



Mid Sussex District Council
Oaklands
Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

Submitted via Planning Portal

Our ref: DHA/35239
Planning Portal ref: PP-14163571

09 July 2025

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION FOR DISCHARGE OF CONDITION 10 (LAND CONTAMINATION) AND 22 (DRAINAGE STRATEGY) OF PLANNING PERMISSION DM/23/0532 AT LAND REAR OF 96 FOLDERS LANE, BURGESS HILL, WEST SUSSEX, RH15 ODX.

Please find enclosed an application to discharge conditions 10 and 22 attached to the above planning permission, submitted on behalf of our client Jones Homes (Southern) Ltd.

The application comprises the following documents:

- Application form;
- Phase 1 Geo-environmental & Geotechnical Assessment (Ground Investigation);
- Phase 2 Geo-environmental & Geotechnical Assessment (Ground Investigation Report); and
- Flood Risk and Drainage Strategy including Dwg. 2104771-002 B Drainage Strategy.

A cheque to cover the statutory application fee of £383 has been sent to the Council under cover of a separate letter.

Condition 10: Land Contamination

Condition 10 states:

Prior to the commencement of development approved by this planning permission the following components of a scheme to deal with the risks associated with contamination

Kent

01622 776226

Gatwick

01293 221320

London

020 3005 9725

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of the site, including the identification and removal of asbestos-containing materials, shall each be submitted to and approved, in writing, by the local planning authority:

a) A preliminary risk assessment which has identified:

- all previous uses o potential contaminants associated with those uses*
- a conceptual model of the site indicating sources, pathways and receptors*
- potentially unacceptable risks arising from contamination at the site*

and unless otherwise agreed in writing by the Local Planning Authority.

b) A site investigation, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site;

And unless otherwise agreed in writing by the Local Planning Authority.

c) Based on the site investigation results and the detailed risk assessment (b) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

Reason: To ensure that the risks from land contamination to the future users of the land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Accordingly, a Phase 1 and Phase 2 Geo-environmental & Geotechnical Assessment (Ground Investigation Report) has been produced by Jomas and is submitted in support of discharging the condition.

Condition 22: Drainage Strategy

Condition 22 states:

Prior to commencement of development, in accordance with the submitted Flood Risk Assessment and Drainage Strategy 2104771-01C by Ardent, October 2024, Revision C and Dwg. 2104771-002 B Drainage Strategy, October 2024 detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:

- i. *Additional detailed infiltration testing in accordance with BRE Digest 365 (or equivalent) along the length and proposed depth of the proposed attenuation basin. If infiltration is proven to be unfavourable then greenfield runoff rates will be attenuated to Q_{bar} 9.9 l/s as stated within section 6.7 of the FRA and Drainage Strategy.*
- ii. *Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 3.33% and 1% annual probability rainfall events (both including allowances for climate change).*
- iii. *Detailed designs, modelling calculations using up to date parameters and plans of the of the drainage conveyance network in the:*
 - *3.33% annual probability critical rainfall event plus climate change to show no above ground flooding on any part of the site.*
 - *1% annual probability critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development.*
- iv. *The design of the infiltration / attenuation basin will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1% annual probability rainfall event.*
- v. *Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding (including the ordinary watercourses, SuDS features and within any proposed drainage scheme) or 150mm above ground level, whichever is the more precautionary.*
- vi. *Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.*

Reason: To prevent flooding in accordance with National Planning Policy Framework paragraph 173 and 175 by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for

the lifetime of the development and to comply with policy DP41 of the District Plan and policy SA12 of the Site Allocations Development Plan Document 2022.

In response to the above it should be noted that the requested work has already been undertaken. This is summarised in the below table:

Condition 22 Requirement	Response
I. Additional detailed infiltration testing in accordance with BRS Digest 365 (or equivalent) along the length and proposed depth of the proposed attenuation basin.	Infiltration testing was already undertaken during the application stage and the details of this are outlined in the Phase 1 Geo-environmental & Geotechnical (Ground Investigation) Assessment Report by Jomas (dated February 2018). This confirms that infiltration is negligible.
II. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 3.33% and 1% annual probability rainfall events (both including allowances for climate change).	Provided calculations in the FRA & Drainage Strategy and and Dwg. 2104771-002 B Drainage Strategy. The SuDS attenuation features have been sized to accommodate run-off for all storms up to and including the 1 in 100-year event, with 45% climate change allowance, limiting the surface water discharge flows to the QBAR greenfield flow rate for the impermeable area of the site, which includes a 10% urban creep factor, through the construction of conservatories or extended hard surfaces via permitted development
III. Detailed designs, modelling calculations using up to date parameters and plans of the drainage conveyance network in the: - 3.33% annual probability critical rainfall event plus climate change to show no above ground flooding on any part of the site. - 1% annual probability critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any	Provided calculations in the FRA & Drainage Strategy (see Appendix D).

above ground flooding from the drainage network ensuring that flooding does not occur in any part of the building or any utility plant susceptible to water (e.g. pumping station or electricity station) within the development.	
IV. The design of the infiltration / attenuation basin will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1% annual probability rainfall event.	Provided calculations in the FRA & Drainage Strategy and and Dwg. 2104771-002 B Drainage Strategy. Any surface water exceedance flows will be channeled by the proposed site levels into the proposed highways and SuDS features serving the site, proceeding towards the northwest boundary where the ditches and ordinary watercourse are located.
V. Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding (including the ordinary watercourses, SuDS features and within any proposed drainage scheme) or 150mm above ground level, whichever is the more precautionary.	Provided calculations in the FRA & Drainage Strategy and Dwg. 2104771-002 B Drainage Strategy. Buildings will be kept 150mm above existing levels where possible to maintain exceedance flow routes in extreme events.
VI. Details of how all surface water management features to be designed in accordance with the SUDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.	Provided calculations in the FRA & Drainage Strategy and and Dwg. 2104771-002 B Drainage Strategy and covers treatment stages, demonstrating that it is in line with CIRIA guidance.

Closing

I trust you have sufficient information to validate the application and I look forward to receiving acknowledgement of its receipt in due course. If, however, you require additional information please let me know.

Yours faithfully,

