
From: Joanne Marshall [REDACTED]
Sent: 14 September 2026 12:09
To: enquiries@dbfltd.co.uk; sales@dbfltd.co.uk
Cc: Planning Control; Carl Marshall; Harriet Sanders; Saffron Loasby; William John Palmer
Subject: FORMAL NOTICE: Drainage Risks to Downhill Neighbour - The Hawthorns
Attachments: 20210130_153121.jpg; 20200216_171240.jpg; 20210130_153309.jpg; 20230311_095439.jpg

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

I am writing to you as the immediate downhill neighbour regarding the development at **Little Arundel & Bramble Bank** Bedford Road, Holwell SG5 5RX

While I understand that **Owl Building Control Solutions** has been appointed as the Building Control Approver, the physical responsibility for the design, civil duty of care, and ultimate liability for common law nuisance rests entirely with you as the developer.

Please note I have formally alerted **North Herts Council Planning Enforcement** to these issues, and have Owl Building Control Solutions on notice regarding these specific risks, reminding them of their statutory duties to ensure strict compliance with **Requirement H1 (Foul Drainage)** and **Requirement H3 (Rainwater Drainage)** of the Building Regulations before any Final Certificate is issued.

1. Surface Water Risks (Requirement H3)

I am formally putting you on notice that the natural contours of this development present a severe and predictable risk of surface water flooding and waterlogging to my property. I have attached photographic evidence demonstrating the existing natural path of surface water runoff. Any increase in hard landscaping or failure to install adequate attenuation will inevitably worsen this flooding.

2. Proposed Use of Septic Tanks & Downhill Contamination Risks (Requirement H1)

Furthermore, I understand the development intends to utilise on-site septic tanks for waste water management. While my boundary sits approximately 25 metres away across an intermediate neighbour's land, the natural downhill contours dictate that any subterranean failure, over-saturation, or subterranean migration of effluent from these drainage fields will inevitably travel down the slope toward my property.

3. Absence of Approved Public Drainage Plans

I have been informed by North Herts Council Planning Department that no formal drainage strategy or engineering plans have been submitted. Hard landscaping, or waste water installations without a formally approved, publicly reviewable drainage strategy is a severe breach of risk management.

If the land between us becomes saturated due to inadequate planning, the resulting foul waterlogging and runoff will directly impact my property. I require immediate confirmation that

comprehensive percolation tests have been passed and that your drainage strategy legally guarantees no downhill migration of effluent or surface water onto my land.

4. Formal Notice of Intent

Please accept this correspondence as formal notification of these critical risks. Should your construction works cause or exacerbate water ingress, flooding, foul contamination, or property damage to my land—either directly or via the saturation of intermediate land—this notice will be used as evidence in civil legal proceedings for private nuisance and negligence to seek damages and/or an injunction.

I strongly urge your design and groundworks teams to evaluate these specific downhill risks and ensure a robust, fully compliant drainage strategy for both foul and surface water is executed before completion.

I look forward to your immediate confirmation of where the waste water is being directed, and your written assurance that both of these risks are being actively managed.

Regards

Carl & Joanne Marshall
The Hawthorns, Bedford Road, Holwell SG5 3RX

[REDACTED]

The information contained within this email (including any attachments) is confidential and may be legally privileged. It is intended solely for the recipient named above. Any disclosure, distribution, copying or use of this message or its contents is strictly prohibited. Please notify us immediately if you receive this message in error and delete the email from your system. Although we have taken steps to ensure this message is free from any virus, we do not accept any liability for any virus infection and/or external compromise of security and/or breach of confidentiality in relation to email transmissions.

Marshall Shop fitters