

From: Dan Holmes <d.holmes@batchellermunkhouse.com>
Sent: 12 February 2025 14:57:14 UTC+00:00
To: "Hamish Evans" <Hamish.Evans@midsussex.gov.uk>
Subject: RE: DM/24/2913 Pellings Barn Mill Lane Sayers Common Agri building conversion to dwelling
Attachments: PELLINGS revised-127_08_PROPOSED GF PLAN_revA.pdf, Technical Note 1-Level for Level Flood Compensation.pdf

Dear Hamish,
Following the response by the MSDC Flood Risk and Drainage Team I make the following notes:

It is unclear whether the supporting FRA has been reviewed or the all design measures considered, as they are not referenced within the response.
I make reference to our supporting FRA which references Mid Sussex's SFRA:

4.4.1 SW Flood Zone 3b (the functional floodplain)

The council's SFRA states:

"There are also areas of high surface water flood risk (1 in 30 annual probability) that should be considered as the functional floodplain, particularly in locations where there is nowhere else for the water to drain to."

Generally no new development is permitted on the functional floodplain.

However this barn is an existing solid building and other than internal works there are no planned extensions or similar physical external development. We therefore refer again to the SFRA which also states:

"Areas which would naturally flood, but which are prevented from doing so by existing defences, infrastructure and/or solid buildings, will not normally be identified as functional floodplain."

Given the existing building is a "solid building" and the fact that surface water on site does have somewhere else to drain to, namely the ditch network to the North we suggest, in alignment with the SFRA, that the proposal should not be considered as new development in the functional floodplain but considered as a change of use of an existing building albeit, with an associated flood risk.

The SFRA forms part of the Policy evidence base. Our expectation is that the SFRA should be used to steer the flood officers comments.

It should be raised that the open sided element of the barn referred to in the response cannot be classed as habitable, as it only serves a covered outdoor area, store and utility. The habitable

quarters of the barn are all proposed to the west, where flood resilient measures have been proposed (see drawing 127_08).

I note the comments made stating that the proposed development would displace floodwater post development. If loss of floodplain is an issue then it appears that the wider site could offer compensatory volume in line with the C624 methodology (level for level, volume for volume). There is no reason why this could not be conditioned.

The doc with the basics of this method is attached. Basically for every unit area of displaced water, a similar plan area has to be provided by land lowering elsewhere in the same general location.

Flood water does not see "red lines" so this can be provided outside of the red-line of the site. Section 5 of the attached technical note describes the information that could be submitted. If we were to provide this information could this be imposed as a prior to commencement condition?

Kind regards,

 **Dan Holmes BA (Hons) MSc MRTPI**
Associate | Professional
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Mobile: 07968 753579
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From: Hamish Evans <Hamish.Evans@midsussex.gov.uk>
Sent: 07 February 2025 10:15
To: Dan Holmes <d.holmes@batchellermonkhouse.com>
Subject: RE: DM/24/2913 Pellings Barn Mill Lane Sayers Common Agri building conversion to dwelling

Dear Dan,

Thank you for the below. Happy to agree an extension of time, however please could it be to the 28th as I have a weeks leave booked w/c 17th?

Thank you,
Kind regards,

Hamish Evans
Planning Officer
Direct Line: 01444 477228
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From: Dan Holmes <d.holmes@batchellermunkhouse.com>

Sent: 06 February 2025 16:43

To: Hamish Evans <Hamish.Evans@midsussex.gov.uk>

Subject: RE: DM/24/2913 Pellings Barn Mill Lane Sayers Common Agri building conversion to dwelling

Dear Hamish,

Thank you for the email, despite its most disappointing content. We will of course like to respond to this as no reference has been made at all to the FRA and any mitigation measures proposed. I would like to fully review with both the client and flooding consultant and suggest an EOT until 21st February, which I hope you will agree to. Please could you confirm,

Kind regards,

Dan Holmes

From: Hamish Evans <Hamish.Evans@midsussex.gov.uk>

Sent: 06 February 2025 16:22

To: Dan Holmes <d.holmes@batchellermunkhouse.com>

Subject: RE: DM/24/2913 Pellings Barn Mill Lane Sayers Common Agri building conversion to dwelling

Dear Dan,

Thank you for the below email. I have now received the attached comments from our Flood Risk and Drainage team on the application. Unfortunately they are objecting to the proposal, as I promised I am happy to agree an extension of time for you to formulate a response or attempt to overcome the objections that have been raised. Or I can look to determine the application however, unfortunately I would be recommending refusal. I agree you have worked collaboratively and I believe I have also. You would have the right to submit an application under section 192 of TCPA for proposed development however unfortunately it is my opinion that it would not be granted consent as prior approval hasn't been granted.

If you could provide a response by 11am tomorrow that would be really helpful.

I appreciate the above is disappointing however I hope it is of use.

Thank you,

Kind regards,

Hamish Evans

Planning Officer

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From: Dan Holmes <d.holmes@batchellermunkhouse.com>

Sent: 06 February 2025 11:53

To: Hamish Evans <Hamish.Evans@midsussex.gov.uk>

Subject: RE: DM/24/2913 Pellings Barn Mill Lane Sayers Common Agri building conversion to dwelling

Hi Hamish,

I appreciate that there has been nothing sent by the LLFA in writing but it would be helpful if you could provide the gist of the concern raised within that phone call. You mentioned in your previous email that if a response had not been provided by 5th February you would issue a decision.

The FRA is conclusive and robust and the 56 day rule does not allow for late consultation responses, regardless of the delays faced.

We have worked collaboratively with you by agreeing to two extensions of time and though I appreciate the delays, we would have the right to make a CLPD application on the basis of non-determination and that a refusal to give Prior Approval could also be appealed on that basis.

I would be grateful if you can provide me with a response on this, which should include your view on our FRA as you have previously confirmed that you would.

Kind regards,

 **Dan Holmes BA (Hons) MSc MRTPI**
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From: Hamish Evans <Hamish.Evans@midsussex.gov.uk>

Sent: 06 February 2025 11:40

To: Dan Holmes <d.holmes@batchellermonkhouse.com>

Subject: RE: DM/24/2913 Pellings Barn Mill Lane Sayers Common Agri building conversion to dwelling

Dear Dan,

Thank you for the below. I don't have the comments yet but hopefully will have them shortly and as soon as I have I will forward them on.

Thank you,
Kind regards,

Hamish Evans
Planning Officer
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From: Dan Holmes <d.holmes@batchellermunkhouse.com>

Sent: 06 February 2025 11:32

To: Hamish Evans <Hamish.Evans@midsussex.gov.uk>

Subject: RE: DM/24/2913 Pellings Barn Mill Lane Sayers Common Agri building conversion to dwelling

Hi Hamish,

Can you please provide detail on what the queries and concerns are. I note that the comments have been made available on the portal.

Kind regards,

From: Hamish Evans <Hamish.Evans@midsussex.gov.uk>

Sent: 06 February 2025 11:23

To: Dan Holmes <d.holmes@batchellermunkhouse.com>

Subject: RE: DM/24/2913 Pellings Barn Mill Lane Sayers Common Agri building conversion to dwelling

Dear Dan,

I hope all is well. I have just spoken to the our drainage coordinator and they have indicated that there are queries and concerns regarding the proposal, as I confirmed previously I will be happy to agree an extension of time with you so you have plenty of time to provide additional information etc. As soon as I have their comments I will pass them on to you but I thought it would be helpful to give you a heads up.

Thank you,

Kind regards,

Hamish Evans

Planning Officer

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From: Dan Holmes <d.holmes@batchellermunkhouse.com>

Sent: 30 January 2025 14:16

To: Hamish Evans <Hamish.Evans@midsussex.gov.uk>

Subject: RE: DM/24/2913 Pellings Barn Mill Lane Sayers Common Agri building conversion to dwelling

Dear Hamish,

Thankyou for the response and time on the phone. On this occasion we will agree to the extension of time as requested until 07/02/2025.

However, we would appreciate your views on the FRA so that we can be fully prepared to respond if required. Whilst I appreciate the matters at WSCC and the EA are complex and have lead to the backlog, my client has gone to great expense to address the matters of concern previously raised. I would be grateful if you could discuss this with your TL and come back to me with your view in case there are further delays incurred.

Kind regards,



Dan Holmes BA (Hons) MSc MRTPI

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From: Hamish Evans <Hamish.Evans@midsussex.gov.uk>

Sent: 30 January 2025 12:02

To: Dan Holmes <d.holmes@batchellermonkhouse.com>

Subject: RE: DM/24/2913 Pellings Barn Mill Lane Sayers Common Agri building conversion to dwelling

Dear Dan,

Thank you for the below and your time on the phone. Please see below my responses to your queries.

1. If a response from our drainage team is not received today then we will be required to make a decision on the application I am not in a position to advise what that decision would be at this moment as I need to discuss it with my line manager. It would either be an approval or a refusal.
2. The consultation response is being provided by WSCC as the Lead Local Flood Authority and I have been advised that the delay has been caused by new mapping data being provided by the Environment Agency in the last few days, this issue hasn't only impacted this application.
3. We are required to work proactively with applicants and agents and you have worked proactively with me on this application. If concerns are raised by the drainage team I will be happy to agree a further extension of time that you consider necessary to provide a response or additional information.
4. So we would look to make a decision on the application not look to allow a deemed consent situation to happen.

I hope the above is of use. If you could let me know by at the latest 3pm that would be much appreciated.

Thank you,
Kind regards,

Hamish Evans

Planning Officer

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Working Together for a Better Mid Sussex

From: Dan Holmes <d.holmes@batchellerm Monkhouse.com>

Sent: 30 January 2025 11:37

To: Hamish Evans <Hamish.Evans@midsussex.gov.uk>

Subject: RE: DM/24/2913 Pellings Barn Mill Lane Sayers Common Agri building conversion to dwelling

Hi Hamish,

I have just tried calling back. I will be away from my desk between 12 and 1:30pm, but back after that if you'd like to call.

I have a number of questions that you might be able to answer;

1. Can you provide a view on the design measures and FRA we have submitted. If you had to make a decision on this today would you recommend approval? I appreciate that you seek comment from the Drainage Consultant on this matter as it lies within their area of expertise. However you confirmed that if they did not respond by 5th Feb you would be forced to issue a decision. We would appreciate your view on this.
2. What would the additional 4 working days help you to achieve? I would hope that at this stage, at 7 days past the original deadline that the report is written subject to the final comment. By agreeing we would have no time to respond to any comments made by the consultant.
3. If we were to agree to this further extension of time, you could still refuse this. We are yet to receive any positive comment following the FRA and design features which the applicant has carried out at great expense. We would need some level of assurance that you are satisfied with the steps taken.
4. Clearly we hoped to achieve an approval over a deemed consent, but a deemed consent would be superior to a refusal. I would be grateful if you can confirm the outcome if we weren't to agree to an EOT and that 'deemed consent' would be issued if not determined today.

Kind regards,



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Associate | Professional

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From: Hamish Evans <Hamish.Evans@midsussex.gov.uk>

Sent: 29 January 2025 16:56

To: Dan Holmes <d.holmes@batchellermunkhouse.com>

Subject: RE: DM/24/2913 Pellings Barn Mill Lane Sayers Common Agri building conversion to dwelling

Dear Dan,

Much appreciated, just to note this still would not forfeit permission being granted if a decision is not made by the calendar day after this requested extension.

Thank you,
Kind regards,

Hamish Evans
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From: Dan Holmes <d.holmes@batchellermunkhouse.com>

Sent: 29 January 2025 16:53

To: Hamish Evans <Hamish.Evans@midsussex.gov.uk>

Subject: RE: DM/24/2913 Pellings Barn Mill Lane Sayers Common Agri building conversion to dwelling

Dear Hamish,
I have made the request and will come back to you on this.

Kind regards,

 **Dan Holmes BA (Hons) MSc MRTPI**
Associate | Professional
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From: Hamish Evans <Hamish.Evans@midsussex.gov.uk>

Sent: 29 January 2025 15:37

To: Dan Holmes <d.holmes@batchellermunkhouse.com>

Subject: RE: DM/24/2913 Pellings Barn Mill Lane Sayers Common Agri building conversion to dwelling

Dear Dan,

Thank you for the below email. Unfortunately I still have not heard from the drainage team and unfortunately we don't have an emergency planner in post. I am still chasing for a response. Is there any way your client is willing to agree an extension of time until 07.02.2025? If I have not received a response by 05.02.2025 then I will look to determine the application without their comments.

Apologies for the delay in the determination of this application.

Thank you,
Kind regards,

Hamish Evans
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From: Dan Holmes <d.holmes@batchellermunkhouse.com>
Sent: 27 January 2025 11:38
To: Hamish Evans <Hamish.Evans@midsussex.gov.uk>
Subject: RE: DM/24/2913 Pellings Barn Mill Lane Sayers Common Agri building conversion to dwelling

Dear Hamish,
Just to follow up on our call and emails last week. If you do not receive a response from the flooding consultant in time for the agreed EOT, will you be able to determine the application? I wondered if it might be worth engaging with the Council's Emergency Planner (if Mid Sussex have one?) who might be able to provide a view on the design features that have been proposed that design out the flood risk, and the access and egress strategy.

Kind regards,

 **Dan Holmes BA (Hons) MSc MRTPI**
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From: Hamish Evans <Hamish.Evans@midsussex.gov.uk>
Sent: 22 January 2025 13:24
To: Dan Holmes <d.holmes@batchellermunkhouse.com>
Subject: RE: DM/24/2913 Pellings Barn Mill Lane Sayers Common Agri building conversion to dwelling

Dear Dan,

Thank you for the below, as soon as I have heard back from them I will let you know. Also just to note it is my understanding that in agreeing to an extension of time your client does not forfeit the deemed consent option, it would just be moved to the day after the agreed extended deadline.

I hope the above is of use.

Thank you,
Kind regards,

Hamish Evans
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From: Dan Holmes <d.holmes@batchellermunkhouse.com>
Sent: 22 January 2025 12:40
To: Hamish Evans <Hamish.Evans@midsussex.gov.uk>
Subject: RE: DM/24/2913 Pellings Barn Mill Lane Sayers Common Agri building conversion to dwelling

Dear Hamish,
Having discussed with our client we are happy to agree to an extension of time for 7 days until 30th January, as you requested in our phone call.
Please let me know if the flood risk consultant provides their view in the mean time, or if the Council's Emergency Planner is satisfied with the safe access and egress measures designed into the plans.

Kind regards,

 **Dan Holmes BA (Hons) MSc MRTPI**
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From: Dan Holmes
Sent: 22 January 2025 12:01
To: Hamish Evans <Hamish.Evans@midsussex.gov.uk>
Subject: RE: DM/24/2913 Pellings Barn Mill Lane Sayers Common Agri building conversion to dwelling

Hi Hamish,

Thanks for the call just now and apologies for the slow response. As mentioned, I would need to confirm with the client that they would agree to an extension of time to allow for a decision to be issued.

The application was validated on 28th November, the Flood Risk Assessment was then sent to you on 10th December, some 6 weeks ago which should give the Flood Risk Consultant time to review. This still allowed for the required 21 days for notification.

It would be helpful if you could confirm in writing what your process would be if we weren't to agree to the extension of time. Our understanding is that the flooding matter is the only matter to be addressed, we believe we have designed out the risk within the plans and it would be helpful to at least get your view on that.

Usually if not determined within the time frame the application would be 'deemed consent'. This would still be the case if we were to agree to a further week? I would be happy to work with you on this but I have to act in the best interest of my client. If you can provide me with the different options available here I would be grateful and can relay to the client.

Kind regards,

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Associate | Professional
Phone: 01798 877555
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From: Hamish Evans <Hamish.Evans@midsussex.gov.uk>

Sent: 20 January 2025 08:47

To: Dan Holmes <d.holmes@batchellermunkhouse.com>

Subject: RE: DM/24/2913 Pellings Barn Mill Lane Sayers Common Agri building conversion to dwelling

Dear Dan,

I hope all is well. I haven't heard from our drainage and flood risk consultant regarding the above application yet. I have chased for a response. Please could you agree an extension of time until 07.02.2025?

Thank you,
Kind regards,

Hamish Evans

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Working Together for a Better Mid Sussex

From: Dan Holmes <d.holmes@batchellermunkhouse.com>
Sent: 10 December 2024 10:09
To: Hamish Evans <Hamish.Evans@midsussex.gov.uk>
Subject: RE: DM/24/2913 Pellings Barn Mill Lane Sayers Common Agri building conversion to dwelling

Dear Hamish
Apologies, it is attached for you here.

Kind regards,

 **Dan Holmes BA (Hons) MSc MRTPI**
Associate | Professional
Phone: 01798 877555
Mobile: 07968 753579
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Address: Stratton House, 57 Lower Street, Pulborough, West Sussex, RH20 2AZ

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From: Hamish Evans <Hamish.Evans@midsussex.gov.uk>
Sent: 09 December 2024 14:14
To: Dan Holmes <d.holmes@batchellermunkhouse.com>
Subject: DM/24/2913 Pellings Barn Mill Lane Sayers Common Agri building conversion to dwelling

Dear Daniel,

I hope all is well. Regarding the above application the submitted documents state that a Flood Risk Assessment has been submitted with the application. I cannot see one on the file and I have checked with our support team and they have advised that one has not been submitted. Please could you send this to me so I can save it to the file?

Thank you,
Kind regards,

Hamish Evans
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