



The Sandhill Lane Residents Association (SLRA)

DEVELOPMENT FEES

The Sandhill Lane Residents Association (SLRA) is the appointed authority and road manager for Sandhill Lane on behalf of its Residents and Property Owners. Being a private road, under the Highways Act 1980, the road's upkeep is the joint responsibility of its frontagers rather than the Local Authority.

Existing residents have a private Right of Way (by express grant or by prescription under the Prescription Act 1832). There is no public Right of Way except for those on foot as permitted by law to use the Public Footpath (WSCC registered footpath 55W) that runs along the road.

Developers and owners should be aware of the legal principle of *benefit and burden* established by a court in the case of *Halsall v Brizell* (1957) and reinforced by the Court of Appeal in the case of *Goodman and others v Elwood* (2013). In summary, this legal principle establishes that where a buyer acquires the benefit of a right over neighbouring land, the buyer must also take on the obligations which relate to that right, even where the buyer has not expressly covenanted to do so. In the case of the benefit of access along Sandhill Lane, the associated burden is to contribute towards the costs of maintaining the road to agreed standards.

Informally for hundreds of years and formally since 1963 when the then Sandhill Lane Repair Fund was established, residents have paid the costs to repair wear and tear due to normal vehicular use of the road, and in order not to unfairly increase the financial burden due to the damage caused by the volume, size and weight of construction traffic, a fee for such use is chargeable to developers of new builds requiring access via Sandhill Lane. **It must be noted that the road surface is constructed to a standard designed for normal day to day light traffic** and is more susceptible to damage from heavy vehicles than most public highways managed by Local Authorities.

The site owner or developer, or their agent, will need to complete a Developer Agreement supported by an estimate of anticipated site traffic prior to commencement of any work. This enables the Committee representing existing Sandhill Lane residents the opportunity to discuss the impact of the proposed construction project and agree the charges that should be paid towards additional wear and tear.

New connections to water, gas and electricity are likely to require excavation causing potential inconvenience and traffic disruption to other legitimate road users – the Sandhill Lane Residents Association requires advance notice of such work to ensure that all residents are kept informed. Agreement must also be reached with the Association on the proposed repair work to make good any such road excavation so as not to damage the existing road surface or create potential future problems.



THE SANDHILL LANE RESIDENTS ASSOCIATION

Development Contributions

Fees are set at the following rates, depending on the proposed development.

New Build - Site preparation / removal of demolition or land spoil	Fees
Up to 3 bedrooms (per housing unit)	£2000
4+ bedrooms (per housing unit)	£3000
Creation of new vehicular driveway onto Lane	£2000
Removal of spoil in excess of 30 cubic metres - additional charge	£50 Per additional 10m ³ or part thereof
Making good any noticeable damage to lane surface, ditches, verges at or near site entrance or neighbouring properties, attributable to development activity	Cost of Repair

New Build - Construction Phase	Fees
Up to 3 bedrooms (per housing unit)	£3000
4+ bedrooms (per housing unit)	£4500
Making good any noticeable damage to lane surface, ditches, verges at or near site entrance or neighbouring properties, attributable to development activity	Cost of Repair

A new build is defined as the construction of any new property where there was none pre-existing, or, a rebuild or substantial conversion of an existing property, such as converting a bungalow into a house.

The SLRA will be able to advise whether an individual project will be considered a new build, or not.