



**APPEAL BY GREYSTOKE LAND LTD**

**WOODLANDS PARK LANDFILL SITE, LAND SOUTH OF SLOUGH ROAD, IVER,  
BUCKINGHAMSHIRE**

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**STATEMENT ON BEHALF OF FOXGLOVE AND GLOBAL ACTION PLAN**

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10 December 2024

1. My name is Martha Dark and I am Co-Executive Director of Foxglove. Foxglove works to make technology fair for everyone. I make this statement on behalf of Foxglove<sup>1</sup> and our colleagues at Global Action Plan, an environmental charity which works to improve the health of people and the planet.<sup>2</sup>
2. We are here today because we wish to object to the Proposed Scheme. Our objection is threefold: 1) the dearth of information about the environmental impact of the development; 2) the vague detail provided by the developers on the environmental benefits promised to the public to mitigate such impacts; and 3) the absence of any concrete measures to hold the developers to account on these issues. I am going to address each in turn.
3. In general, I hope we all agree that any data centres built must have a positive impact on our environment, they must not cost us our critical national resources of water and energy, and they must not prevent the UK economy from transitioning to Net Zero and green energy.
4. Our first concern relates to the lack of an Environmental Impact Assessment ('the EIA'). In its screening opinion the LPA took the view that the Proposed Scheme was unlikely to have significant environmental effects and an EIA was therefore not required.<sup>3</sup>

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<sup>1</sup> [www.foxglove.org.uk](http://www.foxglove.org.uk)

<sup>2</sup> <https://www.globalactionplan.org.uk/about-us>

<sup>3</sup> CD.13 South Bucks Council EIA Screening Decision 14 October 2021



5. That was an error. Data centres are extremely resource intensive. The LPA agrees: “the development by reason of its use will require a large amount of power to operate.” It then goes on to recognise that the power is likely to be provided by nearby Iver Power Station.<sup>4</sup>
6. A development which will require high levels of electricity to operate, with its electricity at least partially, and certainly in the immediate term, being sourced from non-renewable energy, will have significant environmental impacts.
7. It will also have significant impacts on the other planning ambitions of the local authority. Let me tell you about West London. There, in 2022, the Greater London Authority imposed an effective ban on new housing projects in three boroughs of west London<sup>5</sup> because the electricity grid had run out of juice. The GLA highlighted how the construction of data centres in the region using power “equivalent to towns or small cities” had played a key role in maxing out the local grid.
8. So, the power needs of data centres are already crowding out young families looking for somewhere to live. Young families in South Bucks should not be left homeless or without power for the sake of us being able to enjoy a few more funny cat videos.
9. Data centres do not only require huge energy inputs to operate, they also require vast amounts of water - needed to prevent overheating. Thames Water recently estimated each data centre requires a supply of between 4-19 million litres of water per day.<sup>6</sup>

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<sup>4</sup> CD.I3 South Bucks Council EIA Screening Decision 14 October 202 pg 8

<sup>5</sup>

<https://www.google.com/url?q=https://www.ft.com/content/519f701f-6a05-4cf4-bc46-22cf10c7c2c0&sa=D&source=docs&ust=1733851746668472&usg=AOvVaw3Ggd3sEBtLjwSX1ziGqztA>

<sup>6</sup> Thames Water's TMS01 PR24 Business plan 2025-2030:

<https://www.thameswater.co.uk/media-library/home/about-us/regulation/our-five-year-plan/pr24-2023/our-business-plan.pdf>



10. Water is a finite resource which has to be carefully managed. Indeed, the government's Water Resources Management Plans for England already forecasts a shortfall of 5 billion litres of water per day by 2050, due to data centre demands.<sup>7</sup>
11. As of today, Thames Water does not know how much of its water is consumed by the data centres it currently supplies. If the biggest water company in the country doesn't know how much water the data centres in its supply network use, then, frankly, it is difficult to see how the LPA could realistically know either.
12. Indeed, it makes it difficult to see how any water company in the UK can confidently say whether or not they will be able to cope with data centre demand. That is a **critical** knowledge gap that must be filled before projects like the Proposed Development can be approved.
13. Despite that, the LPA's Officer states "the proposed development would not result in significant use of natural resources in... its operation."<sup>8</sup> But for the reasons explained, that is clearly not a statement upon which you can attach any weight.
14. We understand that Affinity Water supplies the appeal site and that it was consulted both on this application and that submitted in 2021. Unfortunately, neither consultation response is publicly available - surprising, given that when conducting an EIA screening opinion, an LPA must provide sufficient information to enable anyone interested in the decision to see that proper consideration had been given to the possible environmental effects of the development and understand the reasons for the decision.<sup>9</sup>
15. As things stand, the LPA, this inquiry and the public cannot be certain of the environmental impacts of this scheme should this appeal be allowed. That is reason enough for the Proposed Scheme to be stopped.

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<https://www.gov.uk/government/publications/a-review-of-englands-draft-regional-and-water-resources-management-plans/a-summary-of-englands-draft-regional-and-water-resources-management-plans>

<sup>8</sup> CD.13 South Bucks Council EIA Screening Decision 14 October 202 pg 5

<sup>9</sup> *R. (on the application of Bateman) v South Cambridgeshire DC [2011] EWCA Civ 157*

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16. I wish next to address the lack of detail associated with the Proposed Scheme's energy and sustainability proposals, and consider the impact on the balancing exercise which the Inspector must undertake.

17. We understand the Appellant relies on very special circumstances (VSC) to overcome the LPA's objections to the development in the Green Belt. Amongst these VSCs are the Scheme's proposals for addressing climate change, which the Appellant considers ought to weigh heavily in favour of the application.<sup>10</sup> We wish to raise the following:

18. The Proposed Scheme's energy strategy proposes a suite of measures at §1.4:<sup>11</sup>

- a. *Maximised use of waste heat within the development with space heating and water heating incorporating waste rejected from the cooling systems.*
- b. *An extent of PV at roof level.*
- c. *The use of Air Source Heat Pumps (ASHPs) to provide space heating in parts of the building where the waste heat option is not suitable*
- d. *Sufficient quantum of the above technologies to ensure that the contribution from renewables can exceed up to 100% of the regulated demand associated with the administrative function of the buildings.*
- e. *Adoption of the principles of the Climate Neutral Data Centre Pact to ensure that electricity demand will be matched by 75% renewable energy or hourly carbon-free energy by December 31, 2025 and 100% by December 31, 2030.*

*1.5 The development will therefore satisfy the Council target for >10% of energy to be sourced from decentralised and renewable or low carbon sources.*

19. While the list of supposed benefits is, at first glance, impressive, we note that it includes no concrete obligations – and accountability measures whatsoever – which might bind either the

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<sup>10</sup> CD.A13, Planning Statement, March 2024, VSC(g) Addressing Climate Change, pg 55

<sup>11</sup> CD.A29 Energy Statement, February 2024



Appellant or any later operators. The use of vague words such as “maximised”, “an extent” or incomprehensible jargon like “sufficient quantum”, provide no substantive commitment to deliver a specified level of environmental benefit.

20. The vagueness continues: we note the fourth point commits the Appellant only to delivering enough renewable energy to meet 100% of the “regulated demand associated with the administrative function of the building.”<sup>12</sup> We would welcome clarity from the Appellant as to what is included in the buildings’ “administrative” functions and whether that includes the essential operation and cooling of the servers themselves?
21. Without further information we cannot know that the proposal will, in fact, satisfy the Council’s target for >10% of energy to be sourced from decentralised and renewable or low carbon sources. The data is simply not available to be scrutinised. Given the significant potential power needs of the development, that’s unacceptable.
22. The Appellant states: “it is understood that the operator of the proposed data centre will commit to the Climate Neutral Data Centre Pact.”<sup>13</sup> As this sentence makes clear, the Appellant is responsible only for developing the Proposed Scheme. While the developer may hope that future operators will participate in the Pact, critically, it cannot ensure that they will do so nor do they have any obligation to bind them to it as a condition of taking over the site. Should the Inspector allow this appeal, there is no guarantee that the building’s future operator will adhere to *any* of the various energy commitments at all. Again, this is unacceptable and the Proposal should not be allowed to proceed on this basis.
23. We also note the Sustainability Statement makes no actual commitment with regard to water usage, simply asserting: “*Data centres will conserve water and set ambitious water conservation targets.*”<sup>14</sup>

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<sup>12</sup> Regulated energy is energy consumed by a building and it's controlled, fixed services and systems, including heating, cooling, hot water, ventilation, fans, pumps and lighting.

<sup>13</sup> CD.A29 Energy Statement, February 2024 §8.1

<sup>14</sup> CD.A28 Sustainability Statement, February 2024 §7.3



24. While we are aware it is common ground between the parties that these matters might be agreed at detailed approval stage,<sup>15</sup> it is our view that means the Inspector cannot give any weight to these so called “commitments”, which may not even materialise at all!
25. If environmental commitments are to be given weight in the planning balance in favour of the Proposed Development, appropriate planning conditions or obligations must be imposed on the developer **and** any future operator to deliver on the commitments made. Without such clear and actionable commitments, no weight can be assigned.

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<sup>15</sup> CD.H6a, Statement of Common Ground, pg 19