



Clive Jones, MP raises concern over development with Thames Water

Wokingham MP Clive Jones raises parish concerns over new development and sewage overload likely to result from this. Asks CEO of Thames Water to review their response to Vistry and WBC Planners in respect to development by Vistry on land west of Trowes Lane, Swallowfield.

At his recent surgery in Swallowfield, we explained to Clive the concerns we have about unsustainable development taking place in Swallowfield. In particular we discussed the current development just starting West of Trowes Lane (see application 230422), but also raised the applications under review East of Trowes Lane (application 252430) Sun Lane, Riseley (application 260774).

We are very pleased that Clive has clearly listened to and understood our concerns and has sent the attached letter to the CEO of Thames Water, asking him to review their agreement to consider condition 8 of the Planning Inspector's appeal decision as met.



Clive Jones MP

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Our ref: CJ12498

Dear Chris,

I am writing with regard to concerns a number of residents have raised with me about the drainage implications of residential development in Swallowfield in my constituency.

The specific development most commonly raised was initially refused by Wokingham Borough Council but later approved by the Inspector on appeal, reference APP/X0360/W/24/3340006. For simplicity throughout it shall be referred to as "Trowes Lane". However, the concerns raised are also material to other developments currently planned in Swallowfield parish, including further development near Trowes Lane and development at the nearby village of Riseley.

Swallowfield has a recent and severe history of flooding in which it was necessary to deploy tankers to the village in order to remove sewage. Environmental conditions played a role in this event, but so did a severe lack of capacity in the local sewage system as well as the failure of a valve.

Given this history, and other history of foul sewer surcharging during periods of heavy rainfall, residents are reasonably concerned about the impact of adding a considerable new development to the existing sewage network.

I accept that additional foul flow will not significantly contribute to more frequent surcharging, which is primarily caused by high levels of surface water entering the system in a short period of time. It will, however, make surcharging sewage during these events more foul, will reduce the capacity of the sewer to handle surface drainage further, and the fact that surcharging is occurring at all is a clear and obvious indication that the current infrastructure is not coping with the level of flow it is receiving regardless of any further development. Most people would reasonably state that the acceptable amount of sewage surcharging is zero, or at least that it should only be expected in the most extreme, apocalyptic rain conditions.

The Planning Inspector included a comment, paragraph 44 in his report, which states that "*the onus lies with the drainage provider rather than the developer to resolve existing problems and where necessary increase capacity to accommodate demand.*". The drainage provider is Thames Water. At appeal, the planning inspector applied a condition (Condition 8) to his approval requiring that the means of sewage disposal be agreed before construction commence. I understand that Thames Water has supported the discharge of that condition.

Residents have shared with me a copy of a response from Thames Water when querying the apparent support for discharging this condition which raises some concerns. The response is thin on details as to how this determination was reached and it states that modelling shows "low to no risk", which would seem to be a strange determination about a location already experiencing foul sewage surcharge.

In order to provide my constituents with the clarity they deserve, I would like clear answers to the following questions related to sewage and drainage at Swallowfield:

1. Regardless of any further development, what steps is Thames Water taking to increase the capacity of the sewers in Swallowfield Parish to prevent surcharging in wet conditions;
2. What specific factors led to the determination that Trowes Lane presents "low to no risk", and did this include an assessment of historic adverse drainage events in the area;
3. In the current circumstances, what examples can Thames Water give of a proposed sewage arrangement that would have caused you not to recommend discharge of Condition 8;
4. In the company's current financial circumstances, is there any reasonable prospect that Thames Water could provide the substantial upgrades clearly needed at Swallowfield, and if not will the company support me in calling for public funding to subsidise this much needed project?

My thanks for your attention to these important concerns.

Best wishes,



Clive Jones
Member of Parliament for Wokingham

Background:

Planning application 230422 for 81 dwellings West of Trowes Lane in Swallowfield was approved at appeal by the Planning Inspectorate. The Inspector imposed a number of conditions, but here we are addressing only conditions 8 (and to an extent, condition 19).

Condition 8 reads:

"8. No development hereby permitted shall commence until details of the means of foul sewerage disposal have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details."

Condition 19 reads:

"19. Prior to the occupation of the development hereby permitted a scheme shall be submitted to and approved in writing by the local planning authority demonstrating that the water network infrastructure

has capacity to serve the development. The development shall be carried out in accordance with the approved scheme.”

The inspector expanded on these two conditions in Other Matters clause 44 and Planning Balance clause 63, which read as follows:

“44. I was told at the inquiry that there have been instances of foul sewer surcharging in the village. The reason is reportedly due to an excessive amount of surface water entering the foul sewerage system during times of heavy rain. The proposed development would have separate foul and surface water systems. While it would introduce an additional foul flow to the sewerage system, that would not include surface water and would not itself exacerbate matters during times of heavy rain. The onus lies with the drainage provider rather than the developer to resolve existing problems and where necessary increase capacity to accommodate demand. Therefore, where surcharging has happened, regrettable though it is, it does not amount to a reason to prevent the development taking place. I have imposed conditions allowing clarification and if necessary coordination between the development and any improvement works planned for the sewerage system.”

“63. I have imposed 2 conditions having regard to the consultation response from Thames Water and in a modified form with the agreement of the main parties which deal with foul drainage and water supply, the first being a pre commencement condition and the second a pre-occupation condition. These respond to concerns raised by local residents who have experienced deficiencies in the existing foul drainage system and water supply, and are concerned that the development might exacerbate those problems. While I understand the concerns, it is a matter for the utility provider rather than a developer to respond to existing problems in the sewerage and water networks and to provide additional capacity where required. The conditions are not intended to prevent the development being undertaken but to enable the Council to confirm that capacity is available in those systems or that suitable action is being taken by the utility provider to ensure that additional demand can be met.”

We hold that it is clear that the inspector is requiring Thames Water to confirm its ability to adequately remove the sewage from the site and from Swallowfield BEFORE WORK COMMENCES ON SITE. This has not been done: they have merely agreed to Vistry’s plan for connection to the existing inadequate system. WBC’s planning department has accepted this as meeting the condition, which we do not accept. They have also characterised condition 19 as “a back-stop2” which it clearly isn’t. Condition 8 applies to removal of sewage: condition 19 applies to provision of fresh water.

In clause 44, the inspector states that additional sewage in the pipes would not exacerbate surcharge problems. This is obviously untrue: if you put more sewage into an already inadequate system, then more sewage will come out in a surcharge situation. The mixture in the pipes is more concentrated.

We already have significant periods of the year where sewage has to be tankered away from the village. These new developments will increase these problems.