

ID25 – Draft Conditions

Both options to be considered in light of a 2 year commencement condition at Condition no.1.

OPTION A:

Condition (*39): If the development hereby permitted has not been “*substantially commenced*” by 31 December 2029, a scheme for the removal of all “material operation” and for the restoration of the site to agriculture, shall be submitted to and approved in writing by the Local Planning Authority within 12 months of that date.

The approved scheme shall include details of:

- (a) the extent of material operation to be removed;
- (b) the means of removal and site restoration, including landform, soil replacement, drainage, and reseedling;
- (c) aftercare and maintenance for a period of five years following restoration; and
- (d) a timetable for the restoration to take place.

The approved restoration and aftercare works shall thereafter be carried out in full accordance with the approved scheme and timetable.

[For the purposes of this condition, “substantially commenced” means the discharging of all pre-commencement conditions and the completion of building works up to and including [the construction of the external shell of the main data centre building and “material operation” carries the same meaning as defined in s.56(4) Town and Country Planning Act 1990.]

Reason: To ensure that the development is commenced and completed in accordance with the very special circumstances justifying its approval in the Green Belt and to secure the restoration of the site should the development not proceed, in accordance with paragraph 143 of the National Planning Policy Framework and Policy CP2 of the Slough Core Strategy (2008). This condition also safeguards and seeks to ensure the ongoing effectiveness of the extant enforcement notice no. 343, dated [CD 11.1 T4b] and enforcement notice no.262 [CD11.1.T4a] and the requirements there in.

OPTION B:

Condition (*39): No development pursuant to this permission shall begin until evidence has been submitted to and approved in writing by the Local Planning Authority of a binding contract(s) having been entered into for the carrying out of the works for the Substantial Commencement of the development hereby permitted.

If the development hereby permitted has not been “*substantially commenced*” as per the above, a scheme for the removal of all “material operation” and for the restoration of the site to agriculture, shall be submitted to and approved in writing by the Local Planning Authority within 12 months of that date.

The approved scheme shall include details of:

- (a) the extent of material operation to be removed;
- (b) the means of removal and site restoration, including landform, soil replacement, drainage, and reseedling;
- (c) aftercare and maintenance for a period of five years following restoration; and
- (d) a timetable for the restoration to take place.

The approved restoration and aftercare works shall thereafter be carried out in full accordance with the approved scheme and timetable.

[For the purposes of this condition, “substantially commenced” means the discharging of all pre-commencement conditions and the completion of building works up to and including [the construction of the external shell of the main data centre building and “material operation” carries the same meaning as defined in s.56(4) Town and Country Planning Act 1990.]

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