

From: Harvey Wingfield [REDACTED]
Sent: 06 August 2025 18:16
To: Jessica Riches; David Easton
Cc: Gardiner Hanson; John Longhorn; David Dodds (Land & Planning)
Subject: Ford Airfield - Reserved Matters Planning Procedural Response in relation to ADC
Drainage Team Consultation
Attachments: 250806_Planning response to drainage comments.pdf

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Dear David and Jessica,

At the request of Vistry Group, tor&co has prepared the attached letter, which sets out our position on how drainage-related matters should be treated in relation to the current Reserved Matters (RM) applications for Land at Ford Airfield.

As set out in the letter, it is our position that detailed drainage matters should be addressed through the Discharge of Condition (DoC) process, rather than through the RM submissions. This approach reflects both established procedural precedent and relevant case law.

The letter outlines this procedural context in more detail, including references to relevant appeal and previous ADC RM decisions. Appendix A, prepared by Ardent Consulting Engineers, provides a high-level technical response regarding interception volumes, confirming that no amendments are required to the RM layouts or landscape proposals as currently submitted.

In light of this, we respectfully request that the Council proceeds to determine the RM applications notwithstanding the outstanding drainage issues, on the clear understanding that such matters will be fully addressed through the relevant DoC submissions in due course.

We trust this provides the necessary clarity to enable you to proceed with determination of the RM applications in accordance with the approved outline consent and Design Code.

Please don't hesitate to get in touch if you would like to discuss further.

Yours sincerely,
Harvey Wingfield MRTPI

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Harvey Wingfield MRTPI
Associate Director (Planning)
[REDACTED]



David Easton
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Team
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Arun District Council
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Maltravers Road
Littlehampton
BN17 5LF

06 August 2025

Our Reference: 180641

Dear David and Jessica,

Land at Ford Airfield, Ford

Reserved Matters Planning Procedural Response in relation to Arun District Council Drainage Team Consultation

On behalf of Vistry Group, we write to confirm our position that detailed drainage-related matters are to be addressed through the DoC process, rather than through the current Reserved Matters (RM) applications. This letter sets out the procedural rationale for that position in the context of the following RM submissions.

- IRM (F/14/24/RES)
- RM1 (F/15/24/RES)
- RM4 (F/16/24/RES)

Further, **Appendix A** to this letter provides a high-level technical response, prepared by Ardent Consulting Engineers, addressing how interception volumes will be addressed through forthcoming Discharge of Condition (DoC) submissions which confirms that the ADC Drainage's recent consultation response does not necessitate amendments to the RM layouts or landscape design.

RM Procedural Context

Following the recent resubmission of the amended Reserved Matters applications on 28 July 2025, we have reviewed the latest drainage consultation responses from the Arun District Council (ADC) Drainage Team dated 30 July 2025, pertaining to the IRM and RM1 applications. We understand that ADC planning officers are currently reviewing these comments internally to confirm their interim position.

As you are aware, the outline planning permission (ref. F/4/20/OUT) secured drainage-related Conditions 29 to 31, which require the submission and approval of the following details prior to the commencement of each phase:

- Condition 29 (Detailed drainage strategies)
- Condition 30 (Watercourse discharge consents)
- Condition 31 (Maintenance and management plans)

Condition 29, which is most pertinent to detailed drainage design requires:

London
Birmingham
Bournemouth
Bristol

Prior to the commencement of each phase of development (excluding demolition, site survey and site investigation works) as identified within the Phasing Strategy under Condition 5 full details of the proposed surface water drainage scheme for that phase, in accordance with the principles set out in the Drainage Technical Note (ref: C85228-JNP-92-XX-RP-C-1004) dated 9 July 2021 and the requirements of the Design Code secured under Condition 7, shall be 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, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter 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 and the details so agreed shall be maintained in good working order in perpetuity. is sufficiently robust to ensure that the detailed drainage design and strategy

Outline condition 29 provides a robust and appropriate framework to ensure that a suitable drainage strategy is submitted and approved prior to the commencement of development. Through the DoC process, both the ADC Drainage Team and LLFA officers will have the opportunity to fully assess the technical details of the proposed surface water drainage schemes, ensuring that no increase in flood risk will result from development. Our client fully acknowledges that failure to satisfy and discharge these conditions will prohibit commencement of the applicable development phase.

As established by case law and procedural precedent, drainage is not a defined Reserved Matter. Technical objections on drainage grounds at the Reserved Matters stage do not constitute valid reasons for refusal; rather, they should be formally addressed through the discharge of relevant outline conditions.

To substantiate this position, we draw your attention to several relevant appeal decisions and recent Reserved Matters determinations by ADC, all of which consistently reaffirm that detailed drainage matters fall outside the scope of Reserved Matters and should be addressed through the discharge of relevant outline planning conditions. The following decisions provide clear procedural precedent:

Appeal Decisions:

- APP/W0530/W/22/3291523
- APP/D2510/W/22/3297250
- APP/Y2003/W/24/3343971

ADC RM Decisions:

- AL/143/24/RES
- BN/128/24/RES

For example, the following is an extract from Appeal Decision (ref. APP/Y2003/W/24/3343971 which states at para 7-12:

"7. Outline planning permission with all matters reserved for the development of 6 dwellings was granted on appeal in June 2018. The main issue in that appeal was

the effect of the development on the existing drainage network and the potential for flooding in the local area. In reaching their decision, the Inspector was satisfied that sufficient information had been provided to demonstrate that foul and surface water could be adequately dealt with. The Inspector also concluded that the imposition of appropriate planning conditions would give sufficient security to ensure that a satisfactory method of foul and surface water drainage would be provided as part of the development.

8. *To this end, Condition 14 of the outline permission requires the submission and approval of details of foul and surface water drainage works and their implementation prior to occupation of the proposal...*
9. *The Council submits that the appellant's evidence fails to demonstrate whether the development would result in an acceptable method of surface water drainage disposal and whether infiltration would be feasible on the site. Subsequently, the Council questions whether the development would be safe from the risk of flooding or increase flood risk elsewhere...*
10. *However the appeal before me relates to the Reserved Matters, which do not include drainage or flooding issues beyond the scope of those matters. Concerns relating to drainage and flooding were considered as part of the outline planning permission, and should be addressed in relation to the conditions on that permission rather than the Reserved Matters...*
12. *In conclusion, the issues of drainage and flood risk would be appropriately addressed as part of the discharge of conditions on the outline planning permission, and do not represent a reason for the refusal of the Reserved Matters..."*

Long-established case law confirms that applicants are entitled to expect consistency in the decision-making process. In this context, we reiterate that drainage-related matters should be considered and addressed through the DoC process, rather than forming part of the Reserved Matters assessment. The current RM submissions must be considered solely in relation to the matters for which approval is being sought (**landscape, layout, scale, and appearance**). In so far as we have set out within our current RM applications, our evidence base confirms infiltration is not feasible site-wide, and therefore a robust attenuation strategy is proposed, including up-sizing of SuDS basins as part of our re-submission to ensure CV values = 1 can be accommodated without increasing any on or off-site flood risk.

The submitted surface water drainage strategies have undergone a significant level of detailed design, exceeding typical requirements for RM stage, to ensure that the proposed layouts and landscaping are both robust and acceptable. Nevertheless, we anticipate that further refinement and supporting evidence will be prepared as necessary to support the DoC submissions under Conditions 29-31.

We remain confident in the robustness of the current indicative drainage strategy and are assured by our drainage engineers that all outstanding concerns raised by the ADC Drainage Team can be satisfactorily resolved at the detailed DoC stage. As is common practice with large-scale developments of this nature, any minor amendments which may be required to the SuDS layouts or landscaping can be managed concurrently alongside the DoC submissions as necessary. We do not expect any amendments would be required at present, but if there were to be any, Ardent have suggested these would only be

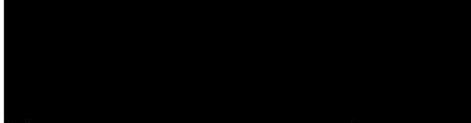
nominal tweaks to ensure consistency and alignment with the final detailed drainage strategies.

We reiterate that the proposed SuDS features within each RM comply fully with the approved outline parameter plans, Design Code, and relevant national and local policy, and therefore should be approved without further delay.

In summary, drainage is not a Reserved Matter and must be addressed through the Discharge of Condition process. The RM submissions from a layout, landscape, appearance and scale perspective remain in compliance with the outline consent and adopted Design Code, and there is no procedural or policy basis to delay determination.

We therefore reiterate that the Council and planning officers should proceed on this well established procedural basis and confirm that all drainage matters will be dealt with, appropriately and robustly, via the DoC procedural route.

Yours sincerely,



Harvey Wingfield MRTPI
Associate Director (Planning)

Appendix A - Interception Response

In response to ADC Drainage Officer's comments dated 28 July 2025, which suggest a requirement for an additional infiltration area of approximately 27,000m², we respectfully disagree with this high-level assessment. Below, we outline how interception will be effectively managed as part of the forthcoming Condition 29 DoC submissions.

Technical Summary – prepared by Ardent Consulting Engineers

The calculation of 20% of the contributing area is based on a single preliminary estimation method from the SuDS Manual, applicable only if all runoff goes directly into above ground SUDS without any pipes etc. This approach does not reflect our proposed interception strategy and is therefore not applicable.

Our proposed approach manages interception **volume** via the depth of interception storage, consistent with the guidance provided in Table 24.6 of the SuDS Manual, as set out below.

Interception ²	
Detention basins ²	<p>Areas of the site drained to detention basins with a flat unlined base (without specific provision for routing low flows directly to the outlet) can be assumed to comply, where the drained impermeable surface area is less than 5 times the vegetated surface area receiving the runoff for any soil type. The area of the basin that is assumed to contribute to interception of runoff should be below the outlet level of the basin.</p> <p>Areas up to 25 times the base area of the basin can be assumed to meet Interception requirements where infiltration rates are greater than 1×10^{-6} m/s.</p> <p>Higher loading ratios can be achieved where specific provision is made for water being stored below the outlet pipe and higher infiltration rates exist. Where a basin is designed to infiltrate runoff, specific provision should be made for the upstream control of sediments to minimise risks of waterlogging, high maintenance costs and reduced component amenity value.</p>

Further detailed calculations will be prepared and submitted at the DoC stage to demonstrate compliance with the SuDS Manual and relevant SuDS policies.

Initial investigations indicate that these volumes can be accommodated within the existing basin base configuration, requiring only minimal, and local imperceptible lowering of less than 100mm. This adjustment can be contained within the current basin footprint.

To illustrate, please see the detailed example for Basin 4 in the southern area below.

Interception Volume - Basin 4 South Example

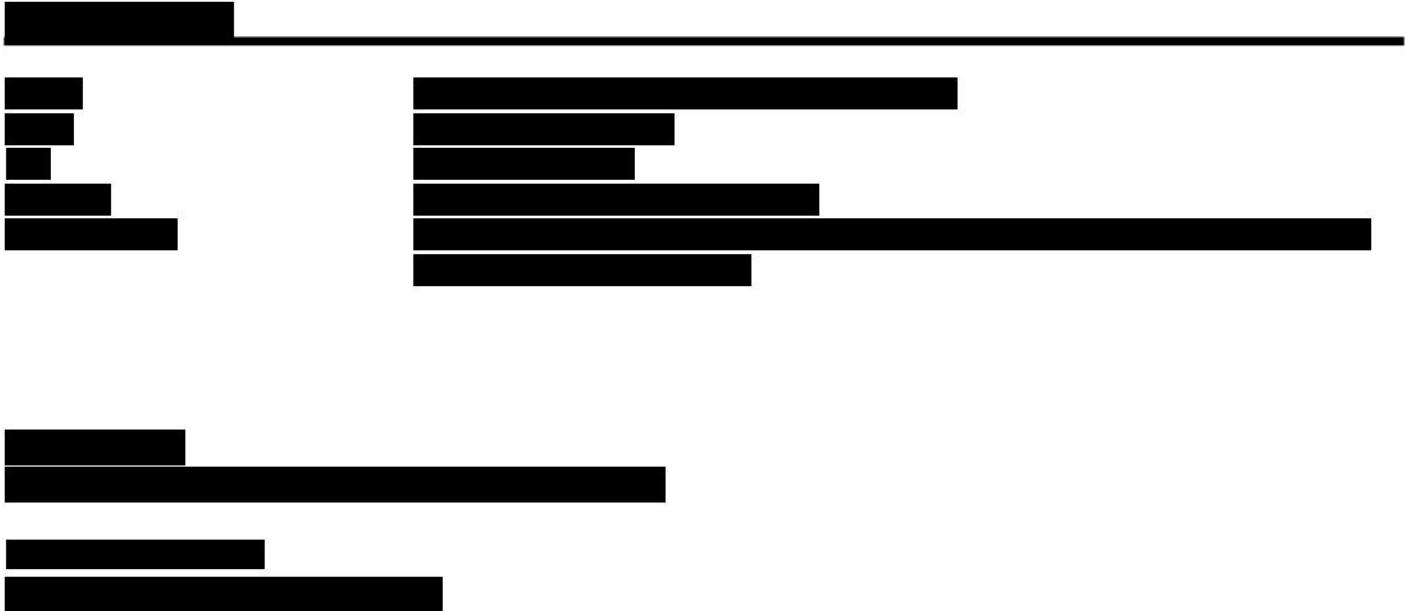
Constants

Basin base area	10660	m ²
depth of interception required	5	mm
Max depth for volume	100	mm

Outfall	Imp. area ha	Imp Area (m ²)	Required interception volume (m ³)	Required area at max depth m ²	% of base area of basin as interception
1	2.276	22760	113.8	1138	10.7
2	1.369	13690	68.45	685	6.4
3	2.203	22030	110.15	1102	10.3
4	0.462	4620	23.1	231	2.2
TOTALS:		63100.0	315.5	3155.0	29.6

To be clear, less than 30% of the basin area is required to accommodate interception volumes, even when not supplemented with upstream interception. Any lowering of approximately 100mm to the existing basin base will be further developed through detailed design and submitted for approval as part of the Condition 29 DoC submissions.

These minor design adjustments will not necessitate any amendments to the layout or landscaping of the proposed SuDS basins.



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Our priorities...



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Our priorities...



Improving the
wellbeing of Arun



Delivering the
right homes in
the right places



Supporting our
environment
to support us



Fulfilling Arun's
economic potential

