
FW: AL/38/26/DOC - Drainage Strategy Submission.

From Harry Chalk <Harry.Chalk@arun.gov.uk>
Date Fri 17/07/2026 08:11
To Planning.Responses <Planning.Responses@arun.gov.uk>
Cc Daniel Vick <Daniel.Vick@arun.gov.uk>

 4 attachments (29 MB)

AL-38-26-DOC - Land West of Ryefield Farmhouse - designer response 26-7-8.docx; C160-DS02 Drainage Statement.pdf; 2026-C160-002A Engineering GA - Levels & Drainage.pdf; Sub Plan Action Sheet (2).docx;



Harry Chalk, MSc
Senior Planning Officer, Development Management

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From: Edward Ree [REDACTED]
Sent: 08 July 2026 15:36
To: Daniel Vick <Daniel.Vick@arun.gov.uk>; Harry Chalk <Harry.Chalk@arun.gov.uk>
Subject: RE: AL/38/26/DOC - Drainage Strategy Submission.

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Dear Dan,

I hope you have found a cool space.

Please find attached:

1. Designers' response to consultation.
2. A revised Drainage Statement
3. A revised Levels & Drainage Plan.

We trust this email will be treated as a formal submission.

Thank you again for your continued engagement on this matter.

Regards,

Edward Rees

Mo [REDACTED]

Web: www.domusea.com

From: Daniel Vick <Daniel.Vick@arun.gov.uk>
Sent: 30 June 2026 18:49
To: Edward Ree [REDACTED] Harry Chalk <Harry.Chalk@arun.gov.uk>
Cc: Neil Crowther <Neil.Crowther@arun.gov.uk>
Subject: RE: AL/38/26/DOC - Drainage Strategy Submission.

Mr Rees,

I discussed the matter with Harry this morning and agreed that the additional information be forwarded to our Engineers.

Once they have acknowledged we will advise on timescales for a further response.

Daniel Vick

Team Leader (Development Management), Planning

T: 01903 737771

E: daniel.vick@arun.gov.uk

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From: Edward Ree [REDACTED]
Sent: 29 June 2026 08:39
To: Daniel Vick <Daniel.Vick@arun.gov.uk>; Harry Chalk <Harry.Chalk@arun.gov.uk>
Cc: Neil Crowther <Neil.Crowther@arun.gov.uk>
Subject: RE: AL/38/26/DOC - Drainage Strategy Submission.

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Morning Dan,

Thank you for your continued engagement, and I hope you had a nice weekend.

Firstly, it would seem appropriate to consider Paul Cann's assertion that the revised National Standards impose a complete prohibition on a connection to the foul sewer.

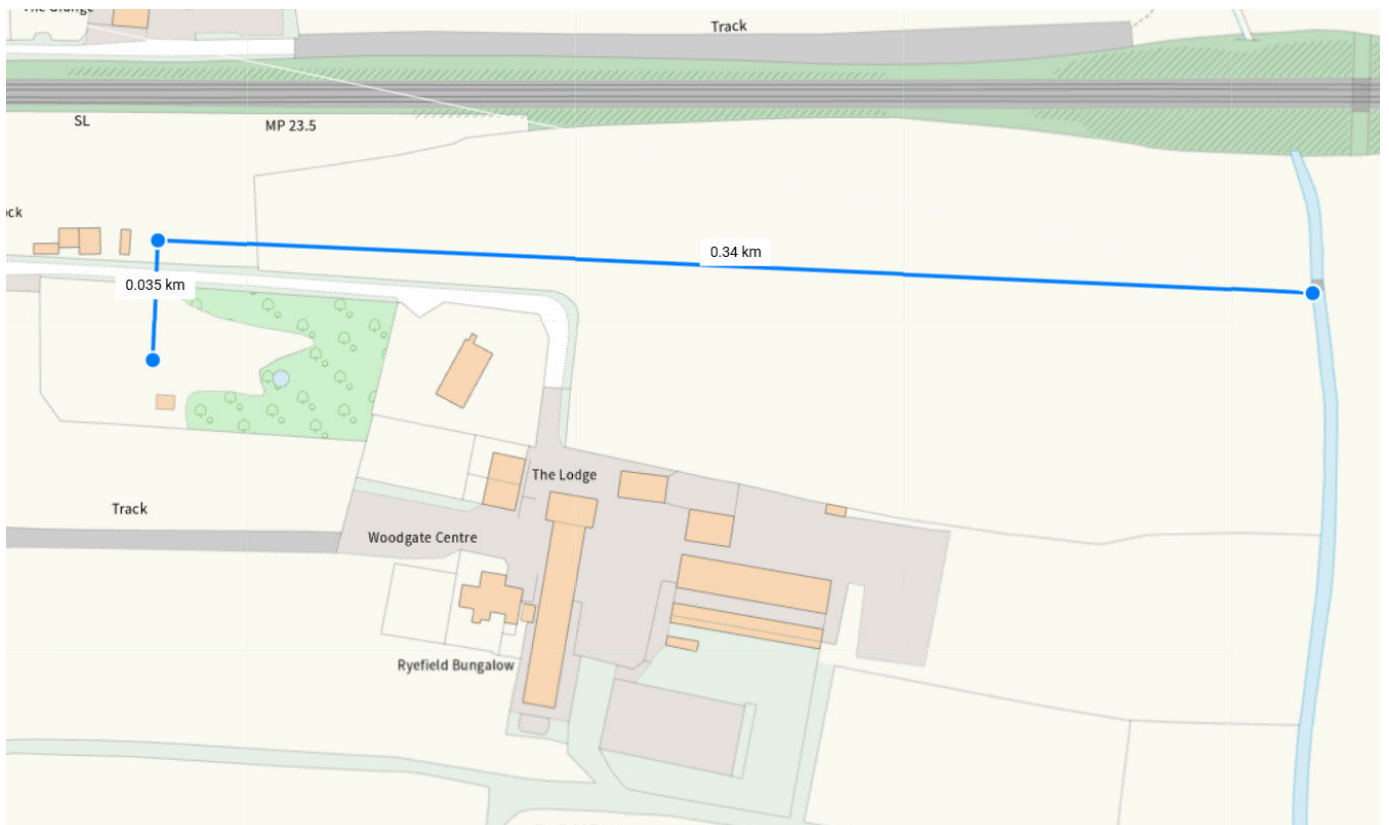
Paul Cann directed us to the attached Appeal Decision which, in our view, is significant because, contrary to that assertion, it does not conclude that a connection to the foul sewer is prohibited (paragraph 10). Rather, the Inspector makes clear that higher-order drainage options must first be investigated and utilised to the maximum extent practicable (paragraph 21), with "reasonable practicability" (paragraph 24) requiring an evidence-based assessment. On this site the ground conditions do not support infiltration, and there are no available watercourses, surface water sewers or combined sewers capable of receiving the discharge.

You suggest that a potential connection exists to the east, as illustrated below. However, reasonable practicability must extend beyond engineering feasibility to include deliverability. The proposed route is approximately 0.4km away and requires rights to be secured across three separate landownerships, including land owned by the Church Commissioners. As the attached Framework Plan confirms, that land forms part of a later phase of the BEW strategic allocation and remains subject to the masterplanning process. Quite apart from the fact that our planning permission expires in less than five months, it is difficult to see how it could reasonably be concluded that the necessary third-party rights could be negotiated, documented and completed within that timeframe. More fundamentally, why would the Church Commissioners, or any other affected landowner, be willing to burden land allocated for future development with permanent drainage rights for an unrelated scheme.

If you agree that a connection to the east cannot reasonably be regarded as "reasonably practicable", then, consistent with your previous acknowledgement of the difficult position in which we find ourselves and your confirmation that, in appropriate circumstances, a departure from the National Standards could be considered, we would ask the Council to consider whether the proposed drainage strategy represents the only deliverable solution presently available whilst preserving the opportunity to secure a fully policy-compliant surface water discharge in the longer term.

Ultimately, the planning system requires planning judgment. This development already benefits from planning permission and would deliver much-needed housing within a district that cannot currently demonstrate a five-year housing land supply. Against that background, it is difficult to understand why the Council would introduce such a significant degree of uncertainty where no unacceptable harm has been identified, and where continued constructive engagement could still secure a practical and evidence-based solution. In our view, the public interest is better served by facilitating the delivery of a consented housing scheme than by adopting an unnecessarily inflexible approach that risks preventing its implementation altogether.

Whilst we acknowledge that the matter could ultimately be determined by way of an appeal, we do not consider that to be the appropriate course where a practical solution may still be reached through constructive engagement. We therefore respectfully ask the Council to adopt a pragmatic and proportionate approach to the circumstances of this application, avoiding the need for unnecessary appeal proceedings and the additional time, cost and public resources that such a process would inevitably involve.



Regards,

Edward Rees

Mo [REDACTED]

Web: www.domusea.com

From: Daniel Vick <Daniel.Vick@arun.gov.uk>

Sent: 26 June 2026 12:23

To: Edward Ree [REDACTED]

Cc: Harry Chalk <Harry.Chalk@arun.gov.uk>

Subject: RE: AL/38/26/DOC - Drainage Strategy Submission.

Mr Rees,

Just about survived – most of our office spaces do not benefit from air conditioning.

Myself and Harry, have met with Paul Cann – we did share with him your emails including the proposal for the use of foul for a temporary period.

Having considered that proposal we are still not in a position to agree to that as an approach.

On a more general point Paul did highlight other drainage options (to the east of the site) that would avoid the foul system.

We will therefore be refusing the DOC application. Given your deadline for implementation of the scheme this would give you an opportunity to appeal the decision and possibly get a result from the Planning Inspectorate before implementation is due.

Daniel Vic

Team Leader (Development Management), Planning

T: 01903 737771

E: daniel.vick@arun.gov.uk

Arun District Council, Civic Centre, Maltravers Rd



From: Edward Ree [REDACTED]
Sent: 26 June 2026 08:03
To: Daniel Vick <Daniel.Vick@arun.gov.uk>
Cc: Harry Chalk <Harry.Chalk@arun.gov.uk>
Subject: RE: AL/38/26/DOC - Drainage Strategy Submission.

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Morning Dan,

I hope you are surviving the heat!

Did you have an opportunity to meet with your colleagues this week?

Regards,

Edward Rees
Mob [REDACTED]
Web: www.domusea.com

From: Daniel Vick <Daniel.Vick@arun.gov.uk>
Sent: 22 June 2026 17:27
To: Edward Ree [REDACTED]; Neil Crowther <Neil.Crowther@arun.gov.uk>
Cc: Harry Chalk <Harry.Chalk@arun.gov.uk>
Subject: RE: AL/38/26/DOC - Drainage Strategy Submission.

Mr Rees,

Thanks for the response.

I will certainly discuss the possibility of this being an interim solution with our engineers. We will also seek to establish how long this may be required for given the need to eventually connect to the adjacent scheme.

Daniel Vick
Team Leader (Development Management), Planning

T: 01903 737771
E: daniel.vick@arun.gov.uk

Arun District Council, Civic Centre, Maltravers Rd
Littlehampton, West Sussex, BN17 5LF



From: Edward Ree [REDACTED]
Sent: 22 June 2026 06:13
To: Daniel Vick <Daniel.Vick@arun.gov.uk>; Neil Crowther <Neil.Crowther@arun.gov.uk>
Cc: Harry Chalk <Harry.Chalk@arun.gov.uk>
Subject: RE: AL/38/26/DOC - Drainage Strategy Submission.
Importance: High

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Dear Dan,

Thank you for your email. Your engagement on this matter is appreciated.

Firstly, I think it is important to clarify that a full technical drainage design pack has been submitted to the Council. My understanding is that the first sentence within the comment tracker refers to the drainage strategy submitted at planning application stage, rather than the detailed technical information subsequently provided.

Thank you also for acknowledging the position we find ourselves in. Whilst there may be some disagreement regarding the interpretation of the revised National Standards, I note your comments that a departure from those standards can be considered. Given that position, it seems sensible to focus on identifying a practical solution.

We fully understand the wider concerns regarding the capacity of the foul sewer network and the desirability of avoiding additional surface water discharges wherever possible. Equally, Southern Water has granted a Section 106 connection, which suggests that, from the undertaker's perspective, capacity exists to accommodate the proposed discharge.

One potential way forward may be to treat the foul connection as an interim arrangement only. As you know, we have already secured the necessary rights to connect into the adjacent surface water drainage infrastructure, but that infrastructure has not yet been delivered. Once it becomes available, the development could be connected into that system and the temporary foul connection removed.

If this is a solution that the Council would be prepared to consider, we would be happy to revise the technical drainage design for resubmission.

In the circumstances, where infiltration has been ruled out, no alternative watercourse is available, rights have already been secured to connect into the future surface water network, and Southern Water has confirmed a connection is available, it appears that an interim connection represents the only reasonably practicable solution currently available whilst still providing a route to a policy-compliant surface water discharge in the longer term.

I look forward to hearing your thoughts following your discussions with Paul and Harry.

Regards,

Edward Rees

Mob [REDACTED]

Web: www.domusea.com

From: Daniel Vick <Daniel.Vick@arun.gov.uk>

Sent: 18 June 2026 18:07

To: Edward Rees [REDACTED]; Neil Crowther <Neil.Crowther@arun.gov.uk>

Cc: Harry Chalk <Harry.Chalk@arun.gov.uk>

Subject: RE: AL/38/26/DOC - Drainage Strategy Submission.

Mr Rees,

Thanks for the email with attachments above.

I also attach our advice from our drainage engineer which was received yesterday which I have discussed with Harry this afternoon. I thought it best to reply once we had received the formal comments. As you can see from that document, we have now received a formal objection. The comments note, for condition 5 (with my emphasis in bold):-

"The drainage strategy proposed at planning stage has not been developed to a technical design. The proposed revised design is not in accordance with national and local sustainable drainage policy which specifically precludes discharge to a foul water sewer.

It was made clear in comments at full planning stage that a proposed connection to the foul water sewer would not be acceptable."

And

"The technical design will need to be reviewed once the method of disposal of surface water drainage and the point of discharge is in accordance with the planning stage drainage strategy, or an alternate strategy is proposed which is in accordance with current sustainable drainage policy and standards."

The situation you outline in your email of 8 June are noted and it is accepted that you are in a difficult position. I note that you have obtained consent from Southern Water for your proposal.

The site is in the Lidsey Wastewater Treatment Works Catchment Area. Historically, in this area, communities have experienced foul water flooding of roads and property which has also led to the pollution of watercourses. This has been caused by the foul sewerage system becoming overloaded, as a result of groundwater infiltration, surface water inundation and direct connections of surface water to it. This compromises its functioning, as it is not designed to accept surface water drainage flows or excessive groundwater flows. Such flows should be dealt with by appropriate surface water drainage and land drainage systems.

Flooding has also occurred due to capacity exceedance in the 'main river' network and its tributaries. This has also resulted in fluvial floodwater inundating the foul sewerage system. It is therefore important that surface water is not added to the foul network.

Our general guidance note on surface water drainage for planning on our website states:-

"It is expected that all surface water drainage designs submitted to support new planning applications comply with the NSfS. Where the scale and layout of a development have been **decided by a full or reserved matters planning application prior to 19 June 2025**, we will expect the design to attempt to meet the requirements of the NSfS. However, where this is demonstrated not to be possible, a departure from the standards may be suggested."

Your development is in the pre June 2025 category and therefore a departure from the NSfS can be suggested in line with this guidance. This is what you have done. Just because a consultee recommends a course of action it does not mean that planners, as decision makers, are required to follow that advice.

I have asked to speak with Paul Cann and Harry on the matter and will provide an update once I have done so (hopefully next week). I am currently not minded to depart from the advice given, particularly having noted previous refusals included this topic as a reason for refusal, and the comments in the officer report granting permission following a suitable drainage option being identified.

Even if consideration were to be given to departing from the advice regarding disposal to foul, I note the first sentence in the comment tracker advises the design strategy has not been developed to a technical design.

Daniel Vick

Team Leader (Development Management), Planning

T: 01903 737771

E: daniel.vick@arun.gov.uk

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From: Edward Ree [REDACTED]
Sent: 08 June 2026 17:04
To: Neil Crowther <Neil.Crowther@arun.gov.uk>
Cc: Harry Chalk <Harry.Chalk@arun.gov.uk>; Daniel Vick <Daniel.Vick@arun.gov.uk>
Subject: RE: AL/38/26/DOC - Drainage Strategy Submission.

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Dear Dan,

I trust this email finds you well.

This matter relates to the discharge of drainage conditions for the attached site. As the Council is aware, infiltration is not feasible due to ground conditions, and there are no available watercourses, surface water sewers, or combined sewers capable of receiving the discharge.

During the planning process, the Council's drainage engineers advised us to secure drainage rights through the adjacent site, now being promoted by Lovell Partnerships. We followed that advice and incurred significant time and cost in securing those rights. Unfortunately, the required infrastructure has not been delivered and remains outside our control.

To address this, we have secured an alternative drainage solution involving discharge to the foul sewer. This proposal has been approved by Southern Water under Section 106 of the Water Industry Act 1991, and all necessary third-party rights have been secured.

Paul Cann has advised that an objection will be maintained because foul sewers are not identified as a discharge destination within the National Standards for SuDS. While we accept that foul discharge sits outside the preferred hierarchy, our understanding is that the Standards do not prohibit it where higher-order options have been exhausted, as is the case here.

Given that we acted on the Council's advice and that the originally envisaged infrastructure has not been delivered by a third party, it is difficult to see how the planning permission can now be placed at risk for reasons beyond our control.

We would be grateful if this matter could be reviewed from a wider planning perspective so that a practical and reasonable solution can be identified before the permission expires (17 November 2026).

Regards,

Edward Rees

Mob [REDACTED]

Web: www.domusea.com

From: Neil Crowther <Neil.Crowther@arun.gov.uk>

Sent: 08 June 2026 16:51

To: Edward Ree [REDACTED]

Cc: Harry Chalk <Harry.Chalk@arun.gov.uk>; Daniel Vick <Daniel.Vick@arun.gov.uk>

Subject: RE: AL/38/26/DOC - Drainage Strategy Submission.

Mr Rees,

Apologies for not getting back to you on this.

I'm not aware of the application or the details and I've been unable to review the details. I have asked Dan Vick, Development Management Manager, to come back to you. He has been discussing this application with the case officer and is familiar with it.

Regards, Neil

Neil Crowther

Group Head of Planning & Building Control

T: 01903 737839

E: neil.crowther@arun.gov.uk

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From: Edward Ree [REDACTED]

Sent: 08 June 2026 14:30

To: Neil Crowther <Neil.Crowther@arun.gov.uk>

Cc: Harry Chalk <Harry.Chalk@arun.gov.uk>

Subject: FW: AL/38/26/DOC - Drainage Strategy Submission.

Importance: High

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Dear Neil,

Further to my email of 1 June 2026, I apologise for chasing, but time is now becoming critical given that the planning permission is due to expire shortly.

We have continued to engage with Paul Cann; however, his position now appears to be that this is ultimately a planning matter, as set out in the attached correspondence.

Our concern is straightforward. In 2021, we were advised to secure drainage rights through the adjacent site, now being brought forward by Lovell Partnerships. We followed that advice and spent considerable time and expense securing those rights. Unfortunately, the infrastructure originally envisaged has not yet been delivered and remains outside our control.

In response, we have proposed what appears to be the only deliverable alternative currently available, which benefits from the support of the statutory sewerage undertaker.

We fully appreciate that this site presents unusual circumstances. However, having followed the Council's advice, it is difficult to understand how a planning permission can now be placed at risk because infrastructure on third-party land has not been delivered.

We are simply seeking a practical and reasonable way forward and would be grateful if the matter could be reviewed from a wider planning perspective before the permission expires.

Regards,

Edward Rees

Mob [REDACTED]

Web: www.domusea.com

From: Edward Rees

Sent: 01 June 2026 11:47

To: 'neil.crowther@arun.gov.uk' <neil.crowther@arun.gov.uk>

Cc: 'harry.chalk@arun.gov.uk' <harry.chalk@arun.gov.uk>

Subject: AL/38/26/DOC - Drainage Strategy Submission.

Dear Neil,

I hope you do not mind me contacting you directly, but we are becoming increasingly concerned about the position being adopted in relation to the discharge of drainage conditions for the above development and felt it appropriate to seek your assistance.

The site benefits from an extant planning permission which expires on 17 November 2026. We are currently seeking to discharge the remaining drainage conditions to enable implementation of that permission.

The site adjoins the wider strategic allocation being promoted by Lovell Partnerships. It was originally envisaged that surface water would ultimately discharge into drainage infrastructure associated with that development. However, as matters stand, there is no certainty as to when, or indeed if, that infrastructure will become available.

Ground conditions on the site do not support infiltration, and there are no available watercourses, surface water sewers or combined sewers capable of receiving the discharge. In response, we have secured an alternative drainage solution involving discharge to the foul sewer. This proposal has been reviewed and approved by Southern Water under Section 106 of the Water Industry Act 1991, and all necessary third-party rights have been secured.

Paul Cann has advised that an objection will be maintained because the National Standards for SuDS do not identify foul sewers as a discharge destination. Our correspondence with Paul is attached. Whilst we acknowledge that foul sewers do not form part of the preferred hierarchy, our understanding is that the National Standards do not expressly prohibit such arrangements and instead require applicants to demonstrate that higher-order options have been utilised to the maximum extent practicable.

In this case, we believe that exercise has been undertaken. The preferred drainage solutions are simply not available, and the infrastructure originally envisaged remains outside the Applicant's control and cannot presently be relied upon.

Accordingly, we respectfully suggest that the issue is not whether a preferable solution exists in principle, but whether such a solution is genuinely available, practicable and deliverable before the planning permission expires.

Importantly, the implications extend beyond the loss of the planning permission itself. The drainage agreement and associated rights that have been secured are intrinsically linked to the current consent and its implementation. If the permission expires, those rights and approvals will also fall away. Meaning that the drainage solution already secured for the site is unlikely to be capable of being replicated in the future.

In practical terms, therefore, the current position has the potential not merely to delay implementation of the development, but to permanently frustrate a planning permission that has already been granted by removing access to a drainage solution that may never again be available.

We are not seeking preferential treatment, nor are we attempting to circumvent the drainage hierarchy. We are simply seeking a practical and deliverable solution which would allow implementation of an extant planning permission in circumstances where the statutory sewerage undertaker has confirmed that the proposed connection is acceptable and where no realistic alternative appears to exist.

We would therefore be grateful if the matter could be reviewed from a wider planning perspective. We would welcome clarification as to what alternative drainage solution the Council considers to be both available and reasonably practicable in light of the evidence submitted and the time remaining before the permission expires.

We would, of course, be very happy to discuss the position further should that be helpful.

Regards,

Edward Rees

Mob [REDACTED]

Web: www.domusea.com

<https://www.arun.gov.uk>

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