

Land North of Reading Road, Arborfield – APP/X0360/W/25/3371069

Inquiry Statement / Submission, On Behalf of the Owner Lavender Cottage, Church Lane

This statement is on behalf of the owner of Lavender Cottage on Church Lane, which lies immediately adjacent to the appeal site.

My client has submitted written representations to the Inquiry. She is an elderly resident and has asked me to attend and speak on her behalf today. I will focus my comments on the drainage strategy proposed for the development and the way in which it relies on drainage infrastructure located on and around her land.

As I understand it, the appellant's drainage strategy follows a typical sustainable drainage approach. Surface water from the development would be collected through a drainage network within the site and directed into attenuation storage areas. These basins are intended to store water during rainfall events and then release it slowly through a flow control device so that the discharge leaving the site is limited to what is described as the existing greenfield runoff rate.

The discharge from the attenuation basin is then proposed to connect to an existing drainage pipe located in the western part of my client's land. That pipe forms part of the drainage system serving Lavender Cottage and ultimately conveys water to the pond located at the front of her property.

Those features — the drainage pipe and the pond — are privately owned and lie within my client's registered freehold title. Evidence has been submitted to the Inquiry confirming that both the pipe system and the pond form part of Lavender Cottage through the Land Registry title plan and historic conveyance documents.

My client has not granted any rights for the use of that drainage pipe or the pond. She does not consent to any discharge of surface water from the proposed development into her drainage system or pond. There is no easement or agreement in place which would allow this, and I can confirm clearly that no such agreement will be forthcoming.

In addition to this, the surface water hydraulic modelling report identifies two locations where ground modification is proposed in order to maintain ditch continuity. Those works relate to a separate ditch also owned by my client, located immediately south of my client's land and north of the appeal site.

wider drainage pathway that ultimately conveys water through the ditch network toward Church Lane and eventually onward to the River Loddon.

The drainage strategy therefore appears to assume both the modification of this ditch system and the discharge of water into downstream drainage infrastructure that ultimately connects to my client's land.

My client has not been approached regarding these proposed works and does not consent to any alteration of the ditch system or the use of her drainage infrastructure.

I understand that the appellant's case is that runoff from the development will be stored on site and released slowly so that the discharge rate is no greater than the existing greenfield runoff rate. My client does not dispute that attenuation systems can regulate discharge rates in principle.

However, the concern in this case is whether the drainage evidence has actually demonstrated that the proposed system will function within the real drainage network that already exists downstream of the site.

The hydraulic modelling report contains an important limitation in this regard. The report explains that the hydraulic model used does not include rainfall falling onto the site and therefore does not incorporate the drainage network within the model.

In practical terms, this means that the modelling undertaken is a surface water model that assesses how water flows across the ground surface and where water may pond during extreme rainfall events. It does not simulate the behaviour of the proposed drainage infrastructure, including the attenuation basins, the pipe network or the flow control devices that would regulate discharge from the development.

Most importantly in this case, the modelling also does not include the downstream drainage infrastructure beyond the site boundary. That includes the drainage pipe, the ditch system and the pond located on my client's land.

Because those elements of the drainage system are not included in the model, the modelling does not demonstrate how the proposed discharge from the development would interact with the real drainage system that exists beyond the site boundary.

The report also suggests that flow paths near Church Lane are predicted to be lower as a result of the on-site drainage system. However, that conclusion appears to rely on the

assumption that the proposed attenuation system will operate as intended rather than being based on a hydraulic model that includes the full downstream drainage network.

This is particularly relevant because my client already experiences flooding issues on her land. The drainage system on her property can become overwhelmed during periods of heavy rainfall and the pond at the front of her property frequently reaches capacity. The drainage infrastructure in this area is therefore already under pressure.

The earlier hydraulic modelling submitted by the appellant also identifies ponding and significant depths of water within the ditch system in this area during extreme rainfall events. However, the updated drainage evidence does not appear to demonstrate how those existing conditions would be affected if runoff from 111 dwellings were introduced into the same system.

Taken together, my client's concern is therefore a straightforward one. The drainage strategy appears to rely on downstream infrastructure located outside the ownership and control of the appeal site, including the drainage pipe and pond on her land, and it also assumes modifications to an existing ditch system which she owns. However, the modelling does not include the downstream drainage network and therefore does not demonstrate how the proposed system would interact with the real drainage infrastructure in this area.

In order for the proposed drainage strategy to work, it relies heavily on the use of my clients infrastructure, and In circumstances where those features are privately owned, where no rights exist to use them, and where no agreement will be forthcoming, my client remains concerned that the drainage evidence has not demonstrated that the proposed drainage system would operate effectively in practice.

Michael Eccles