

# **WAVERLEY BOROUGH COUNCIL**

## **EXECUTIVE**

**4 DECEMBER 2018**

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**Title:**

**PROPERTY MATTER –  
EASEMENT OF ACCESS, RUMBEAMS, HORSHAM ROAD, EWHURST**

**[Portfolio Holder: Cllr Ged Hall]  
[Wards Affected: Ewhurst]**

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**Note pursuant to Section 100B(5) of the Local Government Act 1972**

Annexe 2 to this report contains exempt information by virtue of which the public is likely to be excluded during the item to which the report relates, as specified in Paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972:

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

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**Summary and purpose:**

Authorisation is sought to grant an easement over land to provide an access to the property Rumbeams, on terms and conditions set out in (Exempt) Annexe 2.

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**How this report relates to the Council's Corporate Priorities:**

This report relates to the Council's Prosperity priority as the capital sum received will assist Waverley in maintaining and improving its services.

**Equality and Diversity Implications:**

There are no Equality and Diversity implications.

**Financial Implications:**

The Council will receive income in the form of a one-off payment for the grant of easement, as set out in the (Exempt) Annexe.

**Legal Implications:**

The applicant is to meet the Council's reasonable legal costs in the preparation of documentation.

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**Introduction**

1. There is an existing easement to Rumbeams Farm which includes the barns and fields as well as Rumbeams house and garden, shown outlined in red on the plan at Annexe 1. This access is shown as hatched and cross-hatched brown.

2. The owners of Rumbeams have an existing planning permission (WA/2017/1090) to convert the barns to a dwelling. They wish to have a separate access to Rumbeams itself and have planning permission for this. While the access has been laid, they do not have permission to use it; nor do they have Commons consent from the Planning Inspectorate. This access is shown coloured brown on the plan at Annexe 1.
3. In order to use the access, the owners of Rumbeams have requested an easement of access from Waverley. Terms and conditions for this access have been agreed subject to authorisation by the Executive, as set out in (Exempt) Annexe 2. They will also be required to obtain Commons consent in order to make the new access track lawful.

### **Recommendation**

It is recommended that an easement be granted to provide access to Rumbeams, on terms and conditions set out in (Exempt) Annexe 2 and subject to the owners obtaining Commons consent; other terms and conditions to be agreed with the Estates and Valuation Manager.

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### **Background Papers**

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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