

[REDACTED]

[REDACTED]

[REDACTED]

From: Katherine Jenkins [REDACTED]
Sent: 20 February 2019 14:50
To: Laura Gibbons
Cc: Andrew Wood
Subject: Re: Planning Application FG/220/18/PL : Land adjacent to Elm Lodge, Tamarisk Way, Ferring, West Sussex BN12 5ER

Dear Laura,

Thank you for your email, please see my comments in red below.

Kind regards,

Katherine Jenkins
RIBA Chartered Architect

MALCOLM JENKINS ASSOCIATES

 RIBA Chartered Architects 

96-98 High Street
Shepperton
Middlesex
TW17 9AU

[REDACTED]

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From: Laura Gibbons

Sent: Tuesday, February 19, 2019 12:42 PM

To: 'Katherine Jenkins'

Cc: Andrew Wood

Subject: RE: Planning Application FG/220/18/PL : Land adjacent to Elm Lodge, Tamarisk Way, Ferring, West Sussex BN12 5ER

Hi Katherine,

In order for me to remove my objection I am going to need some further information to be supplied:

1. Please identify whether a pipe exists at the western extent of the pond. This will impact upon if I believe there is a likelihood you will have sufficient space for surface water drainage. The soakaway that you are currently proposing is located directly on top of the suspected pipe location. We will be able to identify the location of any potential pipe as part of a pre-commencement condition. We agreed that we could also submit details of proposed soakaway locations as part of the pre-commencement conditions relating to surface water drainage, once potential for soakaways had been adequately assessed, calculated and positioned by a civil engineer. It is likely the 100mm diameter soakaway pipes would be at a higher level if crossing over any existing pipe from the pond, therefore may not impact any existing pipe, although we would ensure this is checked by a civil engineer and approved by ADC as part of the pre-commencement condition.
2. I am not keen to see the building go up to within 0.8m of the pond. Access and erosion are both a concern. I would therefore be keen to see the building layout revised to provide more easement. As shown on the proposed indicative part foundation section detail, short bore piles would be positioned a minimum of 3m from any edge of the pond, reducing the risk of erosion by eliminating trench foundations. Given a specialist would be designing the reinforcement/camp shedding for the existing edge of the pond (again, to be agreed with ADC by condition prior to commencement), this would ensure there will be no erosion. Given the building would only be cantilevered at one point within 0.8m of the pond, there is still a large area of access around the east and all other parts of the pond. We note that ADC has never had to access the pond to carry out any maintenance works to date, therefore query why there is such an onerous requirement for access now. We also note that ADC cannot currently access the pond with plant, since we have gates to the

property and a further gate at the rear which would obstruct machinery from accessing our garden to carry out any maintenance works at all. ADC would have greater access to the pond as a result of the proposal, given there would be no obstruction when entering from the driveway. ADC Bylaws state that "Riparian Owners are responsible for maintaining the watercourse and any associated structures (i.e. headwalls, screen, weir etc.) and primarily to keep them free of any obstructions that may impede flow in the watercourse". There will be no obstructions which impede the flow in the watercourse, as demonstrated. We can easily complete any pond works to ensure it is upgraded from its current state (which has not been identified as obstructed or badly maintained by ADC to date) before commencement of any building works on site. The bylaws state that "Arun District Council may decide to exercise the permissive powers if it is approached by property owners affected by badly maintained or obstructed watercourses and they have been unable to get a 'riparian owner' to carry out necessary works. In the first instance, Arun District Council will try to resolve the problem informally by explaining 'riparian ownership' responsibilities and agreeing the work that is required to the watercourse to rectify the problem. If this approach is unsuccessful, Arun District Council may require and enforce 'riparian owners' to carry out works using powers under S25 of the Land Drainage Act 1991 where the flow of water is impeded and the condition needs to be remedied." Given we as riparian owners will be able to access the pond from all sides to carry out any works in accordance with the bylaws, we do not understand why ADC would need access to our land, particularly from multiple different points given they cannot access it at all at present.

3. It is my belief that there is no way to get to the northern and western portions of the pond without tracking through the pond itself. This would mean that maintenance would have to be completed in the summer by the landowner when water levels are lower. This would then be within nesting bird season. I would much prefer an access to be provided around the pond. I note that you state the 1m wide path to the east could take plant but this plant would not be big enough. As explained above, we as landowners can continue to access the pond from all sides, with 3m to the West, North and South East. We cannot understand what plant would ever be required (given no plant has ever needed to access the pond before, and any plant necessary for carrying out works to the pond can have full access from all sides as part of the building works) that would ever be larger than a small digger, which can easily be maneuvered up the 1m side access to the west of site and around the rear.
4. It also needs to be demonstrated that the volume of pond to be infilled will be compensated for elsewhere. We will not be infilling the pond. The pond is to be retained as existing. The only part we are looking to change is the path to the west of the pond, which will have new turf added over the existing overgrown vegetation. This will not affect the volume of pond since there is no water in this area. We are happy for you to condition the application to ensure the pond is not infilled.

I have attached our land drainage consent documents as discussed on site. Thank you.

Kind Regards,

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

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Save the environment - think before you print.

From: Katherine Jenkins
Sent: 19 February 2019 12:03

To: Laura Gibbons

Subject: Planning Application FG/220/18/PL : Land adjacent to Elm Lodge, Tamarisk Way, Ferring, West Sussex BN12 5ER

Dear Laura,

Further to our meeting at the land adjacent to Elm Lodge, Tamarisk Way, Ferring, West Sussex BN12 5ER on 12th February 2018, please find attached the existing and proposed pond access plans as requested. These show the existing pond to be retained in its entirety, with 3m access provided should Arun District Council ever need to access our property to maintain the pond. We hope these now alleviate your concerns regarding potential future access. We also note that the path to the east of the pond is also over 1m wide, which can currently comfortably accommodate a 1.5 ton digger to carry out any works. Given that there are multiple points of entry along the edge of the pond, any further work can be carried out from within the pond.

We also attach an indicative proposed part foundation section detail to show proposed short bore piles a minimum of 3m from the edge of the existing pond. There will be no encroachment or structural implications for the pond.

We confirm that we will appoint civil engineers to design the surface water drainage to ensure surface water discharge is not increased on site, which is likely to consist of soakaway crates located to the north west and south east of site, a minimum of 5m away from the building. The proposed driveway will also be laid with permeable paving.

We hope that these documents show that there is sufficient access around the pond, and that the proposed new dwelling will have no impact on the flood risk due to the retention of the pond in its entirety. As we explained last week, we wish to only improve the current pond as part of the proposed application and are happy for any pre-commencement conditions to be applied to achieve this before any construction of the dwelling is carried out.

If you have any queries or would like to discuss, please do not hesitate to contact us.

Kind regards,

Katherine Jenkins
RIBA Chartered Architect

MALCOLM JENKINS ASSOCIATES

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