

Planning Department
Arun District Council
The Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

05 October 2020
Ref: RH/Let/P1456i

Dear Sir / Madam,

Discharge of Conditions 6, 21 and 22 pursuant to application reference A/51/14/OUT (*Outline Application with Some Matters Reserved for demolition of the existing Manor Nursery Garden Centre and hard standing and redevelopment for 32 dwellings with associated access, public open space and landscaping*) at Manor Nursery, High Street, Angmering, BN16 4AW.

This application has been submitted online via the Planning Portal under reference **PP-09123895** and includes the application form, relevant documentation, and this covering letter.

Please find enclosed details submitted to discharge Conditions pursuant to Application Reference **A/51/14/OUT** at Manor Nursery, Angmering, as highlighted below.

- **Application Form;**
- **Covering Letter;**
- **Soakaway 1 Factor Safety Sheet;**
- **Soakaway 2 Factor Safety Sheet;**
- **Soakaway 3 Factor Safety Sheet;**
- **Soakaway 4 Factor Safety Sheet;**
- **Soakaway 5 Factor Safety Sheet;**
- **Soakaway 6 Factor Safety Sheet;**
- **Soakaway 7 Factor Safety Sheet;**
- **Soakaway 8 Factor Safety Sheet;**
- **Soakaway 9 Factor Safety Sheet;**
- **Proposed Drainage Strategy Schedules (reference 201 rev A);**
- **Drainage Layout Plan (reference 102 rev D);**
- **Proposed Drainage Strategy Schedules (reference 103);**
- **Proposed Drainage Strategy Schedules (reference 104);**
- **Proposed Drainage Strategy Schedules (reference 105 rev B);**
- **Proposed Drainage Strategy Schedules (reference 106 rev B);**
- **Location of Proposed BRE365 Testing (reference 11 A);**

Directors

Chris Barker MATP MRTPI Managing Director
Huw James MRTPI
Adam King RIBA

ECE Planning Limited
Registered in England
No 7644833
VAT No 122 2391 54
Registered Office: Amelia House
Crescent Road, Worthing BN11 1QR

- **Proposed Site Surface Water Network Area Plan (reference 60);**
- **Oakland Site Investigation Documents and Soil Permeability Calculations (total of 14 documents);**
- **Groundwater Monitoring Results from Ashdown Site Investigation Ltd (total of 3 documents);**
- **Storm Network Results (total of 9 documents);**
- **Soakaway Testing Results (total of 9 documents);**
- **Drainage Maintenance Schedule (dated 18 July 2019).**

This application relates to the submission of information pursuant to the discharge of Conditions 6, 21 and 22.

Condition 6

No part of the development shall be first occupied until provision has been made within the site in accordance with plans and details to be submitted to and approved by the Local Planning Authority to prevent surface water draining onto the public highway.

Condition 21

Development shall not commence until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, the recommendations of the SUDS Manual produced by CIRIA.

Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage.

No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details.

Condition 22

Development shall not commence until full details of the maintenance and management of the SUDs system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturers recommended design life. Upon completed construction of the SuDs System, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

An application for the discharge of Conditions 6, 21 and 22 was previously submitted under reference A/86/20/DOC and was subsequently refused on 5 August 2020. Please refer to Appendix A for the previously refused Decision Notice.

The Conditions were refused as Arun's Drainage Engineer deemed there to be insufficient winter groundwater monitoring or winter infiltration testing to warrant the discharge of the conditions.

Since the conditions were refused, it has been agreed with Arun's Drainage Engineer that, in this instance, sufficient winter groundwater monitoring or winter infiltration testing has been undertaken. Please refer to Appendix B for the email correspondence.

As requested within the email correspondence dated 18 August 2020, factors of safety have been applied to the design in accordance with the table as set out in Appendix B. Please refer to the following drawings for further information:

- Soakaway 1 Factor Safety Sheet;
- Soakaway 2 Factor Safety Sheet;
- Soakaway 3 Factor Safety Sheet;
- Soakaway 4 Factor Safety Sheet;
- Soakaway 5 Factor Safety Sheet;
- Soakaway 6 Factor Safety Sheet;
- Soakaway 7 Factor Safety Sheet;
- Soakaway 8 Factor Safety Sheet;
- Soakaway 9 Factor Safety Sheet;
- Proposed Drainage Strategy Schedules (reference 201 rev A).

The accompanying Soakaway Safety Sheets illustrate that the development would be acceptable in terms of drainage.

Within the email correspondence under section (3), further information has been requested as to *'how adequate treatment of surface water is occurring prior to discharge to ground in accordance with chapter 26 of CIRIA C753'*. As illustrated within the accompanying Drainage Layout Plan (reference 102 rev D), Bypass Separators are proposed within various positions in the site. These are considered to be adequate in this instance.

With regards to the SuDS Maintenance Plan, as noted in the attached email correspondence at Appendix B, this will be updated once the surface water drainage strategy and design for the site has been agreed.

Conclusion

To conclude, it is considered that the enclosed information is sufficient to discharge conditions 6, 21 and 22, pursuant to application reference A/51/14/OUT at Manor Nursery, Angmering.

We look forward to receiving written confirmation of the discharge of these conditions in the very near future.

If you have any further queries or require further information please contact me on 01903 248777.

Yours sincerely
ECE Planning



Chris Barker MATP MRTPI
Managing Director
Encs.

Appendix A – Decision Notices for Conditions 6, 21 and 22 – Reference A/86/20/DOC

ECE Planning Ltd
Brooklyn Chambers
11 Goring Road
Worthing
BN12 4AP

Date: 5th August 2020

Please ask for: Michael Eastham
Tel: 01903 737772

Your Ref:

Our Ref: A/86/20/DOC

Dear Mr Barker,

Town & Country Planning Act 1990 (as amended)

Town and Country Planning (Development Management Procedure) (England) Order 2015

Approval of details reserved by condition imposed under ref A/51/14/OUT relating to Condition Nos 4 - materials & finishes, 5 - retained trees, 6 - surface water drainage, 7 - car parking 9 - roads, footways & casual parking areas, 10 - Construction Management Plan, 11 - Travel Plan, 12 - archaeological, 13 - ecology, 14 - broadband, 19 - foul water sewerage disposal, 20 - public water supply, 21 - surface water drainage, 22 - SuDs, 23 - refuse & recycling bins, 24 - contamination, 29 - pedestrian & cycle linkages & vehicular access and 30 - materials & finishes

Manor Nursery High Street Angmering BN16 4AW

Notification regarding the above application:

Condition Number 6

No part of the development shall be first occupied until provision has been made within the site in accordance with plans and details to be submitted to and approved by the Local Planning Authority to prevent surface water draining onto the public highway.

Reason: In the interests of road safety.

Decision:

Arun District Council have decided to **REFUSE details reserved by condition for the following reasons:**

The information submitted regarding Condition 6 imposed on the outline planning permission A/51/14/OUT: relating to the prevention of surface water draining onto the public highway is refused as insufficient information has been submitted to ensure the proposed development is satisfactorily drained.

Ground water monitoring was undertaken at only two locations on site, and was not undertaken for the entire winter period as outlined in the condition. It is deemed that the level of data presented is insufficient.

Infiltration testing was undertaken in June. Winter infiltration testing must be undertaken. All infiltration tests were undertaken at circa 2.5 metre depth, yet some of the soakaways are considerably shallower than this.

The requirement for these winter tests has been indicated throughout the development control process, including the consultation response from ADC Drainage Engineers to the reserved matters application for this site in November 2018.

Further winter groundwater monitoring and winter infiltration testing is required.

It is not possible to review the robustness of design without this information. Design must be evidenced to have surface water features above peak seasonal groundwater levels, and design must be based on winter infiltration rates to ensure it is able to cope with seasonably lower permeability. This is important to ensure flood risk is not increased as a result of development.

Without a working drainage strategy it is difficult to state with certainty that flooding of the highway would not occur.

Please do not hesitate to contact the above officer if you require any further assistance.

Yours sincerely

A handwritten signature in black ink, appearing to be 'NC' followed by a flourish and a period.

Neil Crowther
Group Head of Planning



Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF
Planning & Building Control General Enquiries
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website: www.arun.gov.uk/planning

ECE Planning Ltd
Brooklyn Chambers
11 Goring Road
Worthing
BN12 4AP

Date: 10th July 2020

Please ask for: Michael Eastham
Tel: 01903 737772

Your Ref:

Our Ref: A/86/20/DOC

Dear Mr Barker,

Town & Country Planning Act 1990 (as amended)

Town and Country Planning (Development Management Procedure) (England) Order 2015

Approval of details reserved by condition imposed under ref A/51/14/OUT relating to Condition Nos 4 - materials & finishes, 5 - retained trees, 6 - surface water drainage, 7 - car parking 9 - roads, footways & casual parking areas, 10 - Construction Management Plan, 11 - Travel Plan, 12 - archaeological, 13 - ecology, 14 - broadband, 19 - foul water sewerage disposal, 20 - public water supply, 21 - surface water drainage, 22 - SuDs, 23 - refuse & recycling bins, 24 - contamination, 29 - pedestrian & cycle linkages & vehicular access and 30 - materials & finishes

Manor Nursery High Street Angmering BN16 4AW

Notification regarding the above application:

Condition Number 21

Development shall not commence until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, the recommendations of the SUDS Manual produced by CIRIA.

Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage.

No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details.

Reason : To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan.

Decision:

Arun District Council have decided to **REFUSE details reserved by condition for the following reasons:**

The information submitted regarding Condition 21 imposed on the outline planning permission A/51/14/OUT: relating to the full details of the proposed surface water drainage scheme is refused as insufficient information has been submitted to ensure the proposed development is satisfactorily drained.

Ground water monitoring was undertaken at only two locations on site, and was not undertaken for the entire winter period as outlined in the condition. It is deemed that the level of data presented is insufficient.

Infiltration testing was undertaken in June. Winter infiltration testing must be undertaken. All infiltration tests were undertaken at circa 2.5 metre depth, yet some of the soakaways are considerably shallower than this.

The requirement for these winter tests has been indicated throughout the development control process, including the consultation response from ADC Drainage Engineers to the reserved matters application for this site in November 2018.

Further winter groundwater monitoring and winter infiltration testing is required.

It is not possible to review the robustness of design without this information. Design must be evidenced to have surface water features above peak seasonal groundwater levels, and design must be based on winter infiltration rates to ensure it is able to cope with seasonably lower permeability. This is important to ensure flood risk is not increased as a result of development.

Please do not hesitate to contact the above officer if you require any further assistance.

Yours sincerely



Neil Crowther
Group Head of Planning



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West Sussex BN17 5LF
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website: www.arun.gov.uk/planning

ECE Planning Ltd
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Date: 10th July 2020

Please ask for: Michael Eastham
Tel: 01903 737772

Your Ref:

Our Ref: A/86/20/DOC

Dear Mr Barker,

Town & Country Planning Act 1990 (as amended)

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Manor Nursery High Street Angmering BN16 4AW

Notification regarding the above application:

Condition Number 22

Development shall not commence until full details of the maintenance and management of the SuDs system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturers recommended design life. Upon completed construction of the SuDs System, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure the efficient maintenance and on going operation of the SuDs system and to ensure the best practice in line with guidance set out in 'The SuDs Manual' CIRIA publication ref: C697 Chapter 22.

Decision:

Arun District Council have decided to **REFUSE details reserved by condition for the following reasons:**

The information submitted regarding Condition 22 imposed on the outline planning permission A/51/14/OUT: relating to the full details of the maintenance and management of the surface water drainage system is refused as insufficient information has been submitted to ensure the proposed development is satisfactorily drained.

Ground water monitoring was undertaken at only two locations on site, and was not undertaken for the entire winter period as outlined in the condition. It is deemed that the level of data presented is insufficient.

Infiltration testing was undertaken in June. Winter infiltration testing must be undertaken. All infiltration tests were undertaken at circa 2.5 metre depth, yet some of the soakaways are considerably shallower than this.

The requirement for these winter tests has been indicated throughout the development control process, including the consultation response from ADC Drainage Engineers to the reserved matters application for this site in November 2018.

Further winter groundwater monitoring and winter infiltration testing is required.

It is not possible to review the robustness of design without this information. Design must be evidenced to have surface water features above peak seasonal groundwater levels, and design must be based on winter infiltration rates to ensure it is able to cope with seasonably lower permeability. This is important to ensure flood risk is not increased as a result of development.

Please do not hesitate to contact the above officer if you require any further assistance.

Yours sincerely

A handwritten signature in black ink, appearing to be 'NC' followed by a flourish and a period.

Neil Crowther
Group Head of Planning

Appendix B – Email Correspondence with Arun District Council dated August 2020

Rebecca Hoad

From: Michael Eastham <[REDACTED]>
Sent: 18 August 2020 11:36
To: Rebecca Hoad
Cc: Chris Barker; Steve Burgess; Stuart Magowan
Subject: FW: FW: 22995 - Manor Nursery A/86/20/DOC - Designer Response

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Filed by Newforma

Dear Rebecca,

Please see the following email trail from Laura Gibbons.

I look forward to receiving a new discharge of condition application for the three surface water drainage conditions (6, 21 and 22) that were imposed on the outline planning permission for Manor Nursery.

Kind regards,

Michael

Michael Eastham
Principal Planning Officer,
Planning Department



Arun District Council, Civic Centre, Maltravers Rd, Littlehampton, West Sussex, BN17 5LF
www.arun.gov.uk

Sign up to our newsletter [here](#)



From: Laura Gibbons <[REDACTED]>
Sent: 18 August 2020 11:28
To: Michael Eastham <[REDACTED]>
Cc: Paul Cann <[REDACTED]>
Subject: Re: FW: 22995 - Manor Nursery A/86/20/DOC - Designer Response

Hi Michael,

Thank you. Therefore, our response is as follows in red.

Condition 21- surface water drainage design

1. Groundwater monitoring was undertaken at only two locations on site, and not the entire winter period as outlined in the Condition. It is deemed that the level of data presented is insufficient.

Groundwater monitoring was carried out between 5th December 2018 and 15th May 2019, which includes the wettest period of winter (data attached).

The Planning Condition does not state the number of testing locations required and as the site is relatively small and has consistent geology throughout then two locations are appropriate.

Groundwater was not encountered throughout the testing period within either borehole both of which were monitored by data loggers and did not record any groundwater above 4.63m and 4.93m below ground level. This gives a robust window of analysis to determine if there will be any effect on the drainage system from groundwater and if high any groundwater is likely to be encountered. We therefore request this objection is removed based on the information meeting the requirements of the Planning Condition and being robust and 'fit for purpose' in this instance.

We have attached the Groundwater monitoring data log results and location plan.

Two locations is small for a development of this size, however fortunately the geology is fairly consistent. GW 4 to 5m bgl is what I would expect in that area, and is consistent with other developments in the area. After consideration and further examination we have decided that we will accept this on this occasion. However, in the future the applicant needs to agree the location and number of boreholes required.

2. Infiltration testing was undertaken in June. Winter infiltration testing must be undertaken.

Planning Condition 21 states 'Percolation testing to BRE 365, or similar approved, will be required to support the design of any infiltration drainage.'

The Planning Condition makes no mention of winter infiltration testing, only *Percolation testing to BRE 365*. Infiltration testing was undertaken in June 2019 and has been undertaken in accordance with BRE 365 requirements. Seven locations were monitored by Oakland Site Investigation and three tests in each location have been recorded and presented. We therefore request this objection is removed based on the testing meeting the requirements set out in Planning Condition 21. *The condition states "Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any infiltration drainage." This is one sentence which should be read as winter percolation testing, after consideration and consultation with the planners we will agree that this was too vague and that the summer infiltration rates may be used as long as a factor of safety is applied to design.*

We know that permeability does vary considerably seasonally. In order to proceed we will need to see factors of safety applied to design in accordance with the table in our checklist, we recommend treating garden soakaways as having a consequence of failure of minor inconvenience.

Size of Area to be Drained	Factor of Safety Table					
	Consequences of failure					
	No damage or inconvenience		Minor inconvenience, e.g. surface water on car park		Damage to buildings or structures or roads.	
	Cv=1.0	Cv=0.75	Cv=1.0	Cv=0.75	Cv=1.0	Cv=0.75
<100 m ²	1.5	2	2	3	10	13
100m ² to 1000m ²	1.5	2	3	4	10	13
>1000m ²	1.5	2	5	6.5	10	13

The applicant must note that this would be for this application only, and a lack of winter infiltration tests will not be entertained on any future applications. It is worth noting that in 2014 our drainage consultation response noted the requirement for winter infiltration testing.

3. All infiltration tests were undertaken at circa 2.5m depth, yet some of the soakaways are considerably shallower than this.

The design notes only two soakaway designs with the base shallower than 2.5m big. These are SA8 and SA9 and both are located within the gardens of the properties along the southern boundary of the site. Soakage testing was undertaken at a depth of 2.5m within the gravel strata below the site. The trial pit logs within this area, TP1, TP2 and TP3, confirm the gravel strata is located at between 2.1 and 2.2m below ground and extends to the base of the trial pits. SA8 and SA9 soakaways are situated within this gravel strata. We therefore request this objection is removed based on the designed soakaways' depth extending into the tested soil strata where they will have the same performance as the tests. We have attached the Trial Pit data and location plan. *Acknowledged that the same strata does just about extend to base, however ring soakaways are proposed which rely upon sides for infiltration only therefore they will not be utilising this gravel strata. We would recommend that these soakaways are made deeper to extend further into the gravel strata, but the base must be kept above peak groundwater levels/ base of monitoring wells.*

We will require further information on how adequate treatment of surface water is occurring prior to discharge to ground in accordance with chapter 26 of CIRIA C753. There is no evidence of any pollution mitigation prior to discharge to soakaways. This is a particular concern regarding water from highways where pollution hazard indices are higher.

Condition 22- maintenance of SuDS

It is not appropriate to review this condition until the drainage design is agreed.

Given the response to the Conditions above we request the SuDS Maintenance Plan be reviewed and approved. *This will be reviewed once the surface water drainage strategy and design for the site has been agreed.*

Condition 6- Discharge of Surface Water to the Public Highway

We have provided information to support the surface water design as required by the Planning Conditions. The design includes gullies to intercept surface water at the highway boundary as is standard for a bell mouth entrance. The surface water design submitted included all calculations and the backup data is attached to this response. We request that this is reviewed and assessed against the Planning Conditions imposed. *WSCC issue*

Thanks,