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29<sup>th</sup> December 2021

**For the attention of the Case Officer – Development Control, Wokingham Borough Council**

**Re; Application 213935, Grange Farm, Land adjacent Islandstone Lane, Hurst RG10 ORJ, Full application for the proposed discharge of surface water and waste water from a treatment plant to Kayersbridge Brook via below ground pipework within adjacent field (following approval of application 212214 to also include Two Storey garage application with roof lights and use of Attic Space as ancillary accommodation (Part Retrospective)**

Thank you for the opportunity for Hurst Village Society (HVS) to comment on the above planning application as we have done on previous similar applications on this site. I apologise for the delay in responding but nevertheless believe this response is within the time limits set for the public consultation on this application, and therefore can be properly considered.

HVS believes this is a highly technical application and is reliant on Wokingham Borough Council as the Planning Authority to use all its resources, including the use of private consultants if appropriate, to ensure this application is researched in detail before any decision is made. You will need no reminding that the applicant originally did not properly respect the planning process and had illegally commenced installation works which then had to be stopped until an application had been submitted. The Society abhors this lack of consideration of due process by the applicant, and also the apparent lack of consideration of the affects of their actions on the occupiers of neighbouring properties.

The Society would like to support the comments made by Mrs Joy Freeman, a resident of Bonhomie Court which is adjacent to Keyserbridge Brook, and also the very detailed comments made by Dr Henry Lupa. We are not convinced therefore that the proposals as made are suited for purpose and would therefore register our objections to this application and hope that it will be refused.

HVS would like to see evidence that proper consideration was given as to why the premises is not being required to connect to the main drainage system which it believes is in close proximity, and that any such decision has not been influenced by the fact that the installation of an alternative system had effectively been completed by the time a retrospective application was made.

It is apparent that the watercourse to which the effluent outlet will enter is not a constantly fast flowing watercourse and for many months of the year has a minimal or negligible flow which presents particular problems in relation to the build up of contaminants, whilst at the other end of the scale the watercourse is regularly subject to flooding of both the surrounding area and of more concern the gardens of Bonhomie Court. Such circumstances would appear to be in conflict with current Building Regulations and also the manufacture's guidance as to the installation of the BioPure system.

HVS is again reliant on this application being referred to the Council's own legal experts and perhaps a Barrister's opinion as to whether the High Court judgement included as support of the approval of the application does in fact support the refusal of the application. You will perhaps understand why as a Society of volunteers we are unable to comment in detail on these complex legal issues. Specifically we do however find the doubts over riparian rights and the judge's comments in relation to the laying of pipes as compelling reasons as to why this application should be refused.

HVS is also troubled by the other part of this application not least of all that again it is part retrospective which appears to support the applicant's apparent dismissal of the need for proper process, and would hope that the planning authority looks closely as to whether the two storey garage extension with ancillary accommodation space in the attic could be interpreted as a move by stealth to establish full residential use, whereas an outright application for such a development on this site would surely usually be refused.

In conclusion Hurst Village Society believes that this revised proposal has made no material change to the original application and because of the doubts and concerns expressed above should be refused.

Yours faithfully,

John Osborne on behalf of The Hurst Village Society