

From: drainage <drainage@midsussex.gov.uk>
Sent: 28 January 2026 16:32:59 UTC+00:00
To: "Rachel Richardson" <Rachel.Richardson@midsussex.gov.uk>
Cc: "drainage" <drainage@midsussex.gov.uk>
Subject: RE: 2026.01.26 Re: DM/25/3191 - Land To The South Of Burleigh Lane Crawley Down West Sussex [DMHS-DMS.FID7918876]

Hi Rachel,

I have just reviewed the below email trail and cannot see that any information has been supplied to allow us to address this further:

In our comments dated 22.01.2026 we requested:

SUMMARY OF FURTHER INFORMATION REQUIRED

At this time, we will require the following further information:

Surface Water Drainage

- Evidence that infiltration is viable at the site through infiltration testing to BRE 365.
- Recorded groundwater depth

Or

- Ownership of the ditch.
- Evidence of the ditch described within the drainage strategy exists.
- Evidence that the invert levels of the ditch are sufficient to accommodate the proposed drainage outfall.
- Evidence that the receiving ditch has capacity.
- Evidence that the ditch has a wider connection to the drainage / watercourse network in the area.

Foul Water Drainage

- The applicant confirms which foul water drainage strategy they intend to pursue as part of this development.
- Evidence confirming available capacity within the receiving public foul sewer network from the relevant Water Authority and a connection would be feasible.
- Evidence that there are sufficient offsets for the Cess pits for each property.

Once the required information has been received, we will be able to comment further.

There is no need to reconsult, however please can you advise, will the applicant be submitting the additional information?

In the email trail below their response seems to indicate we gave objection? We have not, we do however, require further information to allow us to determine our response for you.

Should you wish please do return my call to discuss so we can seek to support and find a way forward.

Best Wishes
Emma

Flood Risk and Drainage Co-Ordinator
Corporate Estates & Facilities Business Unit
Telephone: 01444477279
emma.jackson@midsussex.gov.uk
www.midsussex.gov.uk

From: Rachel Richardson <RACHEL.RICHARDSON@MIDSUSSEX.GOV.UK>
Sent: 26 January 2026 15:01
To: drainage <drainage@midsussex.gov.uk>
Subject: FW: 2026.01.26 Re: DM/25/3191 - Land To The South Of Burleigh Lane Crawley Down West Sussex [DMHS-DMS.FID7918876]

Hi Emma,

Please see below in response to the above.

Would you like a formal consult on this again?

Many thanks,

Rachel.

Rachel Richardson Bsc (Hons) DIP TP MRTPI
Senior Planning Officer
Development Management
www.midsussex.gov.uk
01444 477 224

Please note I work part-time (usually over Monday to Thursday) and from home Monday to Wednesday.

From: Abbott, Nigel <Nigel.abbott@dmhstallard.com>
Sent: 26 January 2026 13:28
To: Rachel Richardson <RACHEL.RICHARDSON@MIDSUSSEX.GOV.UK>
Subject: RE: 2026.01.26 Re: DM/25/3191 - Land To The South Of Burleigh Lane Crawley Down West Sussex [DMHS-DMS.FID7918876]

Dear Rachel,

Further to my reply below, I have now received the comments back from the application's drainage consultant, Stuart Magowan of the Civil Engineering Practice who makes the following comments.

In light of these comments that the application is made in outline, we consider it is unreasonable to have to provide the additional information requested and therefore would invite you to impose suitable planning conditions were the application to be considered acceptable. Can you please provide your in-principle agreement to this way forward on this issue.

"For an Outline Application this is unreasonable and I comment as follows:

Surface Water

For the Surface Water scheme, the drainage strategy within the Flood Risk Assessment proposes a system that restricts discharge to greenfield run off rates and discharges to the existing ditch. The report also notes in Section 6.2.12 that '*drainage proposals will be confirmed at detailed design stage subject to further site investigations and testing and if infiltration is found to be viable an infiltration drainage system will be progressed*'.

If, as Mid Sussex Drainage team suggests, the site is suitable for infiltration and ground water is at a sufficient depth below ground, then an infiltration scheme will be progressed as noted in the report for the detailed design. If, as the borehole evidence and local geology suggests, this is not feasible post testing, then a discharge to the adjacent ditch is proposed which will mimic the current surface runoff from the site and will be as proposed in the Flood Risk Assessment.

The top bank of the ditch at the northern boundary meanders in and out of the site boundary at the north of the site, there are therefore no ownership or connection issues which would prevent a connection to the ditch being made.

The ditch is indicated on the site survey which is included in the Existing Site Layout Plan in Appendix 2 of the Flood Risk Assessment. The invert level of the ditch on the northern boundary varies between 127.17m AOD at its highest to the east and 125.14m AOD at its lowest at the northern boundary at the location where the ditch joins the wider drainage network via a connecting pipe under the carriageway of Burleigh Road. The connection to the ditch is proposed at 125.42m AOD and all storage is proposed above that level.

The drainage strategy within the Flood Risk Assessment has therefore confirmed site testing will be required to prove if infiltration will be feasible on site, if infiltration is feasible, it will be used.

In the event infiltration is not feasible, then in accordance with the SuDS hierarchy the drainage strategy provides a system to discharge to the existing ditch network at the existing Qbar greenfield runoff rate for all event up to and including the 100 year plus climate change event. The proposed connection to the ditch network provides betterment for all events above the Qbar return period event reducing flood risk to the downstream network.

There is no reason why the surface water detailed design cannot be subject to a suitably worded planning condition for this development.

Foul Water

Following the Ofwat ruling in 2018 sewerage undertakers have an obligation to provide capacity where a direct connection into the existing public sewer is technically achievable. It is therefore

Southern Water's responsibility to ensure there is adequate capacity within their sewer network. In their role as the Statutory Sewage Undertaker, they are obligated to undertake suitable upgrades through investment using funds from the infrastructure charges which they now apply to all new development.

In accordance Section 106 of the Water Industry Act (1991) Southern Water are unable to refuse a connection to the public sewer, where the internal diameter of the new connecting pipework is no larger than the internal diameter of their existing network and the connecting pipework meets the adoptable standard, all of which will be met by the proposals.

Section 106 of the Water Industry Act (1991) which states:

Subject to the provisions of this section—

(a) the owner or occupier of any premises, or

(b) the owner of any private sewer which drains premises, shall be entitled to have his drains or sewer communicate with the public sewer of any sewerage undertaker and thereby to discharge foul water and surface water from those premises or that private sewer.

Whilst the right of connection exists the distance to the existing public sewer is such that the connection may not be viable for this development as such the Flood Risk Assessment also confirms that individual cess pits could be provided with waste tankered away from the development as a further option.

Building Regulations requires any cess pit to be located 7m from habitable rooms and within 30m of access road / driveway to allow access for emptying.

This is an outline application with all matters reserved. It is however clear from the preliminary site layout provided that each property could easily accommodate a cesspit within their rear garden that could be 7m from any habitable room and within 30m of their access.

There are no grounds to object to the Application based on the foul water discharge options proposed.

This is an Outline Application, and it is clear within the submitted details that there are viable methods to discharge both surface water and foul water from the proposed development. The final method for discharging surface water in accordance with the SuDS hierarchy and foul water from the development will be confirmed at detailed design in line with the options proposed in the Flood Risk Assessment and following further site investigation, all of which can be controlled by a suitably worded Planning Condition.

If you have any queries or if I can be of any further assistance, please do not hesitate to contact me.

Regards"

Kind regards

Nigel

Nigel Abbott | Director of Planning | Tel: [01293 663519](tel:01293663519) |

For and on behalf of DMH Stallard LLP
Origin One, 108 High Street, Crawley, West Sussex, RH10 1BD



Our London Team is now located at Fetter Yard, Barnards Inn, 86 Fetter Lane, London, EC4A 1EN. Our lawyers and teams have kept the same phone and email contact details, so you can get in touch with us easily when you need us.

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From: Abbott, Nigel

Sent: 26 January 2026 11:51

To: 'Rachel Richardson' <RACHEL.RICHARDSON@MIDSUSSEX.GOV.UK>

Subject: FW: 2026.01.26 Re: DM/25/3191 - Land To The South Of Burleigh Lane Crawley Down West Sussex [DMHS-DMS.FID7918876]

Dear Rachel,

Thank you for your email.

I have forwarded the comments on drainage on to the consultant and await their comments in return and confirmation that the additional information will be provided as requested. I will advise further once I have heard back.

As regards to visiting the site, the applicant and myself will need to be present. You can park in the field to the immediate west of the application site (within the applicant's ownership) with access to that going south from the north-western corner of the application site.

We could meet you on site on Wednesday or Thursday this week at a time to be agreed with you. If neither are convenient, please advise when you would be able to visit next week.

Kind regards

Nigel

From: Rachel Richardson <Rachel.Richardson@midsussex.gov.uk>
Sent: 26 January 2026 10:02
To: Planning Support <Planning.Support@dmhstallard.com>
Subject: FW: 2026.01.26 Re: DM/25/3191 - Land To The South Of Burleigh Lane Crawley Down West Sussex

PLEASE EXERCISE CAUTION - This message originated outside your firm.

Dear Nigel,

Please see below.

Please can you provide the additional information requested.

I would like to visit the site and wondered if I have to arrange access please?

Kind regards,

Rachel.

Rachel Richardson Bsc (Hons) DIP TP MRTPI
Senior Planning Officer
Development Management
www.midsussex.gov.uk
01444 477 224

Please note I work part-time (usually over Monday to Thursday) and from home Monday to Wednesday.

From: drainage <drainage@midsussex.gov.uk>
Sent: 22 January 2026 20:08
To: Rachel Richardson <Rachel.Richardson@midsussex.gov.uk>
Cc: drainage <drainage@midsussex.gov.uk>
Subject: 2026.01.26 Re: DM/25/3191 - Land To The South Of Burleigh Lane Crawley Down West Sussex

Dear Rachel,

The flood risk and drainage team acknowledge that this is an outline application with all matters reserved except for access. However, the application must demonstrate that, in principle, both surface water and foul water drainage could be achieved for the proposed development. This consultation response is based on that understanding.

A Flood Risk Assessment and Preliminary Drainage Strategy (dated: November 2025 by The Civil Engineering Practice) has been submitted in support of the application

FLOOD RISK

The site is in flood zone 1 and is at low fluvial flood risk (risk of flooding from Main Rivers).

The Environment Agency Risk of Flooding from Surface Water mapping indicates that most of the site is shown to be at very low surface water flood risk, with an isolated high spot to the north west corner of the site for the present day and within the climate change range of 2040 – 2060.

There are no historic records of flooding occurring on this site or the immediate area surrounding the site. A lack of historic records of flooding does not mean that flooding has never occurred, instead, that flooding has just never been reported.

SEWERS ON SITE

The Southern Water public sewer map does not show any public sewers located within the redline boundary of the site.

There may be sewers located on the site not shown on the plan which are now considered public sewers. Any drain which serves more than one property, or crosses into the site from a separate site is likely to now be considered a public sewer. Advice in relation to this situation can be found on the relevant water authority's website.

SURFACE WATER DRAINAGE

The BGS infiltration potential map shows the site to be in an area with high infiltration potential. Therefore, the use of infiltration drainage such as permeable paving or soakaways is likely to be possible on site. To ensure the drainage hierarchy is followed this will need to be confirmed through infiltration testing on site as part of detailed drainage design.

No infiltration testing has been undertaken at the site, and the applicant has opted to utilise assumed rates based on the geology taken from BGS borehole logs taken 1.1km to the south west of the site. Given the scale of the proposed development, this is not considered acceptable. The BGS logs also recorded groundwater at a depth of 2.5m below ground level in the wider area.

Preliminary calculations have been undertaken utilising a CV value of 1.0, a 10% allowance for urban creep and 45% for climate change, resulting in a greenfield QBar runoff rate for the site of 6.2 l/s/ha. The report states the proposed layout would result in an impermeable area of 3,747m², taking into account a 15% reduction due to green roof area. This results in a greenfield QBar runoff rate of 2.3 l/s. At this stage, no % area reduction should be applied for a green roof, therefore this area needs to be taken into account in the calculations. The discharge rate should be based solely on the greenfield runoff rate for the area of the site being attenuated.

Surface water shall be attenuated within the tanked access road and parking areas before being discharged to a ditch located to the north-west of boundary of the site onto Burleigh Lane.

It is unclear from the report the ownership of the existing ditch, its capacity and its wider connection and therefore it is unknown if this is a viable disposal location for surface water.

The flood risk and drainage team need to be confident that the proposed development has a viable means of surface water drainage available to it. Based on the information provided at this time the team do not believe the principle of surface water drainage has been proven.

FOUL WATER DRAINAGE

The applicant has identified two potential foul water drainage options for the proposed development.

The first option proposes that foul water would discharge to the public foul sewer located beneath Sandhill Lane, to the east of the site, via an on-site pumping station and an approximate 150m rising main.

Evidence confirming available capacity within the receiving public foul sewer network from the relevant Water Authority, and a connection would be feasible, will be required at this stage of planning, should the applicant wish to pursue connection to the public sewer.

The alternative option proposes that foul water would be collected into individual cess pits within each residential curtilage, with waste removed from site by tanker on a monthly basis. Evidence needs to be provided that there are sufficient offsets for the Cess pits for each property.

Where non-mains foul drainage is proposed, the applicant must demonstrate full compliance with the Environment Agency's General Binding Rules. Where these rules cannot be met, an Environmental Permit would be required.

At this stage of planning, the Flood Risk and Drainage Team request that the applicant confirms which foul water drainage strategy they intend to pursue as part of this development.

SUMMARY OF FURTHER INFORMATION REQUIRED

At this time, we will require the following further information:

Surface Water Drainage

- Evidence that infiltration is viable at the site through infiltration testing to BRE 365.
- Recorded groundwater depth

Or

- Ownership of the ditch.
- Evidence of the ditch described within the drainage strategy exists.
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Foul Water Drainage

- The applicant confirms which foul water drainage strategy they intend to pursue as part of this development.

- Evidence confirming available capacity within the receiving public foul sewer network from the relevant Water Authority and a connection would be feasible.
- Evidence that there are sufficient offsets for the Cess pits for each property.

Once the required information has been received, we will be in a position to comment further.

Receipt of the requested additional information does not mean further information will not be requested, nor does it guarantee that the Flood Risk and Drainage Team will not object to the development. Neither does it prevent the team from recommending a flood risk or drainage condition.

Best Wishes

Flood Risk and Drainage Team
Estate Services and Building Control
Mid Sussex District Council
drainage@midsussex.gov.uk

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