

APPEAL: APP/X0360/W/25/3364304

PLANNING APPLICATION: 242067

Land between Lodge Road and Tape Lane, Hurst, RG10 0EG

Outline application for the proposed development of up to 99 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).

ADDITIONAL WRITTEN REPRESENTATION

Submitted by: Andrew Dolinski

34 Martineau Lane, Hurst, Berkshire, RG10 0SF

Date submitted: 24 August 2025

I am commenting on the additional evidence submitted by the appellant to the Wokingham Planning portal on 15 August 2025 to which the Inspector has granted permission for Interested Parties to make written submissions up to 2 September 2025 (a two week consultation period).

As an Interested Party, with a property which directly abuts the south west corner of the appellants field, the contents of the FRA&DS and supporting documents are of significant interest.

Flood Risk Assessment & Drainage Strategy (rev. 6, 14 August 2025)

The appellant has had six attempts at writing an acceptable Flood Risk Assessment & Drainage Strategy (FRA&DS), the first revision is dated 19 July 2024 and the latest (the sixth) is dated 14 August 2025.

The first five FRA&DS were all rejected by the Environment Agency (EA), each deemed to be **not fit for purpose**.

On page i (Basis of Report), SLR Consulting Ltd (SLR) states that 'this document has been prepared ... with **reasonable skill, care and diligence**.' If that is the case, why then, on 12 occasions out of 21, do they refer to Hatchgate Ditch as **Highgate Ditch**? A comical error, or an indication of a lack of care and attention?

Ask yourself, where is the due care and diligence SLR proudly proclaims?

The Revision Record on page i does not give the names of the individuals who either prepared or checked the current revision. The accuracy of the contents are therefore questionable. Is this yet another rushed report?

At the time of writing this representation, the response of the EA to FRA&DS rev. 6 is awaited. Will they again conclude that the FRA&DS is **not fit for purpose**?

The appellant's lack of due care and diligence is reflected in the following identified factual errors.

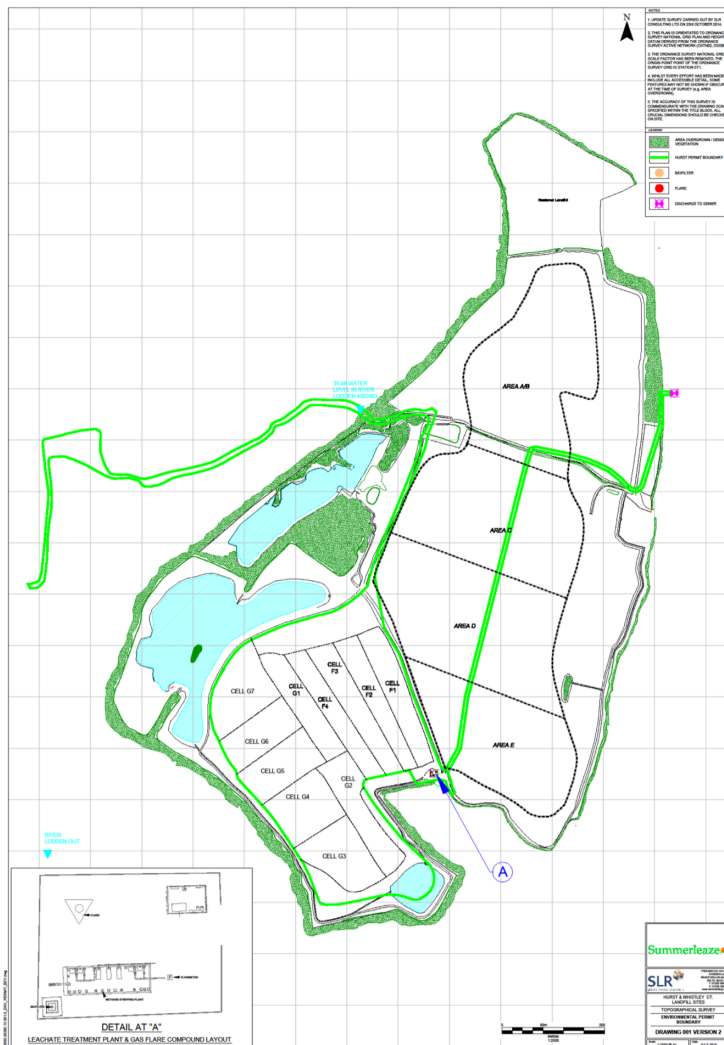
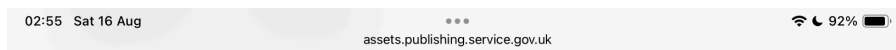
Factual error 1

Page 3, section 2.2, second bullet point.

“An unnamed watercourse is located to the west of Lodge Road and **appears** to flow north.

Wrong. This watercourse **does not** flow north.

This watercourse is a specially engineered leachate segregation ditch. It drains leachate runoff, from the remediated Summerleaze Hurst landfill site, which lies immediately to the west of Lodge Road. The ditch drains in a **southerly** direction, to an onsite treatment works at Lea Farm, south west of Hurst. The treated leachate is then pumped to the Thames Water sewer in Lodge Road just to the north of the appellant's site.



Summerleaze leachate at the Hurst landfill remediation site.

The map on the left shows the outline of the capped Hurst landfill site immediately to the west of Lodge Road. The segregation ditch is shown, **flowing south** to a pond near to the onsite treatment works (A). The route of the underground pipe taking treated leachate northwards to the Thames Water sewer in Lodge Road can also be seen (shown marked with a purple symbol).

This watercourse is **not** part of the Hatchgate Ditches. It is a privately owned watercourse, which SLR should be fully aware of as they have in the past advised the owners, Summerleaze.

(note that this map was prepared by SLR for Summerleaze).

END OF PERMIT

Permit number
EPR/AB1234CD

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In their FRA&DS the appellant mistakes the Summerleaze segregation ditch for the northern reaches of Hatchgate Ditches, demonstrating their lack of knowledge or due care.

Factual error 2

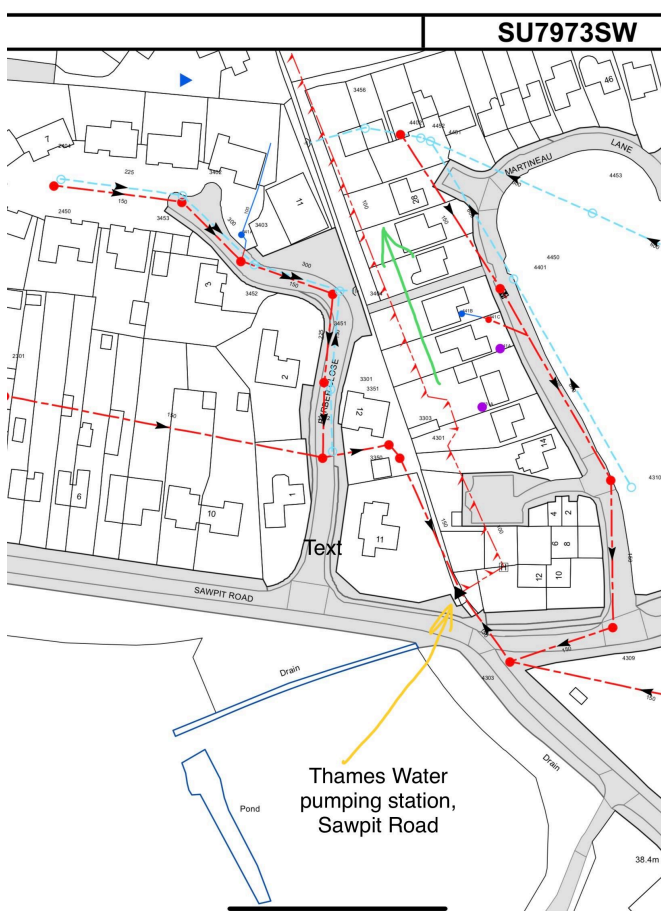
Page 3, section 2.2, last paragraph.

“There is a **proposed** Thames Water foul rising main travelling in a northerly direction adjacent to the western boundary”.

Wrong. This foul rising main is **not proposed**, it **exists**.

Foul sewers serving Martineau Lane, Sawpit Road, Barber Close and Nursery Close converge at the Thames Water pumping station in Sawpit Road. From there, a rising foul main runs northward to Lodge Road across the appellant's site.

It is clearly shown as an existing foul main on the Thames Water sewer map in Appendix C. The appellant has carelessly misinterpreted the TW sewer map, and consequently has **ignored** its existence. A fundamental flaw which immediately renders the FRA&DS **not fit for purpose**.



Note the location of the Thames Water pumping station in Sawpit Road, and the **existing** rising main heading north as indicated by the green arrow.

When preparing a FRA&DS which is fit for purpose, it is necessary to sequentially assess all forms of flood risk, including that arising from existing sewers within the proposed development site. The appellant's **negligence** is recorded as follows:

Page 7, section 4.1.5

"As shown by the Thames Water public sewer maps provided in Appendix C, there are **no** public surface water or combined water sewers in the vicinity of the site that could give rise to a significant flood risk."

"Therefore, the risk of flooding from this source is considered low and **has not** been considered further".

A **negligent** error by the appellant.

As highlighted above, the Thames Water maps in Appendix C **clearly show** that a Thames Water foul rising main sewer (100mm), originating at the Thames Water pumping station in Sawpit Road, travels north within the western boundary of the appellants site (alongside the route of Hatchgate Ditch) before discharging into the 225mm foul sewer in Lodge Road, via manhole 2801.

By misinterpreting the Thames Water sewer maps the appellant has **failed** to assess the impact on flooding should this pressurised sewer fail on their site, adjacent to Hatchgate Ditch.

The disregard of this existing foul rising main sewer is a **negligent** omission, rendering the FRA&DS **incomplete and not fit for purpose**.

Factual error 3

The appellant displays further negligence when assessing flooding from reservoirs.

They casually dismiss the risk in two throwaway lines (page 8, section 4.1.6):

"With reference to the *Check your long term flood risk mapping* (website) the site is **not** at significant risk of flooding from the failure of a reservoir".

"The flood risk from these sources **has not** therefore been considered further."

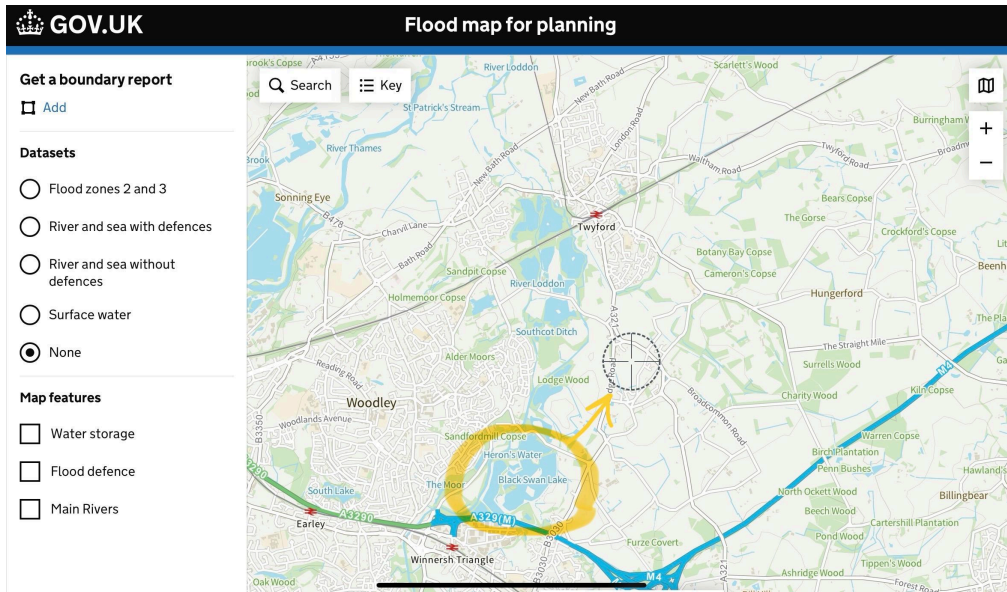
The appellant has placed an overreliance upon a simplistic "enter your postcode" website operated by the Government. This website **should not** be used to assess flood risk for planning purposes.

The appellant acknowledges this on page 10, section 5.4, and specifically states in section 5.4.1:

"The *check your long term flood risk mapping* (website) indicates that the site is **not at risk of flooding** from rivers and the sea, **however this mapping has been superceded** by both the *Flood map for planning* and the hydraulic model developed to inform this flood risk assessment."

Why therefore does the appellant use a superceded source of data to dismiss the risk of flooding from reservoirs as opposed to considering more reliable data? Is this wilful negligence?

If they had bothered to conduct proper research they would have identified the existence of a significant reservoir known as "Black Swan Lake" immediately downstream of the appellant's site.



Black Swan Lake, a reservoir located in Dinton Pastures Country Park, 1.25km to the south west of the appellant's site.

The lake has an area of 84 acres, holding a considerable volume of water at an AED above that of the appellant's site.

Perhaps they do not wish to admit that there is a risk of flooding arising from “Black Swan Lake”?

Where is their due diligence? Should they not have carried out a proper assessment, referring to available mapping and enquiry to the EA?

The Strategic Flood Risk Assessment (page 10, section 5.5) **wrongly excludes** the risk of flooding from sewers and reservoirs, which renders the FRA&DS **incomplete and not fit for purpose**.

Factual error 4

The appellants hydrology model relies on them understanding how Hatchgate Ditch functions, both in catchment and discharge. Their understanding however is questionable!

2.2 The Catchment

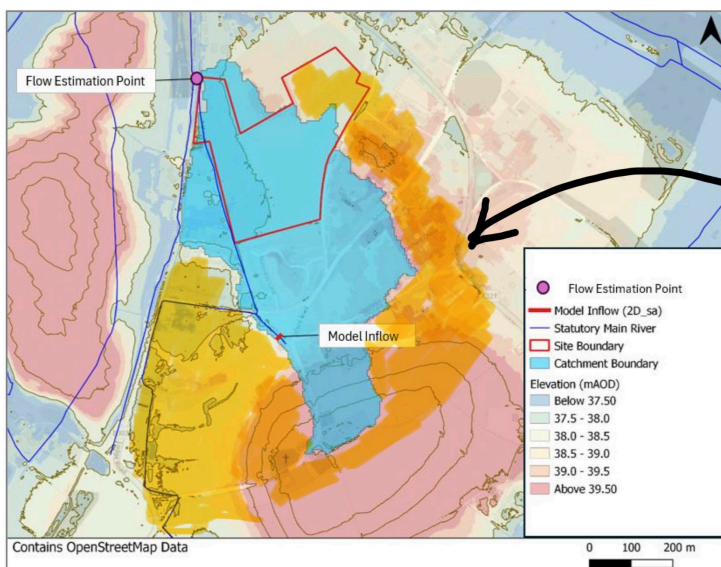


Figure 2-3 Location Plan Showing Statutory Main Rivers, Subject Catchment Area, Model Inflow Location and Site Boundary

Map included in the appellant's Flood Estimation Report (Appendix E).

Note the somewhat “truncated” catchment area shown in blue.

The true catchment area, extends into the areas highlighted in yellow, from which local ditches feed into Hatchgate Ditch.

Disregarded catchment

The appellant has used a somewhat truncated catchment area. The appellant wrongly indicates that the source of Hatchgate Ditch (model inflow) is immediately to the south of Sawpit Road, at

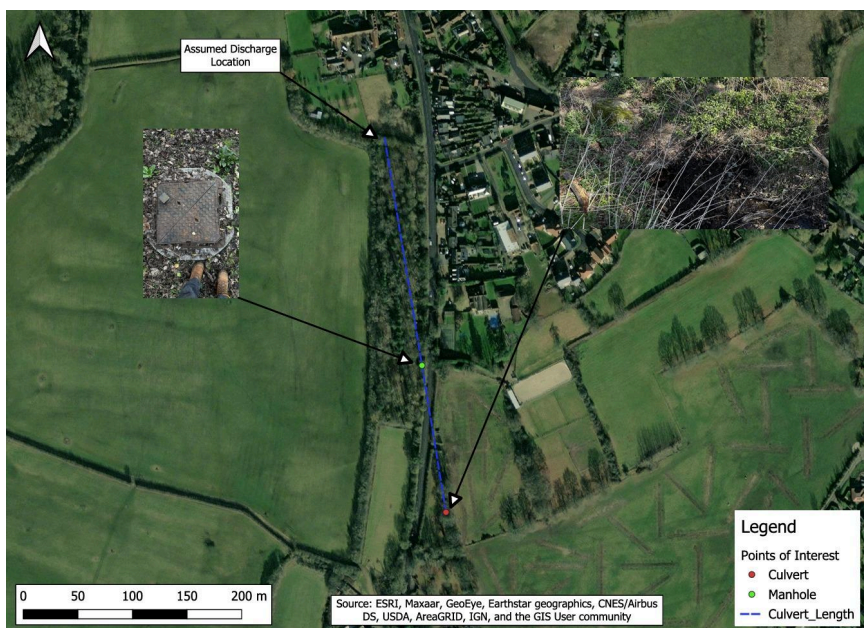
the foot of Castle Hill. They fail to understand that Hatchgate Ditch is a series of connected ditches, known as Hatchgate Ditches. The waterway on the western side of the appellant's field, known as Hatchgate Ditch (a main river), is fed by a number of ditches converging in the vicinity of Sawpit Road. These ditches bring surface water from School Road and Martineau Lane in the east, Orchard Road and Church Hill to the South and Sawpit Road, Barber Close and Nursery Close in the west.

Furthermore the appellant has ignored two new "urban areas" within their catchment area, both of which are or will shortly be discharging all their surface water into Hatchgate Ditch. These are the recent development of 4 new houses at the Sawpit Road triangle (already built), and 23 new houses at Willowmead, off School Road (permission granted in October 2024 but not yet built).

The catchment area for Hatchgate Ditch is therefore much larger than that shown by the appellant. Accordingly the volume of water that Hatchgate Ditch will need to deal with is greater than that modelled by the appellant.

The appellant's catchment area and volume of modelled water is understated and clearly **wrong**.

Furthermore the hydrology model relies on the appellant knowing where the culverted Hatchgate Ditch ultimately discharges. Throughout the appellants documents they state where they **assume** it discharges. Indeed they even confuse the outflow of the pumped treated Summerlease leachate with that of the Hatchgate Ditch culvert (see Appendix C), wrongly identifying a leachate manhole with that of the culvert.



The appellant's Appendix C, has a diagram showing where they **assume** the Hatchgate Ditch discharges, yet provide **no evidence** to support this assumption. The manhole shown has nothing to do with Hatchgate Ditch. It is connected to the Summerlease leachate pipe which connects with the Thames Water sewer in Lodge Road.

The inquiry has heard that for a distance of some 80 metres Hatchgate Ditch runs in a covered plastic 200mm culvert which then disappears to the north, under Lodge Road, before continuing to an unknown location for an unknown distance. Despite their best efforts, the appellant has not been able to show evidence where the point of discharge is, nor whether the covered culvert is or is not blocked.

Nowhere in the FRA&DS has the appellant considered whether a 200m plastic covered culvert, of undetermined length and condition, is adequate to handle the volume of water that Hatchgate Ditch is expected to carry. If it isn't, the volume of water during a flood event will backup, directly affecting properties to the south in Martineau Lane, Barber Close, Nursery Close, Sawpit Road and beyond. In recent years this has begun to happen, and flooding has occurred as a result (see photos below).

The appellant has not provided any evidence that their development will not have an adverse effect on flooding elsewhere.

At the Inquiry, the appellant's barrister made the unsubstantiated claim that a cctv examination of the culvert revealed where the culvert discharges and that water was flowing. Such sweeping statements need to be questioned and evidenced. I witnessed a cctv examination of the culvert being carried out in the baking heat of June 2025. Hatchgate Ditch and the culvert were both bone dry and no water could possibly have been flowing. The results of this examination have not been provided to the enquiry by way of documented evidence.

Furthermore, the evidence before the inquiry is that the appellant continues to **assume** where the culvert discharges, and **assumes** it is capable of doing so. There are far too many assumptions - where is the evidence?

They simply state:

"Land north of the site has identified that the Main River is connected to the River Loddon northwest of the site."

A strangely worded statement (*Land north of the site has identified???*), and not backed by any evidence. The appellant's FRA&DS fails to provide evidence that Hatchgate Ditch has an onward connection with the River Loddon, nor that it is capable of discharging the anticipated flow of water.

The appropriateness and adequacy of the appellant's hydrology modelling must therefore be brought into question.

Once again, the FRA&DS **is not fit for purpose**.

Factual errors 5, 6, 7 etc etc!

Need I continue?

Having shown that the FRA&DS is full of factual errors, I wish to comment upon the appellant's concession that the site is within **Flood zone 2 and 3**, that it is prone to **significant flooding** and as a consequence, future residents of any proposed development would be put at risk.

Extent of flood risk

To what extent has the appellant conceded that their site is at risk of flooding?

a. Fluvial Flooding

On page 12, section 5.7.1 the appellant reveals that their hydraulic model gives the following anticipated depths of fluvial flooding on the western side of the site:

1% AEP 0.20m (8 inches)
0.1% AEP 0.26m (10 inches)

They admit that there will be "**more extensive flooding of the access road and the western fringes of the southern development parcel**".

They therefore concede that the **development areas** of the site will suffer **fluvial flooding**.

b. Pluvial Flooding

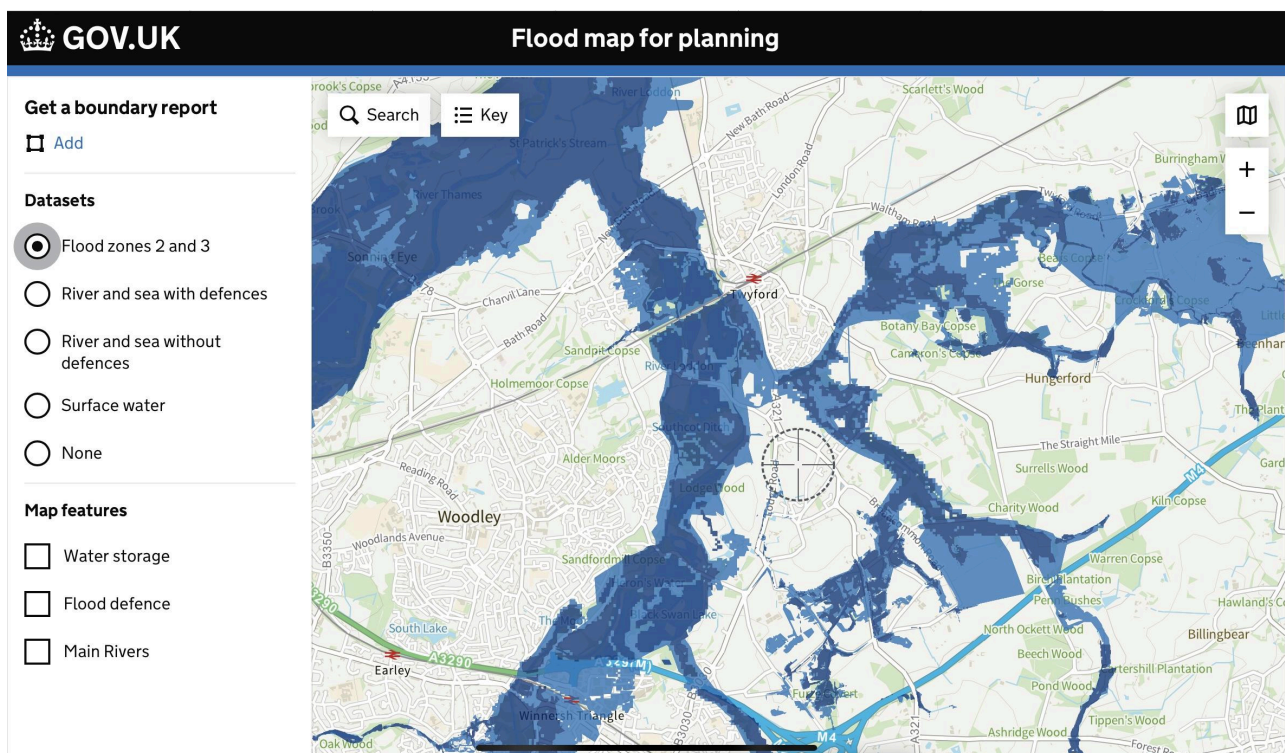
On page 12, section 5.7.2 the appellant admits that for a 1% AEP flood event “**The maximum depth of flooding within parts of the site to be developed for this event is 0.2m (8 inches).**”

and

“**There is a notable increase in flood extent along the western boundary of the southern development parcel that impinges on the development shown on the illustrative masterplan.**”

They therefore concede that the **development areas** of the site will suffer **pluvial flooding**.

Flood Zones



The Government Flood Map For Planning clearly shows how Hurst is encircled by a growing extent of flood zones 2 and 3. The “entrapment triangle” is clearly visible.

On page 13, 5.8.1 the appellant concedes that in respect of Fluvial flooding, and as a result of their hydraulic modelling, in comparison with the March 2025 *Flood map for planning*, “**the extent of Flood Zones 2 and 3 has increased**”.

They go on to concede that in respect of Pluvial flooding (section 5.8.2) “**within the northern development parcel**” there are areas equivalent to **Flood Zone 3**.

The most damning concession is that regarding Groundwater flooding, where the appellant concedes (section 5.8.3) “**given the proximity of groundwater to the ground surface it would not be unreasonable to equate this to Flood Zone 3.**”

It should be noted that the admitted Flood Zone 3 Groundwater flooding risk applies to **the entire site!**

These concessions should come as no surprise. The appellant's site is on a **floodplain** where water is trapped, due to the adjacent raised capped landfill site to the west of Hurst, created in the preceding decades, **the Hurst entrapment triangle**.

To concede that that **entire site** is Groundwater **flood zone 3** renders the appellant's site undevelopable.

The Sequential Test

As you are well aware, any development proposed within a flood zone 2 or 3 is required to pass a Sequential Test.

On page 16, section 7.3 the appellant concedes that a Sequential Test has been carried out and that it **failed**.

There are clearly other locations within Wokingham Borough, in flood zone 1, better able to accommodate 99 houses.

On this basis, and in accordance with both the NPPF and PPG, this appeal should be **dismissed**.

Exception Test

Beginning on page 16, section 7.4 the appellant attempts to justify why, despite failing the Sequential Test, the development should be allowed, by virtue of passing the Exception Test.

You will agree that the appellants use of the Exception Test is flawed and without legal justification. Under the NPPF and PPG they **should not** be applying the Exception Test.

In truth, my written representation should cease at this point. However further aspects of the FRA&DS are worthy of comment.

Safety of the development

I wish to comment upon what the appellant says regarding the safety of both the development and its occupiers during flood events.

On page 20 of the FRA&DS the appellant says that by giving a freeboard level of 0.6m, the floor levels of the buildings will be above extreme flood level. However they conceded that the internal access roads are at risk of extreme flood with a depth of 0.18m (7 inches) and velocity of 0.17ms.

The AA gives clear guidance on driving through floodwater. They state:

"Don't drive into flood water that's moving or more than 10cm (4 inches)."

The appellant dismissingly says:

"Emergency service vehicles can readily traverse floodwaters of this depth (0.18m [7 inches]) and velocity, along with the *majority of motor vehicles*. With this depth of flooding and low velocity of floodwater, there is no significant risk of vehicles being destabilised or washed away".

Suggesting that residents drive through floodwater which is **double** the maximum recommended depth of drivable floodwater is irresponsible. No regard is given to vehicles which may hydrolock as result of water ingress, nor to the safety and wellbeing of electric vehicles suffering water ingress.

The appellant goes on to say, rather dismissingly, that the "depth and velocity of floodwater along internal access roads during the design flood is 0.13m (5 inches) and 0.09ms".

Once again this is **above** the maximum depth of flood water that the AA says is safe to drive through.

Furthermore the appellant goes on to say, in respect of the **baseline** flooding of the internal access roads (0.13m [5 inches]), "this is effectively still water that would reach just **above** the ankle of an **adult** and so with care **could** be traversed on foot".

The appellant is therefore asking you to approve a development where during periods of **baseline flooding** the adult residents should reasonably be expected to walk in ankle deep water when leaving their homes to get to their cars or the bus. Is this the type of development we should be building in Wokingham Borough?

Irresponsibly the appellant remains silent as to how other residents are to cope in a flood situation. What of the children going to and from school during such floods? What of the infirm, and those using wheelchairs? What of the blind or partially sighted? What of the family pets? Are they expected to simply remain marooned at home!

On page 21 the appellant casually states, "With care, residents and users of the proposed development would be able to safely access and exit a building during a design flood and to evacuate before an extreme flood".

The appellant is asking you to approve the building of 99 houses on land where there is an expectation that the residents will be asked to **evacuate** their homes before an extreme flood. Extraordinary!

With the internal access roads and surrounding land, with its swales and drainage ditches, obscured by floodwater, it is preposterous to claim that residents will be able to safely egress the site.

Did they ask the emergency services for their opinion about whether their proposals to build in a high risk area is sound? No they did not.

No one should **ever** be placed into such a perilous predicament. The appellant's evidence of the scale of the expected flooding is compelling when assessing the weight of the harms caused by flooding.

It beggars all belief that the Inquiry should be considering giving permission to build on land which is likely to experience **extreme floods**!

Given that the predicted extreme flooding is twice that of the baseline, perhaps lifeboats, rather than a carshare hub, should be provided!

Wokingham Section 19 Flood Investigation Report (JBA Consulting, November 2024)

Each year, within the Parish of Hurst, predictable impassable flooding occurs regularly in known locations such as Sandford Lane, Islandstone Lane and Whistley Mill Lane. However, Hurst also floods in other areas as evidenced by the recently published Wokingham Section 19 Flood Investigation Report. In recent years there has been flooding in Broadwater Lane, Hogmoor Lane, Castle Hill, Sawpit Road and Tape Lane, areas which previously had not been subject to flooding.

Accordingly, the appellant is naive to conclude on page 23 of the FRA&DS that the location of flooding in Hogmoor Lane and Poplar Lane referred to in the s19 report is remote and therefore hydraulically disconnected from the appellant's site. They fail to understand that no two storms are the same, and the effect of heavy rain is felt in different locations in Hurst. Hurst is hydraulically connected.

Hurst sits in an entrapment triangle, where water flows hydraulically in an anticlockwise direction around the base of Castle Hill. Water displaced from the appellant's site will hydraulically pass through other locations within Hurst, and is likely to increase the risk of flooding elsewhere. This is

something the appellant has failed to properly address. Another wilful neglect and which again renders the FRA& DS **not fit for purpose**.

Conclusion

The appellant concedes that in respect of fluvial and pluvial flooding, parts of their site is in flood zone 2 and 3. However for groundwater they concede that the entire site is flood zone 3. Accordingly it is not disputed that flooding is a major concern and the **harms weigh heavily against the proposal**.

It is unnecessary for me to remind you of the conclusion the Inspector came to in "Land at Lynchmead Farm (APP/D0121/W/22/3313624)".

However I wish to quote the following passage from the appeal decision:

"56. Irrespective of the degree of risk of flooding occurring or measures that could be taken to make the development resilient to flooding during its lifetime, the Framework is clear that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. I have found that there are sequentially preferable sites available. This weighs heavily against the proposal."

Given that the appellant has **failed a sequential test**, and there are sequentially preferable sites in the Wokingham Borough, I ask that you apply consistency in your decision making and that you conclude that the **Flood Risk weighs heavily against this proposal**.

On this basis, and in accordance with both the NPPF and PPG, I respectfully ask that this appeal be **dismissed**.

Pictures of Hurst in Flood

To prove the old adage that “a picture is worth a thousand words”, here is evidence that **Hurst Floods**. (March 2023)



March 2023 and Hurst suffered severe flooding. The appellant's site was inundated with fluvial, pluvial and groundwater flooding.



The March 2023 floods extended across all parts of the appellant's site.



In March 2023 Hatchgate Ditch flooded gardens in Nursery Close.

Mr & Mrs Kiddie live in Nursery Close. Their home abuts the appellant's site.

A prophetic vision of what the residents of the proposed development should expect.



**Hatchgate Ditch
floodwaters at Nursery
Close, March 2023.**



**Impassible flooding in
Tape Lane 2023.**

**The location of where the
appellant intends to have
their “mini bus” exit their
site. Residents will be
expected to wade their
way to the school, shop
and elsewhere!**