

### **We really did our very best to stop this build**

Following the decision to grant planning permission on the Donkey Field, NWAG and several residents are deeply disappointed by the outcome. It was close, 7 votes to 4 but unfortunately, just not close enough.

It was reassuring to see local residents who came to show their strength of feeling against this build and to support us. Thank you so very much and for coming on the day and to chat after it was over. We really valued your support.

The meeting itself was concerning as during the committee hearing, two planning officers were unable, when asked, to identify the locations of Westwells and Wadswick Green on the overhead presentation map. Given that these communities are among those most directly affected by the proposal, this raised troubling questions about the depth of contextual understanding, informing the advice being presented by the planners to Councillors. The map was so old they pointed to Sands Farm as Wadswick Green and Wadswick Green was not shown at all! They also didn't know whether Wadswick Green was to the South West or South East of the Donkey Field.

In their original planning application Ark state that there would be 7 jobs, five during the day and two at night so there would be no need for a traffic analysis as there would be no extra vehicles using Rowan Lane. Within the planning officers report, they stated that the development would provide fifty local jobs and this therefore carried significant weight in planning terms. On the day the Ark representatives, during their three minute speech, they increased that number considerably, to wait for it, 87! When the planners were asked what proof had been provided for any of these numbers and the nature of those jobs, the answer was 'none'. The planners stating that they were wholly reliant upon statements made by the developer and there was no evidence provided whatsoever, that any jobs would be created. The majority of Council Committee Members, seemed oblivious to any of these issues and basically waved through the application without apparent understanding, or even a desire to ask meaningful questions. The chairman appeared pretty disgusted with the outcome along with a number of Council Technical staff, especially the Lead Local Flood Authority member who seemed genuinely distressed at the procedures he had to follow and the outcome.

The planning officer's presentation also framed a number of planning judgements as settled conclusions, despite the Committee's role being to weigh and determine those matters independently. This type of approach risks narrowing democratic scrutiny, and limiting the ability of elected members to exercise planning judgement on behalf of residents.

In addition, NWAG, David Palmer an independent eminent drainage engineer with 40+ years of experience under his belt, plus Peter Wragg and the Chairman of Corsham Town Council raised several concerns. Some of these were that the hearing was reliant on post-approval planning "conditions", to address unresolved flood-risk uncertainties. We raised that these may be inappropriate and could render the decision vulnerable to legal challenge by local residents. These concerns were not substantively addressed during committee discussion, neither was the legal officer present, asked to comment. We all, therefore believe it is important to state that serious questions remain as to whether several fundamental issues should have been resolved before permission was granted, and the lawfulness of this approach should be carefully reviewed. For example the planning officers, several weeks before, were given new evidence to prove that the Donkey Field has never been ex MOD

land. So this meant that CP34 should no longer be applied, and the status of the land required reviewing by the Council legal team. In addition everything that the Corsham Town Council have asked Ark to carry out, the CTC chairman informed the committee Ark had not completed or delivered. Like wise the Lead Local Flood officer stated everything that Ark had been asked to do, prior to determination, they have refused to deliver. So to be clear that is over an 18 month time frame Ark had failed to deliver. For this reason the Lead Local Flood officer had been left with no alternative than to put Conditions on the build, both before and during the build. The problem with setting these Conditions is that developers, can then go back to Wilts County planners and state that they are too difficult to achieve, and request a that another easier solution be sought! Yes, I know, shocking!

So more broadly, the hearing illustrated structural weaknesses within the local planning structure. The applicant, Ark, repeatedly referenced the likelihood of succeeding on appeal should permission be refused, and emphasised national strategic support for data-centre development. It is legitimate to question whether the potential financial risk of defending an appeal influenced decision-making? We don't know. At the same time, Ark suggested that investment could be directed elsewhere if approval was not forthcoming — a position difficult to reconcile with their claim that the development must take place on this specific site, despite recognised flood-risk concerns and impacts on our neighbourhood. But in another breath clearly stating that it could be built on one of their other sites. Our conclusion is that at the end of the day Ark don't really care. They are desperately trying to sell all of their sites, including the ones on Hawthorn Industrial Estate. They have been for the last three years! So after destroying and industrialising our village and ruining some people's lives forever, they will very soon, just walk away. On so many levels this just cannot be right. Ark have also purchased the Rabbit Warren although they have it registered under Westwells Paddocks. So guess where they will be applying to place industrial units on next. Well done, you can go to the top of the class.

NWAG remain concerned that the decision departs from the spirit of the Wiltshire's Strategic Planning framework and Spatial Plan and risks setting a precedent that encourages speculative industrial development proposals in other sensitive locations. We residents surly expect the planning system to balance economic growth with protection of the places and homes we live in; when that balance appears compromised, confidence in local democratic planning is inevitably weakened. We are left wondering what exactly is the function of the planning process, especially if it is going to ignore Strategic policies that are in place and ignore 1200+ local resident's objections.

So, unless local resident's wish for NWAG to investigate the legitimacy of a Judicial Review, then very soon, we are going to have lost forever our green space and many of our public footpaths, along with the loss of the flora, fauna, wild animals and Westwells rare bats. Instead we will be walking around the perimeter of a humongous concrete and grey steel industrial build, with a high perimeter fence. Looking in upon metal steps and generators. It will be like walking around a prison. What a dreadful thought; so enjoy the Donkey Field whilst you can, walk through and listen to the birds and look at nature trying to regenerate itself. We did our very best to save it from this devastation from happening. It was all done in the name of financial gain. Which by the way won't be going into the local community or even the UK but to a Mr Paul Singer, who is CEO and proprietor of the American private equity/hedge fund firm who currently owns Ark Ltd. What do we and future generations get out of this, a great mass of concrete and steel and the loss of birdsong and wildlife forever!