

Mrs P. Ware,  
Planning Services,  
Havant Borough Council,  
Public Service Plaza,  
Civic Centre Road,  
HAVANT,  
Hampshire. PO9 2AX

"Bryony",  
1D, Fairlea Road,  
EMSWORTH,  
Hampshire. PO10 7SX

4th December 2016

Your Ref. APP/16/01184

Dear Madam,

**The Town and Country Act 2990 (as amended)**

**Town and Country Planning (Development Management Procedure (England)  
Order 2015**

Site Address Land adjacent to 9 Fairlea Road, Emsworth

Proposal Change of use of land to private garden (retrospective)

There are four properties: 1A, 1B, 1C, and 1D in Fairlea Road, with back gardens that slope gently to the West. For more than 30 years, after bad weather, rain water has flowed from them to a drain, arranged by an officer (Mr Rogers?) from Havant Borough Council, in this strip of land adjacent to my garden. Before this our gardens could be badly flooded.

Mr Payne, the present owner of 9, Fairlea Road, is now proposing to take over this strip of land which is also adjacent to his property.

As a good neighbour Mr Payne is no doubt quite willing to allow this water to flow freely from my garden into this strip of land (and hence into the drain). Occasionally, however, a neighbour is not so co-operative. To ensure that in future there is no difficulty in this matter, I ask Havant Borough Council to place a legal obligation on the owner of 9 Fairlea Road, that he must allow the flow of rain water from my garden into this strip of land when the need arises.

It has been suggested to me that a good neighbour might object to such a legal obligation being imposed. But I drive my car on the left side of the road because it seems best to do so. The fact that there is a law that I must drive on the left does not bother me at all.

I wish Mr Payne much enjoyment of his enlarged garden.

Yours sincerely ,

[Redacted Signature]

(Dr I. M. Yuille)

