



From: Simon Davis
Sent: 10 December 2018 12:05
To: Planning.Responses
Subject: FW: 37 Hill Lane, Barnham BN/23/18/PL

Further drainage comments

From: Laura Gibbons
Sent: 10 December 2018 08:37
To: Simon Davis <Simon.Davis@arun.gov.uk>
Cc: Paul Cann <Paul.Cann@arun.gov.uk>
Subject: RE: 37 Hill Lane, Barnham BN/23/18/PL

Simon,

My response would be as follows.

The watercourses along Hill Lane are in a poor state with a lack of connectivity and as a result of insufficient maintenance having been carried out over many years. We have been involved with trying to resolve drainage issues in Hill Lane since 2010, i.e. well before this planning application. We were invited out to Hill Lane earlier this year to discuss drainage issues (not the development) by a Riparian Landowner before the planning application was submitted.

We are working to ensure riparian owners carry out their duties to ensure the free flow of water through their land in line with the Land Drainage Act 1991. Under the provisions of the Land Drainage Act 1991, Arun District Council has permissive powers which enable it to require riparian owners to maintain the sections of watercourse for which they are responsible.

We have been and will be working to ensure land owners maintain the watercourses they are responsible for irrespective of the development. We are not requiring other owners to do work to facilitate the development, we are requiring them to do work they should be doing anyway as a result of the Land Drainage Act. i.e. even if the planning application is refused the maintenance work detailed on the plans will occur. The watercourses in Hill Lane are critical to the functionality of the land drainage system in the area, i.e. draining fields, roads and pathways.

It is also worth noting that WSCC do not own Hill Lane, it is a private road, therefore they have no maintenance responsibility over the road. However, as a riparian landowner WSCC will need to carry out works to the watercourse which borders their land or contribute to somebody else doing it.

The developer has proposed to reinstate the culvert under the access way, clear out ditches in close vicinity and provide a new culvert under Hill Lane to re-connect the watercourses. It is my belief this is a significant contribution by the developer to help resolve the drainage issues within Hill Lane and it would be unacceptable to ask the developer to carry out any further works as it is the responsibility of the Riparian owners to keep their watercourses clear and free flowing. Furthermore, it is my belief that the works the developer is proposing will help to reduce the risk of flooding to Hill Lane itself and therefore the frequency resurfacing is required.

The drainage report is based on what factual information is available including topographic survey, which is backed up by our own level survey. We have met with the applicant on site to discuss drainage issues and I do not believe it makes any incorrect assumptions. We have requested our standard conditions, and should permission be granted would require sufficient information to discharge these.

Kind Regards,

Laura Gibbons, MEng, GMICE
Engineer (Drainage & Coastal)

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Save the environment - think before you print.

From: Simon Davis
Sent: 07 December 2018 15:20
To: Laura Gibbons
Subject: RE: 37 Hill Lane, Barnham BN/23/18/PL

Hi Laura,

I am starting to receive objections to the drainage proposals from local residents. I have summarised these in my report as follows:

- (36) Drainage assessment (section 4.2.9.3) refers to riparian responsibilities for remedial actions and the plan in Appendix B sets out several required ditch and culvert works that require neighbouring properties and WSCC to undertake works at their expense to enable this development to go ahead;
- (37) Unacceptable to require other existing owners to pay so that the drainage for this application can take place;
- (38) Unlikely that WSCC will pay as have not contributed to road maintenance for years so unlikely that these works will take place;
- (39) Developer should pay for all necessary drainage improvement works;
- (42) Majority of properties receive services from the under the site frontage/road so will limit ability to dig ditches;
- (44) Drainage report makes many incorrect assumptions;

I note that there are several references in the report to repair/maintenance works being undertaken by riparian owners – and that this will be required to make sure that the system functions correctly.

On the one hand, I am not sure if this is really a matter for planning as it relates to land ownership/civil law matters. However, I can't help but feel that the residents have a point – why should they have to pay to ensure a drainage system functions correctly for a new development that they don't want.

Have you got any comments on this that I can use in my report to respond to the objections?

Kind Regards

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