

From: David Palmer

Sent: 16 February 2025 17:10

To: Madge, Adam <Adam.Madge@wiltshire.gov.uk>

Subject: PL/2024/05527 : Land South of Westwells Road, Westwells Road, Neston, SN13 9GB

Dear Sir,

I write to express my concerns regarding the proposed Data Centre at Donkey Field, Neston.

I am a Chartered Engineer and a Fellow of the Institution of Civil Engineers. I have 35 years of experience in Flood Risk Management and have played a lead role on some of the UK's largest and most challenging developments. I am currently the Water Group Director at consulting engineers, Buro Happold. It is important to state that this is a personal email and does not represent a Buro Happold position in any way.

My concerns are twofold:

1. Flood Risk Management; and
2. Loss of habitat and environmental value.

Flood Risk Management

The Flood Risk Assessment (FRA), dated 10th May 2024, prepared by Hydrock appears to be incomplete. The FRA focus on little beyond the over-simplified fact that the site is defined as Flood Zone 1 and the National Planning Policy Framework (NPPF) defines all land uses as suitable within such a designated area. Whilst this is correct, in terms of the EA flood maps, this should represent the beginning of the assessment, rather than the end of the assessment. It is well recorded that extensive flooding in the Westwells area was experienced in 2014.

The Proposed Development consists of a very significant roof area and other areas of hardstanding, such as car parks. These areas will increase the run-off from the site significantly. The FRA fails to identify that surface water is both the primary and a very significant source of flood risk on and off site. The post-development runoff rate will be significantly higher than the existing, greenfield rate.

Whilst the *FRA* makes no reference to the mitigation measures for this increase in site runoff, the *Drainage Strategy* states that the primary mitigation will be that rainfall will be re-used within the cooling demands for the development. Whilst this is sustainable in terms of water resource management, it is extremely flawed in terms of flood risk management. The water demand for such a development will be largely consistent throughout its operation. The opposite is true of rainfall. Rainfall patterns are changing in the UK, as there are around the globe. Rainfall events have become more extreme, with rain falling in shorter, more intense patterns. The changing pattern of rainfall makes it less suitable as a source of water supply for developments of this nature. During a major rainfall event, of say 1 in 20 or 30 years, the development will simply not be able to cater with the volume of additional runoff that has been generated on site. The challenge will not be how to re-use this water, but how to safely discharge it offsite, without the risk of increased flooding downstream.

The *Drainage Strategy* and the *Hydrock Technical Note (TN)* dated 11th September 2024 both make reference to drainage via infiltration. The *FRA*, *Drainage Strategy* and *TN* all fail to provide the detailed calculations to demonstrate that water re-use and ground infiltration are robust mitigation measures for dealing with the significant increase in surface water runoff that will result from the proposed development.

The *Hydrock TN* (11th September '24) is of particular concern and the following points are noted:

- The main *Drainage Strategy* report states that the development will mitigate surface water flood risk by making use of the water within the building. This *Technical design note* (TDN) makes no reference to that. It refers only to infiltration.
- The Introduction does not state what the purpose of the TDN is. It merely seeks to assure the reader of the competence of the author. It is noted that the author is not a Chartered Engineer. It is not known if the TDN has been reviewed and signed off by a Chartered Engineer.
- Paragraph 2 of Section 2 states that, whilst infiltration testing will be required it will be *not undertaken prior to planning approval due to its intrusive nature, cost and changes that may occur within the planning process. This nonsense. All designs, for any aspect of a development, need to be implementable in order for the LPA to consent them.* This is nonsense, I am afraid to say. This is one of the primary weaknesses of the application. The designers have not proven that their design intent is implementable by site investigation works. This is a fundamental flaw. The LPA cannot Condition a design strategy that has not been demonstrated as implementable. It should also be noted that it is very common for designs to be demonstrated through site investigation works. I have never previously come across a consulting engineer who considers that site investigation works are not appropriate because of the cost. That is an extraordinary statement for an engineer to make.

- Para' 3 describes extensive analysis of the buried structures but states that this cannot be shared due to the nature of the MoD. This sounds highly questionable and convenient to me.
- Throughout, the TDN is poorly written and it is often hard to identify the point the author is trying to make. The following is a good example: *It is noted that whilst concern has been raised through comments of the public as to the differences between the Hydrock drainage strategy in support of application PL/2024/05527 and that of the previous application 18/09884/OUT produced by RSK.* This is not even a sentence.
- The author notes the *already a stressed surface water network with complicated ownership and stakeholder considerations* but fails to demonstrate that there will no reduction on this stressed infrastructure. I also have not seen proof by design calculations, that the enormous roof structure will not result in significant additional run-off from the site.
- The author states that the *Lead Local Flood Authority are in support of the application subject to the relevant conditions.* Is this correct? Is it possible to see the statement of support from the LLFA and the Planning Conditions, if they exist?
- Condition 1b, *The LLFA notes that the drainage strategy is largely reliant on infiltration, we require an explanation as to why a FoS of 2 is adequate when considering the size of the site & potential flood risk in the event of infiltration failure/issues,* allows me to infer that the LLFA is far from satisfied and has, in fact, fundamental concerns regarding the robustness of the Drainage Strategy.
- Condition 1c, *The applicant shall submit a plan showing overland exceedance routes for flows in excess of the 1 in 100 year plus climate change (40%) rainfall event, that minimise the risk to people and property.* This is something that the applicant must do as part of the planning application, before consent is granted. It is fundamental to demonstrating compliance with the NPPF.
- The author states that *The granting of the permission will enable the works necessary to further develop the design. In turn this will provide the additional details requested by the Lead Local Flood Authority which are otherwise unobtainable at this point in time.* This is not correct at all. There is nothing stopping the additional analysis and design-proofing being carried out at this stage.

- The author concludes that *This demonstrates that a fully robust system will be implement, with all variables considered though an enforced, robust system that holds the developer accountable.* In my view, no such demonstration has been provided. There is no technical content on the TN.

I believe that we have, at best, an incomplete flood risk management strategy. The *Drainage Strategy* states that the primary mitigation for the huge increase in pluvial runoff will be to re-use the water within the Data Centre. This cannot possibly be the proposed strategy. It is unworkable. The TN states that the primary means of dealing with additional surface water runoff is by infiltration to ground, and then confirms that this strategy is not informed by site investigation, because SI works are too costly. It is impossible to read the suite of documents and have confidence in the proposed flood risk management strategy. It is quite possible that the flood risk management is fundamentally flawed.

There are very serious omissions in terms of flood risk management in this planning submission. It is important to note that these technical omissions are not something that can be Conditioned. It is not possible to Condition a technical item that has not been demonstrated through design and site investigation to be deliverable.

The NPPF states that a new development must not only demonstrate that there has been no increase in flood risk offsite but that reductions in flood risk offsite have been achieved, if possible. The FRA makes no reference to reductions in flood risk offsite being achieved and it can only be assumed that no attempt has been made to accord with this requirement of the NPPF. The FRA fails to demonstrate that there is no increase in surface water (pluvial) flood water off site and also fails to attempt to demonstrate any reduction in flood risk off site.

In summary the FRA fails to meet the criteria defined in the NPPF and, accordingly, should fail to meet the requirements of the Lead Local Flood Authority.

It is also important to note that the Environment Agency information that is included in Appendix C of the FRA under EA-Consultation, does not represent *consultation* of any kind. The EA is simply providing publicly available information under the Freedom of Information Act 2000. There is no evidence that any consultation has been carried out with the EA, in terms of flood risk. This is another significant omission for a development of this scale.

Environment & Biodiversity

I was shocked to read the Biodiversity Nett Gain Assessment and read that the proposed development failed to meet the required 10% nett gain. The mitigation for not meeting this

requirement is to be provided through offsite compensation, through financial payments, in other areas, away from the site.

In recent years, a lot of the habitat at Donkey Field has been removed. Many locals have expressed views that this has been carried out by stealth by the developer. Whilst I am unable to comment on who is responsible, it is clear that there has been a lot of habitat removal. Even with the reduced baseline value that has been achieved through habitat removal the developer has shown that they cannot achieve anything more than offering funds for offsite compensation. You will be aware that offsite compensation represents the very lowest level in the BNG hierarchy. It is indicative of the lack of respect that the planning submission shows for the local area in general. The developer will not make the funds necessary to carry out the site investigation works that are fundamental to informing the proposed flood risk management strategy and will make up for the failure to meet minimum habitat targets by providing funds for another, unspecified, site.

It is worth noting that the Environment Bank has written a letter of support for the proposed offsite mitigation. This means that they welcome the contribution to their offsite enhancements, which is logical. It does not represent support for the Proposed Development, as has been claimed.

I include below two photos that I took two weeks ago at Donkey Field. The photos clearly show the removal of some very mature trees. My understanding is that these trees were protected through *Preservation Orders*. Is the council aware of this removal and aware of the party responsible for the act? Did the council grant permission for the removal of these trees? If you have any information on this matter, I would be grateful to receive it. It is hard not to look at these photos and infer that the proposed development has already commenced by stealth. I don't, for one second, believe that the council is complicit in this in any way.



Please accept this email as my formal objection to the proposed development at Donkey Field.

Yours faithfully,

David Palmer CEng FICE