

Wokingham Borough Council  
Development Control  
PO Box 157  
Wokingham  
Berkshire  
RG40 1WR

**Our ref:** WA/2022/129684/01-L01  
**Your ref:** 220458  
**Date:** 30 September 2022

Dear Sir/Madam

**Outline application for the proposed development of approximately 200 homes, open space, pedestrian and cycle links, recreational facilities (Use Class E) and other associated infrastructure and primary vehicular access via the existing Lodge Road gated access with required improvements (all matters reserved except for access).**

#### **Land East of Lodge Road Hurst RG10 0EG**

Thank you for consulting us on the proposed development noted above. We are sorry that we have not provided comments to you within the expected timeframes as we find that this application has already been determined. We sincerely apologise for the inconvenience.

Following a review of the information submitted for this planning application we object to the proposed development on flood risk grounds and ecology and biodiversity grounds. The following comments have been provided for your/the applicant's information.

Please refer to our detailed comments below.

#### **Environment Agency position 1 - Flood risk Objection**

In the absence of an acceptable Flood Risk Assessment (FRA) we object to this application and recommend that planning permission is refused.

#### **Reason**

The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 20 to 22 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the submitted FRA fails to demonstrate:

- That an appropriate and precautionary design flood level has been calculated for the site - i.e., the 1% annual probability flood level with an appropriate allowance for climate change (1% CC flood level).

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- That the proposed development has finished floor levels above the 1% CC flood level.
- The extent to which the proposed development impacts floodplain storage for the 1% annual probability flood event with an appropriate allowance for climate change (1% CC flood event).

For a development of this scale in this area we would expect you to carry out detailed site-specific flood modelling to calculate an appropriate and precautionary design flood level - i.e., the 1% annual probability flood level with an appropriate allowance for climate change (1% CC flood level).

### **Overcoming our objection - Flood risk**

To overcome our objection, the applicant should submit a revised FRA which addresses the points highlighted above. If this cannot be achieved, we are likely to maintain our objection.

### **Environment Agency position 2 – Ecology and Biodiversity Objection**

The submitted planning application and associated documents indicate that works associated with this development may impact a main river, the Hatchgate Ditches. We do not have enough information to assess if the proposed development can meet our requirements for nature conservation, ecology, and physical habitats. No assessment of the risks has been provided. We therefore object to the proposed development.

### **Reason**

Following a review of the different plans, including the Illustrative Masterplan, it seems like the access road will need to pass over the Hatchgate Ditches. None of the plans clearly show where the Hatchgate Ditches are located or how this proposed development will affect the river. Most of the plans do not even show that the river is present. The plans that do show the river, such as the 'Flooding and Drainage' section in the Design and Access statement, do not seem to accurately show the path of the river, as the river just appears to stop. We are therefore unsure how the access road impacts the river.

We note that an ecological assessment has been carried out for the site, which states that the river is dry for a lot of the year and that there will be a minor beneficial long-term effect on the river as a result of this development. However, further information is required that sets out exactly how the development, including the access road, will impact the river. This should include an ecological assessment that assesses the impact on species and habitats and details how this risk will be controlled. Until this is provided the risk posed by the proposed development is unacceptable.

Furthermore, we note that a native corridor is proposed adjacent to the river, and it is stated that there are opportunities for biodiversity enhancements here. We are very supportive of this but would like to see more detail about the type of enhancements that may be secured and a commitment to an 8-metre buffer. This will ensure there is a robust wildlife corridor, bringing more general benefits by linking several habitats and affording species a wider and therefore more sustainable range of linked habitats.

This objection is supported by paragraphs 174 and 180 of the National Planning Policy Framework (NPPF) which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for

biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, planning permission should be refused. Opportunities to incorporate biodiversity in and around developments should be encouraged.

### **Overcoming our objection - Ecology and Biodiversity**

To overcome our objection, the developer will need to provide further information on whether the access road, or any other element of this development, impacts the river and how it will avoid, mitigate, or as a last resort, compensate for these impacts, prior to the development of any detailed plans.

Furthermore, the developer will need to provide more information on the extent of the buffer zone (please note that a minimum of 8 metres is required), and the ecological enhancements that are proposed. We note that a biodiversity net gain assessment has not been undertaken to evidence that this development will achieve a biodiversity net gain. Policy NE1 of Wokingham Borough Council's emerging local plan states that a minimum 10% net gain should be achieved for all developments. We recommend that a net gain assessment is submitted, which will help quantify the benefits that the potential river enhancements will have.

This proposal will require a flood risk activity permit under the Environmental Permitting (England and Wales) Regulations 2016. In determining the flood risk activity permit for this development, we will assess its compliance with the Thames River Basin Management Plan (RBMP). We will also consider how the development will affect water biodiversity and the wetland environment. The RBMP states that the water environment should be protected and enhanced to prevent deterioration and promote the recovery of water bodies. Based on the details submitted with this planning application, it is unlikely that a permit will be granted.

### **Environment Agency Regulatory Advice**

As mentioned above, the information submitted indicate that works associated with this development may impact a main river, the Hatchgate Ditches. These activities will require a flood risk activity permit under the Environmental Permitting (England and Wales) Regulations 2016 which **is unlikely** to be granted for the current proposal. A permit or exemption is to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the riverbank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk).

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below.

Yours faithfully

**Miss Judith Montford**  
**Planning Specialist**

Direct dial 0208 026 3064

Direct e-mail [planning\\_THM@environment-agency.gov.uk](mailto:planning_THM@environment-agency.gov.uk)