

Thames Farm Action Group
Rambler Cottage, Reading Road, Lower Shiplake, Oxon RG9 3PH

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By Email Only

Dear Mr Duffield,

Thames Farm, Reading Road, Lower Shiplake

I am now back in Shiplake, and have reviewed your letter of 22 June in detail. I also note that you have been very selective about the matters that you have chosen to comment upon leaving numerous other issues without comment response or rejection.

I am therefore surprised and intrigued by the contents of your letter. Frankly to say that SODC has been open and transparent in these matter is not correct - it is hard to think of anything that might be further from reality than that statement. Equally to suggest I have misrepresented you is also misleading and offensive

The Planning Department has been very selective and opaque with its dealings here, it has failed to communicate adequately with residents and has made numerous errors of both law and judgement in my opinion and that of many others. That is why I wrote to SODC's Chief Executive on 16 March, since the community here in Shiplake had lost confidence in the Planning Departments handling of this matter. SODC's subsequent change of views about the matter as dealt with next, fully supports and vindicates that decision.

- You have now, some 8 months down track finally accepted the point that has been made by TFAG and residents from the start, that a further Application is necessary by Taylor Wimpey. Whether this be a separate planning application for the groundworks or a further application for material amendments under s 73(1) is largely academic. The simple fact is that what the applicant proposes, requires a further application with full and proper details disclosed so that the matter can be fully and properly scrutinised, and a mechanism is provided for the other statutory consultees to comment upon the proposals. This has been the case from the outset.
- By the undeniable implication from the above, the Councils treatment of Application P20/1303/NM was wholly incorrect and inappropriate particularly when the knowledge of the very extensive dissolution features beneath the site was perfectly apparent as well as the potential impacts therefore on the aquifers and their protected corridors, and the need for an 'off-site' drainage solution with all of the consequences thereof. Your consideration and treatment of P20/2808/RM is also therefore highly questionable.
- Divorcing the ground works to create a stable base upon which to insert foundations is technically impossible as the design and load bearing capacities of those foundations are wholly and necessarily inter dependant, as is the design of a robust on and off-site attenuation and drainage mechanism.
- You in turn however, have failed to disclose why your telephone conversation with the applicant of 7 April 2020 led to an immediate reversal of the earlier views of 12 March 2020 of your own senior staff and her superior regarding the FUNDAMENTAL NATURE OF DRAINAGE to this development and the Applications that were then proposed. This dialogue from Emma Bowerman of 12 March 2020 is once again reproduced below for ease of reference as you have on a number of occasions now failed to respond or comment on that point.

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"I raised your query about amending the drainage condition at my team meeting this morning and was advised that we would be unlikely to support any of your recommended changes to the wording of the condition. Drainage goes to the heart of the permission and we need to be confident that there is a solution before development commences. Sorry that I cannot assist you with this"

- You have also failed to confirm why you seemingly 'forgot' about your own intervention and involvement in this matter when you stated this in the stage 2 complaint response - that you had not been involved at all? That very clearly is a misrepresentation of the facts!
- You do not refer to the fact as to why the issue of the ground conditions and off-site pumped drainage were not even mentioned in the report justifying the decision of P20/1303/NM. How can it possibly have been properly considered without that very important/fundamental information being taken into account, or even mentioned in the report? How can those very important facts be considered to be non-material issues? Why were they not flagged up?
- You say that my interpretation of NPPF is misguided because this site has Planning Permission, and yet you also state that a further application is now needed. I do not share your views I am afraid. The principle of residential development was indeed approved on appeal, no one is denying that, but we all know that the principal of grouting this site to a depth of perhaps over 16m was not, nor were the vibro-compaction operations, the off-site pumped drainage, the possible flooding of other areas and residences including those within grade 3 flood zones etc. How can you therefore suggest I am misguided when the principle of these issues has yet to be considered? These are indeed very material matters and should be fully and carefully scrutinised and considered as part of any further application, in whatever form it takes. Further more, recent data received from Thames Water confirms the water table at this location at 10m. How is that to be reconciled with dissolution features down to 16m where the aquifers are located?
- You have asked the applicant to submit a further application (rather than a material amendment under s 73(1)). Having taken legal advice from a specialist Planning Lawyer on the matter at the outset of our discussions with SODC and Taylor Wimpey, an Application under 73(1) is perfectly possible, and as such it is our view that that process would have overcome the difficulties you now have in dealing with any reserved matters application regarding drainage, and would also have avoided the possibility of a second separate application being perhaps rejected whilst an extant LDC existed. The proper scrutiny and consideration of a reserved matters application that does not also address the ground treatment works will be very difficult, perhaps impossible, since the ground treatment works need to be fully known disclosed and understood for the proper scrutiny of the drainage proposals. These issues are very closely aligned and inter dependant.
- You have tried to avoid responding in detail to a very large number of discrepancies and issues identified in correspondence with both the Planning Department and the CEO of SODC by a sweeping statement saying that because you are treating these matters as a representation to the Applications you are not obliged to respond to those very significant and serious matters. How do you reconcile this evasion, with your apparent transparent and open process of dealing with these applications?

Why is it that members of the Planning Team have needed to say to each other in correspondence when the question was posed by the press, that they do not want to be seen to have not required an FRA for the DIS Application when one was then requested very late on? An FRA should have been presented with the Application of course as the guidance from LLFA states? Why was the P20/S2808 Application even registered when it was incomplete?

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- Why is it that SODC failed to properly openly fully publicise what was clearly going to be a very contentious issue in relation to P20/1303/NM when this application was made in respect of what has always been categorized as a Major Project, and in the full knowledge of the ground conditions that existed and thus the need for a very complex and off-site pumped drainage solution?
- Why is it that SODC did not ask/permit the other statutory consultees to review the drainage reports commissioned by Shiplake Parish Council in considering the current application? There are clearly numerous matters that were raised in those documents which those consultees we know, in fact agree with and which once again does not bode well for your suggestion that matters have been dealt with openly and transparently?

My Letter of 16 March to the CEO of SODC asked for some information and discussion about the way forwards in the hope that with input from the community and TFAG further mishaps and procedural issues might be avoided. Unfortunately, that offer was not taken up then, albeit it was made in the hope of steering this matter forwards in the best procedural way. The only communication anyone has received is your letter of 7 May and now that of 22 June, which again fails to address key questions. So, may I ask once again, particularly now that Taylor Wimpey has submitted revised documents for the discharge of condition 11, how you intend to tie that together with and obligate them to, also provide a further application to deal with the ground works; the corresponding requirement for increases in the volumes of water to be both attenuated and also discharged from the site; possible impacts on the Aquifers and not least, the issue of the height of the groundwater table in relation to the relative depth of the aquifers and the voids/solution features lying at lower levels down to c 16m or more?

I look forwards to hearing from you further in this matter.

Yours sincerely,

[Signed Electronically](#)

Peter Boros
Chairman
Thames Farm Action Group

cc. Recipients of original correspondence 16 March & 14 May