TN03 – Response to LLFA Letter of 6th November 2025

Site:	Land East of Mousdell Close Rectory Lane Ashington
Prepared by:	Phil Allen MCIWEM C.WEM
Approved by:	Jason Morgans
Date:	25th November 2025

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1.0 Introduction

1.1 This technical note has been produced by the design and planning team in response to WSCC's letter of 6th November 2025, in their role as the LLFA, which is included in this technical note in Appendix A.

1.2 This technical note responds to the LLFA's comments and provides additional information intended to support a clearer understanding of the site's opportunities, constraints, and the competing design and regulatory requirements that must be considered within the planning balance.

1.3 Each of the LLFA's comments are below in blue, with the design and planning team's response following.

2.0 Design and Planning Team Response

2.1 Motion and the design/planning team's response to the LLFA's concerns is below and clearly signposted with the LLFA's objection points being followed by Motion's response.

Objection 1:

"The Flood Risk Assessment submitted as part of this application is dated 4th August 2025, which was after the new "National Standards for Sustainable Drainage Systems (SuDS)" were published by Defra (in June 2025). However, the FRA still refers to the superseded "Non-Statutory Technical Standards for SuDS" and the surface water drainage strategy fails to align with the requirements of the new SuDS standards (which put a much greater emphasis on water re-use, interception, source control, and surface-level open SuDS features and the use of multiple SuDS features in series to improve water quality, site amenity and ecology). We are of the view that meeting the new SuDS standards is likely to require significant changes to be made to the layout. (The necessary changes should reduce the reliance on and large scale of 'end of system' attenuation features, particularly subterranean plastic crate storage)."

Response:

2.2 We acknowledge the publication of the new National Standards for Sustainable Drainage Systems (SuDS) (Defra, June 2025) and recognise the need for drainage strategies to evolve in response. However, as previously outlined in our technical note, drainage is only one of several statutory and regulatory requirements that influence the form and layout of a development. The planning system requires these often-competing considerations to be balanced in a pragmatic and deliverable manner.

2.3 In this case, WSCC as the LLFA has advised that the layout should be fundamentally re-designed to accommodate significantly more surface-level SuDS features, potentially at the expense of developable land. Whilst we understand the LLFA's aspiration for an exemplar SuDS scheme, this must be weighed against other mandatory requirements that apply equally to the development and form part of the statutory planning framework.

2.4 We explored incorporating rainwater gardens within the site layout; however, the only viable locations conflicted with service corridors. Following consultation, we were advised that these features and services cannot occupy the same space. Additional areas were assessed for rainwater gardens, but the remaining suitable locations were within private curtilages, where centrally coordinated maintenance could not be guaranteed, and the rainwater gardens could not be adequately protected.

Biodiversity Net Gain (BNG)

2.5 The requirement to achieve a minimum 10% BNG is now a legal obligation. Increasing green space solely to accommodate SuDS features does not deliver meaningful uplift in BNG scores in most cases (as many SuDS features score neutrally or only marginally under the Statutory Metric). However, increasing the quantum of green infrastructure does increase the total site baseline habitat value, thereby raising the BNG uplift required to achieve compliance.

2.6 In practice, shifting additional land into SuDS can paradoxically:

- Increase BNG obligations,
- Reduce the land available for habitat creation, and
- Drive the scheme further from statutory compliance, not closer to it.

2.7 This is a clear example of competing statutory obligations in which one regulatory requirement (SuDS) cannot be achieved without materially undermining another (BNG). Therefore, the LLFA's recommendation must be balanced against the legal responsibility to secure deliverable BNG outcomes.

Amenity, Open Space and Design Quality

2.8 The site must also provide high-quality public open space, children's play provision, and a layout that delivers appropriate residential amenity for future occupiers. These are core policy expectations under the NPPF and Horsham's emerging policy framework.

2.9 Allocating substantial additional areas to SuDS infrastructure would inevitably reduce the available land for functional and well-located public open space, compromise the legibility and usability of the layout, and risk pushing SuDS features into locations that undermine amenity or create overshadowing, safety, or management concerns. Such outcomes would run counter to the policy imperative to create healthy, attractive and well-functioning neighbourhoods.

Draft Allocation Status and Housing Delivery

2.10 The site is identified as a draft allocation in the emerging Horsham Local Plan, with an indicative capacity of 75 dwellings. We are proposing 74 dwellings, which reflects a responsible and constraint-led approach balancing drainage, landscape, design, heritage, and ecological considerations.

2.11 The LLFA's suggestion that additional land be reserved for an expanded SuDS strategy would require a reduction in the number of dwellings, directly conflicting with the strategic spatial aspirations and the emerging plan's indicative yield. Reducing unit numbers further would undermine the site's role in meeting local housing needs and Horsham's broader delivery strategy at a time when national policy places strong weight on boosting housing supply and maintaining a deliverable pipeline.

The Planning Balance

2.12 We fully support continued dialogue with the LLFA. However, as recorded in the email of 14 November, WSCC indicated they were unwilling to engage during the live application because we had not taken the opportunity for pre-application discussions had taken place - despite the fact that material policy changes have arisen between the time when pre-application discussions would have taken place and the submission of the FRA. Continued engagement is essential in the public interest to ensure compliance with the new SuDS Standards is proportionate, achievable, and balanced against other statutory requirements.

2.13 In summary, while we recognise the importance of the new National SuDS Standards, it is neither reasonable nor consistent with the plan-led system to expect a wholesale redesign that would:

- render BNG compliance significantly more challenging;
- displace land required for high-quality public open space and amenity; and

- reduce the already optimised housing yield, conflicting with the draft allocation and undermining the delivery of much-needed homes.

The appropriate approach is a proportionate refinement of the drainage strategy that responds to the new Standards without unravelling the site's ability to meet the wider set of statutory, policy and place-making expectations.

Objection 2:

2.14 *"The results of appropriate ground investigations should be submitted to support the SuDS scheme design. The applicant has now submitted a geoenvironmental report dated (3rd October 2025) containing ground investigation results that illustrate on-site infiltration is unviable (due to poor infiltration rates). We thank the applicant for providing this evidence as without it we were unable to determine if the drainage strategy was aligned with the drainage hierarchy. However, the report does not contain any peak winter groundwater monitoring results). As discussed in my initial comments; the results of winter groundwater monitoring are necessary to inform the SuDS proposals. If peak winter groundwater levels are deep enough, attenuation features should be permeably lined (or unlined where appropriate), to utilise any limited infiltration potential that exists, but if peak groundwater levels are so shallow that they may be above the base of any attenuation features it will be necessary to impermeably line the features to ensure their capacity is not compromised by groundwater. In that latter scenario the applicant should also provide details showing that any floatation potential has been appropriately mitigated). We feel that the peak winter groundwater monitoring results can be presented at the discharge of conditions stage, should permission be granted"*

Response:

2.15 The drainage strategy does not intend to use infiltration, which is usually the precursor to providing groundwater monitoring. However, the LLFA wish to see groundwater monitoring on the basis that:

"*If peak winter groundwater levels are deep enough, attenuation features should be permeably lined (or unlined where appropriate), to utilise any limited infiltration potential that exists, but if peak groundwater levels are so shallow that they may be above the base of any attenuation features it will be necessary to impermeably line the features to ensure their capacity is not compromised by groundwater. In that latter scenario the applicant should also provide details showing that any floatation potential has been appropriately mitigated). We feel that the peak winter groundwater monitoring results can be presented at the discharge of conditions stage, should permission be granted*".

2.16 Soakage testing was undertaken in August 2025 during a period of peak dry conditions. The tests showed no reduction in water levels within the trial pits following water introduction, indicating that the soils do not permit infiltration under even the driest conditions. The ground is therefore considered impermeable.

2.17 This confirms two key points:

- The soils are highly hydraulically unproductive, meaning infiltration will not occur at any time of year, regardless of whether SuDS features are lined or unlined. Consequently, lining these features is appropriate, particularly to mitigate potential groundwater level variations.
- Given the impermeability of the soils, groundwater ingress is not anticipated, as the soil conditions prevent throughflow.

2.18 Concerns regarding uplift of lined systems are not applicable. Permeable pavement is not susceptible to uplift due to the mass of the stone, and open SuDS features such as basins cannot be uplifted. The proposed tank will be lined and constructed with a concrete plinth to resist uplift. As this is a standard design consideration, it will be addressed at the detailed design stage rather than at planning.

2.19 If groundwater monitoring is required as part of the LLFA's validation process, rather than for engineering necessity, we are willing to accept a pre-commencement condition to address this requirement.

Objection 3(a):

2.20 *"Further information about the acceptability of the proposed discharge to the receiving watercourse needs to be submitted. The new technical note states: "The drainage ditch shown in the topographic survey is not that which is intended for the surface water discharge (hence why we are not addressing the comment that there appears to be a blockage in this ditch). The drainage ditch that is on the topographic survey is a drainage grip dug by the farmer to assist with field drainage. The actual discharge point will be the watercourse that is immediately to the south of the drainage grip on the boundary of the site (and which the landowner has riparian rights to)." This statement appears to directly contradict the Drainage Strategy Plan (Drawing ref: 2504072-0501 P03) that was re-submitted as appendix K of the technical note. In that drawing the outfall from the proposed SuDS scheme is shown to discharge to a non-contiguous ditch within the site boundary and north of the tree line, which would appear to be the drainage grip mentioned above.*

Response:

2.21 WSCC as the LLFA are correct on this matter and the incorrect outfall was shown on the plan. This has been corrected, and the outfall is now to the full drainage ditch. See Appendix B.

Objection 3(b):

As discussed in my initial comments: The surface water drainage layout plan provides insufficient information about the receiving watercourse's: location, nature, condition, hard bed levels, and connectivity with the wider network of watercourses. To remove our objection, we need to be satisfied that there is a viable destination for the site's discharge. Therefore, if the above statement from the technical note is correct (thus meaning the drainage strategy plan is erroneous), can the applicant please submit an amended drainage plan, detailing: The proposed discharge invert level, the existing silt levels, and the hard bed levels in the receiving watercourse. Additionally, two images of what I assume is the watercourse in question have been uploaded to the portal (dated 23rd October), these two images also raise concerns about the condition of the watercourse, as it appears to be severely obstructed with silt and debris). Can the applicant therefore please add a note to the amended drainage strategy plan confirming that routine the maintenance (in the form of removal of debris, de-siltation and re-grading) necessary to ensure the receiving watercourse is in a suitable condition to receive the discharge from the site, will be undertaken.

Response:

The location and nature of the watercourse outfall are displayed in the picture on the next page, which was provided in the previous Technical Note. The watercourse is below site level and can be reached by gravity, so absolute levels are not determinative, and we feel that these do not need to be proven at this stage.

2.22 As noted above, the drainage strategy plan was erroneous and has been corrected to show connection to this watercourse.

2.23 Regarding the observation that "*two images of what I assume is the watercourse in question have been uploaded to the portal (dated 23rd October), these two images also raise concerns about the condition of the watercourse, as it appears to be severely obstructed with silt and debris*," we note that the images do not indicate a severe blockage, nor do they suggest that silt and debris present a significant issue.

2.24 We acknowledge that concerns may arise on sites where downstream connectivity is uncertain; however, in this case, the downstream network is clearly defined, mapped, and photographed. On that basis, we do not consider this to be a valid reason for concern.

2.25 For further context, we refer to planning application DC/22/0372, located immediately upstream of the proposed development. In that application, discharge to the same watercourse was accepted by the LLFA. Therefore, questioning the suitability of this watercourse as an outfall in the current application would appear inconsistent with previous decisions.

Objection 4:

Construction detail drawings for all SuDS features (including sections through any ponds/basins) needs to be submitted. The technical note puts forward an argument that it is inappropriate to request construction detail drawings at the full application stage of the planning process. However, there is balance that needs to be met, as at the full application stage the applicant and their drainage consultant need to provide sufficient detail to satisfy us, the Lead Local Flood Authority (as the statutory technical consultees regarding surface water drainage), that their proposals will adequately drain the proposed development. We feel the limited detail of the submitted drainage strategy plan does not provide that necessary level of assurance to us. Or particular concern in the attenuation basin shown in the excerpt of the plan above which is located extremely close to one of the 4 bed houses, hence our request for more information about this (and other proposed SuDS features).

Response:

2.26 The information submitted to date is comprehensive and provides full details of the drainage system, including its components, levels, gradients, and capacity. This level of detail is sufficient to robustly demonstrate the suitability and effectiveness of the proposed drainage strategy.

2.27 To clarify, the level of information required for planning - whether outline or full - is distinct from what would constitute a construction issue drawing pack, as all site design aspects must be developed to construction detail in parallel. Our intention was to discuss this with WSCC as the LLFA and to invite participation in a design team meeting to provide insight into the design process. Unfortunately, this offer was declined, which limited the opportunity for collaborative engagement.

3.0 Summary

3.1 We trust that the above has provided sufficient information and context for both the LPA and LLFA to allow this development to move forward and for suitable conditions to be placed on any forthcoming planning consent.

Appendix A

LLFA Objection Letter

Ground Floor
Northleigh
County Hall
Chichester
West Sussex
PO19 1RH

Lead Local Flood Authority

Date 06/11/2025

Sam Whitehouse
Horsham District Council
Albery House
Springfield Road
Horsham
West Sussex
RH12 2GB

Dear Sam

DC/25/1327 Land East of Mousdell Close Rectory Lane Ashington RH20 3GS
Erection of 74 dwellings with associated access, parking, and landscaping.

Thank you for your re-consultation regarding the above application, received on 16th October 2025. We have reviewed the additional submission made by the applicant following my previous comments dated 30th September 2025.

In my previous comments I objected to this planning application due to the absence of an acceptable Flood Risk Assessment (FRA) and Drainage Strategy, with specific regard to the following points:

1. *The Flood Risk Assessment submitted as part of this application is dated 4th August 2025, which was **after** the new "National Standards for Sustainable Drainage Systems (SuDS)" were published by Defra (in June 2025). However, the FRA still refers to the superseded "Non-Statutory Technical Standards for SuDS" and the surface water drainage strategy fails to align with the requirements of the new SuDS standards (which put a much greater emphasis on water re-use, interception, source control, and surface-level open SuDS features and the use of multiple SuDS features in series to improve water quality, site amenity and ecology). We are of the view that meeting the new SuDS standards is likely to require significant changes to be made to the layout. (The necessary changes should reduce the reliance on and large scale of 'end of system' attenuation features, particularly subterranean plastic crate storage).*
2. *The necessary ground investigations required to inform the SuDS design do not appear to have been undertaken (no results appear to have been submitted).*
    a. *BRE 365 percolation testing results are required to definitively determine if on-site infiltration is viable, or not. An off-site discharge of surface water is only acceptable when it has been **proven** that on-site infiltration is unviable.*
    b. *Winter groundwater monitoring results are required to inform the design or soakage and/or attenuation features. (If peak winter groundwater levels are deep enough, attenuation features should be permeably lined to utilise any limited infiltration potential that exists, but if peak groundwater levels are so shallow that they may be above the base of any attenuation features it will be necessary to impermeably line the features to ensure their capacity is not compromised by*

groundwater. In that latter scenario the applicant should also provide details showing that any floatation potential has been appropriately mitigated).

3. *The surface water drainage layout submitted provides insufficient information about the receiving watercourse's: nature, condition, hard bed levels, and connectivity with the wider network of watercourses.*
    a. *On the drainage plans the ditch stops within the red line boundary, is there connectivity with the wider watercourse network beyond the site boundary?*
    b. *The proposed discharge invert level is at the measured ditch bed levels, which is not acceptable unless those bed levels are prior to any de-silting and regrading. If that is the case what will the levels be post maintenance?*
    c. *Is there a culvert immediately downstream of the discharge point, is this to be retained or removed (is it in an appropriate condition and of a suitable capacity to be retained)?*
4. *No construction detail drawings for the SuDS components have been submitted.*
5. *No exceedance flow path plan has been submitted.*

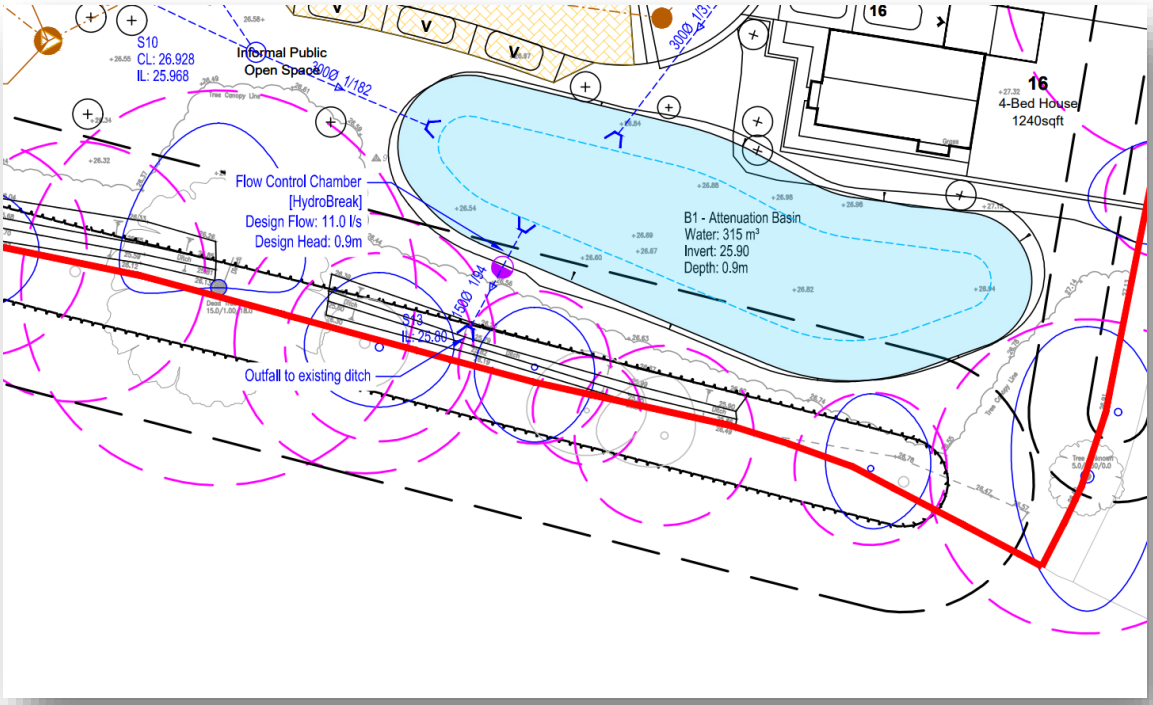
In my previous comments I set out how our objection could be overcome (points "a" to "e" reproduced below). The applicant's drainage consultant has now responded through a Technical Note dated 13/10/2025:

a) *The applicant needs to update their surface water drainage proposals so that they align with the new SuDS standards. Details of the compliance with each of the new standards should be clearly set out in a supporting technical note.* The technical note details the consultant's view that the previously submitted SuDS proposals are aligned with the new "National Standards for Sustainable Drainage Systems (SuDS)." However, the technical note does not clearly set out details of the compliance with each of the new standards, as requested. We remain unconvinced that the previously submitted SuDS proposals fully align with the new standards (which, as previously stated, put a much greater emphasis on water re-use, interception, source control, and surface-level open SuDS features and the use of multiple SuDS features in series to improve water quality, site amenity and ecology). The technical note also discusses the large geocellular tank utilised in the submitted proposals: "*It is noted that geocellular tanks are used in the design, and this is not the LLFA's preference, but the multifactorial technical and geo-environmental constraints of the site means that a large amount of attenuation had to be provided and could not be delivered through surface level SuDS features.*" This raises the question of the nature of the constraints preventing the delivery of surface level SuDS features that would be better aligned with the new standards? Do the current proposals constitute an overdevelopment of the site and therefore is that the primary factor preventing the delivery of more appropriate, open, surface-level SuDS features (that are likely to have larger footprints that some of the drainage features currently proposed).

b) The results of appropriate ground investigations should be submitted to support the SuDS scheme design. The applicant has now submitted a geoenvironmental report dated (3rd October 2025) containing ground investigation results that illustrate on-site infiltration is unviable (due to poor infiltration rates). We thank the applicant for providing this evidence as without it we were unable to determine if the drainage strategy was aligned with the drainage hierarchy. However, the report does **not** contain any peak winter groundwater monitoring results (just the results of some limited groundwater monitoring undertaken from July to September). As discussed

in my initial comments; the results of winter groundwater monitoring are necessary to inform the SuDS proposals. If peak winter groundwater levels are deep enough, attenuation features should be permeably lined (or unlined where appropriate), to utilise any limited infiltration potential that exists, but if peak groundwater levels are so shallow that they may be above the base of any attenuation features it will be necessary to impermeably line the features to ensure their capacity is not compromised by groundwater. In that latter scenario the applicant should also provide details showing that any floatation potential has been appropriately mitigated). We feel that the peak winter groundwater monitoring results can be presented at the discharge of conditions stage, should permission be granted.

c) *Further information about the acceptability of the proposed discharge to the receiving watercourse needs to be submitted.* The new technical note states: "*The drainage ditch shown in the topographic survey is not that which is intended for the surface water discharge (hence why we are not addressing the comment that there appears to be a blockage in this ditch). The drainage ditch that is on the topographic survey is a drainage grip dug by the farmer to assist with field drainage. The actual discharge point will be the watercourse that is immediately to the south of the drainage grip on the boundary of the site (and which the landowner has riparian rights to).*" This statement appears to directly contradict the Drainage Strategy Plan (Drawing ref: 2504072-0501 P03) that was re-submitted as appendix K of the technical note. In that drawing the outfall from the proposed SuDS scheme is shown to discharge to a non-contiguous ditch within the site boundary and north of the tree line, which would appear to be the drainage grip mentioned above. (See excerpt below from the drainage strategy plan).



As discussed in my initial comments: The surface water drainage layout plan provides insufficient information about the receiving watercourse's: location,

nature, condition, hard bed levels, and connectivity with the wider network of watercourses. To remove our objection, we need to be satisfied that there is a viable destination for the site's discharge. Therefore, if the above statement from the technical note is correct (thus meaning the drainage strategy plan is erroneous), can the applicant please submit an amended drainage plan, detailing: The proposed discharge invert level, the existing silt levels, and the hard bed levels in the receiving watercourse. Additionally, two images of what I assume is the watercourse in question have been uploaded to the portal (dated 23rd October), these two images also raise concerns about the condition of the watercourse, as it appears to be severely obstructed with silt and debris). Can the applicant therefore please add a note to the amended drainage strategy plan confirming that routine the maintenance (in the form of removal of debris, de-siltation and re-grading) necessary to ensure the receiving watercourse is in a suitable condition to receive the discharge from the site, will be undertaken.

d) *Construction detail drawings for all SuDS features (including sections through any ponds/basins) needs to be submitted.* The technical note puts forward an argument that it is inappropriate to request construction detail drawings at the full application stage of the planning process. However, there is balance that needs to be met, as at the full application stage the applicant and their drainage consultant need to provide sufficient detail to satisfy us, the Lead Local Flood Authority (as the statutory technical consultees regarding surface water drainage), that their proposals will adequately drain the proposed development. We feel the limited detail of the submitted drainage strategy plan does not provide that necessary level of assurance to us. Or particular concern in the attenuation basin shown in the excerpt of the plan above which is located extremely close to one of the 4 bed houses, hence our request for more information about this (and other proposed SuDS features).
e) *An exceedance flow path plan needs to be submitted.* An acceptable exceedance flow plan has been submitted; however, this document may need to be amended if there are subsequent changes made to the proposed layout and drainage strategy.

We will consider reviewing this objection when the remaining outstanding issues highlighted above are adequately addressed and we are formally reconsulted.

Yours sincerely,

Duncan Keir
Flood Risk Management Team
FRM@westsussex.gov.uk

Annex

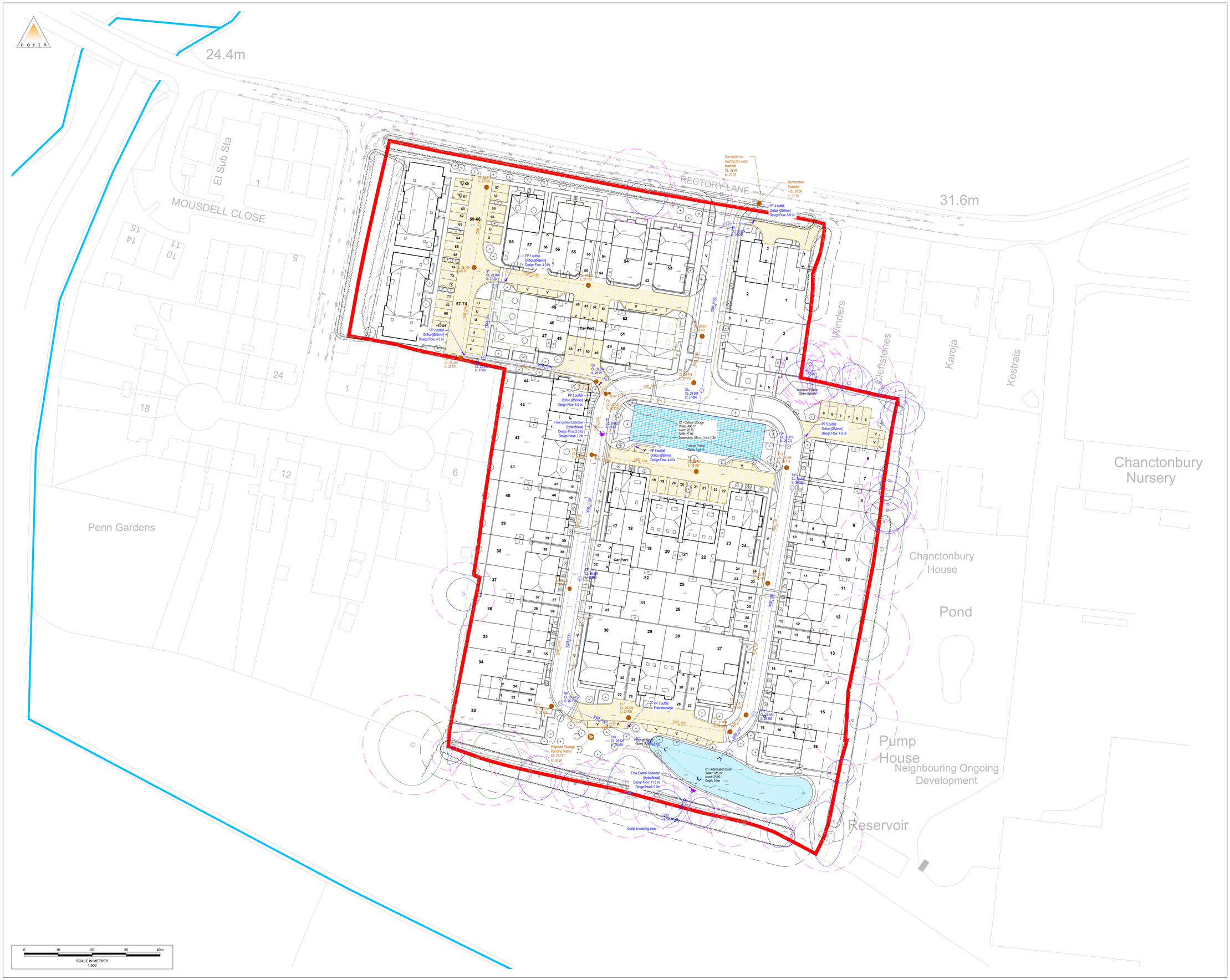
The following documents have been reviewed, which have been submitted to support the application.

- Technical Note TN02 – Response to LLFA Comments on DC/25/1327 (Motion, 13/10/2025)

- Flood Risk Assessment and Drainage Strategy (Motion, 04/08/2025)

Appendix B

Updated Drainage Strategy Layout



Notes

1. All levels and dimensions are to be checked on site before any work commences. All dimensions are in metres unless stated otherwise.
2. This drawing has been based upon survey information supplied by ECE Architecture and Motion cannot guarantee the accuracy of the data provided.
3. Any discrepancies should be reported to the engineer immediately, so that clarification can be sought prior to the commencement of works.
4. This drawing should be read in conjunction with all other relevant engineering details, drawings and specification.
5. 350mm minimum cover is to be provided for private pipes laid in soft/paved areas, with 900mm minimum cover to be provided for private pipes laid beneath roads / driveways unless not practicable. Where unachievable, shallow pipe drains may require protection using concrete surround or paving slabs bridging the trench, subject to the NHBC Inspector's requirements.
6. Manholes situated within areas accessible to motor vehicles are to be fitted with suitable strength covers and frames.

Legend

- Site Boundary
- Existing Watercourse
- Pervious Pavement [450mm-600mm no infiltration Type 3 open graded sub-base with 30% void ratio]
- Surface Water Attenuation Basin
- Surface Water Gravity Pipe
- Surface Water Manhole
- Surface Water Flow Control Chamber
- Porous Pavement Outfall with Orifice Plate
- Proposed Headwall
- Foul Water Gravity Pipe
- Foul Water Rising Main
- Surface Water Manhole
- Foul Water Pumping Station

Rev.	Description	Drn	Chk	App	Date
P05	Site layout amendment	PA	PA	PA	20/11/2025
P04	Drainage basin amended and new site layout	RW	PA	JM	18/11/2025
P03	Outfall pipe realigned to minimize RPA impact	CC	PA	JM	04/08/2025
P02	Updated following layout changes	CC	PA	JM	31/07/2025
P01	First Issue	CC	PA	JM	11/07/2025

Drawing Status:

FOR PLANNING
NOT FOR CONSTRUCTION

motion
Guildford - Reading - London
www.motion.co.uk

Client:
Rocco Homes

Project:
Land East of Mousdell Close
Ashington

Title:
Drainage Strategy

Scale: 1:500 (@ A1)

Drawing: 2504072-0501

Revision: P05

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