



Land Between Lodge Road and Tape Lane, Hurst, Wokingham, RG10 0EG

Supplemental Proof of Evidence – Flood Risk and Drainage (Third Party Representations) [CD5.16]

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On behalf of Mactaggart and Mickel Strategic Land

Section 78 Appeal against refusal of planning permission by Wokingham Borough Council for the:

Outline application for the proposed erection of up to 99 no. dwellings, green infrastructure, open space, pedestrian and cycle links, recreational facilities and other associated infrastructure and access points on Lodge Road and Tape Lane with required improvements. (All matters reserved except for means of access).

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1.0 Introduction

- 1.1 Revision P06 of the Flood Risk Assessment and Drainage Strategy (FRADS) was submitted to the Environment Agency on 14 August 2025. The FRADS summarised the results of the updated hydraulic model of the Hatchgate Ditch to address the points raised by the Environment Agency in their second model review. A copy of the FRADS was also made available to interested parties for their comment.
- 1.2 The following interested parties submitted written comments on the FRADS:
- Mr Jonathan Norris
 - Mr Andrew Dolinski
 - Mr A A Butler
 - St Nicholas Hurst Parish Council
- 1.3 I have reviewed these submissions and respond in the following sections of this Statement only in respect of any new issues that have been raised that have not been raised previously and addressed.



2.0 Mr Jonathan Norris

Comment 1

- 2.1 The flood risk to the Appeal Site is addressed in Sections 4 and 5 of the FRADS.
- 2.2 The analysis of the flood risk from reservoir is based on the Environment Agency's breach modelling of above ground reservoirs. This shows that the Appeal Site is not at risk of significant flooding from this source.
- 2.3 Neither the Wokingham Borough Council nor the Environment Agency have raised any issue with the assessment of the flood risk to the Appeal Site from reservoirs. It is also the case that the risk of failure of a reservoir is very low as they are regularly inspected and regulated under the Reservoirs Act 1975.
- 2.4 The groundwater flood risk to the site is explicitly addressed at Section 7.4.2 of the FRADS.

Comment 2

- 2.5 The most recent survey of the culvert is provided at Appendix C to the Flood Risk Modelling Report enclosed at Appendix D to the FRADS.
- 2.6 I accept that the results of the survey were not conclusive in that it was not possible to trace the entire length of the culvert. However, there was sufficient information to inform the construction of the hydraulic model of the Hatchgate Ditch that the Environment Agency has confirmed is fit for purpose.
- 2.7 The dashed line shown on the drawing enclosed at Appendix B1 of the FRADS is taken from the Environment Agency's map showing Main Rivers. The point of discharge for surface water runoff from the proposed development is to the open section of Hatchgate Ditch upstream of the entrance to the culvert.
- 2.8 As a riparian owner, the Appellant has a right to discharge to the Hatchgate Ditch provided the discharge does not increase the risk of flooding elsewhere. The Lead Local Flood Authority has not objected to the proposed drainage strategy.

Comment 3

- 2.9 The most recent survey of the culvert provided at Appendix C to the Flood Risk Modelling Report enclosed at Appendix D to the FRADS confirmed it's diameter, material and depth from which the gradient could be established.
- 2.10 It is these characteristics that principally govern the capacity of the culvert and not the downstream conditions. This is shown by Table 7-3 in the FRADS where the fluvial flood risk to the Appeal Site was found to be largely insensitive to blockage and downstream surcharge of the culvert.
- 2.11 I would also reiterate that the Environment Agency has found the hydraulic model fit for purpose.



Comment 4

- 2.12 As discussed in my response to Comment 2, the point of discharge for surface water runoff from the proposed development is to the Hatchgate Ditch upstream of the culvert section and as a riparian owner, the Appellant has a right to discharge to the Hatchgate Ditch.
- 2.13 The condition or function of the drainage system downstream of the Appeal Site has no bearing on this right to discharge provided the discharge does not increase the risk of flooding elsewhere
- 2.14 Again, the Lead Local Flood Authority has not objected to the proposed drainage strategy.

Comment 5

- 2.15 It is not claimed that the 'Southern Ditch' is Main River. There is no proposed discharge to this ditch from the development.

Comment 6

- 2.16 Please refer to my response to Comment 5

Comment 7

- 2.17 This comment does not relate to matters covered by the FRADS.

Comment 8

- 2.18 Any displacement of floodwaters arising from the proposed development will be mitigated by a level for level and volume for volume compensation scheme to ensure the development will not increase the flood risk elsewhere.

Flood Risk Assessment

- 2.19 The version of the FRADS quoted by Mr Norris has been superseded by Revision P06. Whilst the Environment Agency has found the hydraulic model is now fit for purpose, they have maintained an objection on only one point relating to compensation storage that can be readily addressed.
- 2.20 Wokingham Borough Council and the Lead Local Flood Authority have raised no objection to the most recent version of the FRADS.

Reality Check 1

- 2.21 The Appellant has a right to discharge to the Hatchgate Ditch as a riparian owner. However, the rate and volume of runoff cannot exceed that of the existing undeveloped site.



2.22 The outline sustainable drainage strategy described at Section 9 of the FRADS has been prepared to demonstrate that this is achievable and the Lead Local Authority has not objected to this strategy.

Reality Check 2

2.23 No comment

Reality Check 3

2.24 No comment

Reality Check 4

2.25 No comment

Reality Check 5

2.26 The proposed SuDS scheme will limit the rate and volume of runoff from the proposed development to that of the existing site and therefore will not exacerbate the risk of flooding elsewhere. The Lead Local Authority has not objected to the proposed drainage strategy.

Reality Check 6

2.27 No comment

Reality Check 7

2.28 No comment

Reality Check 8

2.29 No comment

Reality Check 9

2.30 The maintenance of the drainage system downstream of the site is not the responsibility of the Appellant, but of riparian owners who have a duty under common law to accept runoff from upstream riparian owners.

Reality Check 10

2.31 The proposed foul drainage strategy is set out in Section 11 of the FRADS.

2.32 In their consultation response dated 3 September 2024, Thames Water states:

‘Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.



Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.'

Reality Check 11

2.33 No comment

Reality Check 12

2.34 Please refer to Paragraph 2.32.

Reality Check 13

2.35 Please refer to Paragraph 2.32.



3.0 Mr Andrew Dolinski

- 3.1 The Environment Agency has now found the hydraulic model to be fit for purpose.
- 3.2 The Environment Agency has maintained an objection to the proposed development on one point regarding compensation of displaced floodwaters that can be readily addressed.

Factual Error 1

- 3.3 The mischaracterisation of the ditch to the west of Lodge Road has no bearing on the analysis of the flood risk to the Appeal Site.

Factual Error 2

- 3.4 I agree that this is an error in the text, however, the Appellant is well aware of the existing foul sewer pumping main that crosses the Appeal Site.
- 3.5 The flood risk from foul and surface water sewers arises principally from surcharging of gravity sewers under storm conditions. The likely flooding that would result from the failure of a small diameter pumping main is not likely to be significant compared to the surcharging of a sewer as the flow rate is governed by the capacity of the pumps.

Factual Error 3

- 3.6 The mapping showing the flood risk from the failure of reservoirs is considered the best available information as it is based on failure modelling completed by the Environment Agency. However, the risk of flooding from reservoirs is considered low as they are regulated by the Reservoirs Act 1975 that requires regular inspection and maintenance.
- 3.7 The mapping for reservoirs has not been superseded, the comment relates only the fluvial flood risk shown by the website.
- 3.8 The Black Swan Lake is not recognised as a raised embankment reservoir and appears to be a flooded former mineral working.
- 3.9 If Black Swan Lake were to overtop, floodwaters are likely to flow to the north broadly following the course of the River Loddon as shown by the 'check-long-term-flood-risk' mapping.

Factual Error 4

- 3.10 The delineation of the modelled catchment has been based on the Environment Agency's '*Most Probable Overland Flowpaths*' dataset. The Environment Agency has found the hydraulic model fit for purpose.
- 3.11 The proposed sustainable drainage strategy will limit run off from the proposed development to that of the undeveloped site and therefore will not increase the risk of



flooding elsewhere. The Lead Local Flood Authority has not objected to the proposed drainage strategy set out at Section 9 of the FRADS.

- 3.12 In terms of the representation of the culvert in the hydraulic model, please refer to paragraphs 2.9 and 2.10.

Extent of Flood Risk

- 3.13 The flood mapping enclosed at Appendix F of the FRADS is based on the outputs of the hydraulic model that has been considered fit for purpose by the Environment Agency. This shows that the western fringes of the southern development parcel shown by the parameters plan will be at risk of flooding along with limited sections of the access road.
- 3.14 Section 7.4.1 of the FRADS explains how the pluvial flood risk to the development will be managed.
- 3.15 Section 7.4.2 of the FRADS explains how the groundwater flood risk to the development will be managed.

Sequential Test

- 3.16 The Sequential Test is not a matter explicitly addressed in the FRADS. However, it is conceded that it has failed.

Exception Test

- 3.17 The Exception Test has been applied to demonstrate that the development will be safe for its lifetime and will not increase the flood risk elsewhere.
- 3.18 The Environment Agency and Wokingham Borough Council make no comment on the conclusions of the Exception Test other than the point raised by the Environment Agency on compensation storage that can be readily addressed.

Safety of the development

- 3.19 The hazards associated in traversing floodwaters in an emergency are discussed at 7.4.3 and are based on widely adopted advice published by the Environment Agency and H R Wallingford. The 'design flood' is the 1% AEP flood event allowing for the impact of climate change and the extreme flood the 0.1% AEP flood event allowing for the impact of climate change. These are therefore rare flood events.
- 3.20 Neither the Environment Agency nor Wokingham Borough Council raise any objection to this aspect of the Exception Test.
- 3.21 Through detailed design of the development, the flood risk to the access roads could be reduced by raising their levels subject to providing adequate compensation storage.



Wokingham Section 19 Flood Investigation Report

- 3.22 The sustainable drainage strategy will ensure that the proposed development will not increase the risk of flooding elsewhere. The Lead Local Flood Authority has not objected to the proposed drainage strategy.



4.0 Mr A A Butler

There is no river – Off site natural drainage north and east is not an option

- 4.1 It is proposed that runoff from the Appeal Site is discharged to the open section of the Hatchgate Ditch upstream of the culverted section.
- 4.2 The Appellant has a riparian right to discharge to the Hatchgate ditch provided it does not increase the risk of flooding elsewhere.
- 4.3 The proposed outline sustainable drainage strategy is described at Section 9 of the FRADS.
- 4.4 The Lead Local Flood Authority has not objected to the proposed drainage strategy.

“Deculverting” – Restoring the onsite open ditch/swale

- 4.5 This is not a matter considered by the FRADS.

The blocked off-site culvert dilemma – Imaginary or real?

- 4.6 A copy of the CCTV survey was provided to the Inquiry at Annex B to Mr Walker’s Proof of Evidence dated 7 August 2025. A copy had also previously been provided to the Environment Agency on 25 July 2025 to assist them in reviewing the hydraulic modelling.
- 4.7 The comment ‘*The model reviewer has misinterpreted the CCTV survey of the culvert completed by A1 Wokingham Wet Waste Ltd 1st July 2025*’ was in fact made by Mr Walker in response to a comment made by the Environment Agency reviewer. The Environment Agency accepted this was the case in finding the model fit for purpose.
- 4.8 The CCTV survey and tracing of the culvert within the Appeal Site was sufficient to inform the hydraulic model (see my comment at 2.9 and 2.10.)
- 4.9 The Environment Agency has found the model fit for purpose.

No sewage/foul drainage conceptual design has either been submitted or Thames Water agreement obtained and rebuttals not declared

- 4.10 The proposed foul drainage strategy is described at Section 11 of the FRADS.
- 4.11 Please refer to Paragraph 2.32 for details of Thames Water’s response to the planning application.
- 4.12 The water supply to the proposed development is not a matter for the FRADS.
- 4.13 As set out in Section 9 of the FRADS, there is no intention to discharge surface water drainage to the foul drainage network.



The submitted hydraulic modelling is unfortunately not relevant

4.14 The hydraulic model has been found fit for purpose by the Environment Agency.

Rebuttal of appellant's s-19 claim "it is unlikely that runoff from the site contributes to flooding in the area described in the s-19 report." - this development will materially increase "s-19" flooding elsewhere

4.15 The preliminary sustainable surface water drainage strategy described in Section 9 of the FRADS demonstrates how runoff from the proposed development will be managed such that it will not increase the flood risk elsewhere.

4.16 The Lead Local Flood Authority has not objected to the proposed sustainable surface water drainage strategy.

Rebuttal of incorrect Rev06 FRA statements: "13.5 Offsite Impacts - The proposed development will have no impact on the flood risk elsewhere." also, "7.4.1 Exception Test – Surface Water (Pluvial) Flooding: as the flood risk from fluvial flooding in this area is greater than from surface water flooding, it is addressed through the consideration of the exception test for fluvial flooding at Section 7.4.3."

4.17 In respect of the reference to paragraph 13.5 of the FRADS, please refer to paragraphs 4.15 and 4.16.

4.18 The reference to paragraph 7.4.1 of the FRADS is taken out of context. It explicitly refers only to the part of the site that is at risk of fluvial and surface water flooding.



5.0 St Nicholas Hurst Parish Council

- 5.1 The Environment Agency has found the hydraulic model fit for purpose.
- 5.2 The Environment Agency has maintained its objection for one reason that can be readily resolved.
- 5.3 The mischaracterisation of the ditch to the west of Lodge Road has no bearing on the analysis of the flood risk to the Appeal Site.
- 5.4 The Appellant is aware of the foul pumping main crossing the site. This is shown on the plans enclosed at Appendix C1 of the FRADS
- 5.5 The Black Swan Lake is not a raised embankment reservoir and poses no significant risk to the Appeal Site. If the lake were to overtop, it is clear from the 'check-long-term-flood-risk' mapping that flood flows would flow to the north broadly following the River Loddon.
- 5.6 In respect of the assumptions made regarding the Hatchgate Ditch culvert and the impact this has on characterising the flood risk to the Appeal Site, please refer to paragraphs 2.9 and 2.10.
- 5.7 With respect the comments on the Site Visit Note, I would again refer to paragraphs 2.9 and 2.10.
- 5.8 I consider that the proposed development does meet the requirements of the NPPF. The Environment Agency's single point of objection can be readily overcome and Wokingham Borough Council has not objected to the proposed development on grounds of flood risk or drainage.





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