

LPA Ref: DM/24/2970
Our Ref: JP/24.064

Date: 15th January 2025

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West Sussex County Council
Lead Local Flood Authority
Ground Floor, Northleigh
County Hall
Chichester
West Sussex
PO19 1RH

Dear Mr Jackson,

DM/24/2970 - CAPITAL HAIR AND BEAUTY UNIT A, CONSORT WAY, BURGESS HILL, WEST SUSSEX, RH15 9TJ

Thank you for the LLFA consultee comments dated 24th December 2024, which are enclosed within this response. Please also see enclosed an annotated copy of the '*Planning Application Technical Response*' which addresses each of the 30 LLFA specific comments made. Please note, some items such as existing drainage survey, exceedance routes and flood resistance/resilience methods are already featured within the FRA on the planning portal.

Please can you review our responses and provide approval/comment.

We trust you find the above acceptable to support the planning submission, but should you have any queries please do not hesitate to contact us.

Yours sincerely,



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Lead Local Flood Authority

Date 24 December 2024

Planning Officer
Development Control
Mid Sussex District Council
Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

Dear Planning Officer,

RE: DM/24/2970 - Capital Hair And Beauty Unit A, Consort Way, Burgess Hill, West Sussex, RH15 9TJ

Thank you for your consultation on the above site, received on 11 December 2024. We have reviewed the application as submitted and wish to make the following comments.

This is a full application for proposed Construction of new commercial building within classes E(g), B2 and B8.

We **object** to this planning application in the absence of an acceptable FRA & Drainage Strategy because not in accordance with the NPPF, PPG Flood risk and coastal change or local policies. This means that flood risk could increase elsewhere.

Reason

To prevent flooding in accordance with National Planning Policy Framework paragraph 167, 169 and 174 by ensuring the satisfactory management of local flood risk, 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.

We will review this objection if the issues as highlighted on the attached Technical Response document are adequately addressed.

All the above details are required as they may affect site layout, volume of storage, flood risk and ground levels as this information should be contained within the FRA and associated Drainage Strategy to be in accordance with the NPPF.

Yours sincerely,

Mat Jackson

Flood Risk Management Team

FloodRiskManagement@westsussex.gov.uk

Planning Application Technical Response



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FULL APPLICATION	Related Policy or Standard	Applicant Action Required	LLFA Specific Comment
All sources of flooding considered?	NPPF Paragraph 165, 173 PPG Paragraph 051 SDNSTS S10	☐ Has the Sequential Test been considered?	
		Provide updated information within an amended FRA on; ☐ Fluvial flooding from the ordinary watercourse ☐ Surface water flow path originating offsite ☐ Groundwater flooding ☐ Rainwater surcharged sewer flooding ☐ Historic flood information	
		☐ Address concerns that there is not sufficient room within the development boundary to address flood risk mitigation and also achieved the suggested density of the development.	
Mitigation not appropriate	NPPF Paragraph 165, 173 and 180 PPG Paragraph 004, 023, 037, 041, 042, 043 and 044	☐ Use sequential approach with the following hierarchy. I. how can the development first avoid the risk of flooding II. how will it be mitigated (with evidence) III. how will flood resistance and resilience be employed	
		☐ The proposal increases the risk of flooding to existing infrastructure, dwellings or property. Mitigation should be reassessed to show how flood risk can be reduced overall.	
		☐ Provide information on safe access and egress to show how the development will be safe for its lifetime. This may include assessment of how	

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		proposals will not increase the number of people living and working in areas of flood risk and if there is any additional burden placed on the emergency services. An emergency plan may also form part of this assessment (see www.adeptnet.org.uk).	
Long term sustainability of the development	NPPF Paragraph 173 and 180 PPG Paragraph 004, 036, 061, 068 and 069	☐ Provide site specific ordinary watercourse or surface water flow path modelling.	
		☐ Demonstrate that any residual risk is managed with appropriate flood resistance and resilience measures.	
		☒ Include evidence of appropriate freeboard to finished floor levels from the design flood level.	Objection: Please provide information on a suitable plan.
		☐ Include appropriate climate change allowance for assessment of the lifetime of the development (including the 3.33% AEP design flood event).	
		☐ Use up to date FEH2022 rainfall data for all design flood events.	
		☒ Provide an easement of 3 m from the top bank of any watercourse is required for maintenance.	Objection: Please show on a plan.

Noted, amended drainage strategy will be provided.

Noted, amended drainage strategy will be provided.

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LLFA consent is required to connect to MH SWMS which flows towards The Herrings Stream, this mimics the existing situation.		☒ Identification is required of those structures which require consent for works on an ordinary watercourse (from the LLFA), this extends to works required within 8m from the top of the bank (see West Sussex LLFA website).	Objection: Please provide information.
Appointed geologist has confirmed site is underlain by Weald Clay & made ground, therefore infiltration not a viable option.		☒ Evidence required on ground conditions / BRE365 or similar infiltration testing / dissolution potential / seasonally high groundwater levels.	Objection: Please provide further information.
The site retains the existing unrestricted discharge, no run-off rates/volumes proposed.		☒ Greenfield runoff rates and volumes are missing or need to be recalculated (incorrect input parameters).	Objection: Please use up to date parameters FEH22
		☐ Pre-development brownfield runoff rates are missing or need to be recalculated (incorrect input parameters).	
Please refer to the Cadmap existing drainage survey enclosed within the FRA. A new SW connection further up the pipe length will be formed.		☒ Drawing required to show where existing drainage network and outfall/s are, plus confirmation if will they be retained or removed.	Objection: Please provide information.
Please refer to the Cadmap existing drainage survey enclosed within the FRA, already on planning portal.		☒ Drainage survey required to provide evidence of existing discharge rate and condition (may include detailed asset or CCTV survey).	Objection: Please provide information.

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Rainwater reuse not suitable for a commercial property.	NPDES Requirements 055, 056, 059, 060, 061, 062 and 063 SDNSTS S12, 13 and S14	Drainage location hierarchy has not been followed, further information is required on; ☒ evidence why rainwater reuse can't be included	Objection: Please provide information.
		☐ Source control and interception has not been provided by the provision of vegetated SuDS.	
		☐ Infiltration proposals – re Groundwater Source Protection Zone I restrictions.	
		☒ Surface watercourse – does it connect to the wider network and is there permission and agreed access locations for proposed outfalls?	Informative: please consult the LLFA with respect to discharge permit to ordinary watercourse.
SW pipe discharges to The Herrings Stream to the west. The client is the riparian owner and so access location confirmed.		☐ Surface water sewer – no in principle agreement from owner of the asset.	
		☐ Combined sewer – no in principle agreement from owner of the asset.	
		☐ In principle objection - proposing to connect surface water runoff to foul sewer.	

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		☐ Detailed justification required why the application cannot be drained via gravity and a pump is required.	
		☐ Full impact assessment of failure of a pumped system and emergency procedures to store 24 hours of water is required.	
		☐ Justification is required as to why a deep bore infiltration feature has been proposed prior to shallow infiltration or connection to a surface watercourse.	
	This is a replacement building with no open space within a commercial estate. Above ground SuDS not suitable here.	☒ The application must provide water quantity benefits in open, at the surface or above ground SuDS.	Objection: Please provide information.
	Multiple silt traps will collect silts/debris prior to discharge, this improves the water quality over the existing situation.	☒ The application must provide water quality benefits.	Objection: Please provide information.
		☐ Appropriate water quality assessment is absent / incorrect.	
		☐ Additional water quality treatment using surface SuDS is required due to the sensitivity of the discharge location (including groundwater, designated surface watercourses or deep infiltration features).	

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This is a replacement building with no open space within a commercial estate. Biodiversity features not suitable.		☒ The application must provide biodiversity benefits or demonstrate why this is not achievable (lack of space will not be accepted).	Objection: Please provide information.
		☐ The application must provide amenity benefits or demonstrate why this is not achievable (lack of space will not be accepted).	
How will the site drain without adversely effecting flood risk elsewhere?	NPPF Paragraph 173, 175 SDNSTS S2, S3, S4, S5, S6	☐ The most precautionary infiltration rate should be used in the design of the attenuation feature.	
		☐ Infiltration rates are shown to be favourable and should be used in the drainage design (where appropriate).	
		☐ Infiltration storage drainage design should be recalculated to either only discharge through the sides of the structure or apply the appropriate factor of safety.	
		☐ Infiltration drainage storage has half drain down time greater than 24 hours and an alternative design or mitigation is required.	
		☐ The post development 100% AEP (or 1 in 1 year) rainfall event runoff rate should also be controlled to the equivalent pre-development rate.	

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The existing impermeable area is 2,789m², the proposed is less at 2,780m².		☐ Proposed discharge rates and volumes are greater than greenfield with no justification.	
		☐ Proposed discharge rates include future allowances for climate change and / or urban creep. These must be removed, and all calculations resubmitted.	
		☐ Require justification and supporting calculations for brownfield % betterment and why this can't be closer to the predevelopment greenfield scenario.	
		☐ Proposed discharged rates would increase flood risk elsewhere and need to be re-assessed.	
		☐ A minimum runoff rate of 1 to 2 l/s/ha should be applied in groundwater dominated areas.	
		☒ How will the development not increase the volume of runoff as only pre and post calculations of greenfield runoff rate have been provided?	Objection: Please provide information.
		☐ A complex control for runoff rate with long term storage provided, is required, if the drainage proposal is not limiting runoff to QBAR or 2 l/s/ha.	

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The onsite pipework will be designed to a 75 year storm event which is appropriate for non residential properties, and include 45% Cc as per Adur & Ouse Peak Rainfall catchment.		☒ Include appropriate climate change allowance for the lifetime of the development (including 3.33% AEP design) for storage volumes.	Objection: Please provide information.
		☐ Calculations should be resubmitted and demonstrate how 10% urban creep has been included in the volume of SuDS storage required.	
Noted, FEH2022 will be used for detailed pipework sizing.		☒ Use up to date FEH2022 rainfall parameters in any modelling scenarios.	Objection: Please provide information.
Drainage Strategy plan already provided and on planning portal within the FRA.		☒ Drawings need to show all the drainage features (storage and conveyance) with labels the same as those in supporting calculations.	Objection: Please provide an updated drainage layout.
Drainage Strategy plan does show the final design, just detailed levels/gradients needed.		☒ Drawings need to show the final design (but not construction issue or preliminary issue).	Objection: Please provide an updated drainage layout.
There are no ponds/basins/swales.		☒ Cross sections and long sections of all the network and structures such as ponds, basins and swales.	Objection: Please provide.
What is the impact of flood risk on the	NPPF Paragraph 175	Updated supporting calculations required to show;	
Detailed modelling to be provided at detailed modelling stage, will use CV 1.		☒ revised modelling calculations to use a CV value of 1.	Objection: Please provide network drainage calculations including this.

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Detailed modelling to be provided at detailed modelling stage.		☒ 50% AEP rainfall event does not surcharge in the drainage network.	Objection: Please provide network drainage calculations including this .
Detailed modelling to be provided at detailed modelling stage.		☒ 3.33% AEP rainfall event plus climate change does not flood outside the drainage network which is designed to hold water.	Objection: Please provide network drainage calculations including this.
1.33% (75yr) rainfall will be used for the detailed modelling as a non-residential property, as per NPPF. To be provided at detailed modelling stage.		☒ 1% AEP rainfall event plus climate change does not leave the application boundary or flood any part of a building, utility plant susceptible to water (e.g. pumping station or substation) within the development boundary.	Objection: Please provide network drainage calculations including this .
Noted, detailed modelling to be provided at detailed modelling stage using 45%.		☒ the appropriate climate change allowance must be included.	Objection: Please use 45% allowance for climate change.
		Additional information is required showing;	
This scheme is a replacement building, the existing FFL will be mimicked. Please refer to sections 3.4 & 3.5 of the FRA.		☒ above ground flooding (extent and depth) at the 1% AEP rainfall event plus climate change must be shown on a drawing with proposed external ground levels and proposed finished floor levels of buildings	Objection: Please provide an updated drainage layout showing the location and depth of flooding.
This scheme is a replacement building, the existing FFL will be mimicked. Please refer to sections 3.4 & 3.5 of the FRA.		☒ above ground flooding (extent and depth) at the 1% AEP rainfall event plus climate change should be designed to be held in the least vulnerable areas of the site e.g. open space.	Objection: Please provide an updated drainage layout showing the location and depth of flooding.

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Please refer to section 4.11 of the FRA. Please refer to the enclosed drawings of the FRA, already on planning portal.		Flood resistance and resilience must be shown to be included in the design. ☒ A minimum of 300mm must be provided between any design flood event and the finished ground floor level. ☒ A minimum of 150mm above external ground levels and show that they are sloping away from vulnerable areas such as doorways.	Objection: Please provide.
		☒ Exceedance of the design 1% AEP rainfall event plus climate change (or failure of the drainage network) must be shown on a drawing, minimising impacts to people and property. This drawing will include proposed external ground levels, finished floor levels and any designed slopes on impermeable surfaces such as highways or car parks	Objection: Please provide.
		☐ ½ drain down times need to be submitted and show that they are within 24 hours (or within 48 hours for features that are lined e.g. lined tanks or lined basins).	
		☐ Any drainage network showing storage features with ½ drain down time greater than the 24 hours (or 48 hours for lined structures) must be redesigned to show how it can meet this standard or be increased in size to accommodate a subsequent storm event of 3.33% plus climate change allowance.	

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Noted, the front car park will flood in this scenario and act as temporary storage.		☒ The drainage calculations must be shown to include a surcharged outfall to a watercourse or sewer. This surcharge level must be the 1% AEP flood event of the receiving watercourse if known or bank full if not already hydraulically modelled.	Objection: Please provide.
How will the drainage and watercourse features be managed and maintained?	NPPF Paragraph 175 PPG Paragraph 055, 057 and 058 SDNSTS S10, S11, S12, S13 and S14	☐ Details of required maintenance of any SuDS features and structures and who will be adopting these features for the lifetime of the development.	
Noted, chosen contractor to provide.		☒ A high-level assessment of how water quantity and water quality will be managed during the construction phase is required. Identifying high level assumptions such as need to discharge to a sewer or watercourse will appropriate pollution measures.	Objection: Please provide.
No SuDS onsite.		☒ Appropriate easements (to the adopting authority standard) to SuDS features should be shown on a drawing, this will be a minimum of 3m.	Objection: Please update any drawings.
		☐ Vehicular access route and off-road parking needs to be provided to ponds, basins and swales.	
Noted, 3m easement from culvert will be provided.		☒ Provide an easement of a minimum of 3 m from the top bank of any watercourse is required for maintenance of the watercourse. This should be on both banks but justification should be provided if	

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		access is proposed from only one side of the bank or less than 3m (e.g. 2.5 times the width of any plant likely to be used (from the top of bank with maintenance plant parallel to the watercourse).	
		☐ Due to the likely long duration build out time (including phased development proposals), a construction management plan and supporting calculations and drawings are required to show a timeline of how temporary measures will be put in place to protect the water environment and any newly built SuDS features. This will include any temporary water quality and flow control devices	
		☐ As it is a phased development, a surface water management and construction phasing plan is required. This must show how each phase can be provided independently (in terms of surface water drainage) and how any infrastructure which is relies on will be constructed prior to any housing or commercial development.	

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Other		☐ Bespoke advice	