

# Drainage

## Proof of Evidence

**Town and Country Planning Act 1990**  
**Appeal under Section 78(1)(a) by Bloor Homes and Sandleford Farm Partnership**

**Witness:** Jon Bowden

**Subject of Evidence:** Drainage

**Appeal:** APP/W0340/W/20/3265460 – Sandleford Park, Newbury

**Site:** Sandleford Park, Newtown Road, Newtown, Newbury

**Proposal:** up to 1,000 new homes; an 80 extra care housing units (Use Class C3) as part of the affordable housing provision; a new 2 form entry primary school (D1); expansion land for Park House Academy School; a local centre to comprise flexible commercial floorspace (A1-A5 up to 2,150 sq m, B1a up to 200 sq m) and D1 use (up to 500sq m); the formation of new means of access onto Monks Lane; new open space including the laying out of a new country park; drainage infrastructure; walking and cycling infrastructure and other associated infrastructure work. Matters to be considered: Access.

**Date:** 7<sup>th</sup> April 2021

**Council Reference:** 20/01238/OUTMAJ

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Jon Bowden : Drainage

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# 1. Summary

- 1.1 My name is Jon Bowden. I am Senior Engineer (Land Drainage) for West Berkshire Council.
- 1.2 In my main proof I discuss Surface Water Drainage matters, identifying how the proposed conveyance channels will impact existing groundwater levels and how, post-development, surface water runoff will impact areas of ancient woodland.
- 1.3 In relation to groundwater levels, it is my opinion that, particularly where the proposed conveyance channels are close to the areas of Copse (Dirty Ground, Slockett's and Highwood), the impact resulting from creating a channel of unspecified profile and depth upon the hydrology of the immediate areas is unknown. Excavating new deep channels through the ground will in time provide easier pathways for groundwater ("GW") to take, allowing groundwater to seep into the channels more readily. This will lead to an artificial lowering of the natural GW level locally that will be to the detriment of the surrounding areas, including the afore-named copses which comprise Ancient Woodlands.
- 1.4 In addition the root zones of vegetation within the copses may be adversely affected by excavations for the conveyance channels.
- 1.5 In this respect the Appeal proposals as refused are unacceptable and harmful and contrary to policies CS3, CS14, CS16, CS17 and CS18 of the West Berkshire Core Strategy Development Plan Document ("CS DPD") (CD8.5); the design principles contained in the WBC SuDS Supplementary Planning Document ("SPD") (Dec 2018), particularly in 'Our Vision' and paras 2.1 & 2.2.2 (CD8.16, p5, p7 and p9 respectively); the National Planning Policy Framework (2019) ("NPPF") Section 15 (paras 170, 174 and 175) (CD8.1, pages 51-52); the National Design Guide "Planning practice guidance for beautiful, enduring and successful places" (MHCLG, October 2019) sections N1-N3 (Nature) (CD8.4, pages 31-32); and the Ciria SuDS Manual C753 (paras 1.1 and 1.4 in particular, where SuDS should "*enhance biodiversity*" and "*[contribute to] effective protection of the natural environment*" .... and .... "*the preservation and support of habitats and biodiversity*" respectively) (CD17.24, pages 19 & 26).

- 1.6 In relation to surface water run-off, I consider that the proposal has not addressed satisfactorily this issue upon the areas of Ancient Woodland, namely Slockett's Copse and Dirty Ground Copse. This is likely to result in ecological damage to those woodlands and their irreplaceable habitats.
- 1.7 In relation to Detention Basins and Drainage Strategy and Design, the issues identified when the original proposal was refused are largely resolved in the 'Wheatcroft' submission.
- 1.8 Overall the Appeal proposals as refused are unacceptable and harmful and contrary to policies CS3, CS14, CS16, CS17 and CS18 of the West Berkshire CS DPD (CD8.5); the design principles contained in the WBC SuDS SPD (Dec 2018), particularly in 'Our Vision' and paras 2.1 & 2.2.2 (CD8.16, p5, p7 and p9 respectively); the NPPF Section 15 (paras 170, 174 and 175) (CD8.1, pages 51-52); the National Design Guide "Planning practice guidance for beautiful, enduring and successful places" (MHCLG, October 2019) sections N1-N3 (Nature) (CD8.4, pages 31-32); and the SuDS Manual C753 (paras 1.1 and 1.4 in particular, where SuDS should "*enhance biodiversity*" and "[contribute to] effective protection of the natural environment" .... and .... "*the preservation and support of habitats and biodiversity*" respectively) (CD17.24, pages 19 & 26).
- 1.9 In my proof I then assess in detail how the 'Wheatcroft' consultation submission and its updated information affects or otherwise the Reason for Refusal 13, and whether that information is satisfactory on its own merit. I conclude that the amended information does not resolve all concerns and, unfortunately, raises further new concerns.
- 1.10 For the reasons set out in my main proof, I continue to object to the proposals.

## 2. Introduction

### **Qualifications and Experience**

- 2.1 My name is Jon Bowden.
- 2.2 I have over 40 years of experience working in various civil engineering disciplines in a Local Authority context, the last 11 years of which have been specifically in the field of land drainage, highway drainage and since 2011 as a Flood and Surface Water/ Surface Water and Sustainable Drainage (SuDS) Consultee to the Local Planning Authority (LPA).
- 2.3 I first commented regarding Flooding and Surface Water/ SuDS matters on the Appeal Application in September 2020 as a LPA Consultee and have since provided information to the LPA in respect of the Appeal process. Prior to that I was involved in providing Consultee comments along with other colleagues on the 2015 and 2016 Applications for the site.
- 2.4 I confirm that the evidence which I have prepared and provided for this appeal is true to the best of my knowledge and belief. I confirm that the opinions expressed are my true and professional opinions.

### **Purpose and Scope of Evidence**

- 2.5 This proof of evidence has been prepared in response to the Appeal under Section 78(1)(a) by Bloor Homes and Sandford Farm Partnership (the Appellant).
- 2.6 This proof of evidence covers the refused scheme and the updated information subsequently provided by the Appellant on 1.2.2021 by means of a 'Wheatcroft' Consultation.
- 2.7 This evidence reviews the proposed Surface Water Drainage Strategy associated with the scheme as provided by the Appellant. It sets out to explain the Council's concerns and in particular to expand upon the Reasons for Refusal of the Application and to determine to what extent those concerns may have been met by the additional information.

## Reasons for Refusal

2.8 Relevant to this proof of evidence, the application was refused inter alia for the following reason:

13. *The proposal does not provide sufficient information in respect of:-  
i) the interrelationship of surface water runoff between the application site and the remainder of the Sandford Strategic Site Allocation;  
ii) the impact of the proposed conveyance channels on ground water levels;  
and  
iii) the impact of surface water runoff on ancient woodland.*

*In the absence of that information there is potential for adverse impact on ground water and the woodlands.*

*Furthermore, the proposed drainage strategy proposes detention basins within the country park (A, B and C) with approximately the same surface area in square metres as volume in cubic metres, resulting in basins approximately 1 metre in depth with near vertical sides. This would be unacceptable as basin side slopes should be constructed ideally with a 1 in 4 gradient in accordance with SuDS Manual C753. The use of conditions to address this concern would not be reasonable given the limited area around the basins and high potential to detrimentally impact on existing streams (which require an 8 metre buffer zone on both sides), proposed footpaths and ancient woodland.*

*In addition, the Drainage Strategy Plan submitted (ES Vol. 3 Appendix K1, drawing number 10309-DR-02) is incomplete, omitting a significant element of green infrastructure comprising the River Enborne, appears to show surface water flowing almost in line with the contours in several places, rather than angled to them as would be expected. Furthermore, surface water flow appears to be directed through the ancient woodlands of Dirty Ground Copse and Slockett's Copse which is unacceptable due to potential ecological damage that would cause. With regard to the status of those woodlands as irreplaceable habitats, the development proposal has failed to determine through modelling that new surface water flow will not detrimentally affect the ancient woodland.*

*The lack of sufficient information prevents a full consideration of the impact of the proposed development on ground water levels and ancient woodlands and the necessary mitigation required. Furthermore, the provision of acceptable and adequate detention basins are unlikely to be achievable whilst respecting the existing watercourses, proposed pedestrian infrastructure and ancient woodlands. As such the proposal is unacceptable and contrary to Policies CS3, CS14, CS16, CS17 and CS18 of the West Berkshire Core Strategy Development Plan Document (Core Strategy, adopted July 2012); the Vision, Strategic Objectives and Development Principle H1 of the Sandford Park SPD (adopted March 2015); and the West Berkshire Sustainable Drainage Systems SPD (adopted 2018).*

## **Procedural Matters**

- 2.9 In respect of the Appeal Proposal, Reason for Refusal reason 13. part i) “the interrelationship of surface water runoff between the application site and the remainder of the Sandleford Strategic Site Allocation”, is no longer of material concern following consideration of the Brookbanks SSSA plan 10309-DR-01 rev.G shown at Appendix.1 to this Proof. It is not being pursued by the Council at this Appeal and has been withdrawn.



### 3. Impact on Ground Water Level

- 3.1 It is my opinion that, particularly where the proposed conveyance channels are close to the areas of Copse (Dirty Ground, Slockett's and Highwood), the impact resulting from creating a channel of unspecified profile and depth upon the hydrology of the immediate areas is unknown. Excavating new deep channels through the ground will in time provide easier pathways for groundwater (GW) to take, allowing groundwater to seep into the channels more readily. This will lead to an artificial lowering of the natural GW level locally that will be to the detriment of the surrounding areas, including the afore-named copses which comprise Ancient Woodlands.
- 3.2 In the Infiltration Testing Report Trial Pit Logs provided for the Appellant by Geo Environmental Group, and as reproduced at Appendix C of the Environmental Statement Vol.3 Appendix K1 "FRA and Drainage Strategy" (the FRA) (*CD1.9 pages 76–94*), the ground investigation carried out in September 2014 shows no ground water present during testing. This conflicts with the WBC groundwater map shown at Appendix.2 of this Proof which shows GW levels to be close to the surface over parts of the site. This information was derived from a groundwater study carried out for the Council by JBA Consulting in 2014. These areas match reasonably closely with the area of the Environment Agency's Simplified Groundwater Vulnerability Zones Map, High Vulnerability Zone, as reproduced in figure 2d of the FRA (*CD1.9, p7*) and the geological head deposits or superficial deposits shown at figure 2c of the FRA (*CD1.9, p6*).
- 3.3 Whilst acknowledging that information obtained directly from a site will be more representative than modelled information in many cases, September is typically when GW levels are at their lowest. Groundwater monitoring should have been carried out during the winter months December – March to provide reliable enough data to prove that GW levels are well below the ground surface. So whilst there may be no risk to the proposed development from flooding originating from groundwater, as confirmed in FRA figure 3b 'Flooding Mechanisms' (*CD1.9, p12*), I still consider that groundwater levels may be high over parts of the site at certain times of the year leading to the concern regarding localised reduction in GW levels to the detriment of the Ancient Woodlands, as outlined in 3.1 above.

## 4. Impact of surface water runoff on ancient woodland

- 4.1 Drainage Strategy Plan, drawing number 10309-DR-02 included at Appx A of the FRA (*CD1.9, p34*) shows surface water flow arrows heading directly towards Slockett's Copse and Dirty Ground Copse. This is likely to reflect the existing situation given the ground contours shown on the underlying base map. Currently any such flow would be the 'natural state' on site and therefore has no adverse effect on the ancient woodland areas. If the same flow patterns is to be maintained post-development, from that time onwards flow indicated by those arrows will be formed of run-off from the new impermeable surfaces which will be accelerated across these areas since there will no longer be any slowing effect from existing vegetation. This will give rise to an unacceptable impact by surface water runoff on ancient woodland.
- 4.2 Insufficient detail has been submitted such that it has not been possible to assess the effect of this situation. Therefore I consider that the proposal has not addressed satisfactorily the issue of surface water run-off onto the areas of Ancient Woodland, namely Slockett's Copse and Dirty Ground Copse. This is likely to result in ecological damage to those woodlands and their irreplaceable habitats.
- 4.3 In addition the root zones of vegetation within the copses may be adversely affected by excavations for the conveyance channels.

## 5. Detention Basins

- 5.1 Drawing 10309-DR-02 included at Appx A of the FRA (*CD1.9, p34*) shows proposed detention basins A, B and C within the country park with the surface area in square metres being numerically similar to the volume in cubic metres. Assuming for example the basins have a depth of 1 metre, this would mean the basins could have nearly vertical sides. This would be unacceptable - basin side slopes should be constructed with a 1 in 3 maximum side slope in accordance with para 22.2 of the SuDS Manual C753 (*CD17.24, p475*).
- 5.2 In paragraph 3.6 of the Appellant's "Response To Comments For Consultees" (September 2020) (*CD6.2, p7*) submitted under the 'Wheatcroft' consultation, it is

confirmed that the basins will have 1 in 3 side slopes. Additionally, the 'Wheatcroft' consultation revised Drainage Strategy Plan drawing 10309-DR-02 A included in the revised FRA at Appx A (CD6.2, p65) also confirms 1 in 3 side slopes and basin depths of 1.5m. If the 'Wheatcroft' consultation is accepted, this issue is therefore no longer of material concern.

- 5.3 In respect of the basin(s) at location B there appears to be limited room to accommodate the basin(s), proposed footpath and existing stream whilst maintaining an 8 metre buffer zone to the side of the stream as set out in the Appellant's proposed Ecology Condition 8 (CD1.12, p14), or to maintain the 15m buffer required around the ancient woodland in accordance with National England Standing Advice for ancient woodland (CD8.31) without consequential detrimental impact on existing streams. In accordance with the Ciria SuDS Manual C753 SuDS should "*enhance biodiversity*" and "*[contribute to] effective protection of the natural environment*" .... and .... "*the preservation and support of habitats and biodiversity*" respectively) (CD17.24, pages 19 & 26).
- 5.4 In respect of 5.3, the provision of acceptable and adequate basins is unlikely to be achievable in respect of existing watercourses, the proposed pedestrian infrastructure and the ancient woodland. Thus the refused appeal proposals are unacceptable.

## 6. Drainage Strategy and Design

- 6.1 Drawing 10309-DR-02 included at Appx A of the FRA (CD1.9, p34) is incomplete, omitting a significant element of green infrastructure of the proposed country park and the River Enborne, hence it is not possible to assess what is proposed in this area.
- 6.2 The 'Wheatcroft' Consultation revised Drainage Strategy Plan drawing 10309-DR-02 A included in the revised FRA at Appx A (CD6.2, p65) includes all of the country park area. If the 'Wheatcroft' Consultation is accepted, this issue is therefore no longer of material concern.
- 6.3 Drawing 10309-DR-02 included at Appx A of the FRA (CD1.9, p34) also appears to indicate surface water flowing almost in line with ground contours in several places particularly towards the northern part of the site, rather than angled to them as would be expected. The same situation is retained on the revised Drainage Strategy Plan drawing 10309-DR-02 A included in the revised FRA at Appx A (CD6.2, p65). In both iterations

of the plan, the information indicated in this respect is clearly in error and is therefore unacceptable as water will flow at an angle to any contour lines in the downhill direction.

## 7. “Wheatcroft” Consultation

- 7.1 Following the request to review the Appellants’ later submission of a revised FRA under a ‘Wheatcroft’ Consultation (the “Wheatcroft FRA”) (CD6.2), the following evidence deals with changes made in that new document.
- 7.2 In general terms the Wheatcroft FRA does not satisfactorily deal with the comments raised in my Consultation Response of 14/9/2020 (CD2.2). Rather, it does raise a number of new concerns such that the WBC Objection remains.
- 7.3 There are a number of minor errors and omissions in the Wheatcroft FRA (CD6.2) which mean that this document could not be accepted. They are :
- fig 3-1 (p30) – the redline boundary does not line up with the base mapping;
  - fig 3-5 (p34) does not show the redline boundary;
  - Para 4.15 (p37) states “Local Policy will be taken not consideration...” : It is assumed that “not” should read “into”;
  - fig 5-1 (p39) : the redline boundary does not line up with the base mapping;
  - Para 5.16 (p41) may be an incomplete sentence as it is not capitalised.
- 7.4 Paragraph 2.16 from the original FRA (CD1.9, p8), which states “*In terms of Groundwater Vulnerability the underlying geology is shown on DEFRA’s MAGIC maps to form a Minor Aquifer with soils of a High leaching potential across the northern two thirds of the site*”, has been omitted from the Wheatcroft FRA (CD6.2). As I have set out in 3.1 – 3.3 above, I believe groundwater is an issue on parts of the site and the para 2.16 of the original FRA gives some credence to that view. The Wheatcroft FRA (CD6.2) fails to address this and is therefore unacceptable.
- 7.5 Under the heading “Site Investigation Works”, the Wheatcroft FRA sets out the testing parameters and results obtained during the site investigation (CD6.2, p50). This information was not provided in the original FRA main body of text (CD1.9), only in the Infiltration Testing Report at Appendix C.
- 7.6 A new paragraph appears at 6.44 of the Wheatcroft FRA (CD6.2, p50) where it is stated that infiltration testing was carried out in November 2014, thus putting the investigation closer to the period when GW levels would be starting to rise. This potentially gives the

wrong impression since although the report was dated Nov.2014 the testing was actually carried out in September (*CD1.9, p53 / CD6.2, p87*), as raised in 3.3 above. The Appellant's statement relating to testing is the basis for a further statement in para 6.48 (*CD6.2, p50*) that "*Any works completed on site supersedes indicative mapping produced by the council*". Again as covered in 3.3 above, the investigation work is not sufficiently reliable in my view due to the date carried out and the statement in para 6.48 does not hold.

- 7.7 Table 6-8 in para 6.69 of the Wheatcroft FRA (*CD6.2, p54*) contains an extract of Table 26.2 "*Pollution Hazard Indices*" from the SuDS Manual (*CD17.24, p596*); an equivalent was originally included at para 4.64 of the FRA (*CD1.9, p26*). The new version at Table 6-8 omits 2 lines from the original table, those for "*Commercial yard...*" and "*Sites with heavy pollution...*". As the refused Application contains delivery areas and non-residential parking the omission of these categories from the Wheatcroft FRA is unacceptable since these 2 situations would give rise to some of the highest pollution levels on the development.
- 7.8 Table 6-9 "*SuDS Mitigation Indices for discharges to surface waters*" at para 6.71 of the Wheatcroft FRA (*CD6.2, p55*), which is also an extract from the SuDS Manual at Table 26.3 (*CD17.24, p597*), omits SuDS mitigation indices for: "*filter strip*", "*bio-retention system*", "*pond*" and "*wetland*" from the "Type of SuDS Component" categories, whereas these categories were previously included in Table 4m at para 4.66, the equivalent table from the original FRA (*CD1.9, p26*), therefore implying these features are no longer to be used despite a contradictory statement that they are being proposed for use in the development in table 6-1 at para 6.14 of the Wheatcroft FRA (*CD6.2, pp44/45*). The omission of these features from Table 6-9 of the Wheatcroft FRA is unacceptable.
- 7.9 Table 4n "*SuDS Mitigation Indices for discharges to groundwater*" from the original FRA (*CD1.9, p27*) has been omitted from the equivalent paragraph at 6.71 of the Wheatcroft FRA (*CD6.2, p55*) even though the text of the paragraph preceding the table refers to "...*discharges to surface waters and groundwater respectively...*". It is stated in both FRAs (*CD1.9, pages 15 & 54 / CD6.2, pages 42 & 93*) that limited infiltration is possible over parts of the site which is a reasonable assumption given the site conditions, thus it is my view that unless any SuDS which could potentially allow infiltration are lined with an impermeable liner to specifically prevent infiltration the table is relevant. The omission from the Wheatcroft FRA is unacceptable and demonstrates a failure to address the Council's concerns.

- 7.10 In the Wheatcroft FRA Appendix A, when comparing the area of Basin A between drawing 10309DR-02 rev.A and the input in the MicroDrainage (“MD”) calcs at Appendix B (CD6.2, p72), the 2 figures do not match (5,920 m<sup>2</sup> on the drawing against 5,650m<sup>2</sup> in the MD input) hence the figures are unacceptable.
- 7.11 The matters set out in 7.2 – 7.10 above may be capable of resolution. However, at the time of writing this proof of evidence, the concerns are real and outstanding.

## 8. Appendix 4 : Valley Crossing Study

- 8.1 In relation to Appendix 4: Valley Crossing Study of the Appellant’s S78 Appeal Statement of Case (CD6.3), of the three potential options for the crossing set out in para 2.9, the 3rd option shown on VD17562-SK023 & VD17562-STR-SK-003 for the proposed vehicular/ pedestrian straight alignment bridge is least damaging to the hydrology of the area, and probably to the habitat/biodiversity as well.
- 8.2 The overall width of the twin deck structure at 16m will create a dark area underneath so the watercourse below the structure will not be able to support much in the way of biodiversity once built, with localised detriment resulting from its construction.
- 8.3 Construction of any of the options will cause major damage to the immediate habitat/biodiversity and hydrology as inevitably the ‘construction corridor’ will be significant and the necessary construction depth for any temporary road-ways will be deep.
- 8.4 In this respect the Appeal proposals as refused are unacceptable and harmful and contrary to policies CS3, CS14, CS16, CS17 and CS18 of the West Berkshire CS DPD (CD8.5); the design principles contained in the WBC SuDS SPD (Dec 2018), particularly in ‘Our Vision’ and paras 2.1 & 2.2.2 (CD8.16, p5, p7 and p9 respectively); the NPPF Section 15 (paras 170, 174 and 175) (CD8.1, pages 51-52); the National Design Guide “Planning practice guidance for beautiful, enduring and successful places” (MHCLG, October 2019) sections N1-N3 (Nature) (CD8.4, pages 31-32); and the Ciria SuDS Manual C753 (paras 1.1 and 1.4 in particular, where SuDS should “enhance biodiversity” and “[contribute to] effective protection of the natural environment” .... and .... “the preservation and support of habitats and biodiversity” respectively) (CD17.24, pages 19 & 26)..

## 9. Appellants' Response To Comments For Consultees

- 9.1 In relation to the LRM Planning Response To Comments For Consultees Section 3 : LLFA, I acknowledge in response to paragraph 3.4 "Pollution Control (Occupied Phase)" (CD6.2, p7) that "*there is no evidence to suggest that there are existing sensitivities that detrimentally impact the hydrology of the site including the water courses contained within*"; that is to say I accept the **existing** site currently functions in a natural and balanced way. However, the implementation of the proposals will be to the detriment of the hydrology of the site, particularly around the Copse and Valley Crossing areas.
- 9.2 For that reason, despite the statement later in para 3.4 referring to the ES Vol.1 Chapters 6 and 11 (CD1.7) that the Appellants "*...provided an assessment on the sensitivity of the watercourses and springs within their wider studies and concluded that in parts either a negligible or minor beneficial effect would occur at the Occupied Phase*", it is difficult to see how the completed development will have a minor or even a negligible benefit for the site in respect of, in particular, the pollution control aspect of its hydrology when compared to the existing situation. The application site is an un-developed 'green' site, currently subject to little human disturbance and which generates minimal pollution other than from natural processes. So despite the 'best efforts' of any SuDS measures that could ever be built the construction of those SuDS measures in the first place, coupled with a substantial increase in human usage once the development is occupied will inevitably result in a level of disturbance and degradation of the water environment that, by comparison, will be much greater. Future failure of any part of the SuDS management train is likely to lead to pollution occurrences for the duration of such a failure, which clearly is not a current risk in the site's undeveloped form.
- 9.3 The statement given in para 3.4 of the LRM Planning Response is not accurate when considering the development on site.
- 9.4 In respect of para 3.6 "Basins" (CD6.2, p7), it is acknowledged that C753 SuDS Manual accepts a side slope of 1 in 3 as an acceptable design and is dealt with in 5.2 above.



- 9.5 In relation to para 3.8 “Combined Drainage Strategy” (*CD6.2, p7*), the Council is no longer questioning the issue of the interrelationship of surface water runoff between the application site and the remainder of the Sandleford Strategic Site Allocation, as set out in 3.1 above.

## 10. Concluding Remarks

- 10.1 In conclusion, the proposed conveyance channels are located close to the areas of ancient woodland at Dirty Ground Copse, Slockett’s Copse and Highwood Copse, and the impact that creating a channel of unspecified profile and depth upon the hydrology of the immediate areas will have is unknown. However, it is likely to cause harm to these woodlands and their irreplaceable habitats both by the lowering of the local groundwater levels through more rapid seepage into the newly created channels as they will provide an easier route for groundwater to take, and of damage to root zones during excavation work.
- 10.2 The Appellant’s later submission of a revised FRA under a ‘Wheatcroft’ consultation does nothing to deal with the above concerns but instead omits several important sections of the original FRA (under Vol.3 of the Environmental Statement), rendering it unacceptable as a replacement document and demonstrating a failure by the Appellants to address the concerns of the Council.
- 10.3 The Appeal proposals as refused are unacceptable, harmful and contrary to policies CS3, CS14, CS16, CS17 and CS18 of the West Berkshire Core Strategy Development Plan Document (*CD8.5*), the design principles contained in the WBC SuDS SPD (Dec 2018), particularly in ‘Our Vision’ and paras 2.1 & 2.2.2 (*CD8.16, p5, p7 and p9 respectively*), the National Planning Policy Framework (2019) Section 15 (paras 170, 174 and 175) (*CD8.1, pages 51-52*), the National Design Guide “Planning practice guidance for beautiful, enduring and successful places” (MHCLG, October 2019) sections N1-N3 (Nature) (*CD8.4, pages 31-32*), and the Ciria SuDS Manual C753 (paras 1.1 and 1.4 in particular, where SuDS should “*enhance biodiversity*” and “[*contribute to*] *effective protection of the natural environment*” .... and .... “*the preservation and support of habitats and biodiversity*” respectively) (*CD17.24, pages 19 & 26*) and so has led to the Reason for Refusal 13: Drainage / Sustainable Drainage Systems (SuDS).



10.4 Whilst the Council does not accept that conditions would be capable of resolving all objections outlined above, were the Secretary of State minded to approve the Appeal application or the Wheatcroft consultation then, without prejudice, the Council would respectfully request to have specific drainage Conditions attached to any Approval as set out in my Drainage Consultation Response of 14/9/2020 (CD2.2).