

Joanna VINCENT,
Gateley Hamer PLC,
2000 Cathedral Square
Guildford
GU2 7YL

Pam BYRNE
Spring Grove,
6, Oldham Road,
Uppermill,
Oldham OL3 6HY

Re: Network Rail: Stalybridge-Diggle TWAO and the Proposed Use of the Garden at 6 Oldham Road, Uppermill, for Access to Public Footpath 244

Dear Ms Vincent,

I write to you as the owner and occupier [REDACTED], to express my profound concern regarding the proposals affecting my property and, in particular, the suggestion that my private garden should be used to facilitate works to Public Footpath 244.

It is extremely concerning that the information currently relied upon by Network Rail appears to demonstrate a fundamental misunderstanding of both the physical characteristics of the site and the practical consequences of the proposals.

The most striking example is the apparent failure to understand the nature of **flash flooding** affecting Footpath 244 and the garden of No. 6.

Please see accompanying video:

<https://share.icloud.com/photos/03ckvB12PgXxmrlz3n0L5Ayg>

Flash flooding is not standing water gradually accumulating in fields. It is the sudden and rapid movement of large volumes of surface water, usually following intense rainfall, which flows downhill with considerable force before drainage systems can cope. It is characterised by its speed, power and unpredictability.

That is precisely what occurs at Footpath 244.



Serious flash flooding unquestionably passes directly through the garden of 6 Oldham Road. This is not a matter of opinion. It is a well-known fact amongst local residents who have witnessed these events over many years. The aftermath is plainly visible in the debris regularly deposited on Oldham Road after heavy rainfall.



Any competent inspection involving local residents would have established this immediately.

Network Rail's Inquiry Document 19 appears, regrettably, to demonstrate just how little understanding exists of the site. The document gives every impression that its author has confused conventional flooding with flash flooding. Whether this misunderstanding arises through inadequate investigation, lack of local knowledge or some other reason, the result is the same: conclusions have been drawn from an incorrect understanding of the physical realities on the ground.



Had it been possible to present the video recording of the flash flooding event of 31 December 2024 ([link above](#)), there could have been little room for dispute regarding either the existence or the severity of these flood events. The video clearly demonstrates the force with which water descends Footpath 244 and passes through the garden at No. 6.

It is equally apparent that Mr Pearson has little practical knowledge of Footpath 244 itself. Anyone familiar with the route appreciates its exceptionally steep gradient and the way in which rainfall is rapidly channelled downhill during periods of intense precipitation. These are fundamental characteristics of the site and should have formed part of any competent assessment.

The Moorgate Campaign Group submitted a detailed objection before the deadline of 26 June. Network Rail subsequently produced Inquiry Document 19 on 30 June in an apparent attempt to undermine those objections. I consider that paragraphs 3, 5 and 9 of the Campaign Group's objection accurately express my own views and I wish those arguments to be treated as forming part of my objection.

There are equally serious practical concerns regarding the proposed construction access through my property.

It is difficult to understand how anyone who has physically inspected the entrance to No. 6 could conclude that it is suitable for construction traffic. The access is extremely narrow. To put the matter simply, a Mini can pass through; a large family

saloon cannot. The suggestion that construction vehicles could use this access appears entirely unrealistic.

Even if additional land were somehow acquired to widen the entrance, this would not solve the fundamental problem. Construction vehicles would still need to occupy and manoeuvre within my private garden. That garden is not spare land awaiting development. It is an integral part of my home and has been carefully created and maintained over a period of more than thirty years AND has been curated in such a way along the borders of the footpath to minimize the effects of the flash flooding by the growth of resistant vegetation.

Its destruction would represent a significant and irreversible loss of amenity.

Furthermore, I am 85 years of age and have severely limited mobility. I rely upon parking immediately adjacent to my property on my own land. Any proposal preventing me from doing so would have a direct and significant impact upon my daily life and independence.

Against that background, I ask the following questions.

How has Network Rail assessed the permanent loss of amenity arising from the destruction of my garden?

How has it assessed the diminution in value of my property resulting from the proposed works?

How has it assessed the permanent impact upon the enjoyment of my home?

How has it assessed the loss of mature landscaping developed over more than thirty years?

How has it assessed the impact upon an elderly homeowner whose mobility depends upon being able to park within her own property?

The plan declares what Network Rail intend to do but in no way does it inform me as to how they will restore my garden nor does it mention how they might compensate me for the extreme temporary inconvenience or for the permanent damage to my property.

Finally, how can any assessment be regarded as reliable if it is based upon an incomplete understanding of the site's topography, its drainage characteristics and the recurring flash flooding experienced by those who actually live there?

Infrastructure projects undoubtedly serve an important public purpose. However, they must be founded upon accurate evidence, competent site assessment and proper regard for the rights of those whose homes are affected.

At present, there is every indication that these standards have not been met in relation to 6 Oldham Road.

I therefore urge Network Rail to revisit its assessment, undertake a proper inspection of the site during or immediately following significant rainfall, consult residents with

long-standing local knowledge, and reconsider the assumptions that currently underpin Network Rail's proposals.

Yours faithfully,

Pam Byrne