
FW: FP/139/25/PL - Land East of 22 Davenport Road

From Harry Chalk <Harry.Chalk@arun.gov.uk>
Date Fri 27/02/2026 09:44
To Planning.Responses <Planning.Responses@arun.gov.uk>

Hello,

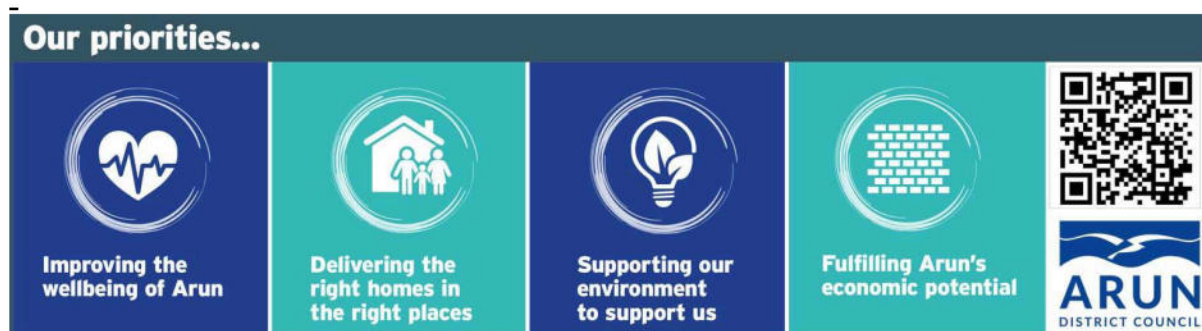
Can the below please be uploaded as "Engineer's preliminary review of updated drainage information".

Thank you,

Harry Chalk, MSc
Senior Planning Officer, Development Management

T: 01903 737577
E: harry.chalk@arun.gov.uk

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



From: Kathryn Welch <Kathryn.Welch@arun.gov.uk>
Sent: 26 February 2026 09:58
To: Harry Chalk <Harry.Chalk@arun.gov.uk>
Subject: RE: FP/139/25/PL - Land East of 22 Davenport Road

Hi Harry,

Having reviewed the information submitted to date, even if we accept the feasibility conclusions at face value (noting that I have not yet completed a full assessment of the evidence), the critical issue remains unchanged: **the applicant has still not demonstrated that a viable and lawful discharge location exists.**

While discharge to a waterbody such as the sea may, in principle, be acceptable and is consistent with the drainage hierarchy, this theoretical acceptability is irrelevant without proof that the outfall can actually be delivered. Crucially, **no evidence has been provided confirming the permissions required to form such a connection**, particularly any approval needed from the Environment Agency to penetrate the sea wall. Noting there may also be a 'splash' wall to contend with in this location as well. In the absence of this, our objection must stand.

Nik's comments on the possibility of splitting conditions do not resolve the fundamental problem: if the Environment Agency refuses the necessary consents; which is a realistic and likely scenario, the entire drainage strategy (and in turn the permission) becomes undeliverable, as the ability to drain the site without increasing flood risk on site or elsewhere is directly linked to the size and scale of development being authorised. We cannot support a scheme where the drainage solution is contingent upon permissions that may never be granted, and approving a proposal on uncertain assumptions exposes the Council to significant legal and procedural risks.

For these reasons, evidence of an achievable discharge point, including all required permissions, **must be secured upfront**. Until this is demonstrated, the Drainage Engineers are unable to lift their objection.

Kind regards,

Kathryn Welch
Senior Planning Officer, Planning Department

Please note: My working hours are currently split between Development Management and ADC Engineers, which may result in extended response times. **Development Management:** Tuesdays and Thursdays **ADC Engineers:** Mondays, Wednesdays, and Fridays

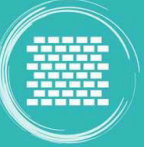
T: 01903 737789

E: kathryn.welch@arun.gov.uk

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Littlehampton, West Sussex, BN17 5LF
www.arun.gov.uk



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

Sent: 23 February 2026 14:40

To: Kathryn Welch <Kathryn.Welch@arun.gov.uk>

Subject: FW: FP/139/25/PL - Land East of 22 Davenport Road

Hi Kathryn,

Following our call, please see the attached and the below response from Polly, their Planning Lawyer. If you could give it a once over and let me know your initial thoughts/any concerns, it would be appreciated.

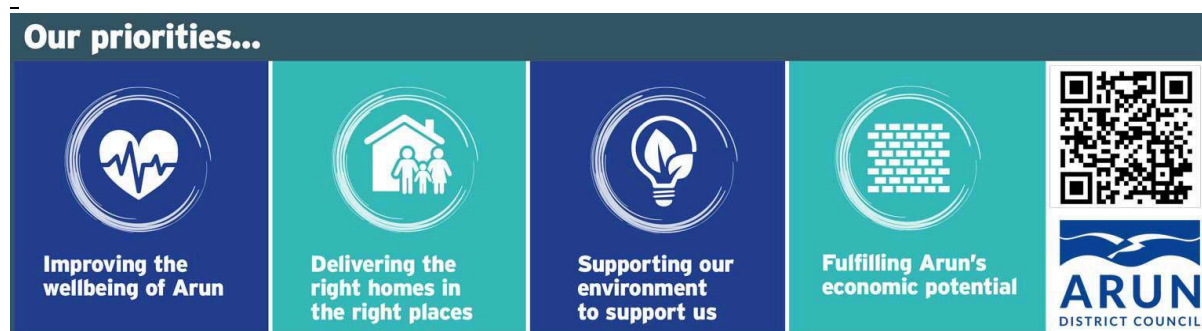
Thank you,

Harry Chalk, MSc
Senior Planning Officer, Development Management

T: 01903 737577

E: harry.chalk@arun.gov.uk

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



From: Polly Reynold [REDACTED]
Sent: 13 February 2026 21:25
To: Nik Antonio [REDACTED] Harry Chalk <Harry.Chalk@arun.gov.uk>
Subject: FW: FP/139/25/PL - Land East of 22 Davenport Road

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Dear Harry,

Further to Nik's email below forwarding the attached updated Surface Water Drainage Strategy dated 09/02/2026 ("SWDS"), I wanted to set out a suggested way forward on conditions.

The SWDS records that additional BRE365-style testing was undertaken in January 2026 at "representative depths of the proposed soakaway (i.e. 1.68m bgl)".

The results are clear: “water levels within both TP01 and TP02 fell only 0.01–0.03m” and “did not achieve the required fall ... to allow infiltration rates to be calculated in accordance with BRE 365”. The SWDS conclusion is therefore that “both soakaways are considered to have failed” and that “infiltration drainage is unlikely to be viable at the site at depths of 1.68m bgl.” In those circumstances, any condition that (in substance) requires infiltration, or makes commencement/occupation contingent on further infiltration “gateway” steps as though infiltration remains feasible, would not be workable or enforceable on this site because it would be requiring an outcome the submitted evidence indicates cannot be achieved.

The SWDS instead proceeds through the SuDS hierarchy and proposes discharge to the adjacent tidal waterbody (the English Channel): “Given that infiltration is deemed to be unsuitable, this is the next highest priority on the SuDS hierarchy. A new connection into the tidal waterbody is proposed.” It also notes that, where discharge is to a large tidal waterbody, flow restriction is not necessarily required (with reference to national SuDS Standards (3.9) and “no requirement to provide a restriction in flow rates”), and tide-locking has been conservatively addressed by “assuming a surcharged outfall for 12 hours (720mins)”.

Against that evidential background, we consider the most reasonable and proportionate approach is a condition that secures the key outcomes (detailed design, hydraulic confirmation, exceedance routing, outfall detail/consents, and lifetime maintenance) and is expressly tied to the principles of the SWDS, rather than mandating infiltration. This also aligns with the six tests for planning conditions (NPPF/PPG), namely that conditions must be: (1) necessary (2) relevant to planning (3) relevant to the development to be permitted (4) enforceable (5) precise and (6) reasonable in all other respects.

In summary, the proposed condition below meets those tests because: it is necessary to ensure the development is made safe and does not increase flood risk, planning-relevant because it controls drainage/flood risk outcomes, development-relevant because it only governs drainage arising from this single dwelling, enforceable because it contains clear submission/approval and implementation triggers (commencement / prior to occupation / ongoing retention) precise because it specifies the required deliverables (drawings, modelling, outfall details, maintenance plan) and reasonable because it does not require an undeliverable infiltration solution in the face of the January 2026 testing and the coastal/tide-influenced context evidenced in the SWDS.

Accordingly, we propose the following condition wording (for agreement with the LLFA):

Proposed condition (surface water drainage – details, implementation, and maintenance)

No development shall commence until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority (in consultation with the Lead Local Flood Authority).

The scheme shall be based on the principles set out in the updated Surface Water Drainage Strategy dated 09/02/2026 and shall include:

- (a) detailed drawings showing the proposed surface water drainage layout
- (b) final hydraulic modelling and calculations demonstrating that the scheme will prevent flooding of the dwelling and the highway in the 1 in 30-year rainfall event, and will prevent flooding of the dwelling in the 1 in 100 year rainfall event including an appropriate climate change allowance
- (c) details of attenuation and treatment and exceedance routing

- (d) details of the outfall arrangement to the adjacent tidal waterbody and
- (e) a lifetime maintenance and management plan.

The approved scheme shall be implemented in full prior to first occupation and thereafter retained and maintained in accordance with the approved plan.

Please confirm that the above condition wording is agreed. If you (or the LLFA) consider any amendment is required, we would be grateful if you could set out the specific wording changes sought and the reasons for them, so that this can be addressed promptly.

Kind regards,

Polly

Polly Reynolds | Partner

M. [REDACTED]

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29 Great George Street | Bristol BS1 5QT

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----- Forwarded message -----

From: **Nik Antoniou** [REDACTED]
Date: Fri, 13 Feb 2026 at 16:04
Subject: Re: FP/139/25/PL - Land East of 22 Davenport Road
To: Harry Chalk <Harry.Chalk@arun.gov.uk>

Hi Harry

I hope you are well.

Please see attached the report that has just come through !

My understanding is that the testing from Clear Environmental justifies that infiltration of runoff from the development wouldn't be possible, thus an alternative solution is proposed. Given that pumps would likely be required to connect into the nearest surface water sewer, following the SuDS hierarchy, a new outfall onto the beach is proposed. Please see attached the proposed report.

Kind regards

Nikolas Antoniou
BSc HONS DIPTP MRTPI
Chartered Town Planner
For and on behalf of NJA Town Planning Limited

[REDACTED]
www.njatownplanningltd.co.uk

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On Tue, 20 Jan 2026 at 16:23, Nik Antoniou [REDACTED] wrote:

Hi Harry

The Applicant and the Solicitor I can see today are trying to sort out the payment link for the checking fee so that is in hand.

With regards to your email this morning regarding drainage this has also been noted and Aegea are actively sorting out the infiltration matters. I have asked them for a timescale and will feed this back to you as soon as I receive the dates.

Kind regards

Nikolas Antoniou

BSc HONS DIPTP MRTPI

Chartered Town Planner

For and on behalf of NJA Town Planning Limited

www.njatownplanningltd.co.uk

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On Tue, 20 Jan 2026 at 10:32, Harry Chalk <Harry.Chalk@arun.gov.uk> wrote:

Morning, Nik,

In addition to my prior email this morning, I have just been contacted by Legal in respects of the checking fee for the S.106 having not yet been paid. Can you confirm that this has been paid?

Kind regards,

Harry Chalk, MSc

Senior Planning Officer, Development Management

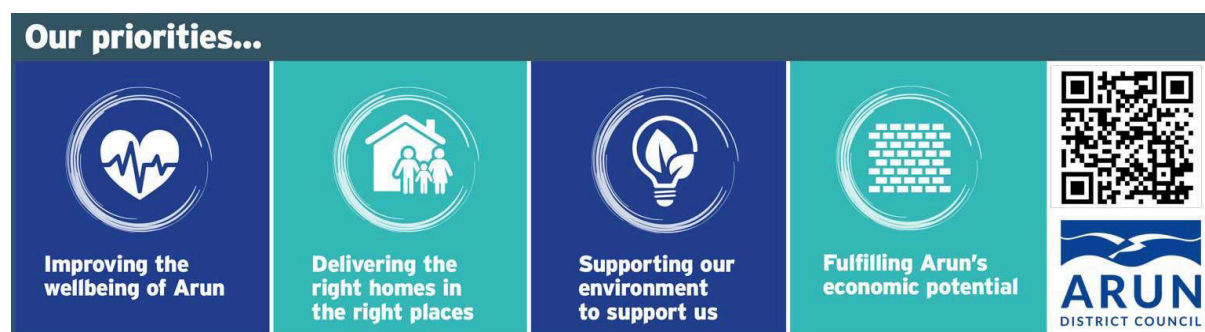
T: 01903 737577

E: harry.chalk@arun.gov.uk

Arun District Council, Civic Centre, Maltravers Rd

Littlehampton, West Sussex, BN17 5LF

www.arun.gov.uk



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

DX 57406 Littlehampton

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