

From: Andrew Wood
Sent: 26 February 2019 17:40
To: Planning.Responses
Subject: FW: Planning Application FG/220/18/PL : Land adjacent to Elm Lodge, Tamarisk Way, Ferring, West Sussex BN12 5ER

Andrew Wood MRTPI | Senior Planning Officer, Planning Department, Arun District Council |
Location: 1st Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF
Internal: 37768 | External: +44 (0) 1903 737768 | E-mail: andrew.wood@arun.gov.uk

Visit Arun's web site at www.arun.gov.uk



Save the environment - think before you print.

From: Katherine Jenkins [REDACTED]
Sent: 25 February 2019 11:09
To: Paul Cann
Cc: Laura Gibbons; Andrew Wood
Subject: Planning Application FG/220/18/PL : Land adjacent to Elm Lodge, Tamarisk Way, Ferring, West Sussex BN12 5ER

Dear Paul,

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

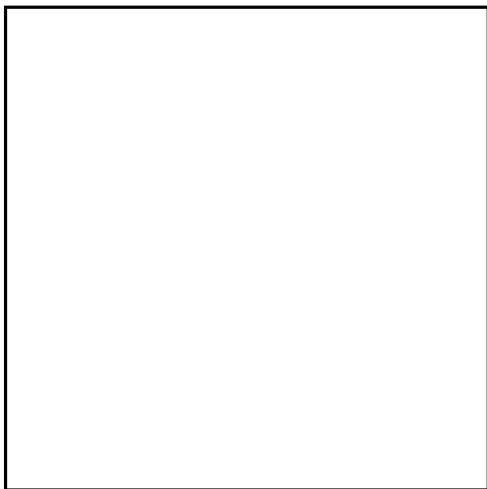
Further to Laura Gibbons' out of office email message below, we have been in discussions with Laura regarding the above application and agreed an extension of time with Andrew Wood until 8th March 2019 to enable us to address Laura's objection regarding the impact of the proposed detached chalet-style dwelling on the existing pond. I have forwarded our correspondence below for your information.

To summarise, on Friday 22nd February I emailed a Revised Proposed Site Plan (attached) to Laura which showed the proposed dwelling repositioned on site to provide greater access around the pond for future maintenance and minimise the risk of erosion resulting from the works. Since Laura is away until 4th March and the application is due to be determined on 8th March, I would greatly appreciate your comments so that we can revise the planning application drawings and submit these to Andrew Wood in advance of the 8th March, should Arun District Council Engineering Services deem the revised proposal acceptable.

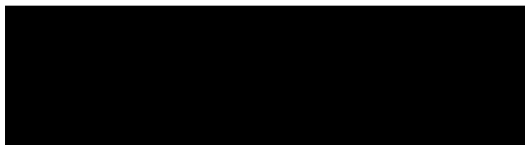
If you have any queries regarding the above, please do not hesitate to contact me.

Kind regards,

Katherine Jenkins
RIBA Chartered Architect



96-98 High Street
Shepperton
Middlesex
TW17 9AU



This e-mail may contain confidential and privileged information for the recipient only. Should you receive this e-mail in error, please notify us immediately and delete the message at once. You must not copy, distribute, disclose or take any action in reliance on it.

We endeavour to exclude viruses from our data but it is the obligation of the recipient to check any attachments for viruses.

 Please consider the environment before printing this email

From: [Laura Gibbons](#)

Sent: Friday, February 22, 2019 12:27 PM

To: [Katherine Jenkins](#)

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

I am out of the office, returning on the 4th March. I will respond to your email on my return.
For urgent enquiries please contact Paul Cann- paul.cann@arun.gov.uk

From: Katherine Jenkins
Sent: Friday, February 22, 2019 12:27 PM
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,

Many thanks for your comments below.

In order to hopefully alleviate your concerns, I attach an alternative proposal to reposition the proposed dwelling to provide greater access around the pond for future maintenance and minimise the risk of erosion resulting from the works. Please could you let me know your thoughts on the attached proposal, and whether this solution would be acceptable? If so, we can then amend the planning application drawings for Andrew accordingly.

For your information/records, I also attach a scanned copy of the 1983 Land Registry Plan which shows the historical drain run.

Regarding your point below that "In flood conditions the area that is currently used as a compost heap provides volume for water storage, this would be lost with your current proposals", there is no history of any flooding on the site, or water breaching the current edge of pond. We would be infilling this small area of land with soakaway crates, designed by specialists, to ensure it can still hold any excess water under the new turf covering.

Kind regards,

Katherine Jenkins
RIBA Chartered Architect

MALCOLM JENKINS ASSOCIATES

 RIBA Chartered Architects 

96-98 High Street
Shepperton
Middlesex
TW17 9AU



This e-mail may contain confidential and privileged information for the recipient only. Should you receive this e-mail in error, please notify us immediately and delete the message at once. You must not copy,

distribute, disclose or take any action in reliance on it.

We endeavour to exclude viruses from our data but it is the obligation of the recipient to check any attachments for viruses.

 Please consider the environment before printing this email

From: Laura Gibbons

Sent: Thursday, February 21, 2019 3:55 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

Katherine,

Comments in green below.

Thanks,

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

Laura Gibbons | Engineer (Drainage & Coastal), Engineering Services, Arun District Council | Location: First Floor, Arun Civic Centre,
Maltravers Road, Littlehampton, BN17 5LF

Internal: 37818 | External: +44 (0) 1903 737818 | Fax: +44 (0) 1903 716018 | E-mail: laura.gibbons@arun.gov.uk

Arun is Working in Partnership with Chichester District Council

Visit Arun's web site at <http://www.arun.gov.uk/> and www.chichester.gov.uk



Save the environment - think before you print.

From: Katherine Jenkins [<mailto:katherine.jenkins@malcolmjenkins.co.uk>]

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

96-98 High Street
Shepperton
Middlesex
TW17 9AU

This e-mail may contain confidential and privileged information for the recipient only. Should you receive this e-mail in error, please notify us immediately and delete the message at once. You must not copy, distribute, disclose or take any action in reliance on it.

We endeavour to exclude viruses from our data but it is the obligation of the recipient to check any attachments for viruses.

 Please consider the environment before printing this email

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. My concern is that there may not be sufficient area within the site to drain the new impermeable

areas. I acknowledge your point regarding crossing over of pipes, however there is then no real room to get 5m from your building and 2.5m from the property boundary to site a soakaway which will likely be quite large in plan area.

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. It is the landowners (Riparian) responsibility to complete maintenance works, if we are informed of an impediment to flow we request landowners complete this maintenance. If they refuse to complete the work, we use our powers under S25, and this can be accompanied by forced entry through gates. The proposed layout will make it exceptionally difficult to complete maintenance. Irrespective of planning it is fairly evident that an impediment to flow is present, so we will be requiring you as landowners to complete maintenance to the pond to ensure silt levels are reduced and culverts are in an appropriate condition. Ongoing maintenance (including to any retaining walls) will be required after construction is complete, this is when the proposed site layout in my opinion would prevent this work.
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. You are going to need a large digger to access the pond and clear it of vegetation and silt. The size of machine is dictated by the depths that excavation need to be carried out to, the size of plant that can fit along a 1m path would not be sufficient to carry out the excavation required. Ongoing maintenance will be required after construction is complete, this is when the proposed site layout in my opinion would prevent this work.

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. In flood conditions the area that is currently used as a compost heap provides volume for water storage, this would be lost with your current proposals.

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

Kind Regards,

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

Laura Gibbons | Engineer (Drainage & Coastal), Engineering Services, Arun District Council | Location: First Floor, Arun Civic Centre,
Maltravers Road, Littlehampton, BN17 5LF

Internal: 37818 | External: +44 (0) 1903 737818 | Fax: +44 (0) 1903 716018 | E-mail: laura.gibbons@arun.gov.uk

Arun is Working in Partnership with Chichester District Council

Visit Arun's web site at <http://www.arun.gov.uk/> and www.chichester.gov.uk



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
RIBA Chartered Architects

96-98 High Street
Shepperton
Middlesex
TW17 9AU

This e-mail may contain confidential and privileged information for the recipient only. Should you receive this e-mail in error, please notify us immediately and delete the message at once. You must not copy, distribute, disclose or take any action in reliance on it.
We endeavour to exclude viruses from our data but it is the obligation of the recipient to check any attachments for viruses.

 Please consider the environment before printing this email

<http://www.arun.gov.uk>
DX 57406 Littlehampton
You can view Arun District Council's Privacy Policy from <https://www.arun.gov.uk/privacy-policy>

Important Notice This e-mail is intended exclusively for the addressee and may contain information that is confidential and/or privileged. If you are not the intended recipient (or authorised to receive it for the addressee), please notify the sender and delete the e-mail immediately; using, copying, or disclosing it to anyone else, is strictly prohibited and may be unlawful. Any views, opinions or options presented are solely those of the author and do not necessarily represent those of Arun District Council. The information in this e-mail may be subject to public disclosure under the Freedom of Information Act 2000, therefore we cannot guarantee that we will not provide the whole or part of this e-mail to a third party. The Council reserves the right to monitor e-mails in accordance with relevant legislation. Whilst outgoing e-mails are checked for viruses, we cannot guarantee this e-mail is virus-free or has not been intercepted or changed and we do not accept liability for any damage caused. Any reference to "e-mail" in this disclaimer includes any attachments.

<http://www.arun.gov.uk>
DX 57406 Littlehampton
You can view Arun District Council's Privacy Policy from <https://www.arun.gov.uk/privacy-policy>

Important Notice This e-mail is intended exclusively for the addressee and may contain information that is confidential and/or privileged. If you are not the intended recipient (or authorised to receive it for the addressee), please notify the sender and delete the e-mail immediately; using, copying, or disclosing it to anyone else, is strictly prohibited and may be unlawful. Any views, opinions or options presented are solely those of the author and do not necessarily represent those of Arun District Council. The information in this e-mail may be subject to public disclosure under the Freedom of Information Act 2000, therefore we cannot guarantee that we will not provide the whole or part of this e-mail to a third party. The Council reserves the right to monitor e-mails in accordance with relevant legislation. Whilst outgoing e-mails are checked for viruses, we cannot guarantee this e-mail is virus-free or has not been intercepted or changed and we do not accept liability for any damage caused. Any reference to "e-mail" in this disclaimer includes any attachments.