

Southern Water
Southern House
Yeoman Road
Worthing
West Sussex
BN13 3NX

Our Ref: NC/2505500/L002

Your Ref: DSA000051791

26th May 2026

By E-mail: SouthernWaterPlanning@southernwater.co.uk

Dear Sirs

DC/24/0021 – Thakeham Mushrooms Site, Storrington Road, Thakeham, Pulborough, West Sussex, RH20 3DY – Reply to Southern Water Consultee Response

We write in respect of the Southern Water consultee response dated 5th March 2026, which is interpreted as raising no objection to the proposed development subject to conditions. Within this response, Southern Water proposes a Grampian-style condition, to which the Applicant objects.

The proposed condition would effectively preclude the statutory right of connection afforded by Section 106 of the Water Industry Act 1991. Under Section 106, the development benefits from an absolute right to connect to the public sewer network, with responsibility for ensuring adequate network capacity resting with the statutory sewerage undertaker.

In this context, it would be inappropriate and unreasonable for planning permission to be subject to a condition preventing occupation pending infrastructure upgrades that are outside the Applicant's control. Such an approach would place reliance upon third-party actions and could unnecessarily delay or frustrate delivery of the development, notwithstanding the Applicant's statutory entitlement to connect.

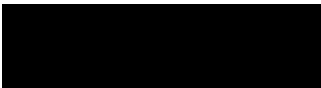
It is therefore considered that Southern Water should instead be required to fulfil its statutory duties within an identified and reasonable programme for delivery of any necessary reinforcement works, rather than relying upon a negatively worded Grampian condition.

Notwithstanding the above, the consultee response also fails to take account of the following material considerations:

- The site recently benefited from a foul sewer connection, which does not appear to have been accounted for within Southern Water's assessment. This historic discharge establishes a material baseline position that should be reflected in any assessment of existing network capacity. At a minimum, this indicates that a proportion of the proposed development generating a comparable rate of discharge could be accommodated prior to any upgrade works being required.
- It is also noted that a pre-development enquiry was undertaken in relation to an earlier and larger iteration of development on the site. When considered alongside the existing baseline discharge, it is reasonable to expect that Southern Water should already have sufficient information available to identify the scale of development capable of connecting prior to any reinforcement works being undertaken.
- Furthermore, the previous capacity investigations should have already established the nature and extent of any required network upgrades. As such, the anticipated scope of works, and consequently the programme for delivery, should already be understood by Southern Water, thereby reducing the timeframe necessary to implement any reinforcement measures.

Considering the above, the proposed Grampian condition is neither justified nor reasonable in its current form and should be removed or substantively revised.

Yours faithfully



Associate

