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Westergate
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PO20 3RE

To whom it may concern,

31/01/2026

**Supporting information for the removal of the Surface Water Drainage condition
32 Ivy Lane, Westergate, Chichester, PO20 3RE**

Following our planning application reference [AL/8/24/HH](#) and subsequent application to discharge a surface water drainage condition [AL/61/24/DOC](#), I resubmit our drainage plan with this supporting letter for reconsideration.

Brief Overview

Our original planning application was submitted in early 2024 and we received conditional approval on 28/03/2024 subject to a suitable surface water drainage plan.

An application to discharge this condition was submitted on 07/06/2024 with a drainage plan which we felt was viable under your interpretation of the SuDS guidance at the time.

We later received notification that our design was not acceptable. This was largely due to the fact that between the point of us submitting our discharge application and a decision being made, ADC's interpretation of the SuDS guidance had changed and you had adopted a 1m freeboard rule on all soakaway designs.

I was told that your change in approach was adopted on 15/07/2024 which was around a month after we submitted our application to discharge. Unfortunately our ground water monitoring readings at the time meant we could not meet this rule, so were left unable to proceed with our development.

We subsequently redesigned the extension and submitted an application which we understood met permitted development rules ([AL/142/24/PDH](#)), but objection was made as this was not the case.

We later submitted a third application ([AL/38/25/PDH](#)) to meet the rules under prior approval; resulting in our proposed extension being around 10sqm smaller than it would have been under [AL/8/24/HH](#)

The difference between the size of this extension under [AL/38/25/PDH](#) and our original planning application [AL/8/24/HH](#) is relatively small, but is having a big impact on the practicality of the internal layout and build.

I understand the reason we needed to apply for planning permission in the first place was due to the rear wall on our property is slightly stepped, resulting in the extension being a 'wrap around' design. (Please note that the area where the property is 'stepped' is approximately 1.6m x 2.4m and is currently laid tarmac which is impermeable)

The overall size of the extension applied for on [AL/8/24/HH](#) is of a similar size to extensions which have been accepted under prior approval elsewhere and not significantly larger than the proposal submitted under our prior approval [AL/38/25/PDH](#).

Location

The enclosed site plan shows that our property is situated on an abnormally large plot with considerable garden space to the rear of the property. The location of the proposed soakaway would be around 10 metres away from any neighbouring boundary fence and even further from any neighbouring property.

You will note that the site plan shows 3 outbuildings towards the rear of the garden.

The outbuilding at the southern point of the garden was a single concrete garage with concrete/tarmac drive leading to the front of the property.

This has been demolished (along with the outbuilding behind and concrete drive as highlighted on the site plan).

This has returned to an area of grass and shrubs with shingle pathway – resulting in a significant increase to permeable area of the rear garden. I have marked the area on the site plan in red to show the areas of impermeable surface which have been removed and replaced with permeable coverings. I can provide photographic evidence of this if required.

A large portion of the proposed development under [AL/8/24/HH](#) will be built over existing non permeable ground, made up of an existing conservatory, paved/tarmac area and will involve the demolition of part of our existing utility room. Although there is an area of grass to be developed on; this is relatively insignificant and overall size of permeable area in our garden after the extension will still be greater than it would have been had we not remove the outbuildings and large concrete drive.

We were to go ahead with the plans for [AL/38/25/PDH](#) we would proceed with the soakaway design as proposed originally under [AL/61/24/DOC](#) and enclosed. You will see from the attached drainage plan that we propose a large soakaway measuring 4m x 4m

I feel it is reasonable to suggest that the viability of the soak away under either plan will not differ drastically, particularly when considering that a large portion of the area the soakaway will be collecting water from is currently impermeable surface at this moment in time.

Other cases

I note there have been several applications recently approved locally where ADC drainage engineers have objected on the grounds of an unsuitable freshwater drainage plan, but planners have overruled the objection where a proposed extension is being built over existing impermeable hard surfaces. CM/41/25/HH

The plans submitted under application BN/23/25/HH appear to have a similar ‘stepped’ layout on the existing floor plan to our property and proposing a rear and side extension with a similar ‘wrap around’ design to our plan submitted under [AL/8/24/HH](#). This application has been approved without the drainage condition applied to our application.

In the case of M/61/25/HH it is noted that “The proposed rear extension would largely replace existing extensions and paved area” so was approved

In the case of WA/80/25/HH I note that Drainage Engineers objected due to insufficient information about surface water drainage but the application was approved noting

The proposed extensions would partly replace an existing structure to the rear, and the majority of the extensions would extend over existing hardstanding. It is noted that a minor part of the rear extension would extend over existing grass, however given that the vast majority of the proposed development would extend over existing hardstanding, it would not be reasonable to refuse planning permission in this instance

I have not reviewed all application on the planning portal, but have found others that have received a positive decision, showing discretion can be applied where deemed sensible.

WA/19/25/HH

BN/80/25/HH

BN/39/25/HH

AL/83/25/HH

WA/13/25/HH

BN/91/25/HH

Y/47/25/HH

FP/125/25/HH

As it appears now discretion is being afforded to planners, allowing them to overrule drainage engineers objections where a common sense approach can be applied. We ask that you consider discharging our surface water drainage condition noting

- The improvements made the overall permeable area of our garden following the removal of a large concrete drive and outbuildings
- The size of the plot our property sits
- The proximity of the proposed soakaway being approximately 10 metres from any boundary fence and further from any property
- That a large portion of the proposed extension is being built over existing impermeable surfaces
- That the size of the proposed extension is of similar size to one which would be approved under permitted development on other sites and if our property wasn't designed with a small 'stepped' layout
- The fact that other sites locally, including those situated within the Lidsey Catchment Area have been afforded discretion and a common sense approach appears to have been adopted.
- Overall, the increase in impermeable area is not dissimilar to that which could be achieved under permitted development application being built exclusively on permeable ground

Unlike other sites which have been approved, we have a surface water drainage plan of significant scale, measuring 4m x 4m and we feel strongly that the impact of our extension under [AL/8/24/HH](#) will have a minor impact on the viability of our soakaway design compared to our prior approval application [AL/38/25/PDH](#) (if at all)

Thank you for taking the time to consider our proposal. If you require any additional information or need to discuss anything you are more than welcome to contact me.

Yours Sincerely

Jamie Holden

Homeowner – 32 Ivy Lane, Westergate, PO20 3RE