

Application Correspondence "Discussions with Engineers regarding easement to the ditch"

From: Paul Cann <Paul.Cann@arun.gov.uk>
Sent: 04 November 2020 15:26
To: Simon Davis <Simon.Davis@arun.gov.uk>
Cc: Daniel Vick <Daniel.Vick@arun.gov.uk>
Subject: RE: AL/64/20/PL - Need for easement from Northern boundary ditch

Hi Simon

We are pretty sure BDW and the Springfield developer have 50/50 riparian responsibility for the ditch. As Springfield have no right to maintain the ditch from the BDW side they need to have their own arrangements, hence the 3m maintenance strip along the bank. They of course need to get maintenance vehicles to that strip, and adjusting plot 8's garden boundary seems the obvious way to achieve this.

Whilst our land drainage byelaws stipulate fences to be 3m the from the top of the banks, I do not know how willing our legal dept would be willing to enforce this, and therefore it is best to sort this out now, especially as vehicular access to the strip needs to be considered too.

Regards

Paul Cann
Principal Engineer (Drainage)

Paul Cann | Principal Engineer (Drainage), Engineering Services, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

Internal: 37819 | External: +44 (0) 1903 737819 | Fax: +44 (0) 1903 716019 | E-mail: Paul.Cann@arun.gov.uk

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From: Simon Davis <Simon.Davis@arun.gov.uk>
Sent: 04 November 2020 15:06
To: Paul Cann <Paul.Cann@arun.gov.uk>
Cc: Daniel Vick <Daniel.Vick@arun.gov.uk>
Subject: RE: AL/64/20/PL - Need for easement from Northern boundary ditch

Sorry Paul,

One other question – is the need for an easement covered by separate drainage legislation?

I appreciate it is better to resolve now through the planning process but I'm wondering if you have your own legislation to request/secure this separately.

From: Simon Davis

Sent: 04 November 2020 15:02

To: Paul Cann <Paul.Cann@arun.gov.uk>

Cc: Daniel Vick <Daniel.Vick@arun.gov.uk>

Subject: RE: AL/64/20/PL - Need for easement from Northern boundary ditch

Hi Paul,

Thank you for coming back to me.

I have assessed plot 6 as being ok in my report due to it having a garden width of 10m therefore even if its rear garden depth is shortened to around 6m, it still retains a decent garden area.

I was not aware of the need to also ensure vehicular access. Can this not be taken from the other side (from BDW's site)?

From: Paul Cann <Paul.Cann@arun.gov.uk>

Sent: 04 November 2020 14:47

To: Simon Davis <Simon.Davis@arun.gov.uk>

Subject: RE: AL/64/20/PL - Need for easement from Northern boundary ditch

Hi Simon

I would like to see this agreed before the layout is agreed. Please note that plot 6 may end with a fairly small back garden so they may need to consider moving the plot. As part of the fencing proposals, they will also need to demonstrate how vehicular access to the 3m maintenance strip is to be gained from the road. Gates etc are likely to be needed.

Regards

Paul Cann
Principal Engineer (Drainage)

Paul.Cann@arun.gov.uk | Principal Engineer (Drainage), Engineering Services, [Arun District Council](http://www.arun.gov.uk) | Location: First Floor, Arun Civic Centre,
Maltravers Road, Littlehampton, BN17 5LF

Internal: 37819 | External: +44 (0) 1903 737819 | Fax: +44 (0) 1903 716019 | E-mail: Paul.Cann@arun.gov.uk

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From: Simon Davis <Simon.Davis@arun.gov.uk>

Sent: 03 November 2020 16:44

To: Paul Cann <Paul.Cann@arun.gov.uk>

Subject: AL/64/20/PL - Need for easement from Northern boundary ditch

Hi Paul,

I have spotted your comments on this application inc the request to resurvey the ditch and provide easements. I note you say that the layout cannot be agreed until this has been done. However, having spoken with Dan, we are proposing to resolve this through a condition. Do you have any thoughts on this approach/the condition I suggest below?

No development above damp proof course (DPC) level shall take place until details of all new screen walls and fences have been submitted to and approved by the Local Planning Authority and none of the approved dwellings shall be occupied until such screen walls/fences associated with them have been erected. The submission of such details shall include an up-to-date survey of the ditch running along the northern boundary to take account of recent works to it as undertaken by Barratt David Wilson in respect of the adjacent site; and also the measures required to ensure 3m easements from the opposing banks of this ditch including the use of demountable fencing where appropriate.

From: Daniel Vick <Daniel.Vick@arun.gov.uk>

Sent: 03 November 2020 16:40

To: Simon Davis <Simon.Davis@arun.gov.uk>

Subject: RE: Easement Condition

Seems fine – do you want to send to Paul?

Daniel Vick

Team Leader, Development Control

T: 01903 737771

E: daniel.vick@arun.gov.uk



Arun District Council, Civic Centre, Maltravers Rd, Littlehampton, West Sussex, BN17 5LF

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From: Simon Davis <Simon.Davis@arun.gov.uk>

Sent: 03 November 2020 16:39

To: Daniel Vick <Daniel.Vick@arun.gov.uk>

Subject: Easement Condition

I came up with this:

No development above damp proof course (DPC) level shall take place until details of all new screen walls and fences have been submitted to and approved by the Local Planning Authority and none of the approved dwellings shall be occupied until such screen walls/fences associated with them have been erected. The submission of such details shall include an up-to-date survey of the ditch running along the northern boundary to take account of recent works to it as undertaken by Barratt David Wilson in respect of the adjacent site; and also the measures required to ensure 3m easements from the opposing banks of this ditch including the use of demountable fencing where appropriate.

Reason: In the interests of amenity, privacy and the long term maintenance of the northern boundary ditch in accordance with policies D DM1 and W DM3 of the Arun Local Plan.