

Appeal ref: APP/X0360/W/25/3364304

LPA ref: 242067

DESCRIPTION

Land Between Lodge Road And Tape Lane Hurst RG10 0EG

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.)

ADDITIONAL SUBMISSION

**Submitted by Jonathan Norris, 36 Martineau Lane, Hurst, Berkshire RG10 0SF
29 August 2025**

As invited by the Planning Inspector on 14 August 2025 this representation is written, in addition to previous letters of objection in accordance with the initial Inquiry submission milestone of 18 June 2025; and in response to the Appellant seeking further time in order to submit their 6th revision of their Flood Risk Assessment & Drainage Strategy dated *14 August 2025* and other supporting documentation.

In referring to one such supporting document latterly posted on the Planning Portal on 15 August 2025, **TECHNICAL MEMORANDUM - Land East of Lodge Road, Hurst: Site Visit & Drainage Review**, I note that this memorandum dated 8 April 2025 references a site visit on 20 March 2025 and curiously incorporates a supporting **Site Visit & Drainage Review dated 17 September 2024** under the name of MacTaggart & Mickel Homes England.

Despite the dates, I can but only presume that this document was not submitted in line with the Planning Inquiry 18 June 2025 deadline in order to facilitate belated input to the then pending issue of version P04 dated 5 June 2025 of the Flood Risk Assessment & Drainage Strategy. Since then we appear to have now seen the even later submission of version P06 of the Flood Risk Assessment and Drainage Strategy dated 15 August 2025.

Could it be that the Appellant lacks confidence in their successive submissions.

Moving on ...

With reference to **4.0 Summary of Findings** within this **TECHNICAL MEMORANDUM - Land East of Lodge Road, Hurst: Site Visit & Drainage Review**, I make the following comments to the Appellant's narrative (**highlighted in blue text**).

4.0 Summary of Findings

The Appellant's key findings from their site visit as stated on Page 5 being:

- *Generally, the development site was very flat and there was a series of small, ponded areas in hollows across the site, despite the fine weather on the day of the site visit. It is likely that groundwater is relatively high in this area.*

Comment 1: To state ... "*It is likely that groundwater is relatively high in this area.*" is a gross understatement that demeans the extent of flood risk, frequency of local flooding events and impact.

The notion of mitigating on site flood risk through the construction of 0.6 metre slabs to displace surface water into ditches is but clear testimony to the known existence of flood risk as per the statement ... "*that with a sufficient surface water drainage scheme for the development site there is a low risk of flooding of this type [as per reference to Hogmoor and Poplar Lane flooding] at the development site*" (see bullet point 8 below), and by implication the concern with regard flooding in Hurst is far more extensive than just that within the development site.

The reality of ground levels is well evidenced on OS Mapping whereby the development site (37metres AOD) and the surrounding area are significantly lower lying than Black Swan Lake (40metres AOD) which is only about 700 metres away to the south of the development site. Frequent fluvial flooding and Sandford Lane closures are but frequent events experienced during winter months and testimony to the potential dire consequences of the reservoir timber dam wall being breached enabling 300,000m³ of water to swamp low lying areas in close proximity to the raised remediation site and its segregation ditch on the edge of the former Hurst flood plain and development site.

The risk of reservoir flooding cannot be discounted contrary to that stated in an earlier version of the Flood Risk Assessment & Drainage Strategy that not surprisingly and unhelpfully attributed no risk arising from reservoir flooding near Radlett in Hertfordshire.

There is no justification for the unlawful removal of and or culverting of Environment Agency watercourses by landowners particularly within EA Flood Zones.

- *There is a 300mm concrete culvert that runs from a large oak tree in a northwest direction, towards the site access, and this was traced to a manhole on the western side of Lodge Road. The culvert entrance was observed to be occluded with silt and debris.*

Comment 2: There is no evidence to support this statement ... to state that there is a concrete culvert from a large oak tree next to Hatchgate Ditch within

the site leading to a manhole on the western side of Lodge Road as shown in **C3 - Appendix C Culvert Map** via any pipeline and beyond to an “Assumed Discharge Location” is incredulous – it’s a black corrugated pipe crushed by the roots of an overgrowing tree the subject of a Tree Preservation Order (TPO).

Notwithstanding that, as shown in **B1 Proposed Drainage Strategy version P06** updated 13 August 2025 the “blue dotted line” within the development site is described in the Legend as a ... “Proposed Surface Water Pipe/Manhole Network”.

Both the aforementioned representations contradict one another and are incorrect; with **C3** inferring that a pipeline from the Hatchgate culvert leaves the site under the existing gated access on Lodge Road leading to an “Assumed Discharge Location”; whilst **B1** proposes the use of a long established (but since culverted) EA open main river channel as a “proposed” network connection via long lost headwalls to a Thames Water sewer in Lodge Road for which there is no evidence. I am not aware of any evidence of Thames Water acknowledging such a new connection proposal or permit.

Both drawings submitted and posted on the Planning Portal on 15 August 25 confirm that even at the time of the Public Inquiry deferment that the Appellant still does not have any understanding of existing surface water drainage let alone its connectivity into the outside world or use of third party land – and more significantly without a definitive drainage strategy or solution evidenced to date.

With reference to **C3**, there is no evidence to identify any culverted surface water discharge into a very small unmaintained featureless shallow ditch next to a private property fence line to the west of Lodge Road and beyond the development boundary. As confirmed by the Appellant the discharge location couldn’t be found for a reason and that is because it doesn’t exist, hence it is incapable of being evidenced.

The manhole **C3** cited as per the inset photograph is for the management and control of treated leachate from Lea Farm into the northern extremity of the TW foul rising main via MH2801 in the middle of Lodge Road.

In any event, the aforementioned manhole as illustrated **C3** by the Appellant to the west of Lodge Road does not support the northern flow of surface water from Hatchgate Ditch.

As for the on site “culvert entrance”, that could be better described as a butchered corrugated black pipe over which roots from an overgrowing oak tree can be seen at the northern open end of the Hatchgate Ditch main river from the direction of Sawpit Road.

By way of an adjunct - the manhole on the western side of Lodge Road relates to treated leachate - hence, the discharging of site ditch water from the site into this small bore pipeline and onto an "Assumed Discharge Location" (a very shallow ditch) would not only be a non-starter but in any event such a discharge of leachate contaminated surface water into a ditch would be environmentally inadmissible.

- *Whilst it was not possible to confirm the precise outfall of the Main River culvert discharge, an assessment has been made to locate the culvert outlet, which corresponds to the location adopted in the Hydraulic model.*

Comment 3: This "Assumed Discharge Location" at the end of a non-existent pipeline as described above for Hydraulic modelling purposes is ridiculous. The point here is that in order to model the proposed drainage infrastructure it would have to be dependent upon existing infrastructure and related data (invert levels, water flow rates, falls, distances and surface spot levels) in their analysis. To simply take a theoretical and preferential punt on the geography of an unknown offsite discharge location in order to prove a workable model also reliant on hitherto unknown physical and legal constraints is ridiculous.

Suffice to say that were this non-existent pipeline to be constructed it would entail and evidence extensive tree felling and destruction of root protection areas within a moderately wooded area.

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

Comment 4: By evidence of what - current and verified mapping ? The existence and integrity of the EA main river from the site to the "Assumed Discharged Location", via a leachgate manhole, is simply not evidenced, let alone any onward watercourse to the River Loddon.

For over 30+ years ago the landfill site and its subsequent remediation resulted in the loss of some Hatchgate Ditches and hence no longer support the discharge of water into the River Loddon. OS and EA maps are now way out of date and are no longer representative of the former landscape known as Whistley Park on the Hurst Flood Plain.

I cannot foresee any good reason why the EA would issue a permit for the discharge of water into an unevidenced "Assumed Discharge Location" via non-existent EA ditches.

- *Towards the south of the site the Main River ditch receives flow from the south of the land parcel. A further ditch on the southern boundary receives flow from the rear of the adjacent residential houses.*

Comment 5: Southern Ditch is not an EA watercourse and as described above by the Appellant ... *“A further ditch on the southern boundary receives flow from the rear of the adjacent residential houses”* ... and into a ditch on land that is jointly owned by Martineau Lane residents, and not the Appellant.

- *A number of the houses have extended their plots over the watercourse with platforms and decking along the southern boundary.*

Comment 6: As per Land Registry records, the Southern Ditch is integral to joint ownership by Martineau Lane residents; as are the Allotments over which the Southern Ditch is also situated and owned by WDC.

- *A series of significant trees run along the northern boundary of the land parcel.*

Comment 7: All trees and boundary hedgerows are protected by TPOs since the gratuitous felling of 2 veteran oak trees without any explanation other than which is self-evident *i.e.* to facilitate the speculative creation of a site access road across what would have been a root protection area as evident within supporting site documentation.

- *All sites identified in the Wokingham Borough Council Section 19 report are a significant distance (all over 500m) from the development site. Land to the northeast of the development site at the junction of Hogmoor and Poplar Lane is indicative of the potential nature and type of flooding that can occur in this general area; however, it is considered that with a sufficient surface water drainage scheme for the development site there is a low risk of flooding of this type at the development site.*

Comment 8: As a piece of agricultural land this site and the adjacent Hatchgate Ditch is already within EA Flood Zone 2 and 3 areas.

The notion ... *“that with a sufficient surface water drainage scheme for the development site there is a low risk of flooding of this type at the development site.”* ... does not mitigate the impact of displaced flood water upon neighbouring properties and roads in EA Flood Zone 2 and 3 areas .

The construction of raised 0.6 metre property slabs in order to mitigate onsite flooding will selfishly simply exacerbate adjacent off site flooding and reinforcement of EA Flood Zone 2 and 3 areas.

FLOOD RISK ASSESSMENT & DRAINAGE STRATEGY

DRAINAGE & FLOOD RISK OBJECTIONS

The mapped status of flood risk and drainage within Hurst is fundamentally flawed due to realities that bear no resemblance to current mapping on the part of the Ordnance

Survey or Environment Agency and seemingly not known or understood by the Appellant.

Given significant differences between visible reality and long out of date mapping and data, its very surprising to note the persistence and scale of such misrepresentations and omissions on the part of the Appellant through this sequence of Planning Applications and Appeals.

FLOOD RISK ASSESSMENT

The Environment Agency within their OBJECTION to this planning application is very clear, stating. ...

“In the absence of an acceptable flood risk assessment (FRA) we object to this application and recommend that planning permission is refused.

Reasons

The submitted FRA (ref. Flood Risk Assessment and Drainage Strategy, Land East of Lodge Road, Hurst, MacTaggart and Mickel Strategic Land, SLR Consulting Ltd, project no. 432.010035.00001, 19th July 2024, revision P02) does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 20 to 21 of the Flood Risk and Coastal Change planning practice guidance and its site-specific flood risk assessment checklist. This proposal also fails to comply with the Wokingham Borough Council Level 1 Strategic Flood Risk Assessment, May 2023. The FRA does not therefore adequately assess the flood risks posed by the development.”

And subsequently goes on to state ...

“For a Major development of this size we would expect detailed modelling of the watercourse to be provided in order to gain an accurate assessment of flood risk at the site.”

With reference to the Appellant’s Flood Risk Assessment and Drainage Strategy revision P02 dated 19th July 2024, and even after a period of consultation the Environment Agency registered its objection and reasons for recommending refusal to this planning application on 29 October 2024, as acknowledged in the Appellant’s Statement of Case dated 2025, and as stated below on p.14 of the aforementioned ...

“8.10. Reason for Refusal 5 states that:

In the absence of a satisfactory Flood Risk Assessment and the Environment Agency objection, the proposed development has failed to demonstrate it would have an acceptable flooding and drainage impact contrary to Core Strategy policy CP1 and CP3, MDD Local Plan Policy CC09 and CC10 and Section 14 of the NPPF.”

And unilaterally on the part of the Appellant, goes on to state during this period of consultee consultation ...

“8.14. It was agreed in the EA meeting that the model, hydrology and validation reports, along with an updated FRA addressing each point in term will be submitted to the EA for full review. Following the full review and subject to the relevant information being suitable, the EA will remove their objection prior to the Inquiry.”

... and then solely in their opinion presumptuously states ...

“8.15. Accordingly, we consider the matter is likely to be resolved prior to the Inquiry and no further evidence on flooding will be required.”

Notwithstanding the aforementioned attributable to Drainage, the assertion below on p.9 of the [Flood Risk Assessment and Drainage Strategy](#) is yet another example of misrepresentation and lack of attention to detail with regard to Flooding:

“4.1.4 Flood Risk from Manmade Structures Flood risk from other sources, such as reservoir risk, and manmade structures such as canals, have also been considered. See Figure 5 below.

Reservoir flooding is extremely unlikely to happen. The Environment Agency is the enforcement authority and ensures that reservoirs are inspected regularly, and essential safety work is carried out under the Reservoirs Act 1975.

The reservoir flood map shows no risk of flooding so therefore flood risk from reservoirs is considered **low**.”

This conclusion is unquestionably an ill-founded misrepresentation. With reference to **Figure 5 – Flood Risk from Reservoir Inundation** on page 9 of the **Flood Risk Assessment & Drainage Strategy** dated 19 July 2024 the Appellant is demonstrating a distinct lack of knowledge of Hurst’s physical environment in choosing to draw an unintelligible conclusion on low flood risk **based upon a map of a rural area near Radlett in Hertfordshire** and in turn demonstrating a lack of professionalism in verifying it’s content, even some months before its submission.

This Flood Risk Assessment report is appalling and a total misrepresentation of reality based on maps and related infrastructure data dating back in excess 30 years plus. I can fully appreciate the Environment Agency’s frustration with the lack of attention to detail in this document.

Notwithstanding that, when using current Ordnance Survey maps to the west of Lodge Road, there is no resemblance to a former toxic waste site currently undergoing remediation rising to about 45 metres AOD and framed by a segregation ditch, Lodge Road and the development site 70 metres distant at about 37 metres AOD.

The surrounding countryside bears little resemblance to any Appellant mapping and observations supporting this planning application and assertions there in. It is something of a misnomer that the land to the west of Lodge Road is still a flood plain down to the River Loddon – it is in reality a capped impervious toxic waste remediation site now rising to about 45 metres AOD, used for grazing sheep and trapping surface water between it and the Hatchgate Ditch at about 37 metres AOD, evidenced by EA Flood Zone 2 and Flood Zone 3 mapping along a non-contiguous length of Hatchgate Ditch adjacent to the development site. The Ordnance Survey are aware that their mapping is out of date since it was pointed out to them.

Contrary to the aforementioned Figure 5 relating to Radlett in Hertfordshire, the nearest and largest reservoir (Black Swan Lake) in Hurst is only 700 metres distant at about 40 metres AOD and lower than the height of the unmapped toxic waste site at 45 metres AOD.

Reality Check 1 – The Hatchgate Ditch is no more than a field ditch or swale with reduced and limited capacity, let alone a housing estate SuDS solution – it is unmaintained and no longer contiguous.

Equally it is ironic and perhaps something of ‘an own goal’ on behalf of the Appellant that in the planning application predecessor to this planning application that in the ensuing refused Appeal Decision (APP/X0360/W/22/3309202) para 116 on p.22 that the Planning Inspector was minded to state ...

“The appellant indicated that there is the expectation that existing riparian owners deal with drainage matters responsibly and this does not seem[s] to be an unreasonable assumption, as landowners have a responsibility to maintain their ditches.”

Implicit in this statement is the Appellant’s dependency on other field ditch owners to make provision way beyond the original intended field drainage purpose necessitated by a housing developer. So why would an allegedly sustainable and sizeable development in the right location require support from neighbouring landowners ? Seemingly, the Appellant lacks confidence in their Flood Risk Assessment and Drainage Strategy.

It is ironic that the Hatchgate Ditch crossing the small field in the northwest corner of the development site has long since been removed by the landowner; perhaps it was inspired by historic opportunistic planning applications, resulting in no longer being able to discharge surface water offsite and northwards – albeit that stretch of Hatchgate Ditch has in any event long since been buried by housing in Whistley Green, and no longer able to discharge ditch water westwards into the River Loddon.

Not only is that a question for the landowner, but it is quite bizarre that the Appellant is currently engaging with the Environment Agency, to sidestep drainage short comings by proposing a single span bridge over the now long since filled in length of Hatchgate Ditch.

So what is the purpose of such a surreptitious proposal – perhaps its in denial that the ditch has even been filled in and by reopening it; but that in any event would not enable its reinstatement in Lodge Road and beyond - Hatchgate Ditch simply does not exist anymore in this location. It all smacks of the same dubious and opportunistic benefit of cutting down 2 trees on 10 March 21 inorder to enable creating a new access road (plus bridge over the Hatchgate Ditch) onto Lodge Road.

This drainage strategy is flawed and riddled by a fictional perspective of both existing onsite and offsite drainage functionality within the surrounding area.

Reality Check 2 – Current OS mapping to the west side of Lodge Road and for some distance north and south of the development site shows a flat area of historical flood plain hitherto known as Whistley Park that no longer exists, along with former ditches linking Hatchgate Ditch to the River Loddon.

A walking tour of the surrounding area would be highly beneficial in asserting a real world perspective.

Reality Check 3 – As a former gravel pit about 35 years ago in this area it was rendered impervious and adopted as a toxic waste site between the River Loddon and Lodge Road. The site was eventually filled and capped off for an ongoing 30 year remediation period and monitoring purposes by the site owner, Summerlease.

It is now an area of undulating grazing land that is considerably higher at about 45 metres AOD than its former flood plain at about 37 metres AOD or surrounding countryside. Grazing sheep and numerous vents are a prominent feature of the skyline.

Reality Check 4 – Where historically surface flood water from Hurst would runoff westwards towards the River Loddon it is now trapped by the toxic waste remediation site hence contributing to increased localised flooding.

Reality Check 5

However, due to the remediation site toxic content and geomembrane capping; between the purposefully dug segregation ditch around the perimeter of the toxic waste site (rising to 45 metres AOD) and the Hatchgate Ditch at about 37 metres AOD, trapped surface water gives rise to Hatchgate Ditch and development site flooding (EA Zone 2 and 3), and the flooding of neighbouring property and that of the development site to the east compounded by normal field runoff towards the cutoff former flood plain. The consequence of this being that the development site and surrounding areas within the Village regularly become visibly water logged and flooded.

Suffice to say that a disproportionate increase in rapid runoff from 99 houses will greatly exacerbate flooding for which the Appellant has not produced a flood risk assessment or a solution. Given the likely volume of water and rate of discharge, the glib notion as previously quoted by the Appellant that neighbouring landowners should take responsibility for their ditches is not acceptable. It is for the Appellant to devise a drainage solution, not for others to pick up the pieces.

Flooding will undoubtedly give rise to considerable harm over and above any benefit.

Reality Check 6 – The creation of what is now a licenced monitored remediation site therefore necessitated changes to the local drainage network as part of its formation, hence the disappearance of some ditches resulting in a loss of drainage capability and continuity.

Reality Check 7 - In order to protect land and property in Hurst to the east of the remediation site from any toxic contamination, a segregation ditch of leachate and runoff was constructed just to the west of the remains of the old Hatchgate Ditch adjacent to Lodge Road but now draining in the opposite direction to the south towards the Lea Farm treatment facilities instead of flowing northwards (the previous flow direction of the Hatchgate Ditch) and parallel to and very close to (within 70 metres of) the currently proposed development site. The new segregation ditch starts (or terminates) just west of Whistley Green at its northern end (150m east of the River Loddon) and runs south towards Lea Farm. (see: GOV.UK/EA surface water flood risk map – the only clear dark blue waterway remaining between Lodge Road and the River Loddon)

Reality Check 8 - This segregation ditch is believed to drain leachate and runoff south towards Lea Farm, (how landfill surface water and leachate are handled there is not known). Environment Agency permitted quantities of leachate are pumped from Lea Farm via an onsite pipe (shown as a heavy double green line on Summerleaze's plan: Drawing 01A APRIL 2024), and discharged to Hurst's main sewers via a connection at MH2801 into a rising main from Sawpit Sewage Pumping Station (SSPS) and onto Wargrave Sewage Treatment Works for treatment and discharge into the River Thames. Suffice to say the capacity of the drainage infrastructure and Wargrave Water Treatment Works has not evolved in the 31 years that I have lived in the Village. Hurst's foul rising main from SSPS northwards is only a 100mm diameter pipe.

Reality Check 9 – Despite out of date Environment Agency mapping predicated by out of date Ordnance Survey mapping, Hatchgate Ditch to the north of the Lodge Road development site gate and way beyond simply has not existed for many years and doubtlessly for a variety of reasons.

Whilst it is self apparent that the Hatchgate Ditch is shown to cross the entirety of the northwest corner of the development site on Environmental Agency mapping it is ironic that this is not the case as shown on OS mapping and in any event is not visible

northwards across the small field and through to Whistley Green. Hatchgate is not contiguous and is now incapable of discharging water into the River Loddon.

It is somewhat incredulous that the developer has failed to notice this lack of continuity in the Hatchgate Ditch and hence proposing a clear span bridge – over what ? That said, to perhaps concede a lack of continuity would beg the question as to the viability of Hatchgate Ditch as a crucial contiguous offsite drainage solution. That said the lack of continuity is very much apparent and a feature of the Hatchgate Ditch northwards and well beyond the site.

Reality Check 10 - The rising main from SSPS passes northwards across the proposed development site to MH2801. As a pressurised 100mm rising main no discharge connections are possible along its length to MH2801 and any overbuilding would also be inadmissible.

It is widely accepted that the Thames Water SSPS does not have any capacity to support any new connections south of the development area.

Reality Check 11 – Compounded by water ingress into sewers there have been instances of sewer flooding in properties in various locations including Sawpit Road, Tape Lane, Lodge Road, Broadwater Lane and Hogmoor Lane.

Reality Check 12 – An instance of surface water ingress as experienced in 2014 caused a significant sewage flooding event in Sawpit Road and the Elephant & Castle in Whistley Green when the Thames Water SSPS failed to function, and Portaloos had to be set up on Martineau Green.

It is widely accepted that the sewerage infrastructure south of the development site via the Thames Water SSPS does not have the capacity to cope with new connections, albeit 23 new house are still pending development in School Road.

Reality Check 13 – The proposed sewerage connection to the north of Tape Lane is likely to be very problematic in the absence of adequate sewerage infrastructure to support not just 99 new homes from this development site but also 9 new homes in Broadwater Lane also the subject of a pending Appeal Hearing.

I therefore respectfully urge you to DISMISS this Appeal for the reasons I have cited here and in my previous letters of objection; and the robust reasons for refusal that Wokingham Borough Council established in their Reasons for Refusal

Jonathan Norris