

Poors Allotment Charity
c/o 1 Snelsmore Farm Cottages
Snelsmore
NEWBURY
RG14 3BU

Open Letter to
District Councillor James Cole
West Berkshire Council
Council Offices,
Market Street
Newbury
RG14 5LD

2nd August 2022

Dear James,

There is an issue at the boundary of the Enborne Parish Field and the Spring Gardens estate which we need urgently to bring to the attention of West Berkshire Council as Lead Local Flood Authority (LLFA). Persons unknown have altered the long established riparian watercourse which flows downhill from the Parish Field onto the Spring Gardens Estate at times of high ground water flow.

We understand John Bowden has retired, so we do not know who at West Berkshire Council has the role of LLFA officer. Could you please ensure that this letter gets to the appropriate officer.

Yours sincerely

CHG

Chris Garrett

Trustee
Poors Allotment and Enborne Parish Field Charities

To West Berkshire Council as LLFA and Land Drainage Authority

Having recently visited the Parish Field we were surprised to find that a person or persons unknown have been altering the boundary ditch and berm that marks the boundary between the Parish Field and the Spring Gardens Estate.



We believe this **precipitate and irresponsible action** has been taken by persons frustrated by the lack of action to solve the problem caused by water running downhill from the Parish Field onto the Spring Gardens Estate. After a period of precipitation this water overtops the boundary ditch and flows down the central footway and across the Spring Gardens Road. In the winter, on freezing mornings, this causes a hazard to cars and pedestrians.

However, this overtopping **is not** a new phenomenon and there is a great deal of evidence that water has always followed this route onto the fields that were developed into Spring Gardens. Indeed, historically there were a number of locations where water was directed from the boundary ditch downhill into the fields that predated the Estate. We will elaborate on the historical ditches and watercourses that crossed the fields that predated the development of the Spring Gardens Estate later in this letter.

The established ditches within the fields that are now Spring Gardens were removed by the developer David Wilson Homes (DWH). Irrespective of what was agreed with West Berkshire planners during the development DWH and their successors must therefore be the riparian owners of the water flows from the boundary ditch onto the Spring Gardens Estate. **We are therefore requesting that WBC use their powers as the Land Drainage Authority under the Land Drainage Act to direct DWH and their successors to step up and fix the problem.**

We wrote to you in March 2022 with a detailed explanation of the ongoing issue of runoff from the Parish Field into the Spring Gardens Estate. This was sent by e-mail to Jon Bowden on the 6th March and the letter is attached below.

Prior to the Spring Gardens Development

One of the current residents of Spring Gardens is asserting that the ditch which runs along part of the boundary between the Parish Field and Spring Gardens was historically used to direct water eastwards into a ditch that runs downhill parallel to the drive of Wash Water House. **We can categorically say that if the water was directed east the watercourse was not exclusively within the Parish Field:**

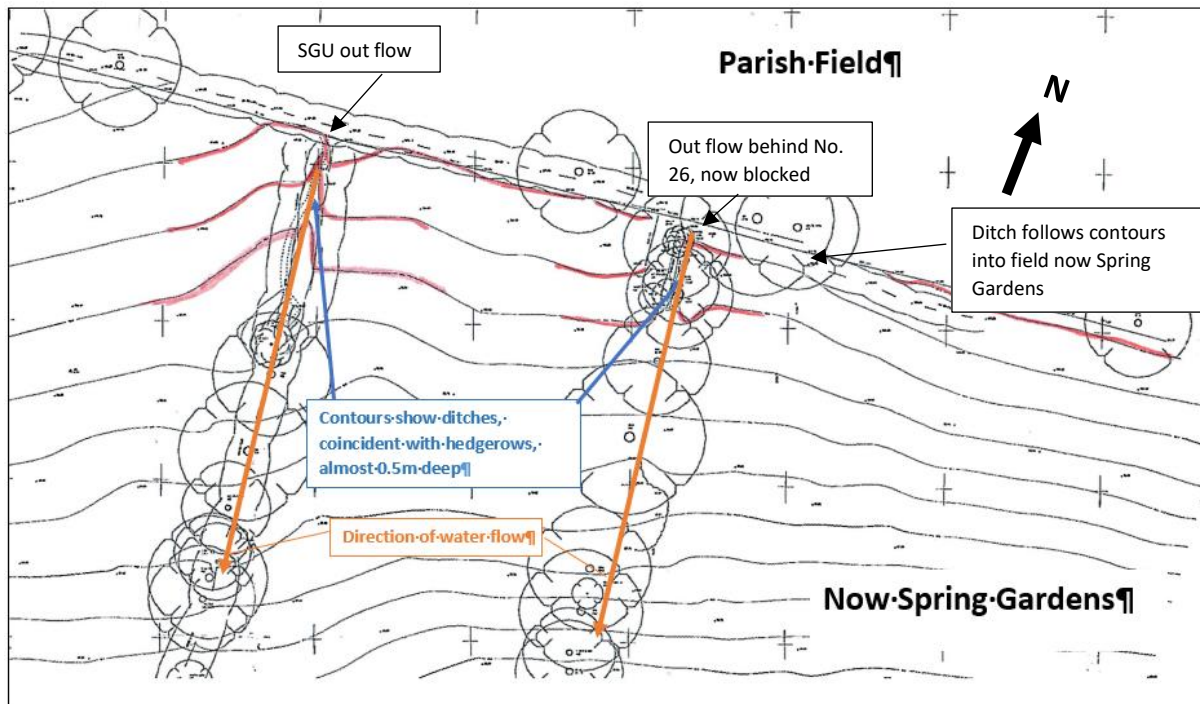
- There is no evidence of a ditch in the southeast corner of the Parish Field
- There is no ditch at the top of the drive to Wash Water House, where it bounds the Parish Field. In fact there is a gate between the drive and the Parish Field. The ditch parallel to the drive starts further down the hill, there is no evidence that there was ever a ditch at the top of Wash Water House Drive

Before the development of the Spring Gardens, the land consisted of 4 fields separated by 3 N to S oriented hedgerows.

Now Spring Gardens



From Historic-England-Aerial-Photograph-viewer, flown by the RAF in 1967



Detailed contour map of northeast of fields now developed as Spring Gardens. 2001. Taken from the WBC planning portal, planning application 01/01328. Red lines to clarify contour configuration and labelling added by current author. Cl 0.5m, land level drops N-S.

The east to west boundary ditch was used to direct water into N to S ditches coincident with the hedgerows. These were the riparian watercourses before development of Spring Gardens. These N to S ditches and most of the hedgerows no longer exist due to groundwork undertaken during the development. Gaps in the berm behind Nos 26-28 Spring Gardens were plugged.

Irresponsible Alterations to the Boundary Ditch

- The ditch has been deepened and widened
- The overtopping channel through the retaining berm has been blocked using spoil from the ditch
- The height of the berm has been raised

This will increase the volume of water stored and delay the overtopping but the ditch must overtop sooner or later. The unknown is where will it over top.

Potential Adverse Consequences of Recent Alterations

As the land and ditch floor rises quite steeply to the west, the raised berm will force water to the east into the remnants of the boundary ditch that existed before the development of the Spring Gardens Estate. The capacity of this ditch is difficult to assess as it has been filled, by our neighbours, over the years with grass cuttings, brush, flower pots and a Christmas tree.

It is possible that the plugs in the boundary berm are not robust and that changes to the water level that will result from the recent unauthorised work will cause the berm to breach/overtop into these Spring Gardens properties to the east. Furthermore, if the plugs in the berm behind Nos 26-28 do hold it risks forcing water further east onto the downhill properties of innocent and unaware third parties.

Going Forward

The Trustees of the Charity want to solve the problem of water flowing from the footpath onto the road in Spring Gardens. However, it is blindingly obvious the solution lies within the Spring Gardens Estate and not within the Parish Field:

- The developer, David Wilson Homes, installed infrastructure in the form of a french/land drain to redirect water around the east flank of the estate. We believe this was in response to a planning condition imposed by WBC but the record of this has, although requested, not yet been supplied. Neither DWH or the estate manager First Port Ltd can be persuaded to assess whether the French drain is continuing to work as intended. It certainly is not currently intercepting a lot of the runoff.
- If the land drain is inadequate to handle the runoff, then surely it is the responsibility of DWH to upgrade the drain or input an alternative.
- We suggest a formal N to S ditch down the existing footpath to a culvert or grill allowing the excess water to access the current road drain before it spills onto the road would be a solution.

We cannot, in good conscience, let unauthorised recent alterations to the ditch and berm put the properties to the east of the SGU at greater risk of flooding. While we await your response we will monitor the situation. If we get any complaints from properties lying to the east of the SGU we will be compelled to restore the historical SGU outflow.

Neither the Trustees of the Poors Charity nor the Parish Council have the resources or desire to police this boundary on a 24/7 basis. **Could you please deal with this issue as a matter of urgency.**

Yours faithfully

CHG

Chris Garrett

Trustee
Poors Allotment and Enborne Parish Field Charities

Copies to:

The residents of the Spring Gardens Estate

David Wilson Homes

Firstport Property Management