meadows.

- 5.10. An existing hedgerow on the western side of Parcel A is proposed for translocation along the link road between Parcel A and Parcel B.



Figure 8: View of office frontage of the Data Centre (Corgan, CD1.36)

Summary

- 5.11. The DAS describes the development proposals clearly and logically. The design approach allows for the security fencing to be offset from the red line boundary such that a green buffer can be introduced along Poyle Road to increase screening of the data centre where the Appeal Site is most visually exposed.



Figure 9: View of the proposed footpath to Arthur Jacob Nature Reserve (Corgan, CD1.36)



- 5.12. This approach arranges the three primary structures: the Office Building, the Data Halls, and the Generator Gantry into a cohesive cluster, each rising to 3-storeys. The data centre is located as far to the west as possible within the Appeal Site, increasing its distance from both the main entrance on Poyle Road and the Grade II Listed 'The Hollies' building on the opposite side of Poyle Road.
- 5.13. The Generator Gantry and Office buildings, located to the north and south-east of the Data Halls respectively, are designed with lower heights, creating a smooth transition in building elevations across the cluster.
- 5.14. From a landscape and visual perspective, this approach is considered appropriate to the Appeal Site context and offers the potential for a sensitive and nuanced interface with the existing settlement edge. The substation is located to the west of Parcel A, with the tree-planted car parking area at the sensitive south-eastern corner of the data centre, to the front of the office building.
- 5.15. The range of offsite public realm enhancements proposed, including a new access and footpath to the Arthur Jacob Nature Reserve, pedestrian access improvements to the Colndale Road bus stop, and an enhanced pedestrian crossing on Poyle Road, bring meaningful improvements to the area and its residents and visitors.

6. Effect on Character & Appearance.

6.1. The planning application was accompanied by a Landscape and Visual Impact Assessment (LVIA, **CD1.45**) that:

- described the landscape character of the Appeal Site and its surroundings and evaluated its sensitivity to change and, taking into account the magnitude of change, assessed the effect that the Proposed Development would have on the landscape character; and
- identified potential visual receptors (i.e. people who would be able to see the Proposed Development) and evaluated their sensitivity to change and, taking into account the predicted magnitude of change, assessed the effect that the Proposed Development would have on visual amenity.

6.2. It is common ground that the methodology used in the submitted LVIA is acceptable and complies with good practice, including the Guidelines for Landscape and Visual Impact Assessment (GLVIA3) published by the Landscape Institute and IEMA (**CD13.6**, §7.47).

Landscape Character

National Level

6.3. At a national level, the Appeal Site falls within National Character Area (NCA) **Profile 115: Thames Valley (CD13.9)**. NCA 115 is characterised as a mainly low-lying, wedge-shaped area, which includes Slough, Windsor, the Colne Valley and the southwest London fringes. The River Thames provides a unifying feature through a very diverse landscape of urban and suburban settlements, infrastructure networks, fragmented agricultural land, historic parks, commons, woodland, reservoirs and extensive minerals workings.

6.4. Relevant key characteristics include:

- *“Flat and low-lying land, rising to low, river-terraced hills, which include the prominent local outcrop of chalk on which Windsor Castle sits.*
- *The underlying geology is dominated by the London Clay which, overmuch of the area, is overlain by river-lain sands and gravels.*
- *The numerous hydrological features provide unity to an area which otherwise lacks homogeneity; these features include the River Thames and its tributaries, streams, lakes, canals and open waterbodies (the result of restored gravel workings) ...*
- *Farming is limited. Where it survives, grazed pasture is the major land use within a generally open, flat and featureless landscape. The field pattern is medium-scale and irregular, with smaller fields to the west. Localised areas of species-rich hay meadows provide a splash of colour in summer.*
- *Although densely populated and developed, pockets of woodland, open grassland, parkland, wetlands and intimate meadows provide escape and tranquility, and include a variety of habitats supporting important populations of many species, notably stag beetle, shoveler, gadwall and other invertebrates and wildfowl.*

- *Towards London in the east, the natural character of the area is overtaken by urban influences: a dense network of roads (including the M25 corridor), Heathrow Airport, railway lines, golf courses, pylon lines, reservoirs, extensive mineral extraction and numerous flooded gravel pits ...*
- *To the south, the open Thames flood plain dominates, with its associated flat grazing land, becoming characterised by a number of formal historic landscapes on higher ground. Between Hampton and Kew, the River Thames forms the focus of a series of designed landscapes.*
- *The area has an urban character, and there are very few villages of more traditional character, although almost half of the area is greenbelt land and development has been restricted in areas like Crown Estate land and Eton College grounds.*
- *The river is closely associated with numerous historic places and cultural events, such as the signing of Magna Carta at Runnymede. Tourists from all over the world are drawn to the rich heritage of the area, flocking to attractions like Hampton Court Palace and Windsor Castle.*
- *The area is important for recreation, both for residents and visitors. Historic parkland and commons provide access to green space, the Thames Path National Trail runs the length of the NCA, and a variety of activities are enjoyed on the river and other waterbodies."*

6.5. The national assessment covers a wide area and, whilst it provides useful background and context to the wider area, the scale is such that the LVIA concludes that there would be no notable effects resulting from the Proposed Development. I **agree** with this conclusion, and this has been agreed as a matter of common ground (**CD8.7**, §7.48).

Regional Level

6.6. The Council has not prepared a Landscape Character Assessment for the Borough. Given this absence, the *Colne Valley Regional Park Landscape Character Assessment (2017, CD13.5)* has been useful for the identification of broad landscape character types. It locates the Appeal Site in the **Lowlands Character** type, described as:

"... a low lying, relatively flat to gently sloping landscape comprising a large alluvial fan or floodplain. There are numerous water channels often comprising distributaries of a main river and evidence of former meads. Underlying gravel deposits result in extensive areas of lakes from former mineral extraction sites as well as landfill sites and areas of active extraction. This landscape varies in terms of woodland cover and sense of openness. Its proximity to major centres of population mean it has accommodated the needs of conurbation including construction of reservoirs and major transport hubs."

6.7. The assessment locates the Appeal Site in the north-eastern corner of Landscape Character Area (LCA) **Horton and Wraysbury Lowlands**, characterised as having a flat, low-lying character. The assessment notes that *"This landscape character area comprises part of the Thames floodplain and River Colne alluvial fan and has a flat low-lying character. Much of the area has been altered by gravel extraction and the construction of reservoirs resulting in a repetitive pattern of large lakes and steep reservoir embankments. Between these waterbodies are braided channels of the Colne Brook, and Colne and Wraysbury Rivers, remnant meadows and historic villages"* (**Appendix D**, internal page 55).

6.8. The location of the Appeal Site within LCA Horton and Wraysbury Lowlands is illustrated at **Figure 10** (below):

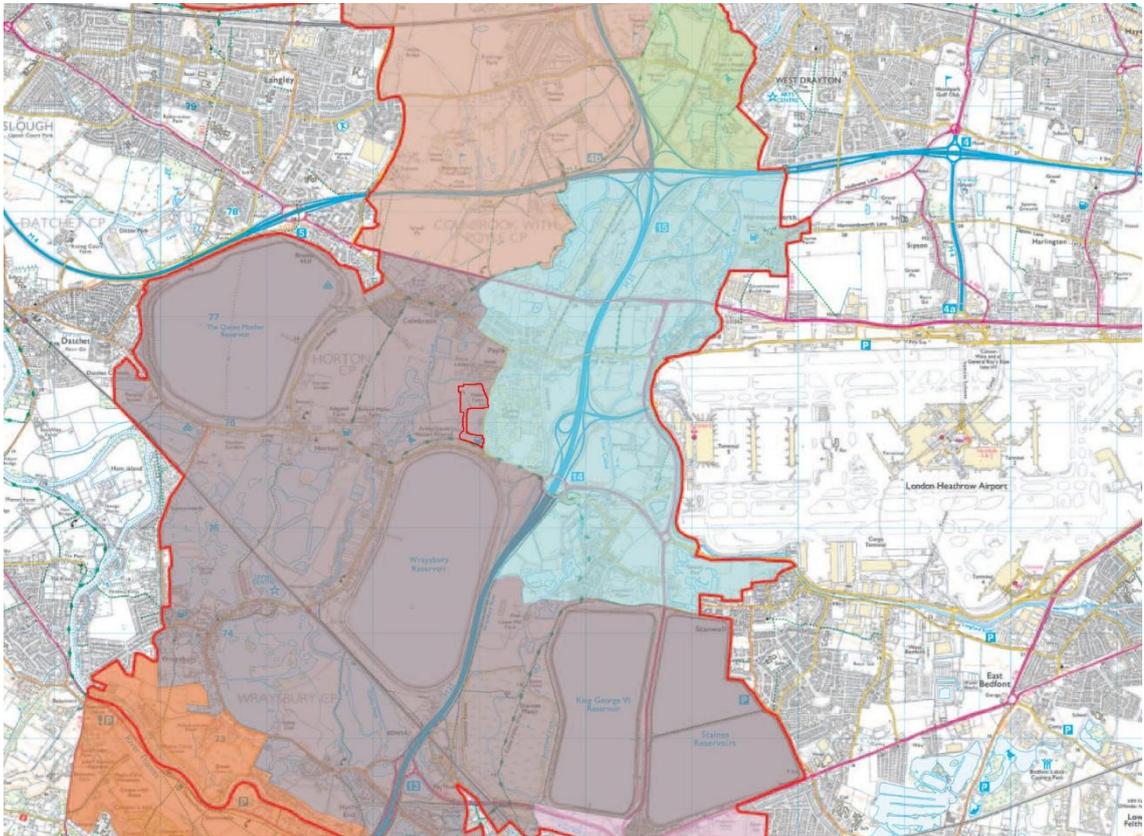


Figure 10: Extract from the Colne Valley Regional Park Landscape Character Assessment (2017)

6.9. The relevant key characteristics include:

- Flat, low lying alluvial fan/floodplain;
- Alluvial deposits underlain by London Clay Formation comprising clay, silt and sands;
- Area significantly altered by large reservoirs and lakes in former gravel pits;
- Course of Colne Brook, Colne and Wraysbury Rivers obscured by artificial lakes;
- Artificial reservoir embankments rise to 20m and contrast starkly with otherwise flat topography of the area and dominate adjoining settlement and road corridors;
- Land use is predominately lakes with remnant areas of pasture (including reservoir embankments) and some medium scaled arable fields in the north;
- Expansive naturalised and restored man-made wetland landscape of ecological importance particularly for over wintering birds;
- Expansive area of historical 'mead' at Staines Moor;
- Areas of active sand and gravel extraction in the north, visible from Cooper's Hill;

- Dissected by M25, railway and affected by flight paths to/from Heathrow;
- Some views across open expanses of water but most views are contained by vegetation around lakes, resulting in contrasting areas of openness and enclosure;
- Historic villages of Colnbrook, Horton and Wraysbury each with notable listed structures such as churches, windmill, mill buildings and coach houses; and
- Significant water-based activity and passive recreation although there is a relative lack of footpaths around Colnbrook, Horton and Wraysbury.

6.10. The assessment notes that *“gravel extraction and ground restoration have enabled waterborne recreation, however public footpaths have become severed or lost, while others such as the Colne Valley Way run on embankment between wetland areas. Although this landscape contains sizeable bodies of water it is often difficult to get a clear appreciation of this due to the elevated embankments of the reservoirs or the dense vegetation which surrounds many of the lakes. Nevertheless, the public footpath across the Staines reservoir gives a surreal exposure to the vast expanses of water elevated views across the surrounding landscape”* (Appendix D, internal page 56).

6.11. The Colne Valley Assessment locates areas to the east of Poyle Road, including the Poyle Industrial Estate, in LCA **Colne Valley: Harmondsworth to Stanwell Moor** described as *“a lowland landscape with limited variations in topography and is significantly affected by infrastructure serving the airport and or visual/audible intrusion of aircraft manoeuvres”* (Appendix D, internal page 52).

6.12. The relevant key characteristics include:

- Low lying floodplain associated with the lower reaches of River Colne;
- Alluvial deposits underlain by Thames Group comprising clay, silt, sand and gravel;
- Area dissected by numerous roads servicing airport – M25, A3044, A4 and A3113;
- Large scale industrial/commercial development west of M25 and around airport perimeter – including pavilion style commercial properties and distribution centres;
- Former areas of gravel extraction resulting in some small lakes and rough grazing;
- Extant mineral extraction activity in places;
- Historic villages of Stanwell Moor, Longford and Harmondsworth associated with the fringes of the River Colne;
- Area affected by aircraft flight paths and landing/take off manoeuvres with significant noise and visual intrusion; and
- Heathrow air traffic control tower (beyond character area to east) and chimney of Grndon Lakeside Road Incinerator are local landmarks.

6.13. The assessment notes that through *“much of the area, except for Harmondsworth Country Park, there is limited accessibility via footpaths and bridleways. Recreational opportunity and*

experience is therefore constrained and often interrupted by development and transport routes such that the River Colne can be difficult to perceive or experience". The assessment concludes that "... the land has become extensively developed forming the Poyle Trading Estate ... The area is dominated by large industrial sheds, distribution warehouses and commercial developments" (Appendix D, internal page 53).

- 6.14. These published landscape character assessments are considered to accurately represent the existing character of the CVRP in the vicinity of the Appeal Site. The overarching impression is of a heavily degraded landscape significantly altered by the introduction large reservoirs and lakes in former gravel pits. The reservoir embankments rise to 20m and contrast starkly with otherwise flat topography of the area and dominate adjoining settlement and road corridors, interrupting local views. There continues to be areas of active sand and gravel extraction in the north and west of the Appeal Site.
- 6.15. The LVIA concluded the that the value of LCA Horton and Wraysbury Lowlands within the study area was Medium, on the basis of a generally good condition with some scenic quality and distinctiveness and landscape elements that provide a sense of character and place. The LCA was considered to have a Medium susceptibility to the type of change proposed and was therefore assessed as being of **Medium** sensitivity (CD1.45, §4.13).
- 6.16. On completion, the LVIA concluded Proposed Development to the north of the Appeal Site would be experienced within the context of the existing industrial estate and other development to the west of Poyle Road. It would not introduce incongruous features to the prevailing pattern of townscape. There would be limited perception of change from locations beyond the Appeal Site. To the south, the proposed BESS and associated infrastructure would introduce features to a currently undeveloped parcel of land; however, this development would be barely perceptible from the wider area. The magnitude of change experienced by this LCA was therefore judged to be Low; the resultant landscape effects were therefore predicted be **Low** (neutral). The effects were judged to be neutral because the Appeal Site is located at the eastern most extent of the LCA, and the key characteristics of the LCA (see above) would be unaffected following completion of the Proposed Development (CD1.45, §4.25).
- 6.17. The LVIA concluded the that the value of LCA Colne Valley: Harmondsworth to Stanwell Moor within the study area was Low, as it comprises areas in commercial use, with low scenic quality or importance (CD1.45, §3.49). The LCA was assessed as having a Low susceptibility to the type of development proposed and was therefore assessed as being of **Low** sensitivity (CD1.45, §4.14). The magnitude of change experienced by the LCA was judged to be Negligible and on balance, there would be **No** landscape effects arising from the introduction of the Proposed Development (CD1.45, §4.27).
- 6.18. I have carefully reviewed the LVIA findings and broadly agree with them; however, I find that within the 1km study area, LCA Horton and Wraysbury Lowlands represents an undesignated landscape including urban / rural fringe of unremarkable character. The landscape condition is often poor, with an evident lack of maintenance and areas of fly-tipping. There is significant traffic movement and built infrastructure, with noticeable absence of tranquillity. Overall, I conclude a Low value, with a Low susceptibility, given the detracting features within the LCA.
- 6.19. On this basis, I consider that the LCA has a Low sensitivity; however, I agree with the LVIA findings that the magnitude of change will be Low. I predict that the resultant landscape effects to be **Low** (neutral) following the completion of the Proposed Development.

6.20. In relation to LCA Colne Valley: Harmondsworth to Stanwell Moor, I generally **agree** with the findings of the LVIA but take a slightly precautionary stance. My conclusions are summarised within **Table 6** (below):

Receptor	Sensitivity	Magnitude	Overall Effect
LCA Horton and Wraysbury Lowlands	Low	Low	Minor (neutral)
LCA Colne Valley: Harmondsworth to Stanwell Moor	Low	Negligible	Negligible (neutral)

Table 6: Summary of predicted effects on landscape character receptors

6.21. The *Colne & Crane Valleys Green Infrastructure Strategy (2019, CD13.4)* is intended to inform both the design of development proposals and their mitigation by advocating a co-ordinated approach to the landscape. It provides detailed strategies for different areas of the CVRP.

6.22. The Site falls within **South Colne Sub–Area 3**, described as (**CD13.3**, internal page 51):

“... characterised by flatter topography as the River Colne approaches its confluence with the Thames. Braided watercourses and flood meadows typify the landscape, which is dominated in aerial views by a series of large reservoirs, the product of historic gravel extraction industry in the area. The South West London Reservoirs are internationally significant for the populations of overwintering birds they support, some from as far afield as the Arctic. This area also includes Heathrow airport and the extensive associated transport infrastructure.”

6.23. The Appeal Site falls within sub–area SC209 Arthur Jacob Nature Reserve & Poyle Community Woodland which has specific objectives of conserving and managing the existing nature reserve and community woodland and improving access to the river corridor.

6.24. In this regard the introduction of a new footpath link between Poyle Road and the Arthur Jacobs Nature Reserve addresses the objective of improving access to the Colne Brook river corridor, the nature reserve, and Poyle Poplars.

6.25. More generally, the Proposed Development has the potential to contribute to the GI strategy for South Colne and Heathrow, including improvements to the landscape and connectivity for people and wildlife, conservation and enhancement of valuable ecological habitats, and the promotion of access for all to new and improved landscape destinations.

The Existing Character of the Appeal Site

6.26. It is common ground that the Appeal Site is made up of both PDL and undeveloped land (**CD8.7, §2.5**). There is existing development in Parcel A. This area measures 5.8ha and, at the time the planning application for the Proposed Development was submitted, land uses included: an HGV maintenance workshop; car parking and valet parking associated with Heathrow Airport; building, sand and gravel supplies; and metalworks/welding.

- 6.27. The LVIA describes the Appeal Site as comprising two parcels of land (referred to as 'Parcel A' and 'Parcel B'), linked by a narrow strip of land which contains an existing track, referred to as 'the Link Road', with a total area of 8.56 hectares (**CD1.45**, §3.3).
- 6.28. Parcel A is described at §3.4 – 3.14, noting that this part of the Appeal Site *"is currently occupied by various storage, transport and light industrial uses. The parcel contains built form, including a brick building at the entrance from Poyle Road (Photo A), storage containers, stock piles and extensive areas of hard standing (Photos B-C)"* and *"(t)he areas of hard standing are used extensively as parking for coaches and commercial vehicles"*.
- 6.29. Parcel B is described at §3.15 – 3.23 as being *"in agricultural use and does not contain any built form"* and also *"grassed, contained by a mature tree belt to the south (Poyle Poplars) and by mature field hedgerows to the north and east (Photo J)"*.
- 6.30. No landscape designations were identified in relation to the Appeal Site, although the LVIA records that it is located within the Colne Valley Reginal Park (the 'CVRP'), and the following landscape receptors were identified (with their respective landscape values, §3.46 – 3.47):
- Parcel A – **Poor** value (a degraded landscape in poor condition and no scenic quality and low importance).
 - Parcel B – **Low** value (a landscape in variable condition or with low scenic quality and importance. Potential for substitution).
 - Trees and hedgerows on the Appeal Site and boundaries – **Medium** value (a landscape in good condition; with moderate importance and scenic quality. Limited potential for substitution).
- 6.31. At §4.10 – 4.12 the LVIA concludes a **Low** sensitivity of Parcel A; a **Medium** sensitivity for Parcel B; and a **Medium** sensitivity for trees and hedgerows.
- 6.32. The LVIA considers the potential effects to these receptors at §4.18 – 4.24, noting that there would be *"temporary localised effects on the character of the receiving landscape during the demolition and construction phases of the Proposed Development"* (§4.15) and *"(w)hilst it is not considered that the effects experienced during the demolition and construction phases would be beneficial, they would be short term and temporary in nature and are not considered further in this appraisal"* (§4.17).
- 6.33. The LVIA concludes that the introduction of the Proposed Development would increase the quantum of built form in Parcel A, creating a new character, and therefore the magnitude of change experienced would be High. In addition, the LVIA judged that the effects would be neutral rather than adverse on Parcel A because the existing degraded character of the parcel would be replaced by a *"coherent, masterplanned scheme. The amount of tree cover would increase and the number of vehicle movements, particularly of HGVs and coaches, would reduce"*. The overall landscape effects experienced by Parcel A were predicted to be **Moderate** (neutral) (§4.19).
- 6.34. In relation to Parcel B, the LVIA concluded that the Proposed Development of Parcel B would introduce development to a currently undeveloped site. The magnitude of change experienced would be High and the landscape effects experienced would be **Moderate** (adverse) (§4.20).

6.35. The magnitude of effect experienced by trees and hedgerows following the introduction of the Proposed Development was judged to be Negligible as there would be a very minor loss of trees and hedgerows. It is considered that there would consequently be **No** landscape effects on the trees and hedgerows associated with the Site (§4.27).

6.36. The LVIA conclusions are summarised within in **Table 7** (below):

Receptor	Sensitivity	Magnitude	Overall Effect
Parcel A	Low	High	Moderate (neutral)
Parcel B	Medium	High	Moderate (adverse)
Trees & hedgerows	Medium	Negligible	None (N/A)

Table 7: Summary of predicted effects on the character of the Appeal Site

6.37. I have carefully reviewed the LVIA analysis above and generally agree with the findings; however, I would reduce the magnitude of effect for Parcel B to Medium to reflect the lower-lying profile of the BESS containers and the proportion of that part of the Appeal Site that would remain undeveloped. Using the LVIA author’s methodology (and my own), this would still result in a **Moderate** (adverse) level of harm.

6.38. In addition, I take a slightly more precautionary approach for on-site trees and vegetation to reflect the limited amount of vegetation removal / translocation required to facilitate the Proposed Development and conclude a **Negligible** (adverse) effect for this receptor. In all other regards, I consider the LVIA judgements to be appropriate given the author’s appreciation of the extent of lawful development within the Appeal Site.

6.39. However, taking a similar approach to the Grey Belt appraisal and thereby assuming that Parcel A comprises some PDL and some unlawful development that is required to be brought back into agricultural use, an alternative assessment is considered necessary. This alternative position would also require unlawful development in the land connecting Parcels A and B to be returned to agriculture. This creates a new future baseline for the landscape assessment to consider.

6.40. On this basis, the starting position would be that the Appeal Site is comprised of agricultural land, with the exception of lawful development with Parcel A. For the purposes of this assessment, this lawful development is assumed to include the access road from Poyle Road, the residential dwelling at the main entrance, and other lawful development addressing the main access road.

6.41. On this basis, the future baseline assumes that much of the existing hardstanding within Parcel A is returned to agricultural land, typically in areas to the north of the lawful built form along the main access road.

6.42. No change to the existing baseline conditions for Parcel B is judged necessary, as it is common ground that this part of the Appeal Site is undeveloped land.



- 6.43. To consider the sensitivity of the future baseline and the likely effects arising from the Proposed Development, I make use of my own methodology included at **Appendix A**.
- 6.44. The Landscape Institute has provided guidance in relation to the assessment of landscape value outside national designations (**CD13.7**). This guidance is considered appropriate given that no national landscape designations have been identified in relation to the Appeal Site.
- 6.45. The guidance identifies the following factors that can be considered when identifying landscape value:
- **Natural heritage:** *Landscape with clear evidence of ecological, geological, geomorphological or physiographic interest which contribute positively to the landscape.* This part of the Appeal Site would be land returned to agriculture from its former commercial land use. The Council's SoC acknowledges that the land within Parcel A has been considerably degraded with the remnants of the inert waste material spread across this part of the Appeal Site (**CD10**, §6.109). The restoration process would therefore require the removal of this degraded land and other compacted hardstanding to an appropriate depth. This volume of spoil would then need to be replaced by appropriate offsite topsoil and subsoil. In addition, there is little onsite vegetation of note and the existing mature hedgerow to the west of the Appeal Site is proposed for transplantation to the link road area. The value of the future natural heritage in Parcel B is judged to be **Low**.
 - **Cultural heritage:** *Landscape with clear evidence of archaeological, historical or cultural interest which contribute positively to the landscape.* The cultural heritage of Parcel A relates to its previous industrial use, and historic agricultural use. It is understood that the western part of Parcel A has been used for minerals and aggregates extraction and landfill in the twentieth century. The value of the future cultural heritage in Parcel B is judged to be **Low**.
 - **Landscape condition:** *Landscape which is in a good physical state both with regard to individual elements and overall landscape structure.* Following restoration of parts of Parcel A to agriculture, the landscape condition of Parcel A would undoubtedly improve; however, the land's future condition would be reliant upon sustained agricultural use. It is not clear that this would be viable. The future landscape condition is judged to be **Medium**.
 - **Associations:** *Landscape which is connected with notable people, events and the arts.* There are **no** identified associations.
 - **Distinctiveness:** *Landscape that has a strong sense of identity.* The restoration of parts of Parcel A to agriculture would result in a return to its historic use; however, this type of restoration is common place in the surrounding landscape. There would be no increased distinctiveness to the future baseline, and the land returned to agriculture would be largely screened from view by lawful development. The future baseline would only offer a **Low** level of distinctiveness.
 - **Recreational:** *Landscape offering recreational opportunities where experience of landscape is important.* There are **no** recreational opportunities in the future baseline.
 - **Perceptual (Scenic):** *Landscape that appeals to the senses, primarily the visual sense.* The restoration of parts of Parcel A to agricultural use would not increase the

perceptual value of the Appeal Site, as the change would be largely screened from view by lawful development. The future perceptual (scenic) value is judged to be **Low**.

- **Perceptual (Wildness and tranquillity):** *Landscape with a strong perceptual value notably wildness, tranquillity and/or dark skies.* The parts of Parcel A that are to be returned to agriculture would be enclosed by the Hilton Hotel (and its car park) to the north; Poyle Road to the east; and existing lawful development within Parcel A to the south. There would be no change the perceptual; value of the Appeal Site, as the immediate surrounding context would remain. The future perceptual (wildness and tranquillity) value is judged to be **Low**.
- **Functional:** *Landscape which performs a clearly identifiable and valuable function, particularly in the healthy functioning of the landscape.* In the best-case scenario, the function of parts of Parcel A would return to agricultural use; however, if this use was not viable for any reason it is likely that the land would lie fallow. Given the requirement for importation of topsoil to facilitate the restoration of this land to agriculture, the functional value is judged to be **Low** (i.e. the land is likely to be low-quality in agricultural terms).

6.46. Overall, the landscape value of Parcel A is likely to be similar to that of Parcel B, itself used for minerals and aggregates extraction and landfill in the twentieth century, following its return to agriculture. On this basis, I consider the future baseline of Parcel A to have a **Low** value.

6.47. On this basis, I do not consider the Appeal Site to be a ‘valued’ landscape as per §187(a) of the NPPF. This is common ground with the Council (**CD8.7, §7.54**).

6.48. The return of the land to agriculture increases the susceptibility of Parcel A from Low (current baseline) to Medium (future baseline). On this basis, the sensitivity of Parcel A also increases to **Medium**.

6.49. In common with the LVIA, I consider that the introduction of the Proposed Development would increase the quantum of built form within Parcel A creating a new character typology. The magnitude of change experienced would therefore be High; however, there are number of beneficial effects arising from the proposed landscape strategy. On this basis, I judge that the overall level of effect would be **Major** (adverse).

6.50. On this basis, the predicted landscape effects in relation to the future baseline for the Appeal Site are summarised at **Table 8** (below):

Receptor	Sensitivity	Magnitude	Overall Effect
Parcel A	Medium	High	Major (adverse)
Parcel B	Medium	Medium	Moderate (adverse)
Trees & hedgerows	Medium	Negligible	Negligible (adverse)

Table 8: Summary of predicted effects on the character of the Appeal Site

Visual Amenity

- 6.51. Visual amenity is defined on page 158 in the Glossary of GLVIA3 (**CD13.6**) as:
- “The overall pleasantness of the views people enjoy of their surroundings, which provides an attractive visual setting or backdrop for the enjoyment of activities of the people living, working, recreating, visiting or travelling through an area.”*
- 6.52. Establishing the locations from which the Appeal Site is visible has been undertaken through a combination of desk-based work, reviewing the topography and the locations of potential intervening visual barriers such as built form and significant vegetation within the study area, and during field surveys.
- 6.53. During the field surveys, public footpaths and roads in the local area were walked to determine the extent of intervisibility with the Appeal Site, acknowledging that there can be a contrast in visibility between summer and winter months, with trees during the summer screening some views towards the Appeal Site. It is common ground that the LVIA has assessed the key viewpoints (**CD8.7, §7.55**).
- 6.54. The LVIA identifies the groups of people – the ‘visual receptors’ – who are likely to have views towards the Appeal Site and, potentially, the completed Proposed Development.
- 6.55. It is common ground that the LVIA states that views towards the Appeal Site are screened and/or filtered from several publicly accessible viewpoints and that following the completion of the Proposed Development (**CD8.7, §7.56**):
- Users of Horton Bridleway 4 to the west of the Appeal Site will experience **Minor** effects;
 - Users of the PRoW passing through Poyle Poplars will experience **Negligible** effects;
 - Visitors to the Arthur Jacob Nature Reserve will **not** experience any adverse effects;
 - Users of Poyle Road will experience **Minor** effects;
 - Residents of Floroma and Poyle Farmhouse will experience **Minor** effects; and
 - Residents of properties on Poyle Road to the north of the Appeal Site will **not** experience any adverse effects.
- 6.56. I consider the LVIA findings to be appropriate and broadly reflect my own findings after having completed several Appeal Site visits. I note that the Council have not alleged any harm to visual amenity in their SoC (**CD10**).
- 6.57. The consultation response sent by The Colne Valley Regional Park (sent 5th March 2025, **CD3.11**) suggests seven additional ‘vulnerable’ viewpoints to be considered – i.e. these locations were not considered by the submitted LVIA:
- High points at Harmondsworth Moor Country Park;
 - High points in the T5 Colne Valley Mitigation land – not accessible during site visit;
 - Staines Moor (not enclosed by trees so has many far-reaching views);

- Causeway across Staines Reservoir;
- Coopers Hill, Runnymede;
- Sailing Club, Queen Mother Reservoir; and
- Colne Valley Trail as it crosses the M4 motorway.

6.58. To assess the effects arising from the Proposed Development in relation to receptors at these viewpoints a series of additional visualisations have been prepared (please refer to **Appendix G**). The views have been prepared in accordance with Landscape Institute guidance (**CD13.16**); however, I note that this guidance is currently under review:

- **Type 1** Annotated Viewpoint Photographs: Reproduced at a size which aids clear understanding of the view and context, these simply show the extent of the Appeal Site within the view and annotate any key features within the view.
- **Type 3** Wirelines: Encompasses photomontages and wirelines commonly produced to accompany planning applications, LVAs and LVIA's. They provide a reasonable level of locational and photographic accuracy but are not suitable for the most demanding and sensitive of contexts. Type 3 visualisations do not need to be accompanied by verification data, nor is a precise survey of features and camera locations required. Although minimum standards are set for image presentation, the visualisations do not need to be reproduced with scale representation.
- **Type 4** Wirelines: Require the use of equipment and processes which provide quantifiable verification data, such that they may be checked for accuracy (as per industry-standard 'AVRs' or 'Verified Views'). Precise survey of features and viewpoint / camera locations may be included where warranted. Type 4 visualisations are generally reproduced with scale representation. Type 4 visualisations represent the highest level of accuracy and verifiability for use in the most demanding of situations.

6.59. To better understand the extent of intervisibility with the surrounding area, a **Screened Zone of Theoretical Visibility (SZTV) Plan** has been prepared (my **Figure 7**), and the viewpoint locations for the additional views are illustrated by my **Viewpoint Location Plan** at **Figure 7**. A summary of the predicted visual effects arising from the Proposed Development for receptors at these additional viewpoints is set out in **Table 9** (below):

Receptor	Sensitivity	Magnitude	Overall Effect
<i>Places of Interest</i>			
High points at Harmondsworth Moor Country Park Viewpoint 1 – Type 1	Medium – High <i>Val: Medium</i> <i>Sus: High</i>	Year 1: Negligible Year 15: Negligible	Negligible <i>(adverse)</i> Negligible <i>(adverse)</i>
Staines Moor Viewpoint 2 – Type 4	Medium – High <i>Val: Medium</i> <i>Sus: High</i>	Year 1: None Year 15: None	None <i>(adverse)</i> None <i>(adverse)</i>

Coopers Hill, Runnymede Viewpoint 3 – Type 4	High <i>Val: High</i> <i>Sus: High</i>	Year 1: Low	Moderate <i>(adverse)</i>
		Year 15: Low	Moderate <i>(adverse)</i>
Datchet Sailing Club, The Queen Mother Reservoir Viewpoint 4 – Type 4	Medium <i>Val: Medium</i> <i>Sus: Medium</i>	Year 1: Medium	Moderate <i>(adverse)</i>
		Year 15: Medium	Moderate <i>(adverse)</i>
Heritage Assets			
Rudsworth Close, southern edge of Colnbrook Conservation Area Viewpoint 5 – Type 3	Medium – High <i>Val: Medium</i> <i>Sus: High</i>	Year 1: Low	Minor <i>(adverse)</i>
		Year 15: Low	Minor <i>(adverse)</i>
East Terrace, Windsor Castle Viewpoint 6 – Type 3	High <i>Val: High</i> <i>Sus: High</i>	Year 1: None	None <i>(adverse)</i>
		Year 15: None	None <i>(adverse)</i>
Public Rights of Way & Long-Distance Footpaths			
Causeway across Staines Reservoir Viewpoint 7 – Type 4	Medium – High <i>Val: Medium</i> <i>Sus: High</i>	Year 1: Negligible	Negligible <i>(adverse)</i>
		Year 15: Negligible	Negligible <i>(neutral)</i>
Colne Valley Trail as it crosses the M4 motorway Viewpoint 8 – Type 1	Medium <i>Val: Low</i> <i>Sus: High</i>	Year 1: Negligible	Negligible <i>(adverse)</i>
		Year 15: Negligible	Negligible <i>(adverse)</i>
Colne Valley Trail as it follows Stanwell Road Viewpoint 9 – Type 3	Medium <i>Val: Low</i> <i>Sus: High</i>	Year 1: None	None <i>(N/A)</i>
		Year 15: None	None <i>(N/A)</i>

Table 9: Summary of predicted visual effects

Summary

- 6.60. Following the completion of the Proposed Development, some local views towards Parcel A would change, given the increased visibility of the proposed data centre when compared to the existing lawful development that currently occupies the Appeal Site. In general, views are restricted to the immediate vicinity of the Appeal Site, where the worst-case effects are agreed to be Minor. In the wider context, there is intervisibility from Copper’s Hill, Runnymede and Datchet Sailing Club.

7. Effect on the Openness of the Green Belt.

Introduction

- 7.1. The government attaches great importance to Green Belts with the fundamental aim of the policy to prevent urban sprawl by keeping the land permanently open and therefore, the essential characteristics of Green Belts are their 'openness'. This is set out at NPPF §142.
- 7.2. The aspect of openness relates to the landscape having an absence of built form. In this context, this section of my evidence considers how the Proposed Development would have a bearing on the Green Belt openness, should the Appeal Site not be regarded as Grey Belt.
- 7.3. Assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case (see PPG Reference ID 64-001-20190722). To elaborate, the courts have identified a number of matters which may need to be taken into account in undertaking a Green Belt assessment.
- 7.4. These include, but are not limited to:
- openness is capable of having both spatial and visual aspects, in other words, the visual impact of the proposal may be relevant, as could its volume in spatial terms.
 - the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness.
 - the degree of activity likely to be generated, such as traffic generation.
- 7.5. Accordingly, any consideration of harm to openness should not be a purely mathematical exercise but should take a more holistic approach to review the effects in the round, considering the potential harm to both spatial and perceptual openness.
- 7.6. I provide this additional evidence on a without prejudice basis for completeness, noting that where the courts have found that a development is not inappropriate development, it should not be regarded as harmful to either the openness or the purposes of including land in the Green Belt. This section is therefore included to inform the decision-making process, should the Inspector decide that the Appeal Site does not qualify as Grey Belt land, or meet the other requirements listed at NPPF § 155.
- 7.7. In terms of assessing the effects and levels of harm on the purposes and aspects of openness of the Green Belt, I use a word scale with reference to **Limited**, **Moderate** and **Substantial** to identify levels of harm.

Spatial Aspect

- 7.8. My assessment assumes that the only PDL within the Appeal Site is located within Parcel A, including the main access from Poyle Road, the residential dwelling at the main entrance, and the lawful development that address the main access road. The remainder of the Appeal Site is assumed to be undeveloped.

- 7.9. I acknowledge that in spatial terms, the introduction of the Proposed Development would increase in the volume of built form within the Appeal Site, and as a consequence there would be a material reduction in openness. The Proposed Development would have a much greater degree of mass than the existing buildings and would replace existing lawful development.
- 7.10. On this basis, I conclude that there would be **Substantial** harm to the spatial aspect of openness arising from the Proposed Development.

Visual Aspect

- 7.11. The visual aspect of openness considers visual links between the Appeal Site and the wider Green Belt, intervisibility between settlements, and potential impacts on wider ranging views across the Green Belt.
- 7.12. The Appeal Site does not offer any public access which limits the awareness of openness to dwellings, roads and PRow beyond the Appeal Site boundary, where the perception of openness is often curtailed by intervening landform, built development and vegetation. This section of my evidence describes the extent of intervisibility between the Appeal Site and the surrounding context, and how the visual sense of openness would change with the Proposed Development in place.

Visual Aspect as perceived from the North

- 7.13. There are no publicly accessible views of the Appeal Site from the Colnbrook Conservation Area, or from other parts of Colnbrook and Poyle. Views from Bath Road are screened by roadside vegetation, and intervening built form, tree belts, and hedgerows.
- 7.14. The LVIA includes a Type 4 visualisation from northern part of Poyle Road (**VPO4**) that looks south-west towards the Hilton Hotel. In views from this locality there is no perception of the openness associated with the Appeal Site given the presence of existing built form and tree cover. The wireline demonstrates that there would be **no** perceived change in openness with the Proposed Development in place.

Visual aspect as perceived from the east

- 7.15. The majority of the publicly accessible views towards the Appeal Site are from Poyle Road.
- 7.16. The LVIA includes three Type 4 visualisations from Poyle Road (**VPO5A – VPO5C**), to represent views from the south of the proposed main entrance, opposite Poyle Farmhouse, and at the Blackthorne roundabout.
- 7.17. The existing context view from **VPO5C** demonstrates that existing built form is visible within the Appeal Site; however, there is an appreciable degree of visual openness, allowing views of the poplars on the northern boundary. The Year 1 view illustrates the scale of change that would be visible from this location. This view would only be available for the short distance of Poyle Road, circa 105m, between Florama and the main entrance to the Appeal Site. The visual change to openness would still be noticeable at Year 15, although the proposed tree planting does provide a degree on additional containment.
- 7.18. The existing context view from **VPO5B** illustrates that existing built form within the Appeal Site remains visible from this location opposite Poyle Farmhouse. The view is framed by roadside vegetation that limits the perception of openness within the Appeal Site. The Year 1

view demonstrates that the Proposed Development would be partially visible along the road corridor; however, the visual change to openness would be notable. This effect would remain at Year 15, but the maturation of the boundary vegetation would provide some screening.

7.19. The existing context view from **VPO5A** shows the density and height of the roadside hedgerow that contains Parcel B. There are no existing views into this part of the Appeal Site from Poyle Road and therefore no appreciation of its open character. Following the introduction of the proposed BESS, the Year 1 and 15 views demonstrate that BESS would be fully screened, and there would be no material change the perception of openness as appreciated from Poyle Road.

7.20. On this basis, there would be **Substantial** harm to the visual aspect of openness as perceived from Poyle Road, along a localised extent of the road between Poyle Farmhouse and the main entrance (circa 180m), and within the immediate vicinity of the Appeal Site. Elsewhere to the east of the Appeal Site, there would be **no** material change to the spatial aspect of openness.

Visual aspect as perceived from the south

7.21. The only available views towards the Appeal Site are from the footpath that passes through Poyle Poplars. There are no views from Stanwell Road to the south of the woodland.

7.22. The existing context view from **VPO2** illustrates that views towards the Appeal Site are heavily filtered and screened by intervening vegetation. Users of the footpath would have little perception of the openness associated with the Appeal Site and as such, the screened wireline view demonstrates that with the Proposed Development in place, there would be no material change the perception of openness as appreciated from this footpath.

7.23. The existing context view from **VPO3**, clearly demonstrates the density and scale of the boundary vegetation to the Arthur Jacobs Nature Reserve. Users of the Nature Reserve would have no perception of the openness associated with the Appeal Site and as such, the screened wireline view demonstrates that with the Proposed Development in place, there would be no material change the perception of openness as appreciated from this locally designated area.

7.24. Overall, as perceived from the south, there would be **Limited** harm to visual aspect of openness arising from the introduction of the Proposed Development.

Visual aspect as perceived from the west

7.25. There are very few opportunities to perceive the existing openness of the Appeal Site from the west. Horton Bridleway 4 follows a north-south bearing, passing between agricultural fields to the east and the Horton Quarry to the west. Views from the bridleway are almost completely obscured by a tall hedgerow to the west and a bund to the east. The height of the bund is above eye-level and views towards the Appeal Site are only available from a break in the bund to allow for an existing oak tree. There is also a palisade fence on the eastern side of the bridleway, that is apparent in **VPO1**. The Appeal Site is screened by intervening vegetation in the existing context view, severely limiting any perception of the openness associated with the Appeal Site. The Year 1 view illustrates that the taller parts of the Proposed Development would be partially visible above the intervening vegetation.

7.26. On this basis, as perceived from the west, there would be **Limited** harm to visual aspect of openness arising from the introduction of the Proposed Development.

Summary of Visual Aspect

- 7.27. The opportunities to appreciate the visual aspects of openness associated with the Appeal Site are limited. However, even from these few locations, the sense of openness associated with the Appeal Site is tempered and somewhat reduced by the presence of the existing lawful development within Parcel A and by intervening trees and other vegetation.
- 7.28. In overall terms, the visual aspect of openness associated with Appeal Site is geographically limited and is highly localised in terms of appreciation of openness. The introduction of the Proposed Development would inevitably introduce new built form; however, the harm to the visual aspect of openness would generally be limited to users of a short section of Poyle Road.
- 7.29. Overall, there would be **Limited** harm to the visual aspect of openness resulting from the introduction of the Proposed Development.

Duration & Remediability

- 7.30. The Proposed Development is designed to be permanent and would not be a time-limited development. Whilst technically it may be possible to remove the scheme in the future, this is highly unlikely to occur in a manner that would return the Appeal Site to its original state in terms of openness. On this basis, there would be localised **Substantial** harm.

Degree of Activity

- 7.31. The Proposed Development would generate a reduced level of activity in the form of traffic, in relation to the Appeal Site's current usage. Any activity associated with traffic movement would not have a material bearing upon the openness of the Green Belt, mindful of the existing industrial / commercial context, resulting in **Limited** harm to the appreciation of openness from an activity perspective.

Summary

- 7.32. With regard to the effect of the Proposed Development on the openness of Green Belt, I consider that there would be **Substantial** harm to the spatial aspect and **Limited** harm to the visual aspect. With regard duration of development and remediability there would be **Substantial** harm. In terms of degree of activity, the proposal would result **Limited** harm.
- 7.33. When considered in the round, as basket of effects, the Proposed Development would result in an overall **Substantial** level of harm to the openness of the Green Belt.

8. Effect on the Purposes of the Green Belt.

8.1. This section of my Proof examines how the Proposed Development would have a bearing upon the five purposes of Green Belt.

Purpose (a): To check the unrestricted sprawl of large built-up areas

8.2. It is first worthwhile noting what is meant by 'unrestricted sprawl'. The term 'urban sprawl' refers to the spreading of the town or city and its suburbs over previously undeveloped land. It is sometimes used interchangeably with the word urbanisation, but urban sprawl more precisely implies an uncontrolled, unplanned or unrestricted spreading of an urban environment. The Appeal Site is not located on the edge of any large built-up area and therefore does not fulfil any role with regard to this purpose.

8.3. The *Spelthorne Green Belt Assessment (2018)* notes that the original strategic purpose of the Green Belt was to check the sprawl of London (**CD13.14**, §4.5.1). The assessment includes Heathrow Airport as part of the Greater London large built-up area, but notably the Poyle Industrial Estate, Poyle and Colnbrook are not identified as part of a large built-up area.

8.4. I **agree** with this approach, as I do not consider the Poyle Industrial Estate to form a large built-up area in its own right, given its more compact and isolated nature, and its limited relationship with other nearby settlements. In addition, the Poyle Trading Estate is separated from the edge of Greater London by the M25 and open land lying between the motorway and Heathrow Airport.

8.5. However, taking a precautionary approach I recognise that the Inspector may judge the Appeal Site to be located near to the edge of Greater London. In that scenario, there are several features identified by the PPG that reduce the level of harm to **Moderate** (at worst) arising from the Proposed Development in relation to Purpose (a).

Purpose (b): To prevent neighbouring towns merging into one another

8.6. It is common ground that the Appeal Site forms part of the locally designated Strategic Gap between Slough and Greater London. My Green Belt assessment concluded that the Appeal Site forms a very small part of the Strategic Gap, circa **1.91%** by area.

8.7. Visual separation is a key element of this purpose. Given that the Strategic Gap extends from Slough to Greater London, or more precisely the eastern settlement edge of Slough at Brands Hill to the outside perimeter of the M25, it is clear that the Poyle Industrial Estate, and the villages of Poyle and Colnbrook are all located within the Strategic Gap. This existing development necessarily compromises any sense of visual separation between Slough and Greater London.

8.8. The Proposed Development would introduce a compact and high-density scheme, that is well-related to the existing development at the Poyle Industrial Estate to the east and with the Hilton Hotel to the north. The data centre building in Parcel A would not extend further into the gap than existing development to the north, and similarly the BESS in Parcel B would

not extend further into the gap than the existing dwellings at Pyle Farm House and existing lawful development within the Appeal Site. I do not believe that the Proposed Development would therefore reduce the perceived separation of Slough and Greater London.

- 8.9. The character of this part of the CVRP is very degraded and includes reservoir embankments that rise to 20m and contrast starkly with otherwise flat topography of the area and dominate adjoining settlement and road corridors, interrupting local views. The Strategic Gap is also characterised by numerous areas of woodland, mature tree belts, and outgrown hedgerows that further interrupt views.
- 8.10. Overlooking views of the Appeal Site are possible Cooper's Hill, Runnymede; however, any perception of the Strategic Gap is limited as it forms a very small part of the wider Green Belt. This effect is exacerbated by the well-wooded character of this landscape. **Wireline 3** illustrates this view, in which Heathrow Airport and Greater London are clearly visible on the horizon to the right-hand side of the view. The stack at the Lakeside Energy From Waste facility is also visible in the skyline at the centre of the view. The panoramic nature of the view demonstrates the general extent of the Strategic Gap, but the precise boundaries of the gap are obscured by the extensive woodland. The majority of the Proposed Development would be screened by the intervening tree canopies, with only the roofline of the proposed data centre predicted to be visible.
- 8.11. As described in the DAS, the tallest parts of the Proposed Development would comprise the ventilation gantry. This three-storey structure is clad in acoustic metal louvers that are horizontally oriented and finished in a dark bronze tone, allowing the taller parts of the building to blend comfortably with the wooded backdrop of the CVRP and assimilate well with the surrounding vegetation. Exhaust flues would be metal-clad to integrate seamlessly with the overall colour palette (**CD1.36**, p.59).
- 8.12. On this basis, the Proposed Development would be barely perceptible in very rare elevated and longer-range views and there would be no material loss to the visual separation of Slough and Greater London.
- 8.13. When considering the gap between Slough and Poyle/Colnbrook, the presence of existing built form, the layering effect of intervening vegetation, and localised variations in topography, particularly the embankment of The Queen Mother Reservoir serve in combination to preserve visual separation of Slough and Poyle Road.
- 8.14. I note that when travelling along roads to the south of the Appeal Site, roadside vegetation and lawful development serve to limit any appreciation of a gap between Brands Hill and Poyle/Colnbrook. The Proposed Development would not be visible from the villages of Horton, Wraysbury, or Sunnymeads to the south-west of the Appeal Site, and its introduction would not therefore result in any loss of visual separation from these settlements.
- 8.15. To the north, linear development along Bath Road has effectively led to the coalescence of Brands Hill with Poyle/Colnbrook. My site visits have confirmed that the Proposed Development would not be visible from any of these settlements, and following completion of the Proposed Development, there would be no perceptible change to the existing context.
- 8.16. The *Colne Valley Regional Park Landscape Character Assessment (2017, CD13.5)* records that this part of the CVRP is notable for the relative lack of footpaths around Colnbrook, Horton and Wraysbury. Indeed, public access to the gap between Brands Hill with Poyle/Colnbrook is very limited. Where access is possible, there are some views across open expanses of

water, but most views are contained by vegetation around lakes, resulting in contrasting areas of openness and enclosure.

- 8.17. When considered in the round, the Appeal Site forms a very small part of the Strategic Gap between Slough and Greater London, and a small part of the gap between Slough and Poyle Road. There are numerous existing physical, natural and topographic features that preserve the visual separation of these settlements.
- 8.18. On this basis, the Proposed Development would result in **Limited** harm to Purpose (b).

Purpose (c): To assist in safeguarding the countryside from encroachment

- 8.19. An assessment of Purpose (c) requires consideration of the extent to which land constitutes 'countryside' on the basis of its usage. Some open land may, through its usage, have a stronger relationship with the adjacent urban area and, as a result, not be considered 'countryside' to the same degree as other open land. Equally, some land may be largely contained by urban development but may nonetheless retain, as a result of its usage and its size, a countryside character. In addition, the presence of urban development within an assessment parcel will clearly have an impact on the degree to which land is countryside.
- 8.20. The extent to which land can be considered to relate to an urban area or to the wider countryside can be referred to as the degree of 'distinction' from the urban area. Expansion into land that lacks strong distinction from a settlement is likely to have less perceived encroaching impact on the countryside.
- 8.21. The Proposed Development would result in a physical intrusion into the countryside; however, in Parcel A this intrusion is partly mitigated by lawful PDL and built form along the main access road from Poyle Road. The Appeal Site as a whole relates more strongly to the existing urban development along Poyle Road. The Proposed Development benefits from a very limited visual envelope and the visual intrusion into the countryside would be modest.
- 8.22. The Hilton Hotel together with its associated car parking, and access roads are washed over by the Green Belt, and the Proposed Development would represent development of a similar scale and volume to this existing encroachment into the countryside.
- 8.23. On this basis, the Proposed Development would result in **Moderate** harm to Purpose (c).

Purpose (d): To preserve the setting and special character of historic towns

- 8.24. The Council's SoC (**CD10**) does not suggest any conflict to this purpose. Overall, the Proposed Development would not be located within the setting of any historic town, and therefore it would **not** conflict with Green Belt Purpose (d).

Purpose (e): To assist in urban regeneration by encouraging the recycling of derelict and other urban land

- 8.25. By restricting development beyond urban boundaries Purpose (e), seeks to encourage the recycling of derelict and other urban land. As such all Green Belt land contributes towards this purpose.
- 8.26. The loss of the Appeal Site for the purpose of a data centre and associated BESS would not undermine Purpose (e) as this is not a use which could be provided on derelict or other land elsewhere within the urban area, as evidenced by Mr. Alex Cole.

Summary

- 8.27. The Proposed Development would **not** conflict with Purposes (d) and (e) of the Green Belt and would result in **Limited** harm to Purpose (b) in relation to the merging of neighbouring towns, and **Moderate** harm to Purposes (a) and (c) in relation to unrestricted sprawl and safeguarding the countryside from encroachment.
- 8.28. These conclusions are summarised at **Table 10** (below):

Receptor	Purpose (a): Checking unrestricted sprawl	Purpose (b): Preventing the merging of towns	Purpose (c): Safeguarding the countryside from encroachment	Purpose (d): Preserving the setting and special character of historic towns	Purpose (e): Assisting urban regeneration
Proposed Development	Moderate conflict	Limited harm	Moderate harm	No conflict	No conflict

Table 10: Summary of impact on remainder of the Green Belt

9. Planning Policy Context.

- 9.1. The Development Plan applicable to the Appeal Site comprises the following documents:
- Saved Policies of the Slough Local Plan (March 2004, **CD6.1** to **CD6.10**)
 - Core Strategy DPD (December 2008, **CD6.11** to **CD6.17**)
 - Slough Local Development Framework (LDF) Proposals Map (November 2010, **CD6.18**)
 - Berkshire Joint Minerals Local Plan (2001)
 - Waste Local Plan for Berkshire (December 1998)
- 9.2. The Council is currently preparing a new Local Plan and Key milestones have been published in the Draft Local Development Scheme (LDS, 2025) including:
- Call for Sites: May 2025
 - Publication/ Pre-submission consultation (Regulation 19): February 2026
 - Submission (Regulation 22): December 2026
- 9.3. Upon its adoption, the Local Plan will replace the existing Development Plan.
- 9.4. The Slough LDF Proposals Map identifies that the Appeal Site is subject to the following policy designations that are of relevance to this Note:
- Colne Valley Park (Policy CG1, **CD6.6**)
 - Strategic Gap (Saved Policy CG9, **CD6.7**)
 - Spatial Strategy (Core Policy 1, **CD6.11**)
 - Green Belt & Open Spaces (Core Policy 2, **CD6.12**)

Spatial Strategy (Core Policy 1)

- 9.5. Policy CP1 of the Core Strategy requires development to take place in the built-up areas of the Borough, where possible on PDL, unless VSC can be demonstrated to justify development in the Green Belt. It is common ground that Parcel A, the proposed location of the data centre, is part PDL and undeveloped land (**CD8.7**, §2.5).
- 9.6. The only PDL within the Appeal Site is located within Parcel A, including the main access from Poyle Road, the residential dwelling at the main entrance, and the lawful development that address the main access road. The remainder of the Appeal Site is assumed to be undeveloped. It is agreed that the existing condition of Parcel A has an adverse effect upon the landscape character of this part of the CVRP due to its industrial use (**CD8.7**, §7.53).
- 9.7. Mr. Murphy provides detailed evidence in relation to the VSC that would justify the Proposed Development, should the Inspector conclude that the Appeal Site is not Grey Belt and that the proposals represent 'inappropriate development' in the Green Belt.

Green Belt Metropolitan Green Belt (Core Policy 2)

- 9.8. 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"*.
- 9.9. It is common ground that Core Policy 2 imposes an additional policy test – the 'Essential Test' – that is separate to the Green Belt VSC test.
- 9.10. It is also common ground that the Appeal Site lies within the Green Belt, and NPPF §153 states that *"... inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations"*.
- 9.11. NPPF §155 sets out an approach to determine whether the development proposals should be regarded as inappropriate development in the Green Belt.
- 9.12. At **Section 4** of this proof, my evidence demonstrates that the Appeal Site comprises Grey Belt land, and that the Proposed Development would **not** fundamentally undermine the purposes (taken together) of the remaining Green Belt across the plan area, thereby satisfying the requirements of criteria 155(a).
- 9.13. Detailed evidence will be presented in respect of Criteria 155(b) and 155(c) by Mr. Mark Powney and Mr. Phil Murphy respectively.
- 9.14. Core Policy 2 notes that the remaining open land in Colnbrook & Poyle, east of Langley/Brands Hill, is particularly important because it forms part of the CVRP and acts as the Strategic Gap between the eastern edge of Slough and Greater London (**CD6.12**, §7.26).
- 9.15. At **Section 6** of my Proof, my evidence considers the landscape character of the CVRP. The landscape to the west of the Appeal Site is located within the LCA Horton and Wraysbury Lowlands, which is considered in detail by the *Colne Valley Regional Park Landscape Character Assessment (2017, CD13.5)*.
- 9.16. This assessment is considered to accurately represent the existing character of the CVRP in the vicinity of the Appeal Site. The overarching impression is of a heavily degraded landscape significantly altered by the introduction large reservoirs and lakes in former gravel pits. The reservoir embankments rise to 20m and contrast starkly with otherwise flat topography of the area and dominate adjoining settlement and road corridors, interrupting local views. There continues to be areas of active sand and gravel extraction in the north and west of the Appeal Site.
- 9.17. My evidence concludes that this part of the CVRP has a **Low** sensitivity to the Proposed Development, and following completion there would be a **Minor** (neutral) effect on the landscape character of the CVRP.
- 9.18. The evidence of Mr. Murphy draws together the various arguments to demonstrate the Appellant's overarching case that the Proposed Development is quite clearly 'essential' in terms of need and location and all other respects.

The Strategic Gap (Saved Policy CG9)

- 9.19. The Strategic Gap is defined as the Green Belt in Langley, and all Green Belt east of Brands Hill to the Borough boundary by the M25. Policy CG9 (CD6.7, §7.31) states that: *“Any proposal which threatens the clear separation or the role of open land within the strategic Green Belt gap between the Slough urban area and Greater London will not be permitted.”*
- 9.20. The preamble to this policy explains the relationship with older PPG2 guidance that one of the main purposes of including land within the Green Belt is to prevent neighbouring towns from merging into one another. This policy therefore reflects the importance of the strategic break between the eastern edge of Slough, Colnbrook and Poyle, and Greater London. The location of the gap is illustrated below at **Figure 11**:

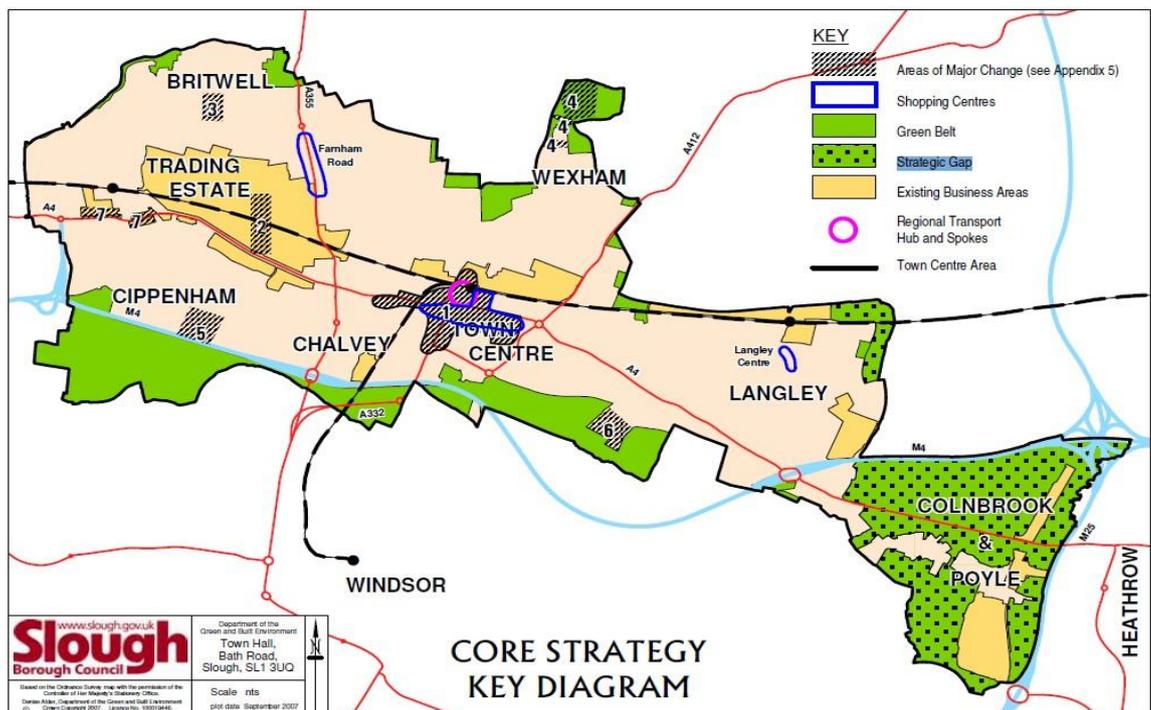


Figure 11: Extract from Core Strategy

- 9.21. The importance of the gap is reiterated by the Core Strategy, where Core Policy CP1 states that a *“strategic gap will be maintained between Slough and Greater London”* (CD6.11, §7.17) and at CP2 that *“... additional restraint will therefore be applied to this fragmented and vulnerable part of the Green Belt which will mean that only essential development that cannot take place elsewhere will be permitted in this location”* (CD6.11, §7.26).
- 9.22. The Inspector considering an appeal relating to the construction of a rail/road freight interchange on land north of A4 (2016) – i.e. within the Strategic Gap – concluded that *“the Strategic Gap policy imposes an additional policy restraint on proposals for development located in this very sensitive area. The policy has full weight as a key component of the development plan for Slough...”*. The Inspector came to this conclusion based on the judgement that ‘fragmented and vulnerable’ was a good description of the characteristics of the Green Belt area east of Slough (Ref: APP/JO350/A/12/2171967, CD7.11, §12.25).
- 9.23. The Inspector considering an appeal in relation to the use of land for concrete crushing and screening, and inert waste recycling (2009) within Parcel A concluded that the *“appeal site*

*is situated in the extreme south-west corner of a designated strategic gap. It is however somewhat remote from Slough... Residential properties are situated to the north of the site, and these extend into the gap. In the south of the site are the lawful buildings to which I have already referred, together with others to the south of the site. The site is therefore not prominent in this part of the gap, and the appeal development would serve to fill in and regularise the boundary of the gap, without threatening the open area to the west of the site” (Ref: APP/JO350/A/O9/2096331, **CD7.6**, §15). I **agree** with the Inspector’s conclusions.*

- 9.24. My evidence considers the Appeal Site’s contribution to the Strategic Gap at §4.47 – 4.56 of my Proof as part of the Grey Belt appraisal. When considered in the round, the Appeal Site forms a very small part of the Strategic Gap between Slough and Greater London. In spatial terms, the Appeal Site comprises less than 14.5% of the Strategic Gap between Slough and Greater London as the crow flies. Looked at another way, the Strategic Gap measures approximately 426.3ha in area, and therefore the Appeal Site represents only 1.91% of this area.
- 9.25. The PPG makes clear that visual separation is a key consideration when considering Green Belt gaps between neighbouring towns. I note at my §4.54 that the Strategic Gap in the vicinity of the Appeal Site contains the built form of Colnbrook, Poyle and the Poyle Industrial Estate, not to mention other sporadic buildings including the Hilton Hotel. This existing development necessarily compromises any sense of visual separation between Slough and Greater London.
- 9.26. At my §4.55, I describe how the character of this part of the CVRP is very degraded and includes reservoir embankments that rise to 20m and contrast starkly with otherwise flat topography of the area and dominate adjoining settlement and road corridors, interrupting local views. The Strategic Gap is also characterised by numerous areas of woodland, mature tree belts, and outgrown hedgerows that further interrupt views.
- 9.27. When considered in the round, the Proposed Development would result in a very modest expansion of built form to the west of the Poyle Industrial Estate, that would be well related to existing development, including the Hilton Hotel. Appreciation of the visual separation between Slough and Greater London is not possible because of the very character of this parts of the CVRP, that includes elevated reservoir embankments, including The Queen Mother Reservoir that is located between the Appeal Site and Slough. Intervening vegetation also interrupts views within the Strategic Gap. I conclude that the Appeal Site makes a **Weak** contribution to the Strategic Gap between Slough and Greater London.
- 9.28. On this basis, the Proposed Development is considered to materially comply with Saved Policy CG9.

Colne Valley Regional Park (Saved Policy CG1)

- 9.29. The preamble to this policy describes how the CVRP was conceived in the 1960s as a regional park where countryside pursuits could take place and to provide better access to the countryside through improvements to the rights of way network, the development of recreational facilities appropriate to the countryside, and environmental enhancement through landscape improvement schemes (**CD6.6**, §7.4).
- 9.30. The policy notes that the CVRP is at its narrowest at this point and so the protection and enhancement of this section, which forms part of the Strategic Gap is of utmost importance (**CD6.6**, §7.6).

9.31. This policy sets out that proposals for development within the countryside or other open areas in 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 resource of the park; and

(d) Provide opportunities for countryside recreation which do not compromise the above.”

9.32. It is agreed that the Appeal Site forms part of the CVRP (**CD8.7, §2.2**), and that the existing Parcel A has an adverse effect upon the landscape character of this part of the CVRP given to its industrial use (**CD8.7, §7.53**). It is also agreed that its location within the CVRP does not suggest that the Appeal Site should be considered a ‘valued’ landscape in accordance with NPPF §187(a) (**CD8.7, §7.54**).

9.33. Looking in more detail at the policy, I now consider the four criteria listed above:

9.34. **Criteria (a):** the Proposed Development is supported by a comprehensive Landscape Strategy, see §5.5 – 5.16 of my Proof, which would deliver significant landscape enhancements to the degraded Parcel A, including the area that adjoins the Poyle Channel. Whilst it is agreed that Parcel B is undeveloped and agricultural in character, the proposed BESS allows for substantial reinforcement and enhancement to the existing field boundaries, scattered tree planting, and the introduction of tussock grassland and wildflower meadows. The development in this area would also avoid the root protection areas of the trees within Poyle Polars, thereby protecting this important resource.

9.35. I note that a consultation response was received from The Colne Valley Park Trust (5th March 2025, **CD3.11**) that noted the ‘significant enhancements to the landscaping’.

9.36. **Criteria (b):** it is agreed that Parcel A has an adverse effect upon the landscape character of this part of the CVRP. This part of the Appeal Site lies beyond the defined settlement edge and is therefore considered to be ‘countryside’; however, at the time of the planning application, Parcel A was in heavy and varied industrial use. These uncoordinated industrial activities, together with the poor-quality structures and spaces within this part of the Appeal Site result in a heavily degraded landscape character that is readily apparent from Poyle Road. The Appeal Site’s designation as countryside does not reflect the reality of its brownfield and industrial character.

9.37. Whilst the Proposed Development would undeniably introduce a new and large building, there would also be offsetting improvements to the character of the Appeal Site. The replacement of the existing disparate industrial elements in the Appeal Site with a more coherent design, results in overarching benefits to its landscape character, including localised environmental improvements. The proposals will also result in a substantial reduction in the number of vehicle movements in and around the Appeal Site.

9.38. I accept that Parcel B has a more of a rural character; however, it is located immediately adjacent to Poyle Road and the Poyle Industrial Estate. Moreover, this part of the Appeal Site is well-contained by existing vegetation, and the proposed BESS would be barely perceptible

from the surrounding area. The Landscape Strategy allows for substantial enhancements within this part of the Appeal Site.

- 9.39. **Criteria (c):** the Landscape Strategy described above also delivers nature conservation and environmental benefits. It is common ground that the landscape enhancements would provide new habitats and expand those currently existing on site, including the planting new tree groups, shrub areas, long grass and wildflower meadows. It is also agreed that there would be no unacceptable impacts upon on trees and hedgerows (**CD8.7**, §7.31).
- 9.40. In relation to ecology and biodiversity net gain (BNG) it is agreed that, subject to securing the recommended mitigation through conditions, the Proposed Development would not have an unacceptable impact on protected species or habitats (**CD8.7**, §7.34).
- 9.41. **Criteria (d):** the DAS describes how the Proposed Development would introduce a new footpath that enters the Appeal Site near the main entrance, routing north around the proposed data centre and along the Poyle Channel, then following the course of the Colne Brook southwards to the Arthur Jacob Nature Reserve and Poyle Poplars (**CD1.36**, Section 4.6).
- 9.42. In their consultation response, the Colne Valley Park Trust welcomes the ‘proposed ROW to Arthur Jacobs Nature reserve’.
- 9.43. The Colne Valley Park Trust also made a request that additional viewpoints be considered as part of the planning process. This matter is addressed at **Section 6** of my Proof.
- 9.44. My analysis above demonstrates that the Proposed Development would comply with Saved Policy CG1, providing important public access to the CVRP, together with valuable landscape, ecological, and biodiversity improvements.
- 9.45. Notably, the Colne Valley Park Trust have not objected to the Proposed Development.

Conclusions

- 9.46. The Appeal Site is located within the Green Belt, the Strategic Gap, and the CVRP, and therefore the policies above apply to the Proposed Development. The degraded nature of Parcel A and enclosed character of Parcel B limit the potential harm arising from the Proposed Development. The potential for landscape mitigation measures to embed and contain the data centre, whilst also introducing landscape and ecological enhancements, add further support to the Proposed Development.
- 9.47. The Proposed Development is materially compliant with Policy CP1, Policy CP2, and Saved Policy CG9. It is fully compliant with Policy CG1, and I note that the Colne Valley Park Trust have not objected to the Proposed Development.

10. Matters of Disagreement

10.1. In this section of my evidence, I review Section 9 of the SoCG (**CD8.7**) and respond to the matters that remain in dispute as far as they relate to Green Belt, Landscape, and Visual Amenity. This evidence is present in a tabular format for convenience, see **Table 11** (below):

The Council's Position	DW Position
<i>The Appeal Site Location & Description</i>	
<p>Parcel B is entirely arable greenfield land and is not previously developed land. The Inspector will be able to judge the views into and over the Appeal Site.</p>	<p>Parcel B is entirely an arable field and, despite its previous use for mineral extraction and landfill, does not meet the NPPF definition for PDL as the restoration of this land has been made through development management procedures (§4.11 & §5.14).</p> <p>Parcel B is well contained by Poyle Poplars woodland to the south, mature hedgerows to the east along the boundary with Poyle Road, and mature hedgerow along the northern boundary with the agricultural field associated with Poyle Farm House. This existing vegetation would screen views of the proposed BESS development within Parcel B (see Appendix F: VPO2 & VPO5A).</p>
<p>The considerable extent of commercial uses on the Poyle Trading Estate mean that this land is particularly important for its Green Belt and strategic gap functions.</p>	<p>As demonstrated by <i>Figure 2: Extract from Map 4.4 of Spelthorne Green Belt Assessment (2018)</i> at §5.32 the Poyle Trading Estate, together with the villages of Poyle and Colnbrook, form a contiguous inset settlement that is surrounded by Green Belt on all sides. The Proposed Development would not materially undermine the Green Belt purposes or the function of the Strategic Gap for reasons set out at Section 9 and §10.17 – 10.26 of my Proof.</p>
<i>The Development</i>	
<p>In the Solar Farm Appeal, the Inspector sums up the Council's case in §17 where he states: <i>"Put simply you cannot make inappropriate development in the Green Belt acceptable by screening it."</i></p> <p>In his conclusions in §64 the Inspector quotes case law which states <i>"Any construction in the Green Belt harms openness.... irrespective of its actual level of visual impact."</i></p>	<p>The Proposed Development is not inappropriate development in the Green Belt as the Appeal Site does not contribute 'strongly' to Purposes (a), (b), or (d), and there are no Footnote 7 constraints that would provide a strong reason for refusing or restricting development. The Appeal Site therefore qualifies as Grey Belt land. In addition, the Proposed Development would not 'fundamentally' undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. The Proposed Development is therefore compliant with §155(a), and the evidence provided by Mr. Murphy demonstrates compliance with §155(b) & (c). On this basis, the</p>

NPPF states that the Proposed Development should not be regarded as inappropriate.

The courts (and the PPG) have established that openness is capable of having both spatial and visual aspects, in other words, the visual impact of the proposal may be relevant, as could its volume in spatial terms. In this case, there are very few publicly accessible locations from which the Proposed Development would be visible. The visual aspect of openness associated with Appeal Site is therefore geographically limited and is highly localised in terms of any appreciation of openness. The introduction of the Proposed Development would inevitably introduce new built form; however, the harm to the visual aspect of openness would generally be limited to users of a short section of Poyle Road.

Overall, there would be **Limited** harm to the visual aspect of openness resulting from the introduction of the Proposed Development.

The Proposed Development in Parcel A will be a very large building. It will have a height of 30m maximum and according to the DAS page 86 a Gross External Area of 41,792 sqm.

The landscape mitigation will not disguise the adverse effect on openness Green Belt purposes and the strategic gap.

The introduction of the Proposed Development would inevitably introduce new built form; however, the harm to the visual aspect of openness would generally be limited to users of a short section of Poyle Road. Overall, there would be **Limited** harm to the visual aspect of openness resulting from the introduction of the Proposed Development.

It is accepted that the mitigation proposals would not be able to entirely reduce the harmful landscape and visual effects; however, the proposals deliver a robust landscape framework within which the data centre would be contained and embedded (see **Appendix F: VPO5B & VPO5C**).

Green Belt & Grey Belt

Parcel A is largely compelled to be restored to agriculture. It contributes strongly to purpose (a) which is to check the unrestricted sprawl and purpose (b) which is to prevent neighbouring towns merging.

Parcel A includes some PDL and some brownfield land that is required to be returned to agricultural land under planning condition.

For the reasons set out at §5.22 – 5.44 of my evidence, I do not consider the Appeal Site to be adjacent or near to any identified large built-up area and therefore it makes **No** contribution to Purpose (a). Should the Inspector decide that the Appeal Site is located near to or adjacent to Greater London, the Appeal Site would make a **Moderate** contribution to this purpose.

	<p>For the reasons set out at §5.45 – 5.73 of my evidence, I conclude that the Appeal Site makes a Moderate contribution to Purpose (b) in respect of the gap between Slough and Poyle Road, and a Weak contribution to this purpose in relation to the Strategic Gap between Slough and Greater London.</p>
<p>The Appeal Site plays a critical role in the Green Belt in the area. Development of it would fundamentally undermine the purposes of the remaining Green Belt in the area.</p>	<p>The area of the Slough Green Belt measures approximately 867ha and therefore the area lost would be circa 0.94% in relation to the totality of Green Belt within the plan area of the borough.</p> <p>For the reasons given in Section 5 of my Proof, the introduction of the Proposed Development would not ‘fundamentally’ undermine the purposes, when taken together, of the remaining Green Belt within the plan area of Slough Borough Council.</p>
<p>Parcel B plays a critical role in the Green Belt in the area. Development of it would fundamentally undermine the purposes of the remaining Green Belt in the area.</p>	<p>As above.</p>
<p>It is not Grey Belt for all the reasons set out in the LPA’s statement of case and the Appellant has agreed that part of the site is not PDL.</p>	<p>The NPPF makes clear that ‘Grey Belt’ is defined as land in the Green Belt comprising PDL and/or any other land that, in either case, does not strongly contribute to any of Purposes (a), (b), or (d). Section 5 of my Proof demonstrates that the PDL and non-PDL elements of the Appeal Site do not contribute ‘strongly’ to Purposes (a), (b), or (d), and there are no Footnote 7 constraints that would provide a strong reason for refusing or restricting development. The Appeal Site therefore qualifies as Grey Belt land.</p>
<p>Parcel B is open arable land. Parcel A is predominantly subject to requirements to restore to agriculture as set out above.</p>	<p>Parcel B comprises an arable field and, despite its previous use for mineral extraction and landfill, does not meet the NPPF definition for PDL as the restoration of this land has been made through development management procedures (§4.11 & §5.14).</p> <p>Parcel A comprises both PDL and brownfield land that is subject to planning conditions that require its return to agriculture. This land is not therefore considered to be PDL as defined by the NPPF.</p> <p>The NPPF also makes clear that Grey Belt land comprises comprising PDL and/or any other Green Belt land that, in either case, does not strongly contribute to any of Purposes (a), (b), or (d). In that regard, the proportion of the Appeal Site that is PDL vs. non-PDL is irrelevant as the</p>

Appeal Site does not contribute 'strongly' to Purposes (a), (b), or (d).

There will be clear views of development in Parcel B.

Parcel B is well contained by Poyle Poplars woodland to the south, mature hedgerows to the east along the boundary with Poyle Road, and mature hedgerow along the northern boundary with the agricultural field associated with Poyle Farm House. This existing vegetation would screen views of the proposed BESS development within Parcel B (see **Appendix F: VPO2 & VPO5A**).

Colne Valley Regional Park

Much of the Colne Valley Regional Park has been altered by gravel extraction and due to the proximity of Heathrow Airport, planes are often seen and heard impacting the feeling of tranquillity. This needs to be considered by reference to the planning history which requires restoration of much of Parcel A to agriculture. Parcel B is greenfield arable land.

Parcel A comprises both PDL and brownfield land that is subject to planning conditions that require its return to agriculture. This land is not therefore considered to be PDL as defined by the NPPF. Parcel B has already been returned to arable use. It is common ground that Parcel A has an adverse effect upon the landscape character of this part of the Colne Valley Regional Park due to its industrial use (SoCG §7.53). The landscape strategy that supports the Proposed Development introduces a range of offsite public realm enhancements, including a new access and footpath to the Arthur Jacob Nature Reserve, pedestrian access improvements to the Colndale Road bus stop, and an enhanced pedestrian crossing on Poyle Road, bring meaningful improvements to the area and its residents and visitors.

The Colne Valley Regional Park is in decline due to pollution development pressures and fragmentation of habitats. This development will further increase the urbanisation of the Regional Park and reduce its ability to attract visitors.

The *Colne & Crane Valleys Green Infrastructure Strategy (2019, CD13.3)* is intended to inform both the design of development proposals and their mitigation by advocating a coordinated approach to the landscape. It provides detailed strategies for different areas of the CVRP. The Appeal Site falls within sub-area SC209 Arthur Jacob Nature Reserve & Poyle Community Woodland which has specific objectives of conserving and managing the existing nature reserve and community woodland and improving access to the river corridor. In this regard the introduction of a new footpath link between Poyle Road and the Arthur Jacobs Nature Reserve addresses the objective of improving access to the Colne Brook river corridor, the nature reserve, and Poyle Poplars. More generally, the Proposed Development has the potential to contribute to the wider GI

	<p>strategy for South Colne and Heathrow, including improvements to the landscape and connectivity for people and wildlife, conservation and enhancement of valuable ecological habitats, and the promotion of access for all to new and improved landscape destinations.</p> <p>At §11.27 – 11.43 of my Proof, I also demonstrate that the Proposed Development would comply with Saved Policy CG1. Notably, the Colne Valley Park Trust have not objected to the Proposed Development.</p>
<p>The development is wholly within the Green Belt and Strategic Gap and Colne Valley Regional Park when there are numerous data centres which can be built outside of those designations in the SAZ. It has not been shown to satisfy Green Belt policy, Colne Valley Regional Park or the strategic gap. It is not essential to be in this location.</p>	<p>My evidence demonstrates that the Appeal Site should be considered to be Grey Belt land. The Appellant has demonstrated compliance with NPPF §155 and on that basis the Proposed Development should not be considered in appropriate in the Green Belt. My evidence has also demonstrated that would comply with Saved Policy CG1 (CVRP) and that the Appeal Site makes only a Weak contribution to the Strategic Gap.</p>

Landscape

<p>The LPA has not been able to review the impacts in detail and so cannot comment at this stage.</p>	<p>An LVIA (CD1.45) was submitted with the planning application. It is common ground that the LVIA is acceptable and complies with good practice, including GLVIA3 (CD13.6). It is also agreed the existing Parcel A has an adverse effect upon the landscape character of this part of the Colne Valley Regional Park due to its industrial use and that the Appeal Site is not considered to be a ‘valued’ landscape as per NPPF §187(a).</p> <p>The Council’s SoC makes no reference to the LVIA and at the Council does not list landscape and visual matters as a potential reason for refusal (CD10.1, §7.1), although it is noted that the Council allege that the Proposed Development would result in the further urbanisation, loss of countryside recreation opportunities and severance of the CVRP (CD10.1, §7.2.3).</p> <p>This is demonstrably not the case, and the Proposed Development would in fact introduce a range of offsite public realm enhancements, including a new access and footpath to the Arthur Jacob Nature Reserve, pedestrian access improvements to the Colndale Road bus stop, and an enhanced pedestrian crossing on Poyle Road, bring meaningful improvements to the area and its residents and visitors.</p>
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Table 11: Matters that Remain in Dispute

11. Summary & Conclusions.

- 11.1. I am instructed on behalf of Manor Farm Propco Limited, to present evidence relating to Green Belt, Landscape and Visual matters in respect of this planning appeal, submitted pursuant to Section 78 of the Town and Country Planning Act 1990, concerning development of Land at Manor Farm, Poyle.
- 11.2. The Appeal Site extends to approximately 8.16 ha and falls entirely within the administrative boundary of SBC. The Appeal Site lies entirely within the Green Belt and is within the locally designated Strategic Gap and part of the CVRP.
- 11.3. The Appeal Site is bounded by Poyle Road to the east, Poyle Channel and Hilton Hotel to the north and Poyle Poplars, a mature tree belt to the south. The west of the Appeal Site is defined by soil mounds and open fields, and the Colne Brook beyond. The Britannia Industrial Estate is located immediately to the east and forms the industrial back drop to the Appeal Site.
- 11.4. The Appeal Site is made up of both previously developed land (PDL) and undeveloped land.
- 11.5. Given the Appeal Site’s is location within the Green Belt, my evidence considers the Appeal Site’s potential to be reclassified as ‘Grey Belt’, and whether the Proposed Development would fundamentally undermine the purposes (taken together) of the remaining Green Belt within the plan area.

The Proposed Development

- 11.6. The Proposed Development consists of a hyperscale data centre within Parcel A and a Battery Energy Storage System (“BESS”) within Parcel B, with associated infrastructure and works.

Grey Belt Appraisal

- 11.7. The most recent iteration of the NPPF defines Grey Belt to include land which does not strongly contribute to any of purposes (a), (b) and (d). The NPPF also states that the Grey Belt definition 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.
- 11.8. In my judgement, the Appeal Site does **not** strongly contribute to Purposes (a), (b) or (d) and my Grey Belt assessment findings are summarised at **Table 12** (below):

Receptor	Purpose (a): Checking unrestricted sprawl	Purpose (b): Preventing the merging of towns	Purpose (d): Preserving the setting and special character of historic towns
The Appeal Site	Moderate contribution	Weak contribution	No contribution

Table 12: Summary of Grey Belt assessment

11.9. There are **no** identified Footnote 7 constraints that would provide a strong reason for refusing or restricting the Proposed Development. As such, the Appeal Site is considered to meet all the requirements to be reclassified as Grey Belt land.

Character & Appearance

11.10. I have carefully reviewed the LVIA findings and broadly agree with them; however, I find that within the 1km study area, LCA Horton and Wraysbury Lowlands represents an undesignated landscape including urban / rural fringe of unremarkable character. The landscape condition is often poor, with an evident lack of maintenance and areas of fly-tipping. There is significant traffic movement and built infrastructure, with noticeable absence of tranquillity. Overall, I conclude a Low value, with a Low susceptibility, given the detracting features within the LCA.

11.11. On this basis, I consider that the LCA has a **Low** sensitivity; however, I agree with the LVIA findings that the magnitude of change will be **Low**. I predict that the resultant landscape effects to be **Minor** (neutral) following the completion of the Proposed Development.

11.12. In relation to LCA Colne Valley: Harmondsworth to Stanwell Moor, I generally **agree** with the findings of the LVIA but take a slightly precautionary stance. My conclusions are summarised within **Table 13** (below):

Receptor	Sensitivity	Magnitude	Overall Effect
LCA Horton and Wraysbury Lowlands	Low	Low	Minor (neutral)
LCA Colne Valley: Harmondsworth to Stanwell Moor	Low	Negligible	Negligible (neutral)

Table 13: Summary of predicted effects on landscape character receptors

11.13. I have carefully reviewed the LVIA analysis above and generally agree with the findings (at the time of the planning application); however, I note a **Negligible** (adverse) overall effect for on-site trees and vegetation to reflect the limited amount of vegetation removal / translocation required to facilitate the Proposed Development. My conclusions are summarised within in **Table 14** (below):

Receptor	Sensitivity	Magnitude	Overall Effect
Parcel A	Low	High	Moderate (neutral)
Parcel B	Low	High	Moderate (adverse)
Trees & hedgerows on the Appeal Site and boundaries	Low	Negligible	Negligible (adverse)

Table 14: Summary of predicted effects on the character of the Appeal Site

11.14. Taking the Grey Belt appraisal approach, the return of unlawful use of land to agriculture within Parcel A increases its susceptibility from Low (current baseline) to Medium (future baseline). On this basis, the sensitivity of Parcel A increases to **Medium**.

11.15. In common with the LVIA, I consider that the introduction of the Proposed Development would increase the quantum of built form within Parcel A creating a new character typology. The magnitude of change experienced would therefore be High; however, there are number of beneficial effects arising from the proposed landscape strategy. On this basis, I judge that the overall level of effect would be **Major** (adverse).

11.16. On this basis, the predicted landscape effects in relation to the future baseline for the Appeal Site are summarised at **Table 15** (below):

Receptor	Sensitivity	Magnitude	Overall Effect
Parcel A	Medium	High	Major (adverse)
Parcel B	Medium	Medium	Moderate (adverse)
Trees & hedgerows	Medium	Negligible	Negligible (adverse)

Table 15: Summary of predicted effects on the character of the Appeal Site

11.17. It is also common ground that the LVIA states that views towards the Appeal Site are screened and/or filtered from several publicly accessible viewpoints and that following the completion of the Proposed Development (§7.56):

- Users of Horton Bridleway 4 to the west of the Appeal Site will experience **Minor** effects.
- Users of the PRow passing through Poyle Poplars will experience **Negligible** effects.
- Visitors to the Arthur Jacob Nature Reserve will **not** experience any adverse effects.
- Users of Poyle Road will experience **Minor** effects.
- Residents of Floroma and Poyle Farmhouse will experience **Minor** effects.
- Residents of properties on Poyle Road to the north of the Appeal Site will **not** experience any adverse effects.

11.18. Following the completion of the Proposed Development, some local views towards Parcel A would change, given the increased visibility of the proposed data centre when compared to the existing low-quality built form which currently occupies the Appeal Site. In general, views are restricted to the immediate vicinity of the Appeal Site, where the worst-case effects are agreed to be Minor.

11.19. In the wider context, there is a degree of intervisibility from Copper’s Hill, Runnymede and Datchet Sailing Club; however, the **Moderate** (adverse) levels of harm experienced by receptors reflects the overlooking nature of both views and the High sensitivity of receptors at Runnymede.

Openness

- 11.20. With regard to the effect of the Proposed Development on the openness of Green Belt, I consider that there would be **Substantial** harm to the spatial aspect and **Limited** harm to the visual aspect. With regard duration of development and remediability there would be **Substantial** harm. In terms of degree of activity, the proposal would result **Limited** harm.
- 11.21. When considered in the round, as basket of effects, the Proposed Development would result in an overall **Substantial** level of harm to the openness of the Green Belt.

Purposes of the Green Belt

- 11.22. The Proposed Development would **not** conflict with Purposes (d) and (e) of the Green Belt and would result in **Limited** harm to Purpose (b) in relation to the merging of neighbouring towns, and **Moderate** harm to Purposes (a) and (c) in relation to unrestricted sprawl and safeguarding the countryside from encroachment.
- 11.23. These conclusions are summarised at **Table 16** (below):

Receptor	Purpose (a): Checking unrestricted sprawl	Purpose (b): Preventing the merging of towns	Purpose (c): Safeguarding the countryside from encroachment	Purpose (d): Preserving the setting and special character of historic towns	Purpose (e): Assisting urban regeneration
Proposed Development	Moderate conflict	Limited harm	Moderate harm	No conflict	No conflict

Table 16: Summary of impact on remainder of the Green Belt

Planning Policy Context

- 11.24. The Appeal Site is located within the Green Belt, the Strategic Gap, and the CVRP, and therefore the policies above apply to the Proposed Development. The degraded nature of Parcel A and enclosed character of Parcel B limits the potential harm arising from the Proposed Development. The potential for landscape mitigation measures to embed and contain the data centre, whilst also introducing landscape and ecological enhancements, add further support to the Proposed Development.
- 11.25. The Proposed Development is materially compliant with Policy CP1, Policy CP2, and Saved Policy CG9. It is fully compliant with Policy CG1, and I note that the Colne Valley Park Trust have not objected to the Proposed Development.

Summary & Conclusions

- 11.26. For the reasons articulated in the preceding paragraphs, it is my judgement that the Appeal Site should be classified as Grey Belt land. If the Inspector were to decide that the land remained Green Belt, development of the Appeal Site would result in localised **Substantial** harm to the spatial aspect of openness; however, there would only be **Limited** harm to the visual aspect of openness given the restricted visual envelope associated with the Proposed Development.



- 11.27. When considered in the round, as basket of effects, the Proposed Development would result in an overall **Substantial** level of harm to the openness of the Green Belt.
- 11.28. The Proposed Development would also conflict to a **Moderate** degree with Purposes (a) and (c) of the Green Belt relating to unrestricted sprawl and encroachment in the countryside and to a **Limited** degree in relation to Purpose (b) in relation to the merging of towns. The Proposed Development would not conflict with the two remaining purposes.
- 11.29. In light of the preceding analysis, I respectfully request that the Inspector upholds this appeal in relation to Green Belt, Landscape and Visual matters.

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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