

From: drainage <drainage@midsussex.gov.uk>
Sent: 21 April 2026 14:44:28 UTC+01:00
To: "Peter Davies" <Peter.Davies@midsussex.gov.uk>
Cc: "drainage" <drainage@midsussex.gov.uk>
Subject: 2026.04.20 Re: DM/26/0627 - 25 Dale Avenue

Dear Peter,

Thank you for your email and for the additional information following your site visit.

We respond to your points below:

Vulnerability classification

We acknowledge your comments regarding the proposed outbuilding being incidental and not used for overnight accommodation.

However, for the purposes of flood risk planning, the site forms part of a residential planning unit (C3 use). As such, the development is associated with a 'more vulnerable' land use, as defined in NPPF Annex 3.

The classification is not applied solely to the individual structure, but to the use of the site as a whole, which remains residential.

Flood Zone 3b – policy position

Flood Zone 3b (functional floodplain), including areas of high surface water flood risk (>3.3% AEP), represents land where water must flow or be stored during flood events.

In accordance with the Flood Risk Vulnerability and Flood Zone Compatibility Table (PPG Paragraph 079), 'more vulnerable' development is not permitted within Flood Zone 3b.

On this basis, the Flood Risk and Drainage Team maintains **an in-principle objection** to the proposal.

Existing development / hardstanding and wider implications

We note your comments regarding previous structures and the presence of hardstanding. However, the existence of previous development does not override national planning policy.

The key consideration is whether the proposal would:

- Introduce built form within an area required for flood storage or flow, and
- Result in an unacceptable risk to people or increase flood risk elsewhere

Even small-scale or replacement structures within Flood Zone 3b are generally resisted unless they can be clearly demonstrated to be water-compatible and not increase flood risk.

We would also highlight that supporting development in areas equivalent to Flood Zone 3b—particularly where associated with residential use—would risk undermining the consistent application of local policy across Mid Sussex. Allowing such development would set an unhelpful precedent, making it more difficult to resist similar proposals within mapped surface water flow paths (Flood Zone 3b equivalent) in future cases.

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Given that the site visit photos provided show no evidence of existing built structures in the area of the proposed outbuilding, it is understood that the existing outbuildings on site have already been demolished. As such it is considered that the proposed outbuilding will be new built footprint within Flood Zone 3b, and thereby could displace floodwaters and affect flood storage and flow routes – which is against policy.

If you consider that the existing outbuildings (demolished), are still there in planning terms, then we would be willing to consider a replacement outbuilding on the same built footprint as existing (a like for like replacement, with no increase in built footprint), or preferentially moving the same built footprint further away from the Ordinary Watercourse at the rear of the site. We would still look for betterment to be provided in flood risk terms, for example by raising the replacement built footprint on floodable voids.

Permitted development

We note your point regarding permitted development. However, our response is based on the proposal as submitted under the planning application.

The existence of permitted development rights is a separate planning consideration and does not alter the policy position in relation to flood risk and functional floodplain.

As the Case Officer if you are minded approving the application

Notwithstanding the above, if you are minded granting permission, we would strongly recommend that:

- The structure is set at least 600mm above the ground and it would need to be fully voided underneath, with no raising of land, solid platform, or steps
- It is confirmed as incidental only, with no sleeping accommodation permitted
- The development is designed so as not to impede the identified surface water flow path or reduce floodplain storage
- Consideration is given to flood-resilient construction methods

These measures would be necessary to minimise potential impacts on flood risk.

Our comments are provided subject to a condition that the proposed building shall remain ancillary to the main dwelling and shall not be used as a separate unit of residential accommodation at any time. No conversion to residential use shall take place without the submission and approval of a full planning application.

In addition to the above, we would recommend the following: Condition is attached to the application.

Works within 8m of drain or watercourse

No part of any concrete foundations and no construction activities shall be within 8 metres of any drain or watercourse.

Reason: In the interests of protecting the natural environment.

Best Wishes

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