



Quod

SUMMARY PROOF OF EVIDENCE - PLANNING

Prepared by Philip
Murphy MTCP MRTPI

LAND AT MANOR FARM, POYLE
ROAD, SLOUGH

SECTION 78 APPEAL BY MANOR
FARM PROPCO LIMITED

SEPTEMBER 2025

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

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1 Personal Background

- 1.1 My name is Philip Murphy. I hold a First Class Undergraduate Masters in Town and Country Planning from the University of Manchester.
- 1.2 I am a Member of the Royal Town Planning Institute with over 23 years working in planning consultancy.
- 1.3 I am a Senior Director at Quod, being one of the six original Directors who established the company in 2010
- 1.4 I have been involved with the appeal site for a considerable period of time, having originally been appointed by the Airport Industrial Property Unit Trust in May 2023, and subsequently instructed by the Manor Farm Propco Limited to coordinate the submission of the application that forms the basis of this appeal.
- 1.5 The evidence that I have prepared and provide for this appeal (PINS Ref APP/J0350/W/25/3366043) is true and has been prepared and is given in accordance with the guidance of my professional institution. I can confirm that the opinions expressed are my own, true, professional opinions.

2 Introduction

- 2.1 This Summary Proof of Evidence (“**SPoE**”) has been prepared to support an appeal made under section 78(2) of the Town and Country Planning Act 1990 (“**Appeal**”) against the non-determination by Slough Borough Council (“**SBC**” or “**the Council**”) of full planning application Ref No: P/10076/013 (“**the Application**”) in respect of land known as Manor Farm, Poyle Road, Slough (“**the Appeal Site**”) on behalf of Manor Farm Propco Limited (“**the Appellant**”).
- 2.2 The Application was submitted to SBC on 13 December 2024 and sought planning permission for:
- “Demolition of existing buildings and redevelopment to comprise a Data Centre (Use Class B8) and Battery Energy Storage System with ancillary substation, offices, associated plant, emergency backup generators and associated fuel storage, landscaping, sustainable drainage systems, car and cycle parking, and new and amended vehicular and emergency access from Poyle Road and other associated works” (“**the Development**”).*
- 2.3 The Development comprises a hyperscale data centre - critical national infrastructure for which there is an urgent national and local unmet need - and a Battery Energy Storage System (“**BESS**”) which is also vital infrastructure.
- 2.4 The Appeal Site is located in the Slough Availability Zone (“**SAZ**”) (CD8.7, para 7.12) which is an internationally recognised location for data centres. In this context it is common ground that there is a significant demand for new data centres in the SAZ (CD8.7, para 7.9).
- 2.5 The Appellant has secured contracted power connections which are capable of being operational by 2027. This enables the Development to avoid the power constraints that are preventing the delivery of new data centre accommodation across the SAZ.
- 2.6 The Development will contribute to meeting the substantial unmet and growing data centre needs and support a sector that is critical to enabling Government to achieve its ‘number one mission’ – delivery of economic growth¹.
- 2.7 The Appeal has been made in light of the urgent need for the Development and the ability to utilise the contracted power connections.

¹ Plan for Change, Kickstarting Economic Growth, December 2024

3 Appeal Site

- 3.1 A description of the Appeal Site and its surroundings is set out in Section 2 of the SoCG (CD8.7).
- 3.2 The Appeal Site extends to some 8.16 hectares.
- 3.3 It is located within the Green Belt, as well as within a locally designated Strategic Gap and the Colne Valley Regional Park (“**CVRP**”).
- 3.4 It is situated on land immediately west of the Poyle Trading Estate and south of the Hilton London Heathrow Airport Hotel. The M25 lies to the east beyond Poyle Trading Estate, with Heathrow Airport further beyond. The Appeal Site and the surrounding context is identified in Figure 1.



Figure 1 – Site Location

- 3.5 The Appeal Site comprises of two main land parcels that are connected by an existing track. To aid description of the Appeal Site, I make reference to ‘Parcel A’, ‘Parcel B’ and ‘the Link Road’ Parcel’, as shown diagrammatically at Figure 2.



Figure 2: The Appeal Site Parcels

3.6 The previous uses on Parcel A has left an established industrial character, which was reflected in the following features:

- 5 warehouse units with associated hardstanding, as well as other buildings and structures;
- A large access road with regular vehicular activity;
- Areas of external storage of building material, products and equipment;
- Large palisade fencing;
- Expanses of hardstanding;
- Parked lorries/HGVs;
- Large areas of commercial car parking;
- Absence of coordinated green infrastructure, and instead established scrub and weeds;
- Lack of overall maintenance

3.7 Parcel B was previously used for minerals/aggregates extraction and subsequently landfilled. The parcel is now arable in nature and contains a small agricultural building to the south west.

3.8 The Link Road Parcel connects Parcels A and B. The northern extent of the parcel contains built structures, boundary fencing associated with previous activities, hard standing and access routes. The southern section of the parcel is more arable in nature, containing an unmade track and grassland.

4 Appeal Proposals

4.1 The Appellant seeks full planning permission for the Development which comprises:

"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"

4.2 It is common ground that the main components of the Development are those as described in paragraph 3.4 of the SoCG (CD8.7).

4.3 As explained within the Design & Access Statement (CD1.36), the Appellant has prepared a scheme with a particular focus on high quality design. Despite being located adjacent to an industrial area, the Appellant has approached the design of the data centre so as to ensure it responds to the Appeal Site's location on the edge of the Green Belt, the Strategic Gap and CVRP.

4.4 The Development provides off-site Green Belt enhancements through a commitment to deliver a new pedestrian route along Poyle Channel and Colne Brook which connects pedestrian routes on Poyle Road to the Arthur Jacob Nature Reserve for the benefit of the local community and in alignment with CVRP objectives.

4.5 The Design and Access Statement (CD1.36) provides further detail on the proposed design and layout of the Development.

5 Planning History

- 5.1 The planning history that is of most relevance to this Appeal is identified in a schedule at Document 4 of my PoE.
- 5.2 Parcel A and the northern part of the Link Road Parcel do not comprise unspoilt areas of countryside in agricultural use. The land has been characterised by industrial and commercial uses for almost a quarter of a century which has significantly limited its ability to meaningfully contribute toward Green Belt, Strategic Gap or CVRP purposes.
- 5.3 Parcel B and the southern part of the Link Road Parcel were previously developed for minerals/aggregate extraction, however, the land has since been covered (with large parts subject to landfilling) and now has an arable landscape character.
- 5.4 I accept that (prior to the Appellant's ownership and control of the Appeal Site) some of the previous uses/activities on the Appeal Site may have been undertaken unlawfully, and in some instances have been subject to enforcement action requiring parts of the land to returned for agricultural use.
- 5.5 As such parts of the Appeal Site cannot be considered Previously Developed Land (“**PDL**”) as per the definition within the NPPF. However, various parts are lawful as summarised on a plan at Document 6 of my PoE.
- 5.6 Nevertheless, the intensive nature of the activities and the extended period of time over which they have occurred, have impacted the character and appearance of the Appeal Site.

6 Planning Policy

6.1 The planning policies and national guidance that are of most relevance to this Appeal are identified in the SoCG (CD8.7).

National Policy

6.2 I will refer to relevant national policies and guidance set out in the NPPF (December 2024, as updated in February 2025) and the National Planning Practice Guidance (“**NPPG**”).

The Development Plan

6.3 The Development Plan for the area currently comprises the following:

- Saved Policies of the Slough Local Plan (March 2004);
- Core Strategy Development Plan Document (December 2008); and
- Slough Local Development Framework (LDF) Proposals Map (November 2010).

6.4 The Appeal Site is not allocated for development in the Site Allocations Development Plan Document (2010).

7 Case for the Appellant

7.1 My evidence is focused on relevant planning policy matters.

7.2 I have structured my evidence to address the following issues/topics:

- Issue 1 - Principle of the development including need and alternative sites
- Issue 2 - The deliverability of the development relative to power availability and associated connections
- Issue 3 - Whether the proposal constitutes Grey Belt including whether it fundamentally undermines the purposes of the remaining Green Belt
- Issue 4 - If the site is not considered Grey Belt, the scale of harm to the Green Belt
- Issue 5 - The effect of the development on the Strategic Gap and CVRP
- Issue 6 - The effect of the development on delivering a third runway at Heathrow
- Issue 7 - Any other harms resulting from the proposal
- Issue 8 - The benefits that flow from the development

7.3 I then deal with the planning balance, addressing both the Grey Belt and Green Belt scenarios.

8 Issue 1 - Principle of the Development

8.1 My summary of the principle of the development is as follows:

- The Development Plan is out of date with national policy (including the NPPF) in that it fails to proactively identify and meet full economic needs, including for data centres, and fails to respond to the challenges now faced with regard to digital infrastructure.
- There are no areas or assets that provide a strong reason for refusal and consequently, the tilted balance expressed in the presumption in favour of sustainable development (NPPF paragraph 11(d)(ii)) should be applied.
- SBC agree that there is a need for data centre development in the Borough, but object to the need for the data centre use being accommodated on the Appeal Site which is subject to Green Belt, CVRP and Strategic Gap designations.
- The extent of any harm to these designations is addressed in my evidence, and whilst any such harm will be an important factor, this needs to be balanced with meeting the need for critical digital infrastructure where and when it is required.
- The proposals attract considerable support at the national level as confirmed by recently recovered appeal decisions. NPPF para 85 states that significant weight should be placed on the need to support economic growth and productivity. Areas should build on their strengths and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation.
- The NPPF para 86 requires that local policies meet the needs of data centres in order to support the modern economy. Policies should also address potential barriers to investment, such as inadequate infrastructure and to enable a rapid response to changes in economic circumstances. Those types of policies are absent from the Development Plan.
- NPPF para 87 is expressly supportive of making provision for data centres. It says decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for new, expanded or upgraded facilities and infrastructure that are needed to support the growth of these industries (including data centres).
- Such is the importance of this type of development, that the new Government's published amendments to national policy do more to support those sectors which will be the engine of the UK's economy in the years ahead and assist deliver the Government's "number one mission" - economic growth.
- As a matter of necessity the Development is located within the SAZ. The SAZ is one of the most important data centre hubs globally. There is a lack of available land for new data centres in the SAZ, which is compounded by severe constraints to power availability.

- Mr Powney’s evidence describes the significant scale of the current and growing need for data centres in the SAZ, which cannot be accommodated in full within the STE and other pipeline development.
- Mr Cole’s evidence demonstrates that there are no available alternative sites that could accommodate the development.
- The proposal will provide for a hyperscale data centre and it would represent an investment of well over £365million. Its timely delivery is a matter of national importance to support economic growth and society more generally.

9 Issue 2 - Deliverability

9.1 My findings on the issue of deliverability are as follows:

- Mr O'Reilly's evidence describes the severe capacity constraints that currently exist in the transmission and distribution networks.
- As large data centres require a substantial amount of power, the ability to deliver additional data centre capacity in the SAZ is currently severely limited.
- The timing of reinforcement and upgrade works is uncertain. The Uxbridge Moor substation is likely to be delayed beyond 2029, but in any event all of its capacity as already been contracted. Further upgrades are unlikely until mid-2030 at the earliest.
- The Appeal proposals therefore provide the rare ability to deliver power connectivity in 2027 to enable the delivery of hyperscale data centre accommodation that will make a meaningful contribution toward the urgent and rapidly increasing need for data centres, especially in the SAZ which is the largest AZ in the UK.
- The power contracted to the Appeal Site is specific to that site, and cannot be transferred to another site or development. Any new applicant for power would need to enter the current 'queue' and is unlikely to secure power connections until mid-2030 at the earliest.
- The BESS will provide additional resilience in the local power network, supporting existing businesses and local communities in an area where the power network does not have other similar sources of flexibility.

10 Issue 3 – Grey Belt

10.1 My main findings on this issue area as follows:

- Drawing on the evidence of Mr Webster the Appeal Site does not fulfil a ‘strong’ role against Green Belt purposes a), b) and d);
- Drawing on Mr Webster’s evidence the Development will not ‘fundamentally undermine’ the wider Green Belt in the plan area;
- There is a substantial and growing need for data centres, specifically within the SAZ, and the Development will make an important contribution to that need, as evidenced by Mr Powney;
- The Appeal Site represents a sustainable location for the proposed Development, resulting in a reduction in vehicular movements compared to previous uses on site;
- Overall, the Development satisfies criteria of paragraph 155 and is clearly Grey Belt land.

11 Issue 4 – Green Belt

- 11.1 I have provided evidence to demonstrate why I consider the Appeal Site to constitute Grey Belt land consistent with the terms of the NPPF. However, should the Inspector and/or Secretary of State, contrary to my opinion, consider that the Appeal Site is not Grey Belt land, I have considered the scale of harm that the Development could cause to the Green Belt (by reference to Mr Webster's evidence), which I then draw upon later as part of the planning balance exercise.
- 11.2 Mr Webster's evidence provides a thorough analysis of the effect of the Development on the openness of the Green Belt and examines how the Development would impact upon its five purposes.
- 11.3 Mr Webster concludes that the Development will have 'substantial' harm to the spatial aspect of openness, but given the lack of intervisibility and wider ranging views, he concludes there will be 'limited' harm to visual aspects. With regard to duration of development and remediability he concludes that there will be 'substantial' harm, with the degree of activity resulting in 'limited' harm.
- 11.4 Overall, Mr Webster concludes that the development would have 'substantial' harm to the openness of the Green Belt.
- 11.5 In terms of the five purposes of the Green Belt, Mr Webster explains why the Development would not conflict with purposes (a), (d) and (e), but would result in 'limited' and 'moderate' harm to purposes (b) and (c), in relation to the merging of neighbouring towns and safeguarding the countryside from encroachment respectively.
- 11.6 Overall, I agree with the conclusions reached by Mr Webster about the levels of harm that would arise as a result of the Development if the land were not considered Grey Belt.

12 Issue 5 - The effect on the Strategic Gap and CVRP

Strategic Gap

12.1 I have reached the following conclusions on this matter:

- It is clearly evidenced that it is essential for the proposed Development to be located on the Appeal Site within the SAZ, as documented by Mr Cole.
- It is also evidenced that the data centre and BESS are critical national infrastructure, for which there is demonstrable and unmet need, as addressed by Mr Powney.
- It is accepted that the Development will cause some harm to the Strategic Gap, however, as evidenced by Mr Webster, the Appeal Site has contained commercial/industrial activities over a quarter of a decade and as a result it has fulfilled a limited role and function.
- Consequently, the proposed Development will not cause any material harm to the purposes of the Strategic Gap.
- The Proposed Development is considered to materially comply with Core Policy 2 and Saved Policy CG9.

Colne Valley Regional Park

12.2 My findings on the impact to the CVRP are as follows:

- The Development will have a minimal impact on the role/function and landscape character of the CVRP, as evidenced by Mr Webster.
- The Development will be carried out within a built-up and urbanised part of the CVRP adjacent to an existing industrial estate.
- As evidenced by Mr Webster, there will be no significant visual impact on the CVRP.
- The proposed pedestrian connectivity to the Arthur Jacobs Nature Reserve is supported by the Colne Valley Park Trust.
- The Development accords with the requirements of Policy CG1.

13 Issue 6 - The effect on the delivery of Third Runway at Heathrow

13.1 My findings on this matter are as follows:

- There is no development plan policy, or any national/local guidance that protects or designates the Appeal Site for airport related purposes.
- The Appeal Site is not located within either the Annex A or B boundaries of the Airports National Policy Statement (“**ANPS**”), and there is nothing in the ANPS that relates directly to the Appeal Site.
- Heathrow Airport Limited’s (“**HAL**”) Preferred Masterplan was published in June 2019 based on evidence prepared prior to that date. Over 6 years have elapsed since that point, during which time there have been various changes in circumstances, not least due to the implications of the Covid 19 pandemic and changes in the planning landscape eg site availability, demand, etc. The 2019 Preferred Masterplan will need to be reviewed accordingly.
- HAL's March 2025 programme suggests the submission of a DCO application in 2028, which would potentially not result in a decision until c. 2029/2030. Delivery of the scheme will therefore not occur until mid/late 2030s. The project is therefore still some way off.
- HAL’s previous consultation material and SBC’s Proposed Spatial Strategy (Nov 2020) refers to the potential for land for warehousing in the wider area.
- The Government has made its support for a 3rd runway at Heathrow Airport clear, but has also confirmed its support for the delivery of data centres to enable its objective that the UK be a global leader in AI innovation and the SAZ is recognised to be the largest data centre hub in Europe and the second globally.
- Both expansion at Heathrow Airport and the delivery of data centres are important national infrastructure.
- In reality, the non-availability of the Appeal Site for ARD uses will not undermine or prejudice the delivery of a 3rd runway as a whole.
- The projects are not mutually exclusive. Instead, both projects can, and should, be realised without any undermining effect on the other.

14 Issue 7 - Other Planning Matters

- 14.1 The Development will result in some landscape and visual harms, but given the existing context of the Appeal Site and surrounding area, the scale of these harms is at most 'minor' for local views in the immediate vicinity of the site and 'moderate' for certain longer range view.
- 14.2 The Development results in less than substantial harm to two Grade II heritage assets. SBC raises no objection on heritage grounds on the basis that the public benefits of the Development outweigh the less than substantial level of heritage harm (CD8.7, 7.32).
- 14.3 No other planning harms arise as a result of the Development including traffic, noise, amenity, air quality, energy and sustainability, archaeology, contamination and ecology/biodiversity.

15 Issue 8 – Scheme Benefits

15.1 The Development will deliver a number of tangible and significant benefits, which I summarise below:

- Mr Powney’s evidence demonstrates that the need for data centres in the SAZ is overwhelming – 2,970 MW by 2030. Mr Powney estimates that data centres in the planning pipeline may be able to deliver 1,152 MW, which results in a shortfall of 1,818 MW - a conservative assumption as it assumes all pipeline developments will come forward and is able to secure the necessary power. Furthermore, adopting another assumption that all of the alleged 4.3m sqft of additional data centre space in the STE comes forward (and is able to secure power), there will still be a shortfall of 1,219 MW. The Development will deliver a 72 MW IT hyperscale data centre with contracted power which will make an important contribution to evidenced needs;
- As explained in Mr O’Reilly’s evidence, the BESS is needed and will provide additional resilience to a highly constrained local power network that will support local business and surrounding communities, as well as contribute to the global ambition to reduce greenhouse gas emissions and the national incentive to increase energy security, as per para 168 of the NPPF.
- The Development will result in substantial economic benefits for the local area, by providing:
 - up to 490 FTE construction jobs
 - c.65 FTE operational jobs – a high proportion of which would be in highly skilled and high wage roles in electrical engineering and related fields
 - There will also be ancillary roles including facilities management and security offering roles providing entry level and mid level jobs.
 - Increased Gross Value Added of £5.98 million, with up to £92,000 GVA per worker
 - £3.5 million business rate revenue with an estimated £1.5m retained locally.
- The provision of skilled jobs along with a commitment from the Appellant to a Community Development and Skills Strategy. This will support the upskilling of Slough residents including engagement with local schools and colleges, strategic partnerships and Community Benefit Fund (£42,500), supporting sustainable growth in the sector.
- The Appellant will work with its selected construction contractor and SBC to support local employment and procurement opportunities and source goods and services locally during construction
- Providing indirect, catalytic and down-stream beneficial effects – as recognised by Government in their designation of data centres as critical national infrastructure. Data centres are essential foundational infrastructure enabling economic growth, competitiveness and innovation across all enterprises and public services across all

industries. Data centres support cloud computing, AI, and big data analytics, which will be critical for international competitiveness and productivity gains. They will be especially important for UK's priority growth sectors such as life sciences and pharmaceuticals (see <https://www.smf.co.uk/wp-content/uploads/2025/01/How-to-power-AI-Feb-2025.pdf> page 11-15) and are important to Slough's local economy.

- Improved visual appearance of the Appeal Site, with the frontage off Poyle Road being dedicated as an area of public realm incorporating a footway, trees and enhanced biodiversity. The Development also has a high-quality design, raising the bar for those the follow behind;
- Delivery of a new pedestrian route linking Poyle Road to the Arthur Jacob Nature Reserve which aligns with the landscape strategy objectives of the CVRP;
- BNG in excess of the minimum policy requirement, including c.10.5% for hedgerows, c. 115% for habitats and c. 10% for watercourses;
- The Development will result in a reduction in vehicular trips compared to the activity previously on site;
- Improved access to two bus stops in the vicinity of the Appeal Site, including a new 2m wide pedestrian footway on the west of Poyle Road north of the site access junction, and a new pedestrian crossing on Poyle Road south of the site access junction;
- Bus stop contributions (£15,000) and highway improvements.

16 Overall Planning Balance

- 16.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise.
- 16.2 I find the Development Plan out of date and as a result the tilted balance of NPPF paragraph 11(d)(ii) is engaged.
- 16.3 Notwithstanding this, I find that the Development accords with the provisions of the Development Plan when read as a whole.
- 16.4 The Appeal Site is Grey Belt land, meaning that the proposals are not inappropriate development.
- 16.5 Even without the Grey Belt land identification, clear and compelling VSC exist that demonstrably outweigh Green Belt and any other harms consistent with Core Policy 1.
- 16.6 The development itself and its location have been demonstrated to be essential in the content of Core Policy 2.
- 16.7 There are a number of benefits and other considerations that weigh in favour of the proposals, including:
- Need for the development and contribution to meeting that need - **Significant**
 - Locational requirements and the lack of alternative sites – **Significant**
 - Deliverability – **Significant**
 - National and local economic Impact - **Significant**
 - Temporary Construction Employment – **Limited**
 - Permanent employment - **Significant**
 - Education, skills and training - **Moderate**
 - Social benefits - **Limited**
 - Addressing Climate Change - **Moderate**
 - Landscape and biodiversity enhancements – **Moderate**
 - Reduction in vehicular trips and accessibility improvements - **Moderate**
 - Consequences of not providing capacity to meet need – **Significant**

16.8 The potential adverse impacts have been identified and these should also be afforded varying degrees of weight as follows:

- (If the Appeal Site is concluded not to be Grey Belt) Harm to the Green Belt – **Substantial**
- Harm to landscape and visual – **Significant**
- Harm to the Strategic Gap – **Limited to Moderate**
- Harm to heritage assets – **Great Weight**

16.9 All other identified impacts can be avoided, mitigated or addressed through planning conditions and/or obligations.

16.10 The identified benefits of the development undoubtedly outweigh the harms where the Appeal Site is regarded as Grey Belt. Furthermore, where the Appeal Site is considered Green Belt, the overwhelming scale of the scheme benefits act as VSC which clearly and demonstrably outweigh the harm to the Green Belt and any other harm resulting from the Development.

16.11 Consistent with Section 38(6) the proposals accord with the Development Plan as a whole. The Appeal proposals represent sustainable development and planning permission should be granted.