

27 January 2026

F.A.O Miss K Welch
Arun District Council
The Arun Civic Centre
Maltravers Road
Littlehampton, West Sussex
BN17 5LF

RH/Let/P2085

Dear Miss Welch,

Discharge of Conditions: Application for the Discharge of Condition 23(b) pursuant to application reference WA/124/23/S73 '*(Variation of conditions 26 and 29 imposed under WA/44/17/OUT (which was the subject of a Section 106 agreement) relating to rewording of conditions concerning time triggers concerning as built drawings and updated management manual for SuDS system)*' at Land East of Tye Lane, Walberton.

This application has been submitted online via the Planning Portal and includes the application form, relevant documentation, and this covering letter.

The accompanying information has been submitted to satisfy the discharge of Condition 23(b) (Catchment Area SuDS Scheme) pursuant to application reference WA/124/23/S73, which was approved under a Section 73 consent on 5 April 2024.

The original application sought Outline Permission under reference WA/44/17/OUT for '*Outline application with some matters reserved for up to 175 dwellings, new vehicular access, together with associated car parking, landscaping & community facilities to include allotments, play space & community orchard*', which was approved on 23 February 2018 and subsequently amended under Section 73 application reference WA/124/23/S73 on 5 April 2024.

Condition 23(b) is required to be discharged prior to occupation. Part (a) of Condition 23 was discharged under reference WA/36/24/DOC on 6 June 2024.

This application seeks to discharge Condition 23(b) for both **Phase 1 and Phase 2** of the development.

For clarity, previous applications to discharge Condition 23(b) were refused as follows:

- Phase 1 under reference WA/47/25/DOC, refused on 13 January 2026; and
- Phase 2 under reference WA/106/24/DOC, refused on 21 November 2025.

This submission includes amended reports and supporting information which have been prepared specifically to address the concerns raised in those refusal decisions.

Condition 23(b) – Catchment Area SuDS Scheme

Condition wording is set out below:

b) 'Immediately following implementation of the approved SuDS scheme for each design catchment agreed under (a) and prior to occupation of any part of the development which that catchment serves, the developer/applicant shall provide the Local Planning Authority with as-built drawings of the fully implemented scheme, together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose.

There shall be no deviation to the approved scheme other than with the written consent of the Local Planning Authority; the system shall be maintained in good working order in perpetuity.'

Please find enclosed the following amended information, which is considered sufficient to discharge Condition 23(b) in full for Phases 1 and 2:

- Surface Water and SuDS Verification Report (V.09)
- Comment tracker against previous Arun Engineer Response for Reference WA/106/24/DOC
- Comment tracker against previous Arun Engineer Response for Reference WA/47/25/DOC

Conclusion

We trust that this letter and the accompanying amended documentation are sufficient to fully discharge Condition 23(b) for Phases 1 and 2, pursuant to application reference WA/124/23/S73 at Land East of Tye Lane, Walberton.

However, should the Local Planning Authority require any further information or clarification, we would greatly welcome the opportunity to discuss the matter directly. In particular, we would appreciate the option of arranging a meeting or call with the Council's drainage engineer, as we are currently at a loss as to what additional information could reasonably be provided beyond that submitted.

We look forward to receiving written confirmation of the discharge of this condition in due course.

If you have any queries or wish to arrange a discussion, please do not hesitate to contact me on 01903 248777.

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