

Arun District Council, Civic Centre, Maltravers Rd, Littlehampton, West Sussex, BN17 5LF
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From: Paul Cann <Paul.Cann@arun.gov.uk>
Sent: 15 October 2021 12:55
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: RE: Planning Consultation on: BN/120/21/DOC

Engineers comments;

Firstly, I enclose previous correspondence with Sigma Homes which is relevant to this site. There is also an open planning enforcement case where other relevant information is contained.

Essentially, the discharge of surface water to the foul drainage system was agreed as a TEMPORARY measure whilst ownership of the existing surface water drainage system in Elm Grove South was investigated. These investigations (by Sigma Homes) revealed that there is no legal owner and as such ownership is transferred to the crown estate (who did not want to take responsibility due to the potential liability). The consequence at that time was that Sigma could connect into the system and did not need the permission of any land owner.

As far as I am aware, Sigma have not taken this further forward. It should also be noted that maintenance and repairs to this system are likely to be required to ensure that it is fit for purpose.

As a result of the above, and the fact that the developer needs to employ a sustainable drainage system by making use of the existing surface water drainage system, I cannot recommend discharge of this condition.

Regards

Regards

Paul Cann
Principal Drainage Engineer
Engineering Services

T: 01903 737819
E: paul.cann@arun.gov.uk

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From: Planning.Responses <Planning.Responses@arun.gov.uk>
Sent: Friday, September 10, 2021 8:18:38 AM (UTC+00:00) Monrovia, Reykjavik
To: Land Drainage <Land.Drainage@arun.gov.uk>
Subject: Planning Consultation on: BN/120/21/DOC

To: **Engineers (Drainage)**

NOTIFICATION FROM ARUN DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

Application No:	BN/120/21/DOC
Registered:	7th September 2021
Site Address:	97 Barnham Road Barnham PO22 0BQ
Description of Works:	Approval of details reserved by condition imposed under ref APP/C3810/W/15/3135355 (EG/38/15/PL) relating to Condition No 3 - surface water drainage.

The Council have received the above application to discharge conditions. I shall be pleased to receive any observations you may wish to make in respect of those conditions relating to your field of expertise.

[Click here to view the Discharge of Condition application](#)

[Click here to view conditions on original application - click on decision tab](#)

Should you wish to make any comments click on the link www.arun.gov.uk/planning and click into ?Enter Comment? or if this is not possible email your response to planning.responses@arun.gov.uk by **24th September 2021**.

Please be aware that any comments you may make will be available on our website so please do not insert personal details or signatures on your reply.

In the absence of a reply within the period stated, I shall assume that you have no observations to make.

Yours sincerely

Mr S Davis

Planning Case Officer- Arun District Council

Telephone: 01903 737874

Email: Simon.Davis@arun.gov.uk

PLCONDOC (ODE) 2020

Hi Adam

I have commented in red below.

Regards

Paul Cann
Principal Engineer (Drainage)

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Save the environment - think before you print.

From: Adam Light [REDACTED]
Sent: 14 April 2020 11:28
To: Paul Cann <Paul.Cann@arun.gov.uk>

Sarah Burrow <Sarah.Burrow@arun.gov.uk>
Subject: RE: 97 Barnham Road EG/107/17/DOC

Hi Paul,

Thanks for your reply on Friday. You have probably also seen my email reply to Rose this morning, providing the Southern Water commentary and S106 she referred to. As noted in this email, my understanding (based on the wording) is that the S106 was approved for the surface water into the foul in Barnham Road, unless the drainage behind was found to be public, which it is our understanding now, that it isn't. My understanding was that the connection to the foul sewer was made as a temporary measure irrespective of whether the surface water pipe in Elm Grove South was found to be public or private. If found to be public, then Southern Water would have given permission to connect to it, subject to remedial works, and getting permission to lay a pipe across third party land, either via negotiation or requisition from Southern Water under Section 98 of the Water Industry Act.

As the pipe has now been confirmed as 'private' and with the absence of an owner, I guess you need to seek legal advice about connecting to it (to the part that is intact).

Alternatively, discussions need to be had with Southern Water in terms of the possibilities of them adopting the pipe and/or requisitioning improvements/connection to it to ensure that it is fit for purpose and meets an adoption standard (up to the point where it discharges to the ditch). This also deals with crossing third party land (via requisition). This option would mean that the pipeline will become a public sewer, ultimately.

In respect of the investigations works that you refer to, yes we did further this. Obviously the drainage element has been circulated, in that southern water carried out CCTV surveys and (based on what I am being told) have come to the conclusion that the sewer is private (records to be updated)Noted. We also understand that the drainage behind (in part) has also been removed by one of the neighbours. Yes my understanding too.

Our investigations on the land ownership was largely that it wasn't owned by anyone. I believe from memory that it was previously owned by a management company that have long since ceased operating. Noted.

Given the status of the drainage behind and the S106 for the current arrangement, are you satisfied the condition can be discharged on this basis? Connecting surface water to the foul sewer in the long term is not a sustainable option (not to mention pumping too) and therefore I would not support its continuation.

Regards

Adam Light
Technical Manager

Sigma Homes
LOCATION • QUALITY • DESIGN

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

Sent: 09 April 2020 15:58

To: Adam Light [REDACTED]

Sarah Burrow <Sarah.Burrow@arun.gov.uk>

Subject: RE: 97 Barnham Road EG/107/17/DOC

Hi Adam

Just to let you Laura no longer works for us and Stuart Ward has left Southern Water, however, I am fully aware of the history on this and was present at the meeting with Southern Water.

We are very keen to see the surface water redirected to the ditch south of your development, via the system in Elm Grove South (as originally proposed), and ultimately removed from the foul sewer. I appreciate the previous difficulties in this respect and I know Rose has an open case file on this matter.

From what I recall, you were investigating the ownership of the surface water pipeline in Elm Grove South – did you reach any conclusions? It is also clear that remedial works will be required to this pipeline in order to ensure that it is fit for purpose. Can you advise, so that the next step can be considered.

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

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Save the environment - think before you print.

From: Adam Light [REDACTED]
Sent: 09 April 2020 15:46
To: Laura Gibbons <Laura.Gibbons@arun.gov.uk>

Paul Cann <Paul.Cann@arun.gov.uk>
Subject: RE: 97 Barnham Road EG/107/17/DOC

Hi Laura,

I am contacting you in respect of the above application. We meet in an attempt to resolve all of this in September 2018. Following this meeting there was going to be further investigation undertaken and at the same time a temporary arrangement was accepted to permit the drainage route to remain as constructed until these investigations concluded. Since this time the pendulum has continued to swing in different directions, and having initially received response to be advised that the drain from Elm Grove was a public sewer, following further enquiries on this, the latest feed back from Southern Water is that actually as of May 2019 and following a CCTV survey carried out that the sewer was confirmed as private and that it should be removed from their public records.

I have been provided this information by Dan Champion at Southern Water, who following my enquiry to him I understand had liaised with Stuart Ward, who I believe attended our meeting at your offices, and therefore is obviously aware of some of the detail.

I am sure you can appreciate that we are all very keen to get this matter resolved so that we can fully discharge the condition. I am contacting you directly on this as I assume that Arun will in turn revert any response to them to you, and I thought it was prudent to re-open dialogue directly. Albeit you will note I have copied in Rosemarie Dannatt the Planning Officer also, so that she can be kept informed.

I do appreciate that when we had the meeting that Southern Water and yourself raised the fact that there are 'flooding' issues within this local catchment area and hence the reasons why you preferred for the site surface water to be drained via Elm Grove to what was believed to be a public surface water sewer.

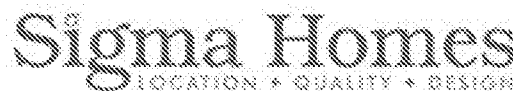
Obviously we have just come through an extremely wet period in 2019, and I don't know how these flooding issues have responded in this period, which of course currently is with our development discharging via the foul sewer in Barnham Road?

I appreciate that you may want to liaise with Stuart Ward on this, but I would welcome your thoughts on the potential acceptance that the system in its current state could be approved in light of the latest information. Eitherway I believe there needs to be some further dialogue in light of Southern Waters update.

Can I ask that you re-review this and let me know your thoughts please.

Regards

Adam Light
Technical Manager



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