
A/44/26/PL – April 2025 infiltration testing and BRE 365 compliance

From Tybie House <[REDACTED]>

Date Wed 05/08/2026 16:27

To Neil Crowther <Neil.Crowther@arun.gov.uk>; Planning <Planning@arun.gov.uk>

Cc Karl Roberts <Karl.Roberts@arun.gov.uk>

 1 attachment (125 KB)

Redacted_Re_ BRE 365 infiltration testing sequence.pdf;

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Dear Mr Crowther,

We appreciate that we have raised a number of questions regarding the sufficiency of the April 2025 infiltration testing, which Mr Cann described as “flawed” and referred to as testing “where they’ve failed”. Until now, however, we have principally presented our own review of the testing data and methodology.

We have now obtained independent professional confirmation from a drainage engineer that the April 2025 testing sequence did not comply with BRE Digest 365.

The engineer has confirmed that the filling undertaken on 22 April 2025 could not constitute the third successive filling of tests commenced twelve days earlier on 10 April 2025. At most, it could be treated as a separate additional infiltration test. Consequently, the design infiltration rate of 8.13×10^{-6} m/s was not derived from a completed BRE 365-compliant three-fill sequence and should not be relied upon, without qualification, as the sole basis of the drainage design.

Please see the attached redacted email. I would be happy to provide the original to ADC through a secure channel, on the understanding that it would not be published, should you wish to verify its authenticity.

This is particularly concerning because Condition 28 of A/64/21/PL expressly required:

“winter Percolation testing to BRE 365, or similar approved”

It must also be considered in the context of the subsequent refusal of A/115/25/PL. The decision record stated:

“Adequate winter infiltration testing has not been supplied.”

The drainage consultation response also stated:

“Crucially, the concern is that the existing drainage solution is not supported by adequate winter groundwater monitoring data or winter infiltration testing.”

No winter infiltration testing has subsequently been undertaken. Instead, the drainage design submitted with the current application continues to rely upon the April 2025 testing, notwithstanding that the controlling design rate was obtained from a purported third successive fill undertaken twelve days after the first two.

The issue is therefore not merely whether the figure of 8.13×10^{-6} m/s is numerically conservative. It is whether that figure was derived through a valid and recognised testing sequence capable of establishing a reliable design infiltration rate. The independent advice confirms that it was not derived from a completed BRE 365-compliant sequence.

We must therefore ask again: what new evidence, technical analysis or change in applicable guidance has led ADC now to regard the April 2025 testing—previously described as “flawed” and having “failed”—as acceptable, and to permit the resulting infiltration rate to be relied upon as the controlling design parameter for a drainage system whose ultimate discharge is wholly dependent upon SA1, thereby making it a single point of failure for the entire site?

For the avoidance of doubt, this email is neither in support of nor in opposition to the current application. I would, however, be grateful for a direct and substantive response to the question above, so that residents are able to understand and properly consider the implications of the testing methodology and the resulting design infiltration rate before the application is determined.

Kind regards

Dr Tym Huckin BSc(Hons) FIAP MBCS