

From: Simon Davis
Sent: 05 November 2020 11:49
To: Planning Scanning
Subject: FW: Springfield, Hook Lane, AL/64/20/PL - Drainage

Application Correspondence "Re easements"

From: Simon Davis
Sent: 05 November 2020 11:49
To: 'Natalie McKellar' [REDACTED]
Subject: RE: Springfield, Hook Lane, AL/64/20/PL - Drainage

Natalie,

In case it is helpful, here is the full text from my report re the easements issue:

It is proposed to resolve the concerns about the ditch through the use of an amended boundary treatments condition to state that:

"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 and the provision of vehicular access for maintenance including the use of demountable fencing or gates where appropriate."

The Councils Drainage Engineer has considered this approach and comments that:

- Barratt David Wilson and the Springfield developer have 50/50 riparian responsibility for the ditch Springfield have no right to maintain the ditch from the BDW side so need their own arrangements;*
- The obvious solution to ensure vehicular access for maintenance would be to take this through plot 8;*
- There are land drainage byelaws which stipulate that fences should be set back 3m from the top of banks but these would need to be enforced by the Councils legal department and it is preferable that this is resolved before the layout is agreed.*

The layout would allow for access to be taken through the parking area of plot 8 provided that demountable fencing was then used to enable access from there to the ditch. The presence of separate legislation means that this can be agreed at a later date and if it proves not possible to secure the necessary easements/vehicular maintenance access then the applicant would need to submit an application for a new layout. It is proposed to add the following informative:

INFORMATIVE: The applicant and the future homeowners of plots 2-8 are reminded of the need to allow access to the ditch running along the northern boundary for the purposes of maintaining the flow of water. These riparian responsibilities are set out in the Public Health Act 1936, the Land Drainage Acts of 1991 & 1994 (as amended by the Flood & Water Management Act 2010), the Water Resources Act 1991 and in Arun's own Local Drainage Byelaws. Please refer to our website here for more information: <https://www.arun.gov.uk/watercourses-riparian-responsibilities>.

From: Natalie McKellar [REDACTED]
Sent: 05 November 2020 11:21

To: Simon Davis <Simon.Davis@arun.gov.uk>
Subject: RE: Springfield, Hook Lane, AL/64/20/PL - Drainage

Dear Simon,

I have emailed our client asking for the missing tree reports/plans and how they wish to proceed in terms of the drainage issue and will come back to you as soon as I hear.

Kind regards,
Natalie

From: Simon Davis <Simon.Davis@arun.gov.uk>
Sent: 03 November 2020 17:33
To: Natalie McKellar [REDACTED]
Cc: Kerry Simmons [REDACTED]
Subject: Springfield, Hook Lane, AL/64/20/PL - Drainage

Dear Natalie,

I write separately to my two emails today. I wonder did you note the drainage comments on our website as received 13/10/20? I initially missed these but if you review them, you'll see that they request that boundary fences are kept at least 3 metres away from the banks of the northern boundary ditch in order to allow for future. They also request that the true extent of the ditch is established to take account of recent works undertaken by BDW. They state this matter must be resolved before the layout is agreed.

I am proposing to deal with this through an amended version of the standard boundary treatments condition:

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.

However, I will have to report the drainage comments to our Committee and there is no certainty that Engineers will agree to my approach. Therefore you may wish to consider this and ascertain whether there is anything you can do to resolve the issue prior to the application being debated.

Kind Regards

Simon J Davis MRTPI
Principal Planning Officer
Directorate of Place

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