

Planning Application Consultation Response

Application Details

Application Number	DM/25/1354
Response Date	2025.08.11
Site Location	Land North Of 24 Oak Hall Park Burgess Hill West Sussex RH15 0BX
Development Description	Proposed new 1 bed, two-person semi-detached dwelling.
Recommendation¹	Objection

Flood Risk

Information

[The Planning Practice Guidance for Flood Risk and Coastal Change](#) requires all sources of flood risk to be considered consistently with how fluvial and tidal flood risk is considered within the [National Planning Policy Framework](#). This means that surface water flood risk extents should be considered comparable to flood zones when assessing a development's vulnerability to flooding and the need for a site-specific flood risk assessment.

For clarity Mid Sussex District Council's Flood Risk and Drainage Team (in line with advice from West Sussex Lead Local Flood Authority) utilise the below table when considering flood risk.

Annual exceedance	Flood Zone	Surface Water Flood Risk
Greater than 3.3% (>1:30-year)	3b	High
Between 1% and 3.3% (1:100-year and 1:30-year)	3a	Medium
Between 0.1% and 1% (1:1,000-year and 1:100-year)	2	Low
Less than 0.1% (<1:1,000-year)	1	Very Low

Application specific comment

The Environment Agency released updated flood risk mapping following the new National Flood Risk Assessment (NaFRA2) in early 2025. The updated mapping uses new and improved methods to assess flood risk. The site is in flood zone 1 and is at low fluvial flood risk (risk of flooding from Main Rivers).

The flood zones continue to reflect undefended, present-day flood risk from rivers and the sea. They do not account for climate change or the presence of flood defences, maintaining alignment with planning policy principles.

The Environment Agency released the updated Risk of Flooding from Surface Water (RoFSW) mapping on January 28, 2025.

¹ In line with guidance from the Planning Department the Flood Risk and Drainage Team, where considered appropriate, utilise conditions to address detailed drainage design and detailed design of flood mitigation measures.

The RoFSW was created using a combination of local flood model information and national flood modelling. These were used to generate the probabilities of flood risk for each 2m grid square of land, with the aim of using the best available flood risk information in any one location.

As well as present day (2025) risk of flooding from surface water, climate change scenarios (2040 – 2060) have been produced to indicate the predicted impacts of climate change on future flood risk.

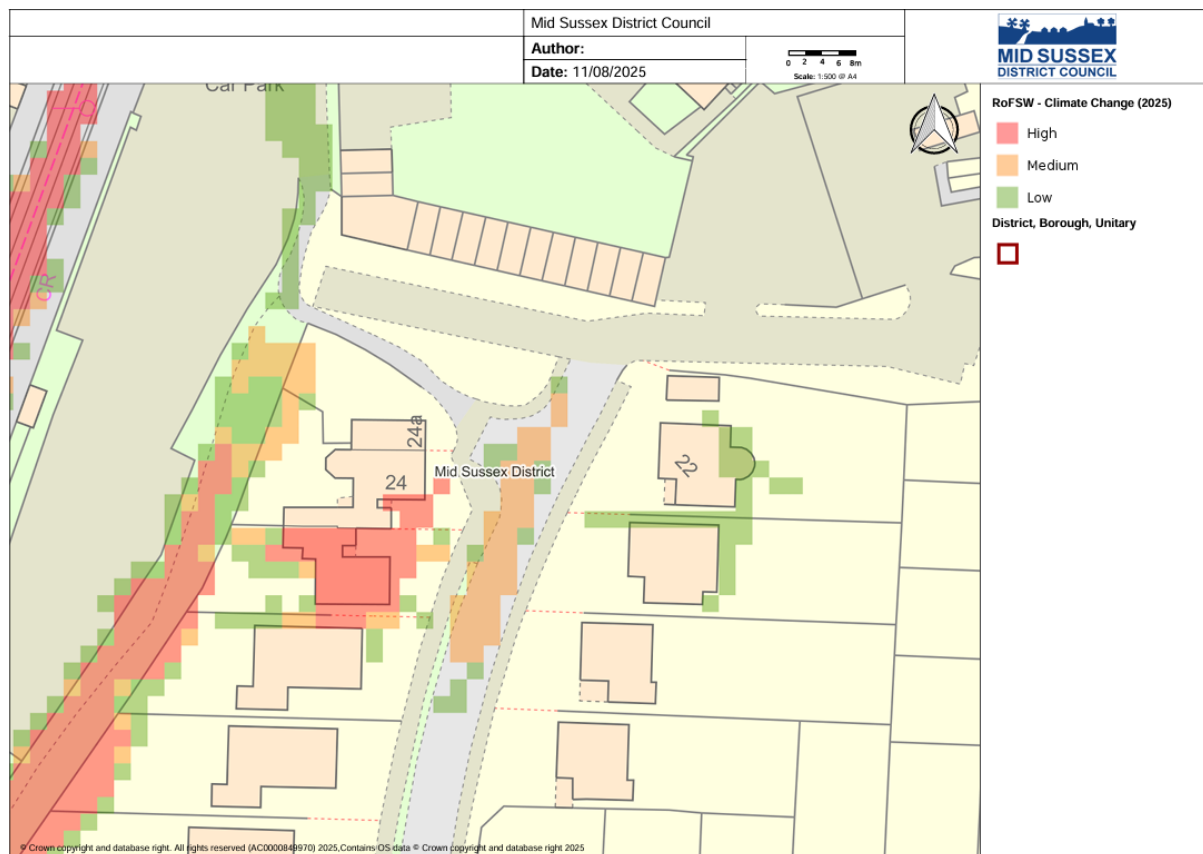
Climate change allowances are based on the latest UK Climate Projections (UKCP18) from the Met Office. They use a mid-range allowance within [Representative Concentration Pathway \(RCP\) 8.5](#).

A near-term epoch (2040 – 2060 “2050s” epoch) and central allowances are being used initially, to support short and medium-term decisions informed by the highest flood likelihood projections.

In the absence of climate change allowances provided until 2125 (NPPF (*Guidance Flood risk and coastal change considers* “Residential development can be assumed to have a lifetime of at least 100 years” *Paragraph: 006 Reference ID: 7-006-20220825* Revision date: 25 08 2022) the Environment Agency have advised that “the time horizon [is] too short for most development types” and the “Climate change scenario [is] insufficiently precautionary” and “may be relevant to inform assessments, but additional information [is] usually needed” to established the designed flood level for the site.

The Risk of Flooding from Surface Water mapping suggests the site is shown to be at low surface water flood risk (comparable to flood zone 2) for the present day (2025) and to be at medium surface water flood risk (comparable to flood zone 3a) within the climate change range of 2040 – 2060.

The proposed development is a ‘more vulnerable’ development (NPPF, Annex 3).



We would therefore advise the applicant that, taking climate change into account, the site is considered to be within Flood Zone 3a for surface water flooding and the development will need to follow the requirements for Flood Zone 3a as set out in the NPPF and Planning Practice Guidance.

Historical Flood Risk

Mid Sussex District Council's records do not contain records of the site flooding. Our records also contain no records of flooding within the area immediately surrounding the site.

Mid Sussex District Council's records are not complete, and flooding may have occurred which is not recorded. A site having never flooded in the past does not mean it won't flood in the future.

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 may be considered a public sewer. Advice in relation to this situation can be found on the relevant water authority's website.

Surface Water Drainage

Information

Surface water drainage will ultimately need to be designed to meet the latest national and local planning and drainage policies and guidance. The drainage system will need to consider climate change, the allowances for which should be based on the climate change guidance from the Environment Agency at the time of detailed design.

Detailed drainage design should consider the impact a flooded outfall could have on the proposed drainage system.

The recommendation for a drainage condition to be utilised for an application does not preclude the need for updated calculations or alterations to a drainage strategy. Recommendation for a drainage condition shows that the Flood Risk and Drainage Team are of the opinion that the development has shown that, in principle, drainage could successfully be provided on the site.

Application specific comment

The BGS infiltration potential map shows the site to be in an area with low infiltration potential. Therefore, the use of infiltration drainage such as permeable paving or soakaways is unlikely 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.

Infiltration testing undertaken in 2022 for the neighbouring property indicated negligible infiltration potential; infiltration drainage (e.g., soakaways, permeable paving) is therefore not proposed.

It is proposed that surface water from the new roof and patio will be collected via a private gravity drain to a packaged pumping station in the rear garden of No. 24b. From here, flows will be conveyed via ~28m pumped rising main to a new adoptable chamber in Oak Hall Park highway, then discharged ~20m via 150mm VC pipe to an existing Southern Water public storm sewer.

The design is based on the 1 in 100-year storm event plus 45% climate change allowance, producing a calculated discharge rate of approximately 0.4 l/s for the 89.4m² impermeable area.

The pumping station and drainage infrastructure will be privately maintained, with access and maintenance rights to be secured via legal agreement across Nos. 24a and 24b.

While we agree with this in principle, further drainage calculations should be provided to demonstrate that the site would discharge at 0.4l/s for the 1 in 100-year storm event plus 45% climate change allowance without attenuation.

Information into our general requirements for detailed surface water drainage design is included within our 'General Drainage Information Guide'. This level of information will be required to address the recommended drainage condition.

To ensure the final drainage design meets with the latest design requirements we would advise the applicant to confirm the design parameters required in relation to climate change etc prior to undertaking detailed design.

Foul Water Drainage

It is proposed that the development will utilise a gravity drain connection to the existing private combined drain at the rear of Nos. 24 & 24a Oak Hall Park.

Southern Waters's comments indicate that the additional foul flows from the development may lead to a minor increased risk of impact on the sewer network. Therefore, a suitable discharge location for foul water has not been provided. A suitable discharge location will be required at this stage of planning.

Sequential Test

Paragraphs 174 & 175 of the NPPF explain the aim of the Sequential Test (ST) to steer new development to areas with the lowest risk of flooding from any source. Development should not be permitted if there are reasonably available sites appropriate for the proposal in areas with a lower risk of flooding. The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk).

The Planning Practice Guidance (PPG) reiterates the Sequential Test should be applied to all sources of flooding, including surface water, groundwater and sewer flooding, in addition to fluvial and tidal risk.

The PPG states that the sequential test should be applied to major and non-major development. Non-major development covers any development that falls below the major development threshold but is not considered minor development. Any development that creates a new dwelling is classified as 'non-major development'.

For clarity Mid Sussex District Council's Flood Risk and Drainage Team (in line with advice from West Sussex Lead Local Flood Authority) are adhering to The Planning Practice Guidance (PPG).

Application specific comment

The Flood Risk Assessment (Creative Structures, 21 June 2025, Revision 01) incorrectly states that the proposal will not be subject to the Sequential Test because the site is located within Flood Zone 1 for fluvial/tidal flooding.

The updated Environment Agency Risk of Flooding from Surface Water mapping (NaFRA2, 2025) identifies that the site lies within Flood Zone 3a for surface water flooding in the 2040–2060 climate change scenario. In accordance with the NPPF, PPG, and MSDC's approach, this requires the Sequential Test to be applied to steer development to areas with the lowest flood risk.

The Sequential Test has not been undertaken. The Flood Risk and Drainage Team therefore object to the proposed development due to the absence of evidence within the application to demonstrate that the site would pass the Sequential Test.

For and on behalf of the Flood Risk and Drainage Team



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