

From: [REDACTED]
Sent: 16 September 2026 18:37
To: Planning
Subject: Swale....Legal Requirements DC/25/2114
Categories: Comments Received

**PROPOSED SWALE — LEGAL REQUIREMENTS: MAINTENANCE AND
ACCESS
DC/25/2114**

Dear Mr Holmes

Whilst I have written previously about the proposed swale, I wish to take this opportunity, at the closing stages of this application, to emphasise that its long-term maintenance and accessibility must be properly addressed.

The Government’s National Standards for Sustainable Drainage Systems (SuDS), updated 30 July 2025, state:

Standard 7.1:

“surface water drainage systems are designed so they can be easily and safely constructed, operated and maintained”

Standard 7.2:

“The designer shall provide a management and maintenance plan...”

to ensure the drainage system is maintained “throughout the lifetime of the development.”

Most importantly, Standard 7.12 states:

“The surface water drainage design shall allow free, safe, and easy access (including easements where required) for all personnel, vehicles and machinery required to undertake maintenance of the drainage features and for emergency response such as a pollution incident.”

These requirements are directly relevant to the applicant’s statement that:

“Access for maintenance of the swale will be possible from the north due to the extensive land ownership to the north of the Site.”

No **actual** maintenance access route has been demonstrated. I therefore ask the Council, before determining this application, to establish where the access is, how maintenance vehicles and machinery will reach the swale, and whether any necessary access rights or easements exist.

The fact that a management company is stated to be responsible for maintenance does not, in itself, demonstrate that the required access is available.

I would also ask the Council not to defer this unresolved matter to a future planning condition. Paragraph 57 of the NPPF requires planning conditions to be necessary, relevant, enforceable, precise and reasonable. A condition should therefore not be relied upon unless the Council is satisfied that the means of complying with it are workable and capable of being implemented in practice.

I must therefore insist that any drawings or other details showing the proposed maintenance access to the swale are made available for public inspection before the application is determined, and that I am given the opportunity to comment on those details.

Government source documents:

[National Standards for Sustainable Drainage Systems — GOV.UK](#)

[National Planning Policy Framework — GOV.UK](#)

[Use of planning conditions — GOV.UK](#)

Yours Faithfully



Oxcroft

Church Farm Walk

Sent from my iPad