

Sigma Homes Ltd
44-46 Springfield Road
Horsham
RH12 2PD

Date: 24th November 2020

Please ask for: Maria Tomalova

Tel: 01903 737510

Your Ref:

Our Ref: BN/114/20/DOC

Dear Mr Light,

Town & Country Planning Act 1990 (as amended)

Town and Country Planning (Development Management Procedure) (England) Order 2015

Approval of details reserved by condition imposed under EG/38/15/PL relating to condition 3-surface water drainage.

97 Barnham Road Barnham PO22 0BQ

Notification regarding the above application:

Condition Number 3

Insufficient information has been provided in respect of a bat mitigation strategy detailing how the bats will be protected and how the roosts will be retained post construction works. As such it is not considered that the proposal is in accordance with policy GEN29 of the Arun District Local Plan and policy ENV DM5 of the Arun Local Plan 2011 - 2031 (Publication Version).

Decision:

Arun District Council have decided to **REFUSE details reserved by condition for the following reasons:**

The Drainage Officers recommend the discharge condition 3 is refused.

The connection of surface water flows to the foul drainage system, as per the previous DOC (EG/107/17/DOC) was only considered a temporary arrangement whilst alternative disposal methods were to be investigated. This included the outcome of the ongoing legal status issue of the existing surface water drainage system in Elm Grove

South. The passing of time has meant that the current arrangements have exceeded what we determine to be temporary, and therefore a permanent solution now needs to be sought.

The discharge of surface water into the foul drainage system (particularly in the Lidsey treatment works sewerage catchment area) on a permanent basis will be resisted, when there are alternative methods to consider.

Those alternative disposal methods include a connection to the former public surface water sewer in Elm Grove South, whereby the ownership was confirmed by Southern Water not to be theirs but further investigations on the part of the applicant were required to determine the true owner of the asset.

Investigations were undertaken and legal advice sought in this respect but there is no evidence in this application of the findings. If a connection to this pipeline is determined to be an option, then it is clear that remedial works will be required to bring it back into full working order.

Another option, (although less desirable) is to lay a new pipeline from the site to the ditch into which the above mentioned pipe discharges.

This would need to be laid with any relevant landowners permission where passing through private land. If landownership is an issue, then this could be achieved by requisitioning a surface water sewer from a water company ie. ICOSA/Southern Water, whereby they will use their statutory powers under Section 98 of the Water Industry Act 1991.

In summary, the applicant needs to fully consider the appropriate options discussed above and agree a way forward to achieve a permanent solution to this long standing issue. I would therefore consider the proposed amendments to the existing connection to the foul drainage system, to be currently irrelevant.

As such, the condition cannot be discharged and a revised submission following the above requirements and advice.

Please do not hesitate to contact the above officer if you require any further assistance.

Yours sincerely

A handwritten signature in black ink, appearing to be 'NC' followed by a flourish and a period.

Neil Crowther
Group Head of Planning