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The Planning Inspectorate

COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in the notification letter sent by the local planning authority or the start date letter. Comments submitted after the deadline may be considered invalid and returned to sender.

Appeal Reference: APP/Z3825/X/25/3374569

DETAILS OF THE CASE

Appeal Reference	APP/Z3825/X/25/3374569
Appeal By	MR MARK WOODAGE
Site Address	Land To The West of Northlands Lane Fryern Road Storrington West Sussex RH20 3HA Grid Ref Easting: 509196 Grid Ref Northing: 115931

SENDER DETAILS

Name	[redacted]
Address	East Wantley Barn Northlands Lane Storrington PULBOROUGH RH20 3EZ

ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- ☐ Appellant
- ☐ Agent
- ☑ Interested Party / Person
- ☐ Land Owner
- ☐ Rule 6 (6)

What kind of representation are you making?

- ☐ Final Comments
- ☐ Proof of Evidence
- ☐ Statement
- ☐ Statement of Common Ground
- ☑ Interested Party/Person Correspondence

☐ Other

YOUR COMMENTS ON THE CASE

Version 3 - all video links removed

COMMENT DOCUMENTS

The documents listed below were uploaded with this form:

Relates to Section: REPRESENTATION
Document Description: Your comments on the appeal.
File name: APP_Z3825_X_25_3374569_3.pdf

PLEASE ENSURE THAT A COPY OF THIS SHEET IS ENCLOSED WHEN POSTING THE ABOVE DOCUMENTS TO US

East Wantley Barn
Northlands Lane
Storrington
RH20 3EZ

To: Planning Inspectorate / HDC Planning 10 Dec 2025

Town and Country Planning Act Appeal APP/Z3825/X/25/3374569 (HDC Ref DC/25/0096)

Context
Northlands Lane is a no-through road which provides access to 5 dwellings, a number of actively farmed fields, and forms part of the Public Right of Way network connecting 3 parishes via PRoWs 2791, 2448, 2442, 3424 and a path to Water Lane. The proposed access / culvert is towards the north-west end of Northlands Lane, prior to reaching the dwellings and access to the actively farmed fields. Alternative access, using an existing field gate on the corner of Greenhurst Land and Northlands Lane, is available for use by the applicant.

The applicant installed a culvert of similar design to that proposed in this application across the stream which runs immediately to the west of the lane in April 2020. It was installed without notice, planning permission, land drainage consent or any consideration of the culvert's required capacity. It is in an area of high surface water flood risk – the DEFRA map is shown in the Annex.

The culvert caused repeated, severe flooding of this section of the Lane. It effectively obstructed the Lane (a public highway) for car, cycle and pedestrian use of the lane on multiple occasions for hours to days. This caused considerable distress and inconvenience for residents and other users. The nature and extent of the flooding caused previously is shown in Photos 1 and 2 below. Further photos are provided in the Annex.



Photo 1: Looking south - overtopped culvert to the right



Photo 2: Looking north, flooding up to Greenhurst Lane

HDC requested retrospective planning application (DC/25/0096). The applicant failed to provide a drainage assessment and other required information. After refusal, enforcement notice (EN/21/0037) required removal of the culvert, reinstatement of a hedge, and removal of an access track. This was carried out.

Since then, storm flows have also got worse because a large drainage system has been put into the field north of Greenhurst Lane to create a vineyard. A Google Earth photo of the drainage system is shown in the Annex. The upstream culvert under the end of Northlands Lane cannot cope with the storm flows this creates – see photo 3. This culvert has twice the capacity of the proposed culvert. Significant flooding occurs here without the addition of a further culvert – photo 4.



Photo 3: 2025 Upstream storm flows - showing the impact of the Greenhurst Vineyard drainage



Photo 4: 2025 flooding without the proposed culvert

The drainage requirement is summarised as follows. The stream is fed upstream by 2 culverted 450mm diameter pipes crossing E-W under the end of Northlands Lane and culverted pipe(s) N-S under Greenhurst Lane (unknown number and diameter). Even without a culvert in, the stream floods over the road along this stretch of Northlands Lane after heavy rain. The plans presented as part of the request for a Lawful Development Certificate (DC/25/0096) are to culvert the stream using a single 450mm pipe. Evidently, this will be totally inadequate for the task when all the upstream pipes are operating anywhere near capacity. The proposed culvert will make the flooding far worse.

Material reasons for dismissing the appeal
The appeal omits facts about the existing and expected flooding that would result from a lawful development certificate being granted:

- This stretch of lane already floods. Storm flows have increased due to the drainage system installed to create a vineyard in the field to the north of Greenhurst Lane.

- Extensive / repeated flooding occurred here when a culvert of similar design was installed here in 2020, blocking Northlands Lane on multiple occasions. The impact of the flooding is evidenced in photos, videos and multiple objections to DC/25/0096.

- Alternative field access is available on the corner of Northlands Lane and Greenhurst Lane.

The appeal provides no evidence that the applicant informed WSCC of the flooding which occurred when he culverted the stream in 2021, and HDC enforcement notice EN/21/0037, when he sought licence LDC/HOR/2024/006. It is believed that the applicant withheld this information, in order to get the licence approved.

The appeal states that a drainage assessment was conducted to the satisfaction of WSCC drainage officers when seeking the culvert licence. However, that assessment has not been presented as part of the appeal. In any event, it should be given no weight, given the substantive evidence of the repeated flooding occurring here: when the stream was culverted previously; and, the flooding that occurs here now, even without the proposed culvert.

Installing a crossover without demonstrating that its design can manage storm flows will lead to the Northlands Lane being blocked again. This will contravene Section 137 of Highways Act 1980 which makes it an offence to wilfully obstruct free passage of a public highway without lawful authority.

In addition to supporting HDC's reasons for refusing the Lawful Development Certificate, please note the following summary legal point, described in detail in the Green Dene Farm objection to DC/25/0096:

- The case is made that the proposed culvert falls within Part 13 Class C of the Town and Country Planning Permitted Development Order. Whilst the existing ditch may well fall within the definition of a Class C "drainage body", the proposed culvert is NOT required in connection with the improvement, maintenance or repair of a watercourse. It is an engineering and operational development for which full planning permission is required. Far from being required for any purpose set out within Class C, the proposed culvert will lead to additional flooding and very likely damage to the ditch. It will hamper the drainage function of the ditch and will lead to further damage to the highway and road safety.

This objection also highlights that the proposed cross-over has a pinch-point of 3m, making it unsuitable for most agricultural machinery. The cross-over plans are also inaccurate and misleading. In summary, the design is not fit for its proposed purpose.

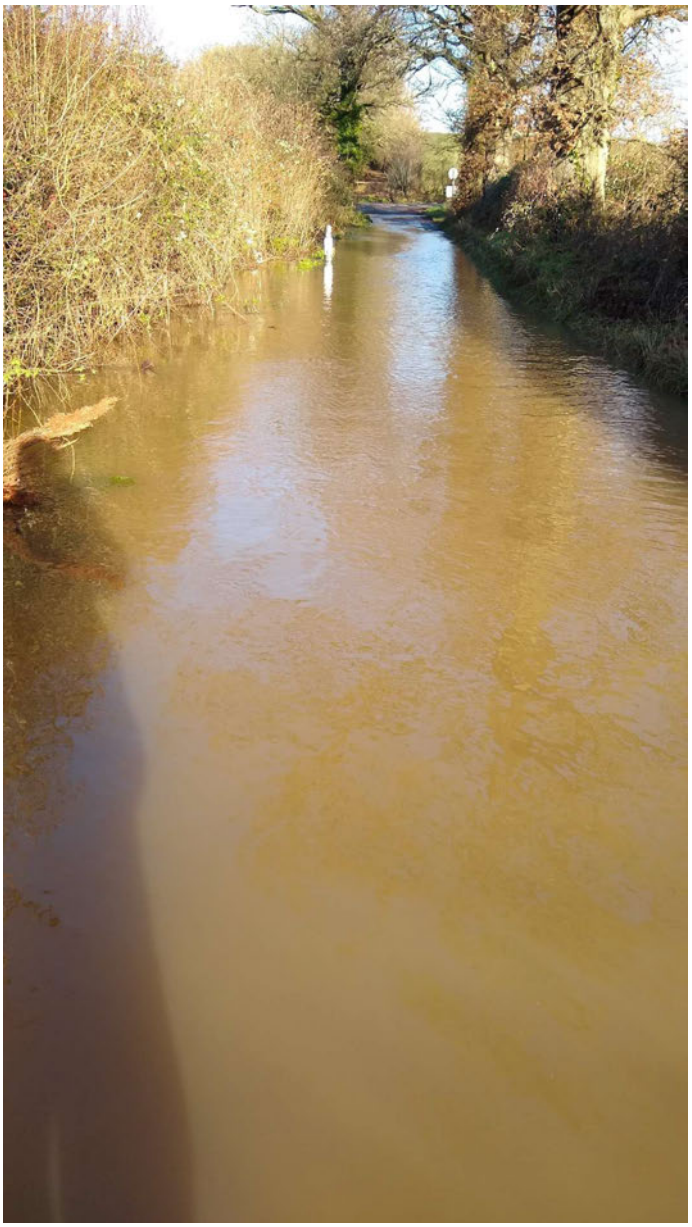
[redacted]

Annex – Photos of flooding and the vineyard drainage system that now adds to the storm flows

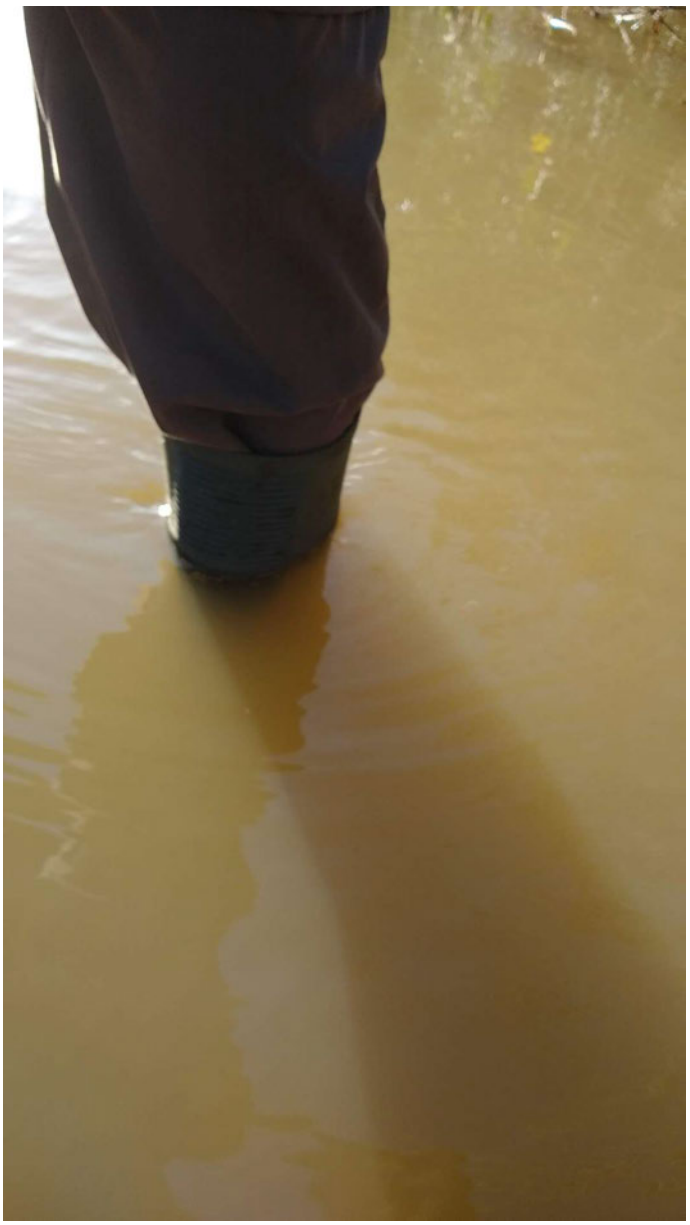
Jan 21 - The water flowing over the top of the previous culvert because it had inadequate capacity to cope with storm flows



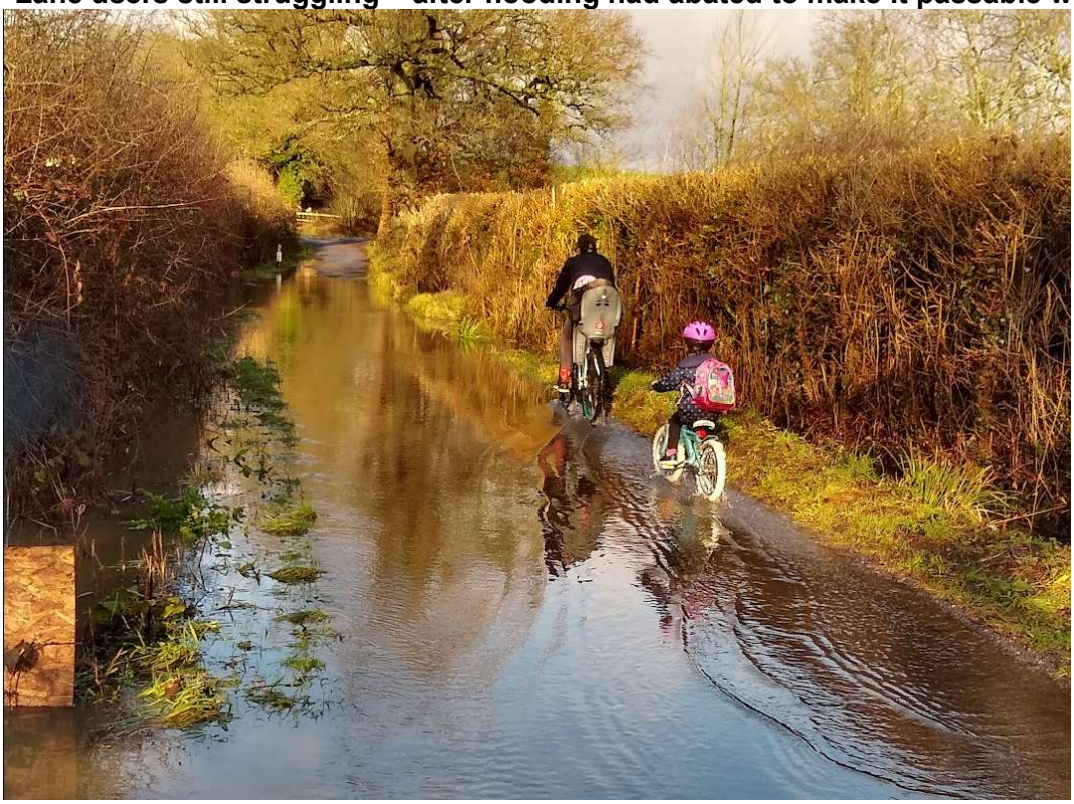
Extensive flooding onto the bend of Greenhurst Lane – estimated to be at least 80m in length in Dec and Jan 21, caused by the previous culvert. Creates an aquaplaning and black ice risk on Greenhurst Lane



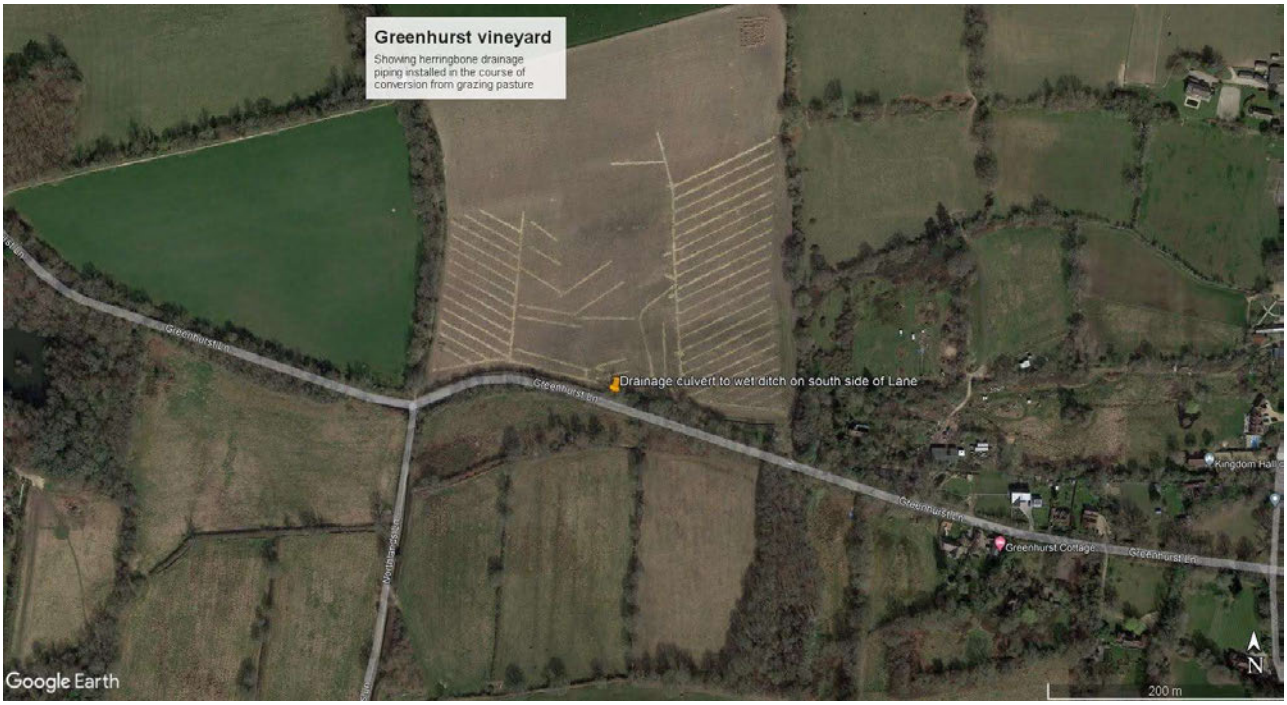
Flood depth – full length Wellington boot



Jan 21 - Lane users still struggling – after flooding had abated to make it passable with care



The drainage system installed on Greenhurst Vineyard since 2021 – adding to the storm flows down the stream running to the west of Northlands Lane



DEFRA map of surface water flood risk

