

The Donkey Field Update

What NWAG has Currently asked Wiltshire Council to do.

In our complaint we have asked for an investigation and a clear explanation of how errors or omissions occurred at the Strategic Meeting. Also, what quality checks were applied, to ensure their decisions were based on accurate and properly tested information. A review of the officer report and committee presentation materials for **PL/2024/05527**.

1 An explanation of how new archival evidence is handled and communicated to members.
2 As important information NWAG previously provided was not appropriately addressed at the meeting.

3 Assurance that maps and drawings supporting key claims are checked and accurate. This did not happen at the meeting as the planners were pointing to Sands Farm instead of the Wadswick Green Complex as the complex was not even on their map.

4 Clearer standards on what facts and issues must be resolved before approval is given (rather than left to later for “Conditions” to be applied)

5 Improved transparency about monitoring and enforcement of conditions. Otherwise, how will local residents know that the conditions have been carried out or just ignored.

What happens next. Well we wait for a reply.

Why, because WCC has failed again to follow policy and has not responded to our complaint within the set time scale that it should follow. Probably because it is finding it difficult to respond.

So, all of us have to wait and see what steps they will take. The questions that we have asked will be difficult for it to answer as at the Strategic Meeting, it did not follow its own policies and procedures.

The Donkey Field was originally approved for much needed housing *not to* be Industrialised.

In the meantime, we can reflect on what NWAG and local residents have achieved?

Well in the last 2 years Neston Westwells Action Group (NWAG) has already achieved so much whilst trying to stop this Industrial Build in the heart of our village.

NWAG results to date:

1. The Data Centre build was only approved by WWC with an extremely close result of 7 votes to 4. (we all nearly stopped it!) So very close.

2. We have already cost Ark a lot of money and time by putting its current Data Centre build on the Hawthorn Site (old Stephen’s Plastic’s Site) back by 18 months.

3. Wessex Water now agree with us, that its system maps for the area are completely wrong. Consequently, it is going to carry out a Technical Exploration to finally establish the FACTS about the drainage system in Westwells.

4. We have proved to WCC that the Donkey Field has never been MOD land and therefore should not have been considered under section 35 of the WCC Core Policy.

5. The Lead Local Flood Authority now accepts that the original assessment that they made of the local flood risks was wrong. This was because it relied on incorrect information supplied by the developer.

6. Because of our belligerence, Ark has had heavy “Conditions” imposed upon it by the Planning Authorities. Ark has to carry out a full catchment area study before it can even begin work on Hawthorn 5 site or the Donkey Field.

So, what are NWAG’s Aims now?

1. Well we want to prevent Ark continuing to turn our village into an industrial site and extend its building program further into the village. The Donkey Field at the previous appeals hearing (approx. 5 years ago) was approved for limited residential use; 80+ houses which had severe building constraints placed upon it. In fact, over the last 75 years, there have been several attempts to put industrial units on the Donkey Field. They have always been refused on the grounds that the field was an open space for the village and a buffer zone. However, at this appeal, planning permission was given for 80+ houses only because WCC had not met its housing quota [it still hasn’t].

2. We still want to stop the Data Centre Build on the Donkey Field or at least place the same constraints on it that applied to the Housing application after the planning appeal. We have a window to do this, as at the time of writing this, Ark has still not been granted actual planning permission and full “Conditions” have not been set. More could be added.

3. We would like the whole planning process to start from scratch. This would be by legally challenging WCC on the grounds of failure of process.

4. Make WCC stick to their published core policies and procedures when reviewing this case and for all future builds within our village.

5. Prevent Ark using the Donkey Field as a building site for several years whilst building on the Hawthorn Site. (Old Stephen’s Plastics) This is what its current plans are.

6. Ensure that Ark actually complies, with the current “Condition”s on its other sites with regards to light and noise.

7. Gain complete understanding of the drainage within the area and prevent another flood.

8. Ensure Ark provides a planning submission/ information on how building would affect local water and electricity supplies in the future

9. Ensure a proper impact assessment on Wadswick Green and its residents is considered by the planning authorities.

What has NWAG done recently to meet these Aims:

Quite a lot as we have lodged a formal complaint letter to WCC. This addresses the misdirection and other deficiencies at the strategic planning meeting. As you know we are awaiting a reply.

Written a formal complaint letter to the Environmental Agency. This addresses the failure to carry out an Environmental Impact Assessment across the “whole” of the aggregated Ark site. Its response was to state that surface water flooding was the responsibility of the Lead Local Flood Authority for the whole aggregation so not part of their remit. Therefore, it could not object to the build as it was outside the scope of its authority!

Written a formal complaint letter to the local Government Ombudsman addressing the failure of the minutes of the WCC Strategic Planning Meeting to record the concerns raised at the meeting by WCC’s own technical authorities. We are awaiting a reply.

Written a formal complaint to Wessex Water over planning assumptions made from faulty data supplied by Ark to the planning department. We have proved the inaccuracies by mapping and

physically tracking drains and manholes across the area. It is now going to undertake a full survey of drainage systems along Westwells to establish the actual drainage arrangements as they have no real understanding of local legacy systems.

Challenged the WCC highways and drainage authorities about the inaccurate and deficient data they were provided by the developers to the planning authorities. The Highways authorities have clearly stated that they have no idea whatsoever of where the Westwells highway drains empty. Truly, absolutely no idea!.

Written a formal complaint to the Ministry of Defence (MOD) over the unauthorized use by Ark of the degraded legacy MOD drainage system. This prevents Ark planning applications trying to overcome deficiencies in its technical submissions and the “Condition”s placed upon it by the planners by illegal use of the broken [70% collapsed] legacy MOD drainage system

Raised a formal complaint with WC Environmental Health over the Ark non-compliance with lighting and noise which are conditions on its existing FIVE Data Centres.

Informed Corsham Town Council of Ark’s plans to use the Donkey Field over the next 2 years as a building site to assist them building the Hawthorn 5 site. Consequently, Corsham Town Council has also put a formal complaint into WCC.

.Collaborated and gained support from our local MP Sarah Gibson, for her to challenge the MOD re non-engagement in local planning decisions reliant upon MOD legacy infrastructure.

But many of you will be pleased to hear we have received robust and favourable legal advice from solicitors who are used to dealing with these sorts of issues.

How you can help?

- Please don’t just do nothing but actually assist NWAG to still prevent this build. Just doing nothing means it will happen.
- Support us in a Legal Challenge against the planning authorities and WCC. This all takes a lot of time and money.
- Write to our local councillors or directly to Wiltshire Council with specific questions if you are affected by noise or light pollution or drainage issues. Alternatively, let NWAG know.

Developers as you have seen get away with it if we just do nothing but if we villagers work together, we will remain a force to be reckoned with. Thank you!

Neston Westwells Action Group (NWAG).

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