

From: Planning@horsham.gov.uk <Planning@horsham.gov.uk>
Sent: 06 July 2026 11:42:34 UTC+01:00
To: "Planning" <planning@horsham.gov.uk>
Subject: Comments for Planning Application DC/25/2006
Categories: Comments Received

Comments summary

Dear Sir/Madam,

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 06/07/2026 11:42 AM.

Application Summary

Address:	Land East of 1 To 25 Hayes Lane Slinfold West Sussex
Proposal:	Outline application with all matters to be reserved except for access and layout, for the erection of 38no. dwellings, (including 13no. on-site affordable housing units), together with access from Hayes Lane, vehicle and cycle parking, landscaping, open space and play provision, sustainable drainage, and re-alignment of Public Right of Way No.3782
Case Officer:	Sam Whitehouse

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Customer Details

Address: 6 Mitchell Gardens Slinfold Horsham

Comments Details

Commenter Type:	Member of the Public
Stance:	Customer objects to the Planning Application
Reasons for comment:	- Other
Comments:	I am writing to formally respond directly to Southern Water's consultation submission dated 26th June 2026. It seems that SW wants HDC to consider separately the network pipe capacity away from the wastewater treatment capacity. However in doing so their response provides the exact evidence

HDC needs to impose a strict 'Grampian' condition rather than a non specific 'phased condition'

So the council can feel on solid legal ground, I'd like to point out the following planning points:

1. SW effectively admits to an increased negative Impact to water quality in the Arun. SW own words says that " additional flows may lead to a minor increased risk of impact on the sewer network." In planning terms, adding ANY increased risk to a system that is already actively failing (discharging raw sewage downstream 26% of the time earlier this year) means there is a cumulative negative impact. Yet para 185 of the NPPF says HDC cannot legally approve a development that knowingly increases the risk of water pollution. To reinforce this point, on June 2nd 2026 there was an 11 hour sewage discharge following summer rain. This again shows that the system is already at capacity for normal and heavy rain, rain which can only become heavier year on year due to climate change. 38 extra houses will make this worse.

2. I do realise that developers have a statutory right to connect to public sewers under the Water Industry Act, but the Courts have recently established that this right does NOT override planning control. HDC still has the means to prevent or delay development if the infrastructure cannot cope. SWs commercial obligation to allow a connection does not cancel HDC of its independent duty under the Water Environment Regulations to prevent the deterioration of local water courses. In fact and very very usefully for HDC, there is direct nearby precedent for this which also coincidentally involves SW saying the same thing as they have done to HDC. Wealden Council successfully fought off developer appealsto impose a Grampian condition on proposed houses based on sewage data similar to what I have submitted to you. Even more reassuring is that, a Planning Inspector recently upheld just such a Grampian condition on a very similar 38house scheme in Horam, ruling that SWs assurances of "no impact" and 'capacity ok' were entirely illogical when faced with the public data showing the local wastewater treatment works was already overcapacity.SW in a huge shift from their original response, now vaguely alludes to the fact that 'some' capacity issues "may" require physical works on their assets. This vague, non-committal wording makes no guarantee of if, or when,the infrastructure will be made fit. So HDC simply cannot grant an'unconditional' planning permission based on vaguely intentioned future treatment improvements while the current system is already in breach of environmental standards.

3.Because SW has formally admitted that this development introduces further damage to an already failing and river Arun damaging network, I recommend that HDC should impose a strict Grampian Condition similar to that made in Horam. This condition

would explicitly prohibit the commencement or occupation of any dwellings until SW has fully completed and commissioned the physical upgrades required at the Slinfold treatment works to handle the additional load. Relying on SWs 'separate regimes' argument and granting an unconditional approval would surely expose HDC's final decision to significant legal vulnerability. I predict that SW's subsequent response will be that they will claim their desk-based modelling show the pipes are fine, and that a 38 house flow is comparatively small. But the Horam appeal legally settled this. The Inspector ruled that SW cannot use theoretical models to ignore empirical evidenced spill data, and that adding any extra load to a failing plant creates an unlawful cumulative impact. Fact.

So the sewage spill data (xls) which I previously sent plus additional discharges that I now mention, is clear and un deniable damning evidence which cannot be dismissed by the corporate pleas that pipe capacity is something wholly different to treatment. Tell that to the fish in the Arun.

Kind regards

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