

LUNCE'S HILL, HAYWARDS HEATH

Flood Risk Assessment



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REPORT

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1 INTRODUCTION

- 1.1 RPS was commissioned to undertake a Flood Risk Assessment (FRA) for the outline planning permission sought for the proposed residential development at Lunce's Hill, Haywards Heath, RH16 4QT.
- 1.2 The aim of the FRA is to outline the potential for the site to be impacted by flooding, the impacts of the proposed development on flooding in the vicinity of the site, and the proposed measures which could be incorporated into the development to mitigate the identified risk. The report has been produced in accordance with the guidance detailed in the National Planning Policy Framework (NPPF) and the associated Planning Practice Guidance (PPG).
- 1.3 This report has been produced in consultation with the Environment Agency (EA) and the Lead Local Flood Authorities (LLFA). The site is not located within an Internal Drainage Board (IDB) District.
- 1.4 The desk study was undertaken by reference to information provided / published by the following bodies:
 - Environment Agency;
 - British Geological Survey (BGS);
 - Multi-Agency Geographic Information for the Countryside (MAGIC);
 - Mid Sussex District Council (MSDC);
 - Lewes District Council (LDC);
 - East Sussex County Council (ESCC) (LLFA);
 - West Sussex County Council (WSCC) (LLFA);
 - Ordnance Survey (OS) and
 - Southern Water.

2 PLANNING POLICY CONTEXT

National Planning Policy

2.1 The National Planning Policy Framework (NPPF)¹ was released in March 2012 and was updated in December 2024. The document advises of the requirements for a site-specific Flood Risk Assessment (FRA) for any of the following cases (Planning and Flood Risk paragraph 181 (footnote 63)):

- All proposals (including minor development and change of use) located within the EA designated floodplain, recognised as either Flood Zone 2 (medium probability) or Flood Zone 3 (high probability);
- All proposals of 1 hectare (ha) or greater in an area located in Flood Zone 1 (low probability);
- All proposals within an area which has critical drainage problems (as notified to the Local Planning Authority by the EA);
- Land identified in a strategic flood risk assessment as being at increased flood risk in future; and
- Where proposed development may be subject to other sources of flooding, where its development would introduce a more vulnerable use.

2.2 Paragraph 182 of the updated NPPF identifies that applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff; and which are proportionate to the nature and scale of the proposal. These should provide multifunctional benefits wherever possible, through facilitating improvements in water quality and biodiversity, as well as benefits for amenity. Sustainable drainage systems provided as part of development proposals should:

- a. Take account of advice from the Lead Local Flood Authority;
- b. Have appropriate proposed minimum operational standards; and
- c. Have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development.

2.3 Defra published their 'Non-statutory technical standards for sustainable drainage systems'² in March 2015. These are supported by the revised NPPF.

Climate Change

2.4 The NPPF and supporting planning practice guidance on Flood Risk and Coastal Change explain when and how flood risk assessments should be used. This includes demonstrating how flood risk will be managed now and over the development's lifetime, taking climate change into account.

Peak River Flow Allowances

2.5 In May 2022, the EA updated advice on climate change allowances to support the NPPF. Peak river flow allowances³ show the anticipated changes to peak flow by management catchment.

¹<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

² <https://assets.publishing.service.gov.uk/media/5a815646ed915d74e6231b43/sustainable-drainage-technical-standards.pdf>

³ <https://environment.data.gov.uk/hydrology/climate-change-allowances/river-flow>

Management catchments are sub-catchments of river basin districts. Peak River Flow Allowances should be considered for locations that are currently in Flood Zone 1 but might be in Flood Zone 2 or 3 in the future.

2.6 EA guidance on the application of climate change allowance is dependent on the proposed development vulnerability. As the development is Residential, this application is deemed as More Vulnerable. The EA require that for sites that are currently in Flood Zone 1 but might be in Flood Zone 2 or 3 in the future, the central allowance should be used to assess climate change. Residential developments have a lifetime of 100 years therefore will fall into the 2080s epoch.

2.7 The proposed site is located within the Adur and Ouse Management Catchment for which the following peak river flow allowances are applicable.

Table 1. Adur and Ouse Management Catchment Peak River Flow Allowances

Epoch	Central	Higher Central	Upper End
2020s	16%	23%	40%
2050s	18%	28%	57%
2080s	37%	55%	107%

2.8 Based on the lifetime of the development and the vulnerability classification, an allowance of 37% is appropriate. Peak River Flow Allowances are considered to ensure the safety of people using the development when planning safe access, escape routes and places of refuge. Due to the nature of the flood risk at the site, it is deemed that flood risk will be managed and will not impact safe access/egress, and therefore does not require further consideration.

Peak Rainfall Allowances

2.9 Peak Rainfall Allowances are used to consider how increased rainfall affects surface water flood risk and the design of drainage systems to manage the increased rainfall.

2.10 New guidance requires that for developments with a lifetime beyond 2100, Flood Risk Assessments and Strategic Flood Risk Assessments should assess the upper end allowances for the 2070s epoch for both the 1% and 3.3% annual exceedance probability events. The proposed site is located within the Adur and Ouse Management Catchment for which the following Peak Rainfall Allowances are applicable.

Table 2. Adur and Ouse Management Catchment Peak Rainfall Allowances

3.3% Annual Exceedance Rainfall Event		
Epoch	Central	Upper
2050s	20%	35%
2070s	20%	40%
1% Annual Exceedance Rainfall Event		
Epoch	Central	Upper
2050s	20%	45%
2070s	25%	45%

2.11 Based on the above information, an allowance of 45% is appropriate and this should be included within the design of the conceptual surface water management strategy for the development.

Local Planning Policy

Lewes District Council

2.12 The Core Strategy was adopted by Lewes District Council in May 2016⁴, and contains the following policies relating to flood risk and drainage:

Core Policy 12 – Flood Risk, Coastal Erosion, Sustainable Drainage and Slope Stability

The local planning authority will seek to reduce the impact and extent of flooding and damage from slope failure. This will be achieved by:

1. *Steering development away from areas of flood risk (as identified in the latest Environment Agency and SFRA flood risk and climate change maps) where possible. Development in areas of flood risk will be required to meet the national Sequential and Exception tests, where relevant.*
2. *Where site specific flood risk assessments are required, directing applicants to demonstrate that the development and its means of access will be safe from flooding without increasing the risk of flooding elsewhere. Development should seek to reduce overall flood risk where possible.*
3. *Requiring flood protection, resilience, resistance and mitigation measures appropriate to the specific requirements of the site. Such measures will be expected to have regard to the character of the natural and built environment of the site and surroundings, to climate change implications and to biodiversity.*
4. *Liaising closely with the Environment Agency and East Sussex County Council on development and flood risk.*
5. *Seeking the appropriate management of surface water run-off and ensuring there is no increase in surface water run-off from new developments. This will include requiring new development to incorporate Sustainable Drainage Systems (SuDS), unless it is demonstrated that SuDS are not technically appropriate. The local planning authority will consult East Sussex County Council, the lead local flood authority, on the whole life management and maintenance of SuDS.*
6. *Ensuring development avoids areas of undeveloped coastline unless it specifically requires a rural coastal location, meets the sequential test and does not have other adverse impacts.*
7. *Preventing development on unstable areas of coastline and areas at risk of erosion and slope failure, such as those identified in the South Downs Shoreline Management Plan.*

The local planning authority will work with partners and applicants to implement the current Shoreline Management Plan, Catchment Flood Management Plan and other relevant flood/coastal protection strategies and plans.

Mid Sussex District Council

2.13 The District Plan was adopted by Mid Sussex District Council in March 2018⁵, and contains the following policies relating to flood risk and drainage:

⁴ https://www.lewes-eastbourne.gov.uk/media/1718/Adopted-Joint-Core-Strategy-2016/pdf/Adopted_Joint_Core_Strategy_2016.pdf?m=1682440920647

⁵ <https://www.midsussex.gov.uk/media/3406/mid-sussex-district-plan.pdf>

DP41: Flood Risk and Drainage

Strategic Objectives: 1) To promote development that makes the best use of resources and increases the sustainability of communities within Mid Sussex, and its ability to adapt to climate change; and 12) To support sustainable communities which are safe, healthy and inclusive.

Evidence Base: Gatwick Sub Region Water Cycle Study; Strategic Flood Risk Assessment; Water. People. Places SuDS guidance.

Proposals for development will need to follow a sequential risk-based approach, ensure development is safe across its lifetime and not increase the risk of flooding elsewhere. The District Council's Strategic Flood Risk Assessment (SFRA) should be used to identify areas at present and future flood risk from a range of sources including fluvial (rivers and streams), surface water (pluvial), groundwater, infrastructure and reservoirs.

Particular attention will be paid to those areas of the District that have experienced flooding in the past and proposals for development should seek to reduce the risk of flooding by achieving a reduction from existing run-off rates.

Sustainable Drainage Systems (SuDS) should be implemented in all new developments of 10 dwellings or more, or equivalent non-residential or mixed development unless demonstrated to be inappropriate, to avoid any increase in flood risk and protect surface and ground water quality. Arrangements for the long term maintenance and management of SuDS should also be identified.

For the redevelopment of brownfield sites, any surface water draining to the foul sewer must be disconnected and managed through SuDS following the remediation of any previously contaminated land.

SuDS should be sensitively designed and located to promote improved biodiversity, an enhanced landscape and good quality spaces that improve public amenities in the area, where possible.

The preferred hierarchy of managing surface water drainage from any development is:

- *Infiltration Measures*
- *Attenuation and discharge to watercourses; and if these cannot be met,*
- *Discharge to surface water only sewers.*

Land that is considered to be required for current and future flood management will be safeguarded from development and proposals will have regard to relevant flood risk plans and strategies.

DP42: Water Infrastructure and the Water Environment

Strategic Objectives: 1) To promote development that makes the best use of resources and increases the sustainability of communities within Mid Sussex, and its ability to adapt to climate change; 6) To ensure that development is accompanied by the necessary infrastructure in the right place at the right time that supports development and sustainable communities. This includes the provision of efficient and sustainable transport networks.

Evidence Base: Building Regulations (Approved Document G); Gatwick Sub Region Water Cycle Study; DCLG Housing Standards Review: Technical Consultation, September 2014; South East Water - Water Resources Management Plan 2014, Strategic Flood Risk Assessment.

New development proposals must be in accordance with the objectives of the Water Framework Directive, and accord with the findings of the Gatwick Sub Region Water Cycle Study with respect to water quality, water supply and wastewater treatment and consequently the optional requirement under Building Regulations – Part G applies to all new residential development in the district. Development must meet the following water consumption standards:

- *Residential units should meet a water consumption standard of 110 litres per person per day (including external water use);*

- *Non-residential buildings should meet the equivalent of a 'Good' standard, as a minimum, with regard to the BREEAM water consumption targets for the development type.*

Development proposals which increase the demand for off-site service infrastructure will be permitted where the applicant can demonstrate;

- *that sufficient capacity already exists off-site for foul and surface water provision. Where capacity off-site is not available, plans must set out how appropriate infrastructure improvements approved by the statutory undertaker will be completed ahead of the development's occupation; and*
- *that there is adequate water supply to serve the development.*

Planning conditions will be used to secure necessary infrastructure provision.

Development should connect to a public sewage treatment works. If this is not feasible, proposals should be supported by sufficient information to understand the potential implications for the water environment.

The development or expansion of water supply or sewerage/sewage treatment facilities will normally be permitted, either where needed to serve existing or proposed new development, or in the interests of long term water supply and waste water management, provided that the need for such facilities outweighs any adverse land use or environmental impacts and that any such adverse impact is minimised.

2.14 The Lewes District Council SFRA (published October 2009) and the Mid Sussex District Council SFRA (published July 2024) identify and map flood risk from all sources at borough-wide scales as well as providing guidance on producing site specific FRAs. Relevant information from the SFRA has been referenced throughout this FRA report.

3 CONSULTATION

Environment Agency

3.1 The EA were contacted for site specific flood information on 23rd August 2024 and confirmed that the site was within Flood Zone 1. However, they could not provide detailed model data for the Pellingford Brook located on site and advised that further modelling would be required as the JFLOW model was produced using generalised flood extents data, providing limited information on flood depths. The information provided by the EA is included as Appendix A.

Lead Local Flood Authorities

3.2 The site is partially within the administrative boundaries of East Sussex County Council and West Sussex County Council. Both are classed as the Lead Local Flood Authority for their respective county. Consultation has been sought with these councils regarding site-specific constraints at the site.

East Sussex County Council

3.3 East Sussex County Council drainage team were contacted on 27th August 2024. Their response is provided in Appendix B. They provided the following guidance related to proposed planning applications:

- *As a minimum, development should be outside of the 1%AEP surface water risk extent (RoFSW), an assessment of risk over the lifespan of development due to climate change can be made or the 0.1% AEP RoFSW extent can be used as a robust worst case.*
- *The plan layout and supporting levels information must demonstrate that property is not at risk of flooding from existing overland flows, and that the design to alter or divert surface water flood risk is feasible. Existing overland flow paths should not be allowed to inundate proposed development attenuation storage such that the volume could be reduced at the commencement of the design storm. Alterations to existing surface water flow paths which could result in increased flood risk to third parties should be supported by 2D modelling in accordance with current EA modelling guidance.*
- *The site has a large plan area and we would welcome surface features which achieve sustainable drainage requirements and are incorporated into the layout as a landscape led multifunctional SuDS approach.*
- *Discharge to a watercourse is acceptable via formal positive drain and headwall. Ordinary watercourse consent is required prior to construction and separate to Town and Country Planning requirements. The technical design would be assessed as part of a discharge of conditions application and an application would be made to ESCC Watercourse Consenting. Alterations to existing watercourses and culverting should be avoided wherever possible and must be justified and the minimum necessary. Any culverts should be straight and not have intermediate chambers or turns.*

3.4 Additionally, East Sussex County Council provided a 'WaterRide' report containing site specific flood information, which has been summarised below and included in full as Appendix B. It should be noted that the east of the site is not under the jurisdiction of East Sussex and has not been included in their response.

- The site is entirely within Flood Zone 1.
- Surface water flood risk is predicted at 0.1% AEP (1 in 1000 year) in the southern half of the site, a localised area in the west and along the on-site watercourse and associated drains in the east. The maximum depth for this event is 1.14m. 1% AEP event (1 in 100 year) is predicted in the south of the site with a maximum depth of 1m, and 3.3% AEP event

(1 in 1000) is predicted in the southeast corner of the site and along the watercourse and eastern drains, with a maximum depth of 0.93m.

- No flood incidents have been recorded on site.
- Depths and flow direction of surface water for the 0.1% AEP (1 in 1000) event are recorded on site and show that there is a main surface water flow path in the south, flowing west to east. Additionally, surface water is flowing from the north to the south via secondary flow paths from on site drains in the central and eastern parcels. Depths are primarily between 0m and 0.30m in the southwest, and 0.60m to 0.90m in the southeast.
- There is limited potential for groundwater flooding to occur throughout the site.
- The entirety of the recorded area is located within Drainage Risk Area 3. This is defined as an area where infiltration techniques are likely to be inappropriate.
- Water table depths show that the site is estimated to have depth of 3m – 5m below surface, dependent on seasonal changes in groundwater.
- There is potential for a geohazard on site, therefore the potential for or consequences of infiltration or ground stability should be considered before installing infiltration SuDS.
- An ordinary watercourse is present on site, and a drainage asset is indicated to run from the north to the west.
- No Section 19 Investigations, Land Drainage Investigations or SWMP hotspots are located on or adjacent to the site.

West Sussex County Council

3.5 West Sussex County Council Flood Risk Management Team were consulted on September 19th 2024, and a pre-planning flood risk report was provided detailing further information of flood risk on site. This has been summarised below, and a full report is provided in Appendix C.

- The site does not lie within Flood Zone 2 or 3 and is not currently located in EA flood warning or alert areas.
- The site is in an area of high to low risk of surface water. There is surface water flow path shown through the site from the west along the southern boundary of the site below the ordinary watercourse.
- WSCC have no records of surface water or groundwater flood events within the site, however there are some events in the surrounding area.
- The site is within an area that is at a negligible risk to groundwater flooding.
- There are no historical flood incidents present on site.
- Haywards Heath and Lindfield is identified in the WSCC Local Flood Risk Management Strategy 2013 as a wet spot (an area where houses may be more susceptible to floods). However, the site is just south of this area, and not deemed to be within the wet spot zone.

Internal Drainage Board

3.6 The site is not located within an IDB District.

4 SITE DESCRIPTION

Site Description

4.1 The site is located to the South of Haywards Heath and is approximately 8.81 hectares (ha) in size. The site location is presented in Figure 1.



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Figure 1. Site Location

Surrounding Land Uses

4.2 The site is greenfield, agricultural land, with an existing barn in the southwest. The site is bounded:

- to the north by Colwell Lane and agricultural land beyond;
- to the east by ancient woodland;
- to the south by undeveloped agricultural land; and
- The B2112 (Lunce's Hill) and residential dwellings to the west.

4.3 There are no designated sensitive areas (e.g. Special Area of Conservation (SAC), Special Protection Area (SPA) or Site of Special Scientific Interest (SSSI)) within 1km of the site.

Topography

4.4 A topographical survey was undertaken for the site by CD Surveys LTD in August 2024. The survey indicates the highest elevations are in the northwest boundary, peaking at 36.62 metres above ordnance datum (m AOD). In the southeast of the site elevations are 33.50m AOD and around

32.61m AOD in the south. The lowest elevations are present in the southwest at 32.05m AOD, demonstrating a dominant north eastern slope. The topographic survey is located in Appendix D.

Site Walkover

4.5 A site visit was undertaken by RPS on the 16th September 2024. The site is noted as having a gradient with the site sloping slightly towards the north, and a gentle upward slope from the site entrance in the east to the southeast corner. The ground was slightly wet underfoot at the time of the site visit. A general view of the site is provided in Figure 2.



Figure 2. General view of the site from the northeast, looking south

4.6 Pellingford Brook, shown in Figure 3, runs from the northwest to the east of the site. The site was relatively overgrown at the time of the site visit., and some areas of the watercourse were inaccessible or thick with vegetation, particularly in the northeast. In areas that could be observed, the northwest appeared relatively dry, and water flow in the brook was observed in the east. Additionally, a network of ditches are present on site, in the southern and central boundaries of each land parcel present on site. The ditches were free of water at the time of the site visit.

4.7 The site was observed to be undeveloped, agricultural land, with the exception of a barn which is present in the southwest.



Figure 3. Pellingford Brook

5 PROPOSED DEVELOPMENT

- 5.1 The proposal comprises '*Outline planning application for the erection of up to 130 dwellings, together with the change of use of an existing barn for a flexible community and/or commercial use, along with associated outdoor space and landscaping, drainage infrastructure, hard and soft landscaping, parking, access and associated works (all matters reserved except for access).*'
- 5.2 The proposed use of the site is classified as 'More Vulnerable' within the PPG.
- 5.3 Development plans are shown in Appendix E.

6 HYDROLOGICAL SETTING

Nearby Watercourses

- 6.1 OS Mapping indicates that the nearest surface water feature is the Pellingford Brook, an ordinary watercourse running through the site from the northwest to the east. The Pellingford Brook becomes an EA Main River when it leaves the site to the east. Additionally, associated ditches are present on site in between parcels of land in the central area and the west, running in a southerly direction.
- 6.2 There are no ponds or surface water features within 100m of the site.
- 6.3 Beyond those, no other significant waterbodies within or close to the site boundaries are indicated by OS mapping.

Fluvial / Tidal Flood Risk Classification

- 6.4 Due to the distance in land, the site is not considered to be subject to tidal mechanisms.
- 6.5 OS Mapping indicates that the nearest surface water feature is the Pellingford Brook located on site, flowing from the northwest to the east of the site. The Pellingford Brook appears to begin approximately 20m northwest of the site, and continues through the site to the east, eventually flowing into the River Ouse located further east.
- 6.6 The EA Flood Map for Planning⁶ (accessed February 2025) indicates that the entirety of the site is located in Flood Zone 1 – low risk, whereby an annual probability of flooding from fluvial sources is classified as less than 1 in 1000 year. The EA Flood Map for planning has been included as Figure 4.

⁶ <https://flood-map-for-planning.service.gov.uk/>

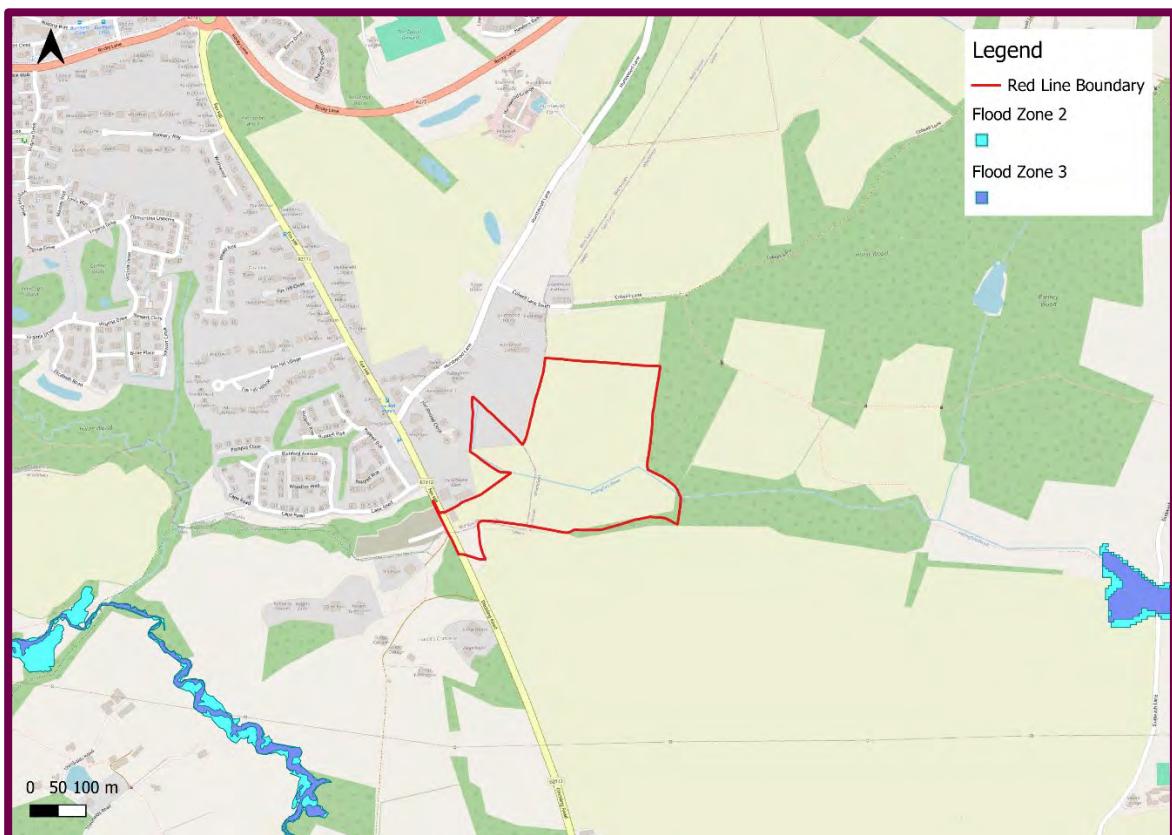


Figure 4. EA Flood Map for Planning

EA Flood Warning Area

6.7 The EA defines a Flood Warning Area as “geographical areas where we expect flooding to occur and where we provide a Flood Warning Service. They generally contain properties that are expected to flood from rivers or the sea and in some areas, from groundwater.”

6.8 The site is not located within a Flood Warning Area.

Surface Water Flood Risk Classification

6.9 The EA’s Flood Map for Surface Water⁷ (accessed February 2025), shows that land in the west and the south of the site has a ‘Low’ and ‘Medium’ risk of surface water flooding. Additionally, ‘High’ risk of surface water flooding is shown within the site in localised areas in the southeast, west and adjacent to the Pellingford Brook. This appears to be a flow path associated with the watercourse, flowing off-site to the east. The surface water flood map has been included as Figure 5. The surface water flood extents between 2040 and 2060 are also shown in Figure 6. Compared with the present day surface water mapping, the 2040-2060 mapping shows a marginal increase in the surface water flood extents. As per the February 2025 mapping, the areas of ‘high’ risk are more extensive on the 2040-2060 mapping, particularly in the south of the site.

⁷ <https://check-long-term-flood-risk.service.gov.uk/>

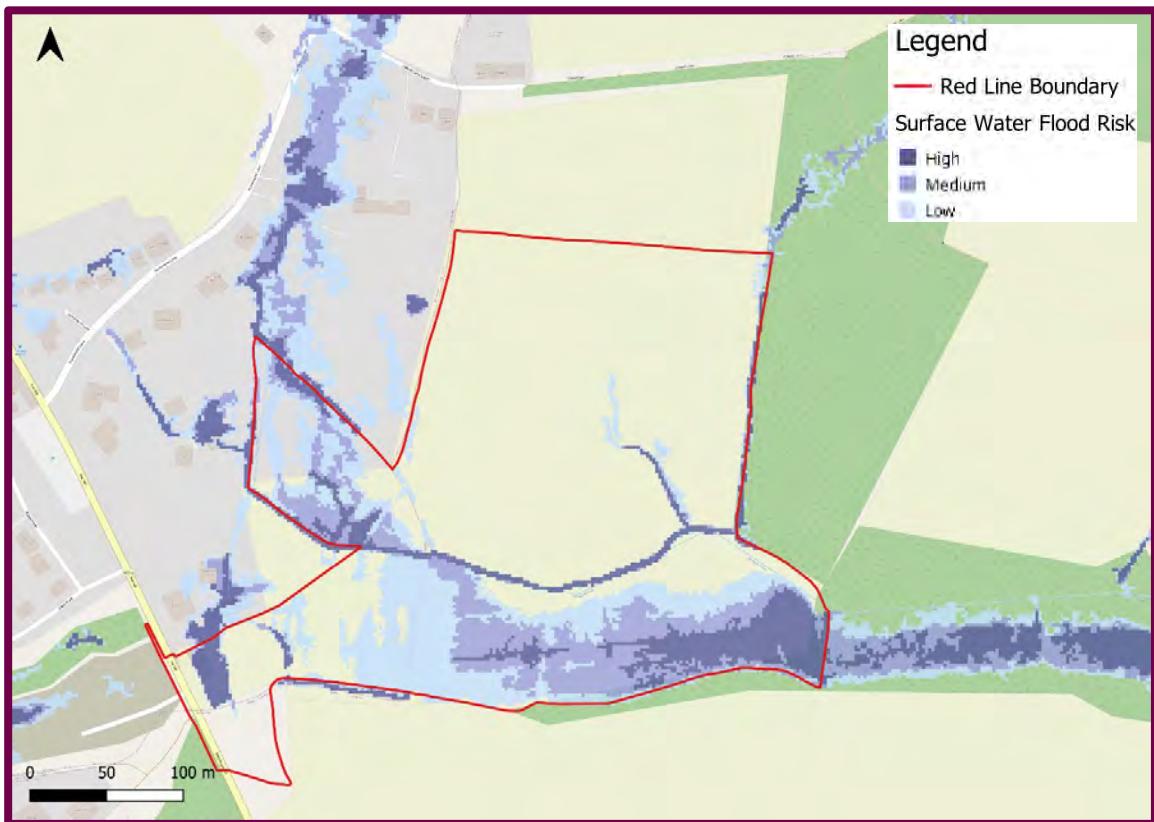


Figure 5. Surface Water Flood Risk Present Day

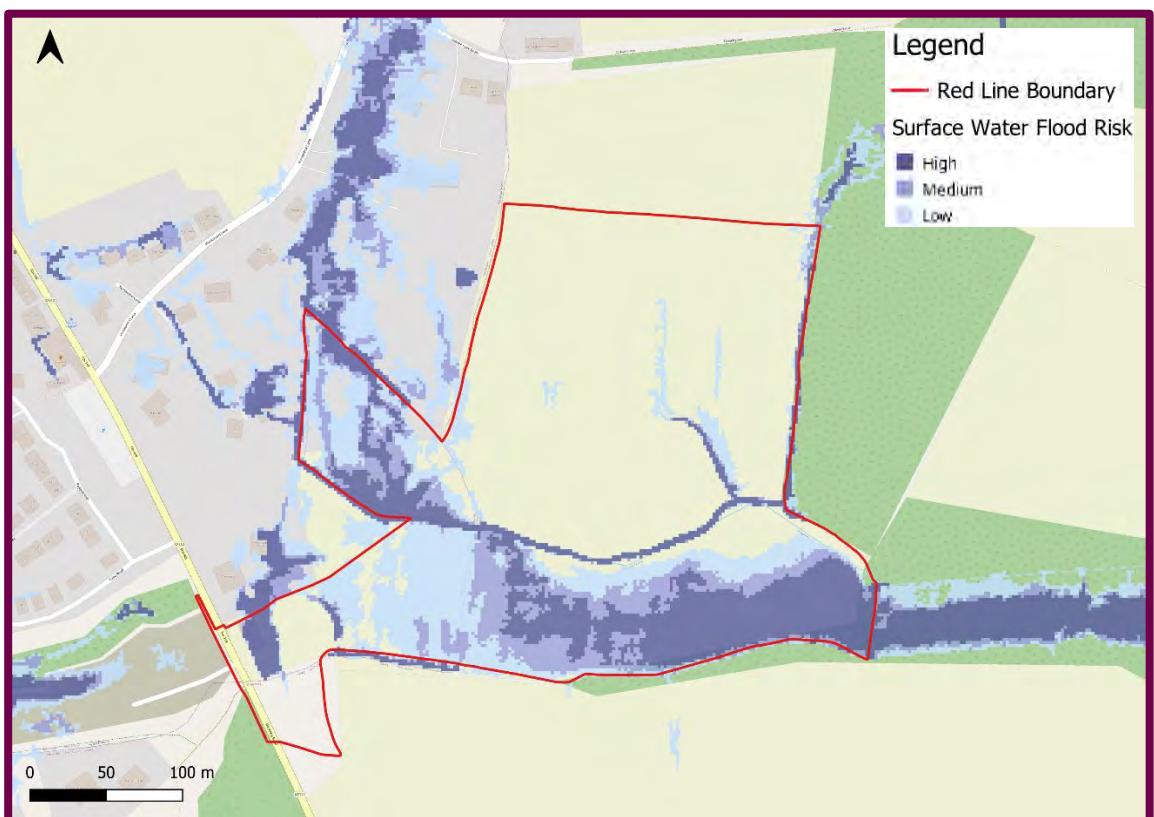


Figure 6. Surface Water Flood Risk Between 2040 and 2060

6.10 Figure 7 below illustrates the surface water extents against the development layout. The majority of the development is located outside of the 'High' risk surface water extents. The northern portion of the development is mostly at 'Very Low' risk, with some smaller areas at 'Low' risk. The southern portion of the development is mostly located within 'Low' and 'Medium' risk areas, with 3 properties located in 'High' risk surface water extents.

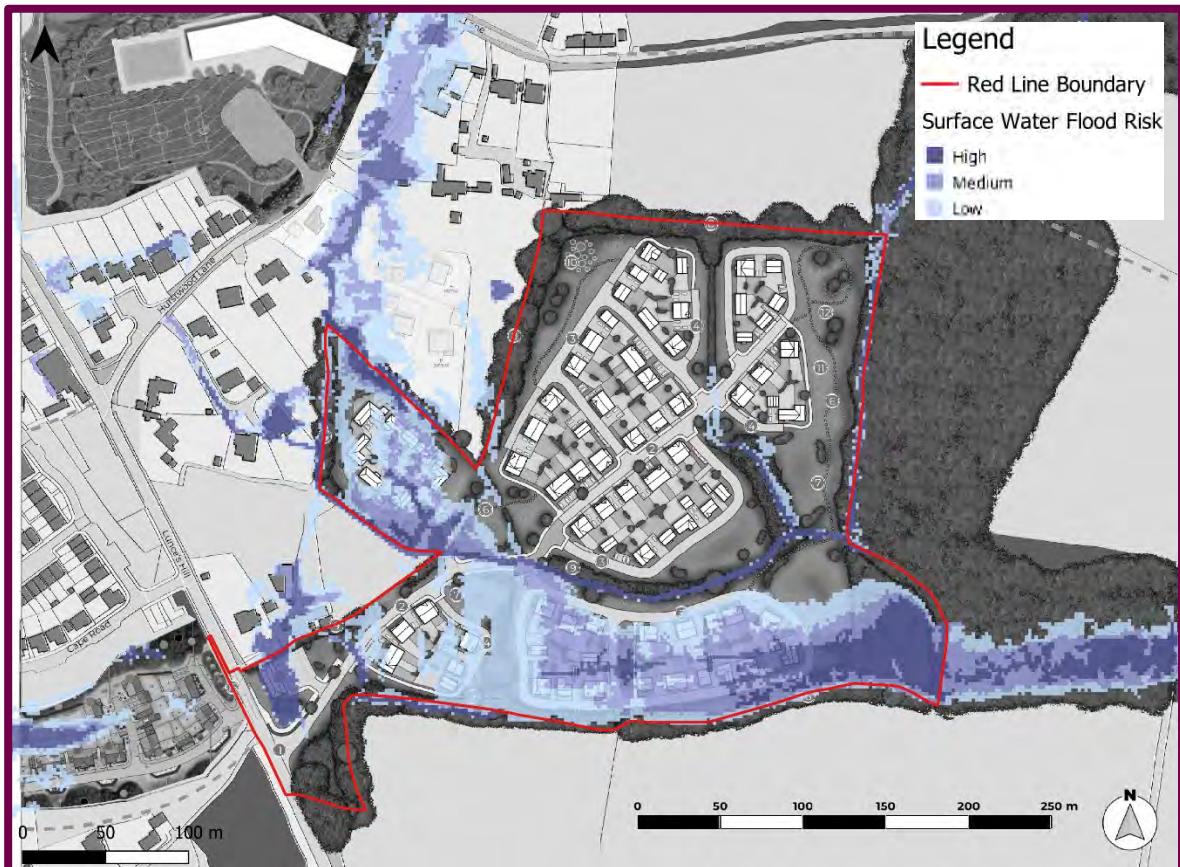


Figure 7. Surface Water Extents and Development Layout

6.11 Surface water flows primarily travel west to east through the site, with some limited areas of north to south flow. Depths are indicated to mainly below 300mm, and up to 600mm to 900mm in the southeast.

6.12 East Sussex County Council have advised that development on site should avoid the 1% (medium risk) surface water extent. Therefore, the proposed development should account for potential overland flows in the southern and western portion of the site.

6.13 Surface water modelling is currently being undertaken, which is expected to provide a more refined picture of the surface water risk to the site.

Reservoir Flood Risk Classification

6.14 The EA's Flood Map for Reservoirs⁸ (accessed February 2025) also indicates that the sites are not located within an area potentially at risk from reservoir flooding.

⁸ <https://check-long-term-flood-risk.service.gov.uk/>

7 HYDROGEOLOGICAL SETTING

- 7.1 British Geological Survey (BGS) online mapping⁹ (1:50,000 scale) indicates that part of the site is situated on Head deposits, comprising clay, silt, sand and gravel. There are no records of superficial deposits across the remainder of the site. This is underlain by Upper Tunbridge Wells Sand, comprising sandstone and siltstone.
- 7.2 There are no BGS boreholes within the site boundary.
- 7.3 The soils are described as 'Slightly acid loamy and clayey soils with impeded drainage' by Soilscapes¹⁰.
- 7.4 MAGIC Map's¹¹ Aquifer Designation Mapping indicates that the superficial deposits at the site are classified as a 'Secondary (undifferentiated)' Aquifer. These formations have varying characteristics in different locations. The bedrock at the site is classified as a 'Secondary A' Aquifer. These formations are formed of permeable layers capable of supporting water supplies at a local scale, in some cases forming an important source of base flow to rivers.
- 7.5 MAGIC Map's¹² Source Protection Zone (SPZ) mapping indicates that the site is not located within a groundwater SPZ.

⁹ <https://www.bgs.ac.uk/map-viewers/bgs-geology-viewer/>

¹⁰ <https://www.landis.org.uk/soilscapes/>

¹¹ <https://magic.defra.gov.uk/magicmap.aspx>

¹² <https://magic.defra.gov.uk/magicmap.aspx>

8 EXISTING DRAINAGE / WATER MAINS

- 8.1 Southern Water plans of public sewers, included as Appendix F, indicates that a foul rising main passes through the site from the west to the north east. No surface water sewers are indicated to be present within the site boundary.
- 8.2 Two water mains are indicated to pass through the site from the south east and south west towards the north.

9 FLOOD RISK AND MITIGATION

9.1 The key sources of flooding that could potentially impact the site are discussed below:

Fluvial / Tidal Flooding

9.2 The EA Flood Map for Planning indicates that the site is located within Flood Zone 1. This corresponds to an annual probability of flooding from fluvial or tidal sources which is classified as less than 0.1%

9.3 The PPG details the suitability of different land uses within each flood zone. The proposed land use, residential, is classified as 'More Vulnerable'. More Vulnerable land uses within Flood Zone 1 are deemed acceptable.

9.4 The Mid Sussex District Council SFRA mapping confirms that the site is located outside of Flood Zones 2 and 3.

9.5 Flood risk from fluvial / tidal flooding is considered to be Low.

Flooding from Sewers

9.6 The site is greenfield land, however sewer records indicate a rising foul sewer passes through the site.

9.7 The Mid Sussex District Council SFRA mapping indicates that incidences of external sewer flooding have occurred in the within the vicinity of the site, however no specific details have been provided.

9.8 The Lewes District Council SFRA does not indicate that sewer flooding has occurred in the vicinity of the site postcode.

9.9 Flood risk from sewer flooding is considered to be medium.

Surface Water Flooding (Overland Flow)

9.10 This can occur during intense rainfall events, when water cannot soak into the ground or enter drainage systems.

9.11 The west and the south of the site has a 'Low' and 'Medium' risk of surface water flooding. Additionally, 'High' risk of surface water flooding is shown within the site in localised areas in the southeast, west and adjacent to the Pellingford Brook.

9.12 The majority of the development is located outside of the 'High' risk surface water extents. The northern portion of the development is mostly at 'Very Low' risk, with some smaller areas at 'Low' risk. The southern portion of the development is mostly located within 'Low' and 'Medium' risk areas, with one property located in 'High' risk surface water extents.

9.13 Flows across the site primarily travel west to east, with some limited areas of north to south flow. Depths are indicated to mainly be 'Below 150mm' and '150 to 300mm' in the south west areas, and '600 to 900mm' in the south eastern areas.

9.14 Flood risk from surface water flooding is considered to be High.

Groundwater Flooding

9.15 This can occur in low-lying areas when groundwater levels rise above surface levels, or within underground structures.

9.16 British Geological Survey (BGS) online mapping indicates that part of the site is situated on Head deposits, comprising clay, silt, sand and gravel. There are no records of superficial deposits across the remainder of the site. This is underlain by Upper Tunbridge Wells Sand, comprising sandstone

and siltstone. The soils are described as 'Slightly acid loamy and clayey soils with impeded drainage' by Soilscapes.

- 9.17 Information received from East Sussex and West Sussex County Council suggests that the site is unlikely to be at risk from groundwater flooding.
- 9.18 The site is within Drainage Risk Area 3 (as identified by the ESCC Drainage Report in Appendix B) and as a result, infiltration techniques are unlikely to be effective.
- 9.19 No basement levels are proposed within the development.
- 9.20 Flood risk from groundwater flooding is considered to be low.

Other Sources

- 9.21 The EA Flood Map and Mid Sussex District Council SFRA mapping confirms that the site is located outside of reservoir flooding extents.
- 9.22 As with any urban location, there is the risk of a break in a water main causing localised flooding at the site. A burst pipe can result in flooding of roads and property. Areas at most risk are low points in topography along open roads and tunnels. The development proposals will be designed to ensure that any overland flows are routed away from buildings and intercepted by gullies and or drainage channels, therefore potential risks posed by a break in a water main can be considered negligible.
- 9.23 No canals are located within 1km of the development.

Proposed Mitigation

- 9.24 The development proposals will be designed to ensure that any overland flows are routed away from buildings and intercepted by gullies and or drainage channels. Where possible, levels should fall away from buildings, and areas where water could dam up against structures should be avoided, even if drainage is provided.
- 9.25 Due to the surface water risk at the site, it is likely that finished floor levels will need to be raised at least 300mm above maximum surface water flood depths. Flood depths will be confirmed by surface water modelling, which is currently being undertaken.
- 9.26 If any permeable areas are not formally drained, it should then be demonstrated that flood flow routes and depths would not affect property, car park areas or other such infrastructure. Overland flows should be routed towards gullies where applicable and not into third party land.
- 9.27 Implementing a surface water drainage system for the site, will protect third parties as surface water will be intercepted and not be allowed to run-off at an uncontrolled rate.
- 9.28 A basic level of flood resistance and resilience can be achieved by following good building practice and complying with the requirements of the Building Regulations 2010 and the supporting 'Approved Documents'. The EA's Floodline Publication 'Damage Limitation' provides information on flood proofing measures.
- 9.29 The implementation of a surface water drainage strategy will ensure that once the site is developed, surface water will be intercepted and managed. This will provide a betterment on the existing situation and ensure flood risk does not increase for the site and surrounding areas.
- 9.30 To mitigate the surface water flood risk on site, measures will be incorporated into the development proposals to ensure the surface water flow path is managed, such that it will not pose a risk to the proposed dwellings and offsite flood risk is not increased. These mitigation measures could take the form of storage areas to provide flood compensation and widening the watercourse to provide a more formalised flow path.

Event Exceedance

- 9.31 As recommended above, the implementation of a surface water drainage system will work to ensure that surface water flows are appropriately managed to reduce the risk to the development.
- 9.32 Following the implementation of a surface water drainage strategy, a residual risk will remain for the proposed development. By ensuring on-site sewers are designed in accordance with Building Regulations and the latest Sewerage Sector Guidance, this will take account of overland flood flow routes and divert any excess surface water around and away from proposed buildings to mitigate flood risk.

10 SEQUENTIAL TEST AND EXCEPTION TEST

Vulnerability Classification

- 10.1 In accordance with the Flood Risk Vulnerability Classification in Annex 3 of the NPPF, a housing development is classified as a 'More Vulnerable' development in flood risk terms.
- 10.2 The site is located within Flood Zone 1. More Vulnerable development is deemed permitted within Flood Zone 1 and an exception test is not required.

Sequential Test

- 10.3 The NPPF requires the Local Authority to apply the Sequential Test in consideration of new development. The aim of the Test is to steer new development to areas at the lowest probability of flooding.
- 10.4 The revised section of the NPPF (December 2024) on "planning and flood risk" makes it clear that the flood sequential test is intended to be applied to all sources of flood risk, not just river/sea flooding. Paragraph 174 and 175 of the NPPF states:

"The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test."

"The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk)."

- 10.5 The approach we have taken is to look at all sources of flooding at the site, to determine whether a flood sequential test is required – i.e. we have assessed the development to establish whether it is an area with the lowest risk of flooding from any source.
- 10.6 The site is located within Flood Zone 1.
- 10.7 Large areas of the site are at 'Very Low' risk of surface water flooding. Areas of 'Low to High' surface water flood risk are present across the site. These are associated with the watercourses present and an existing surface water flow path. Residential development parcels have been steered away from areas of 'High' surface water risk.
- 10.8 The site is not considered to be at flood risk from groundwater or reservoir flood risk.
- 10.9 Following good building practice and complying with the requirements of the Building Regulations 2010 and the supporting 'Approved Documents', will further reduce the likelihood of flooding affecting properties at the site.
- 10.10 It should be noted that an update to the NPPF technical guidance (National flood risk standing advice for local planning authorities, dated 23rd August 2024 ("When development is exempt from the sequential test") states:

"You may not need a sequential test if development can be laid out so that only elements such as public open space, biodiversity and amenity areas are located in areas at risk of any source of current or future flooding."
- 10.11 This is now mirrored in Paragraph 175 of the updated NPPF.

10.12 Surface water modelling is currently being undertaken which will provide a more representative picture of surface water extents at the site. This will be used to inform whether the development will meet the requirements for the Sequential Test.

The Exception Test

10.13 According to Table 3 of the PPG, more vulnerable developments are considered appropriate within Flood Zone 1 without the requirement to apply the Exception Test.

11 SUMMARY AND CONCLUSIONS

11.1 The aim of the FRA is to outline the potential for the site to be impacted by flooding, the potential impacts of the development on flooding both onsite and in the vicinity, and the proposed measures which can be incorporated into the development to mitigate the identified risks. The report has been produced in accordance with the guidance detailed in the NPPF.

11.2 The potential flood risks to the site, and the measures proposed to mitigate the identified risks, are summarised in Table 3.

Table 3. Proposed mitigation

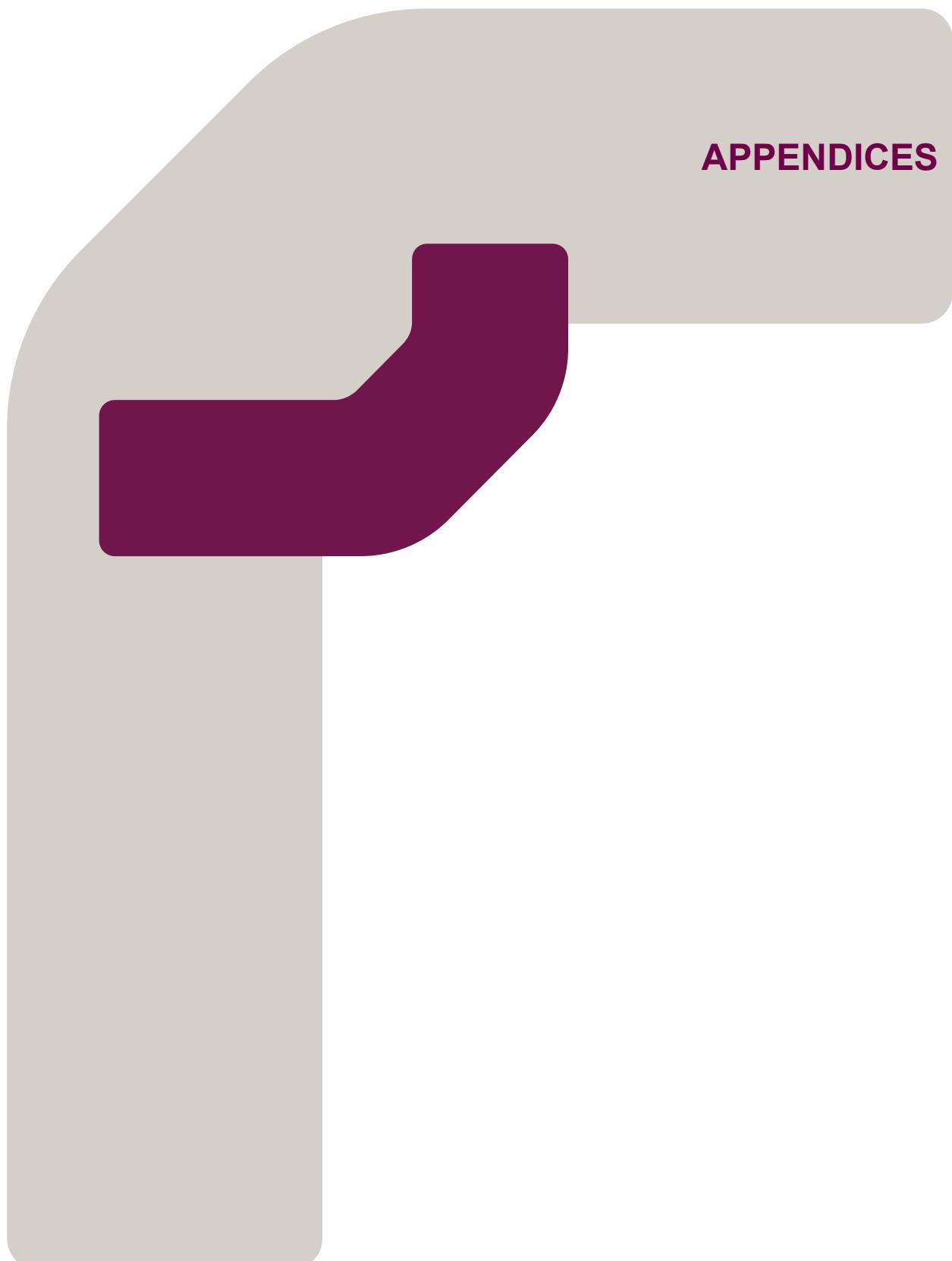
Source of Flooding	Identified Risk			Suggested Mitigation	Residual Risk		
	L	M	H		L	M	H
Fluvial	✓			No mitigation necessary	✓		
Tidal	✓			No mitigation necessary	✓		
Sewers	✓			No mitigation necessary	✓		
Surface Water			✓	Redefined flow pathways and development layout to reduce risk			✓
Groundwater	✓			No mitigation necessary	✓		
Other Sources (e.g. reservoirs, water mains)	✓			No mitigation necessary	✓		

11.3 The site is located within EA Flood Zone 1, and therefore at low risk of fluvial and tidal flooding.

11.4 The site is at 'Low' to 'High' risk from surface water flooding. Current suggested mitigation includes following best practice construction and design methods and implementing a surface water drainage strategy at the site. It is likely that this would minimally reduce the risk from surface water sources.

11.5 Surface water modelling is currently being undertaken for the site, which may provide a more refined picture of the surface water risk at the site and inform required mitigation.

11.6 This will be used to inform whether the development will meet the requirements for the Sequential Test.



APPENDICES

Appendix A

EA Consultation Response

Kesterton, Madeleine

From: PSOEastSussex <PSOEastSussex@environment-agency.gov.uk>
Sent: 28 August 2024 14:16
To: Hughes, Joshua
Subject: FW: SSD373700HF - Product 4 Request - Land off Lunces Hill, Haywards Heath, RH16 4QT
Attachments: Risk of Flooding from Surface Water- Land off Lunces Hill, Haywards Heath, RH16 4QT.pdf

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Dear Joshua,

Thank you for contacting us regarding your Product 4 Request for the Land off Lunces Hill, Haywards Heath, RH16 4QT.

Please find attached the Risk of Flooding from Surface Water Map for this location which can provide an indication of flood risk.

We hold no detailed model data for the Pellingford Brook. The Flood Zones in this area have been drawn using generalised, national scale modelling and there is also data missing at this location. Neither water depths nor water levels were outputs that were specified when we commissioned this generalised modelling for Flood Zones. Whilst the modelling process does provide some information on depth of water, it would have been possible to produce the flood extents without storing the water depth values, since water depth is only a 'by-product' of the calculation process. As the JFLOW modelling method was developed, tested and reviewed for production of the Flood Zone extents only, we currently have no information on the accuracy of the water depth data. Therefore, this modelling is **not** suitable for use in site specific Flood Risk Assessments and further modelling would be required. Please see attached JFlow Caveats document.

For FRA and pre-planning advice please see attached 'FRA Advisory Text' and 'SSD Pre-app advice note September 2019'.

For information on flooding from other sources such as surface water please contact the Lead Local Flood Authority, East Sussex County Council.

Guidance on climate change allowances and how to use them in Flood Risk Assessments can be found [here](#).

For future reference, detailed flood information and maps can be viewed using the [Long Term Flood Risk Information](#) service and [Flood Map for Planning](#) service. Flood and Coastal Risk Management asset information, and details of all planned maintenance activities can be viewed using the [Asset Management Service](#).

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Please do not hesitate to contact us at PSOEastSussex@environment-agency.gov.uk if you have any further queries regarding this enquiry.

Kind regards,
Alice

Alice Bevan
Partnership and Strategic Overview - East Sussex
Environment Agency | Chichester Office, Oving Road, Chichester, West Sussex, PO20 2AG

alice.bevan@environment-agency.gov.uk
Tel: 07900 051276



Appendix 1

Product 4	Detailed Flood Risk Assessment Map, including flood zones, defences and storage areas, areas benefiting from defences, statutory main river designations, historic flood event outlines and more detailed information from hydraulic models (including model extents and 2D flood level data for specific points)
Product 5	Reports, including flood modelling reports, model user logs and guides, hydrology reports, etc
Product 6	<p>Model Output Data, including product 5.</p> <ul style="list-style-type: none"> • flood outlines usually provided in shapefile format • 2D grids (level (h), depth (d) velocity (v) and hazard ZKU0) usually provided in ASCII or GeoTIFF format • 1D flow and level data <p>Requires GIS software such as ArcGIS, MapInfo, QGIS or similar.</p>
Product 7	<p>Calibrated and Verified Model Input Data (CaVMID), including product 5.</p> <p>Enables customer to re-run and/or make changes to a hydraulic model.</p> <p>Requires specific hydraulic modelling software such as Flood Modeller, TUFLOW, or ICM InfoWorks.</p>
Product 8	<p>Breach Hazard Map</p> <p>Provides a hazard map of breaches in PDF format including, maximum flood depth, maximum flood velocity and maximum flood hazard.</p> <p>Please note product 8 is not available for fluvial models.</p>

From: Hughes, Joshua <Joshua.Hughes@rps.tetratech.com>

Sent: Friday, August 23, 2024 4:52 PM

To: SSD Enquiries <SSDEnquiries@environment-agency.gov.uk>

Subject: Product 4 Request - Land off Lunces Hill, Haywards Heath, RH16 4QT

Good Afternoon,

We wish to enquire with you regarding flood information for a proposed residential development located at land off Lunces Hill, Haywards Heath, RH16 4QT. Please find attached a location plan indicating the site boundary.

Please provide Product 4 data for the site including and historic flood records. It is understood that the site is located in Flood Zone 1, however the Pellingford Brook runs through the centre of the site. Do you have any modelled flood extents/levels for this watercourse?

We will be preparing a Flood Risk Assessment to support a planning application for this site, therefore do you have any site specific requirements for the assessment?

Please note we are also contacting the LLFA.

If you require any further information then let me know.

Kind Regards,
Josh

Josh Hughes

Consultant
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T +44 121 622 8520
D +44 1902 925 491
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Appendix B

East Sussex Consultation Response

Kesterton, Madeleine

From: Su DS Consultations - Flood <Su.DS@eastsussex.gov.uk>
Sent: 27 September 2024 13:49
To: Hughes, Joshua
Cc: Su DS Consultations - Flood
Subject: Flood Information Request - Land off Lunce Hill, Haywards Heath, RH16 4QT
Attachments: SHELA_LW_24_022_240919_14-14.pdf; Location Plan_Haywards Heath.pdf

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Dear Josh Hughes

Thank you for consulting with the LLFA.

I attach a 'WaterRide' report which contains site specific flood information from records held by the Council.

There is no proposed layout or drainage strategy submitted so we offer the following guidance. I note you will also consult with WSCC LLFA as the site spans both areas.

I offer the following guidance:

- As a minimum, development should be outside of the 1%AEP surface water risk extent (RoFSW), an assessment of risk over the lifespan of development due to climate change can be made or the 0.1% AEP RoFSW extent can be used as a robust worst case.
- The plan layout and supporting levels information must demonstrate that property is not at risk of flooding from existing overland flows, and that the design to alter or divert surface water flood risk is feasible. Existing overland flow paths should not be allowed to inundate proposed development attenuation storage such that the volume could be reduced at the commencement of the design storm. Alterations to existing surface water flow paths which could result in increased flood risk to third parties should be supported by 2D modelling in accordance with current EA modelling guidance.
- The site has a large plan area and we would welcome surface features which achieve sustainable drainage requirements and are incorporated into the layout as a landscape led multifunctional SuDS approach.
- The drainage hierarchy should be followed. The local geology is unlikely to support discharge to ground via infiltration to subsoil and we would not require physical ground investigation proof of inability to utilise infiltration. If infiltration is proposed, testing to BRE365 is required at planning stage as supporting evidence.
- Discharge to a watercourse is acceptable via formal positive drain and headwall. Ordinary watercourse consent is required prior to construction and separate to Town and Country Planning requirements. The technical design would be assessed as part of a discharge of conditions application and an application would be made to ESCC Watercourse Consenting. Alterations to existing watercourses and culverting should be avoided wherever possible and must be justified and the minimum necessary. Any culverts should be straight and not have intermediate chambers or turns.
- The criteria within the Defra Technical Standards for SuDS should be achieved. We also accept a simple flow control set to achieve QBar GFR for all storms including the design storm.

- Greenfield runoff should be calculated for the developed contributing area for the purposes of flow restriction. This can include private gardens and small areas of verge but should exclude landscaped areas and open space which would runoff separately to the drainage system. The best fit outline of this area should be indicated on the drainage layout.
- Water quality assessment can utilise the SuDS Manual Simple Index Approach or other suitable risk assessment.
- Sufficient design of drainage and levels must be provided at planning stage to demonstrate the functional design is feasible and meets sustainable drainage policy requirements. Exceedance paths should be shown for exceedance of inlet capacity as well as blockage or failure of key points in the system (storage and flow controls).
- Guidance on sustainable drainage is found on our webpages: www.eastsussex.gov.uk/environment/flooding/sustainable-drainage-systems. Please note the checklist for planning submissions and the policy on deepbore soakaways.

We do not have specific data on the ordinary watercourse crossing the site other than it is approximately 1.7m wide and has a catchment of approximately 390sq.km.

I hope this is sufficient to guide your designs but please let us know if you have any follow up queries.

Kind regards,

Andy French

Sustainable Drainage Advisor
Flood Risk Management - CET

SuDS@eastsussex.gov.uk



From: Hughes, Joshua <Joshua.Hughes@rps.tetratech.com>

Sent: Tuesday, August 27, 2024 10:25 AM

To: Su DS Consultations - Flood <su.ds@eastsussex.gov.uk>

Subject: Flood Information Request - Land off Lunces Hill, Haywards Heath, RH16 4QT

Good Morning,

We wish to enquire with you regarding flood information for a proposed residential development located at land off Lunces Hill, Haywards Heath, RH16 4QT. Please find attached a location plan indicating the site boundary.

Please can you provide any flood information you hold for the site, such as flood maps and any historic flood records. The Pellingford Brook, an ordinary watercourse, runs through the site, do you hold any information on this?

We will be preparing a Flood Risk Assessment to support a planning application for this site, therefore do you have any site specific requirements for the assessment?

The site is partially located in east and west Sussex, therefore we are also contacting West Sussex County Council.

If you require any further information then let me know.

Kind Regards,
Josh

Josh Hughes
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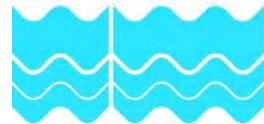


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19/09/2024

Drainage Report

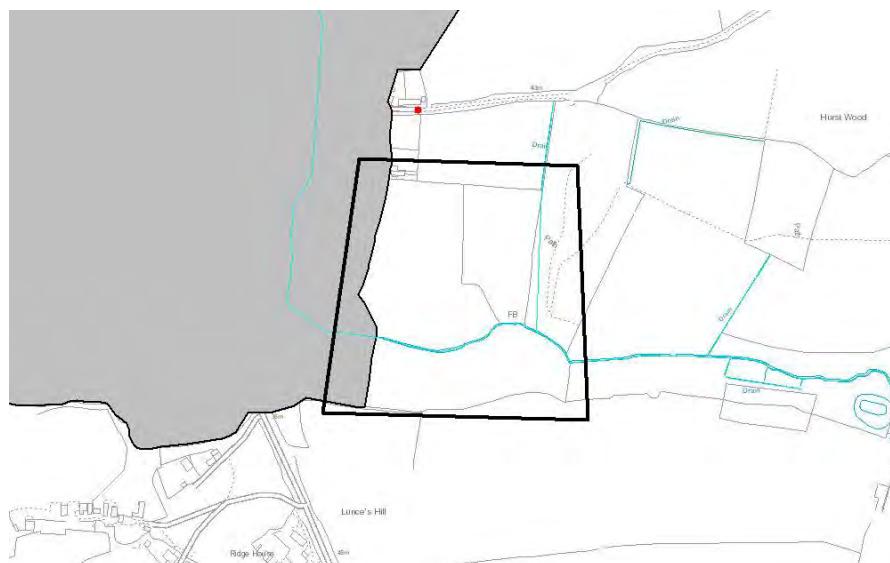
Site name: Land off Lunces Hill, Haywards Heath, RH16 4QT

ESCC Reference: SHELAA/LW/24/022,SUD/PRE/LW/24/008

Flood Risk

Flood Risk	Is any part of the site at risk?	Where to obtain additional information
Fluvial/Coastal	No	Environment Agency
Surface water	Yes	Environment Agency
Groundwater	Yes	British Geological Survey

The map below shows the flood incidents recorded in our database in the vicinity of the development site.



 Recorded flooding incident

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Figure 1: Recorded Flood Incidents

The table below provides details of the recorded flood incidents within the vicinity of the site.

Date	Source of flooding	Description
13/02/2020	Surface Water	Surface water flooding residential curtilage due to insufficient drainage.

Please note that our records only provide a snapshot of the flood history in the area, as the majority of incidents were compiled after the County Council was established as the Lead Local Flood Authority in 2010. Therefore, other risk management authorities, such as the Environment Agency, the Local Planning Authority and Southern Water may hold additional records.

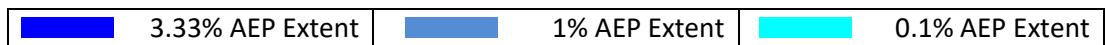
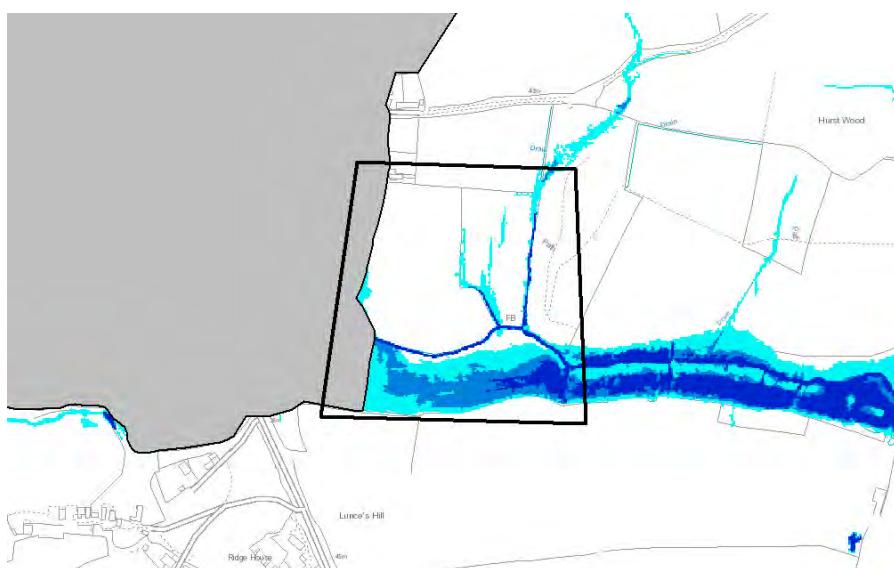
The surface water management strategy should include information on how the potential impacts of local flood risk sources on the proposed drainage arrangements have been considered and mitigated where necessary. Local flood risk sources include surface water, groundwater, sewer and ordinary watercourse flood risk.

Surface Water Flood Risk

The Environment Agency's surface water flood mapping shows the predicted surface water flood risk at the development site, and the table below gives the corresponding maximum flood depth:

Table 1: Surface Water Flood Depths

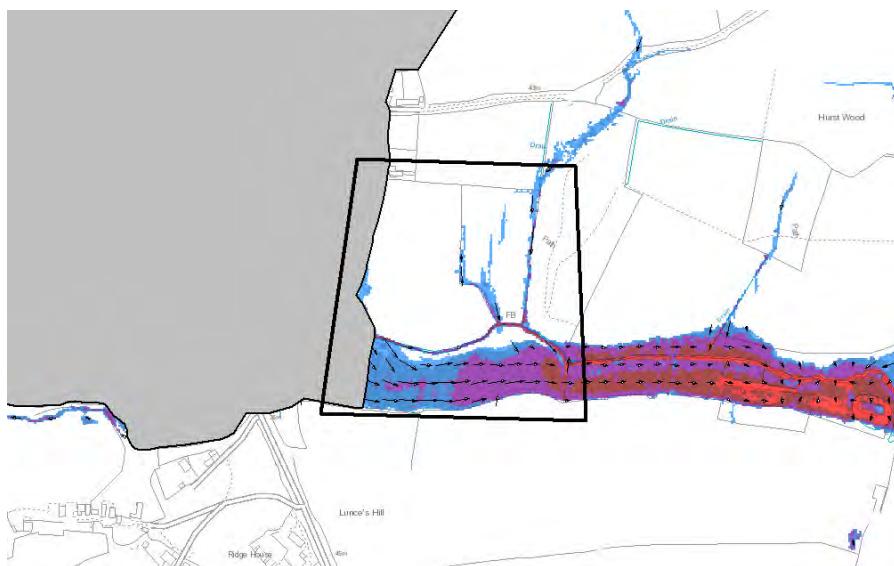
Flood Event	Maximum Depth
3.33% AEP (1 in 30 year)	0.93
1% AEP (1 in 100 year)	1.00
0.1% AEP (1 in 1000 year)	1.14



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Figure 2: Surface Water Flood Risk

The map below shows predicted depths and flow direction of surface water for the 0.1% AEP (1 in 1000) event:



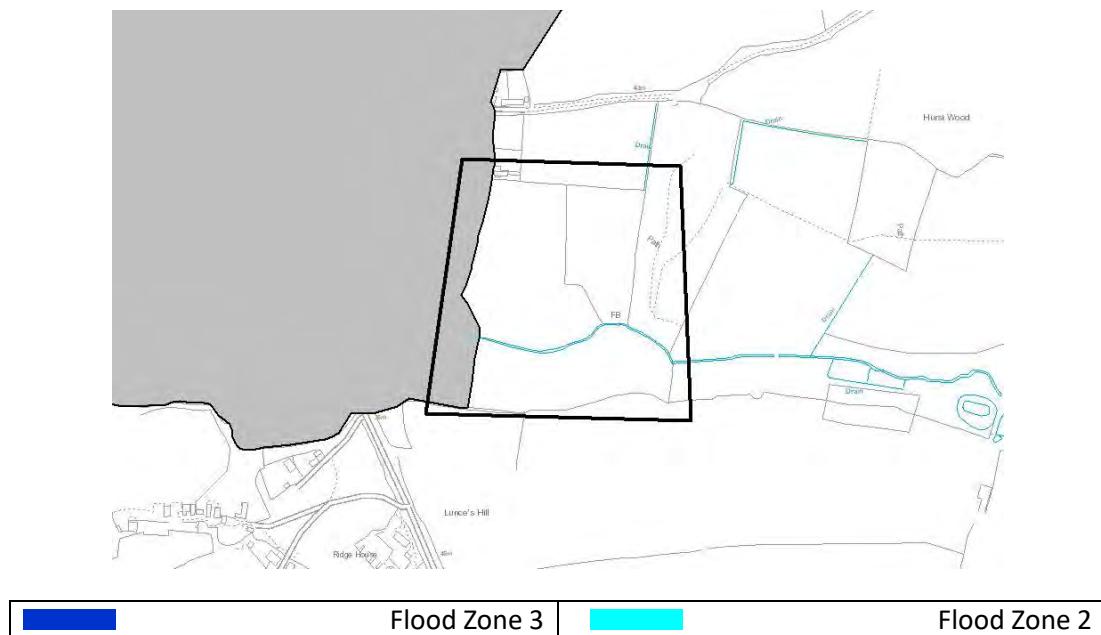
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Figure 3: 0.1% AEP depth and flow direction

Further information can be viewed online on at the Environment Agency's pages on the GOV.UK website.

Fluvial and Coastal Flood Risk

The Environment Agency's mapping shows that the property is not in the vicinity of Flood Zone 2 or Flood Zone 3.



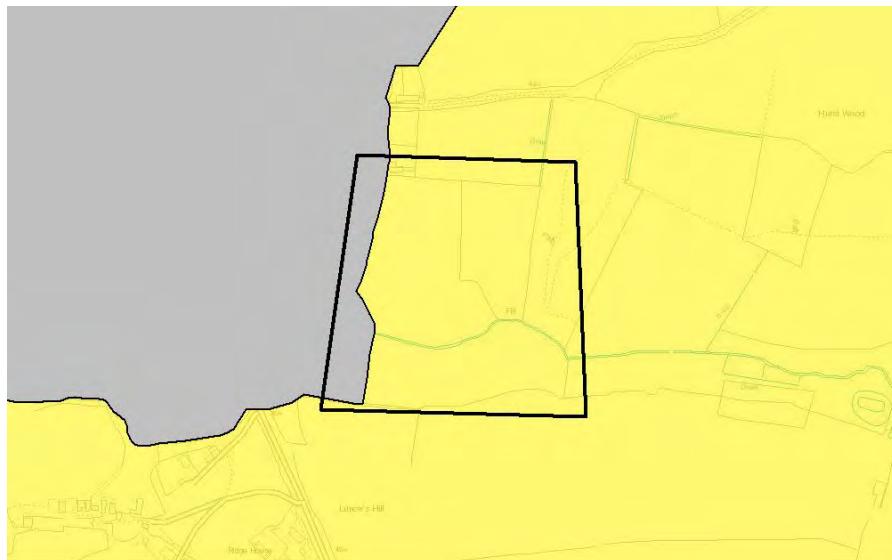
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Figure 4: Fluvial and Coastal Flood Risk

Further information can be viewed online at the Environment Agency's pages on the GOV.UK website.

Groundwater Flood Risk

Mapping from the British Geological Survey shows that there is a limited potential for groundwater flooding to occur to the site.



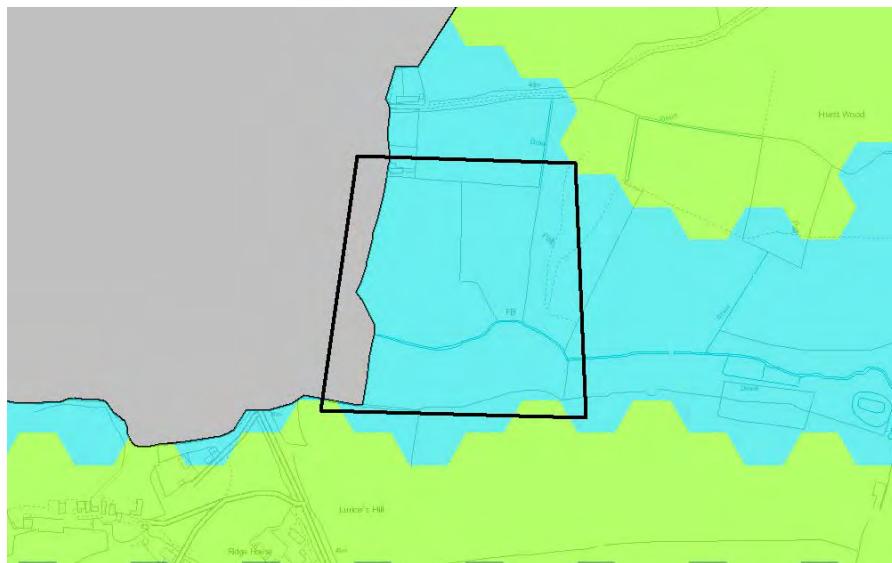
	Limited potential for groundwater flooding to occur		Potential for groundwater flooding of property situated below ground level		Potential for groundwater flooding to occur at surface
--	---	--	--	--	--

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Figure 5: Groundwater Flood Risk

Drainage Considerations

The council has carried out county wide analysis to classify East Sussex into four areas of broad drainage characteristics or Drainage Risk Areas (DRA). These spatial groupings are intended to inform the preparation of drainage strategies with development proposals, so that appropriate SuDS techniques are implemented in the county.



Risk area 1 **Risk area 2** **Risk area 3** **Risk area 4**

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Figure 6: Drainage Risk areas

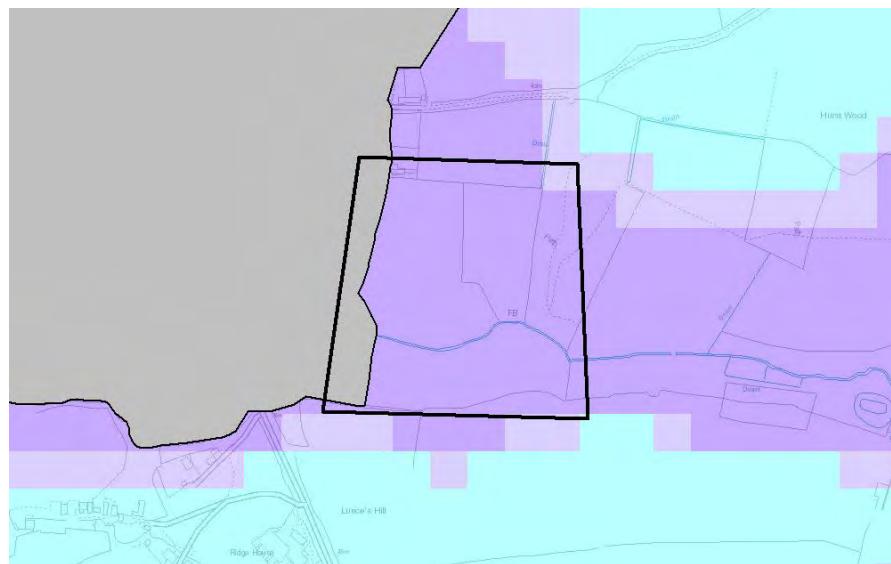
The site is shown to be within risk group 3. The site may also contain aspects of other DRA categories.

The LLFA requirements for each DRA are provided in Table 2 below.

Table 2: Drainage Risk Area Guidance

DRA Number	Colour	Guidance
1	Light Green	Improvements upon greenfield runoff rates should be discussed with LLFA
2	Dark Green	Infiltration is unlikely, ensure an outfall can be secured
3	Light Blue	Infiltration techniques are likely to be inappropriate
4	Yellow	Robust evidence is required to show the applicability of infiltration on site

Figure 7 below outlines the estimated water table depth for the site, based on data from the British Geological Survey. The legend contains the British Geological Survey advice for each groundwater depth band.



	>5m below surface	Observations of seasonal variations in groundwater level recommended
	3m – 5m below surface	Determine seasonal variations in groundwater level
	<3m below surface	Determine seasonal variations in groundwater level

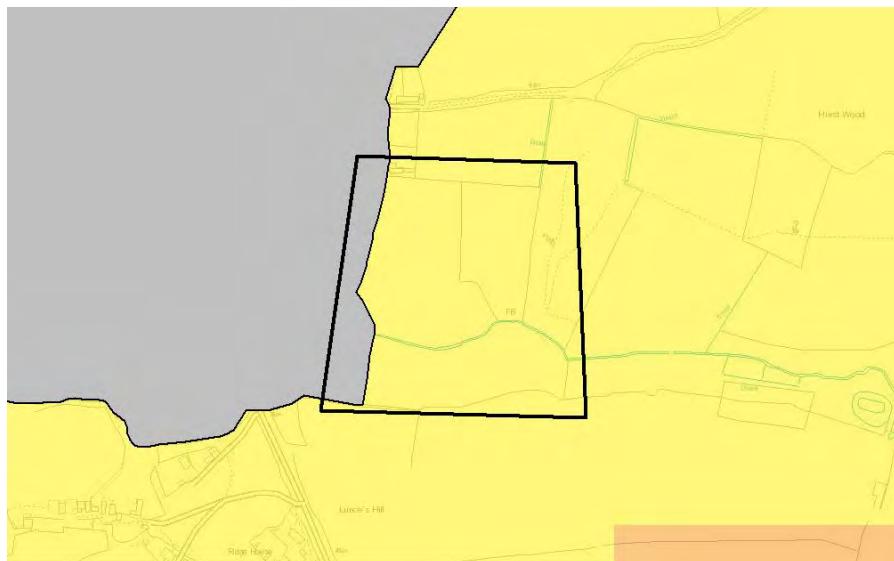
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Figure 7: Depth to Groundwater

The map indicates that the water table is <3m below the ground surface. Therefore, seasonal variations in groundwater level should be determined.

Figure 8 below outlines the estimated ground stability for the site, based on data from the British Geological Survey. The legend contains the British Geological Survey advice for each ground stability band.

The BGS data indicates that there is the potential for a geohazard on the site. Therefore, the potential for or consequences of infiltration or ground stability should be considered before installing infiltration SuDS.



	Potential for Geohazard	Before installing infiltration SuDS consider the potential for or consequences of infiltration or ground stability
	Significant potential for Geohazard	Only install infiltration SuDS if the potential for or consequences of infiltration are considered no to be considerate
	Very significant constraints are indicated	Only install infiltration SuDS if the potential for or consequences of infiltration are considered no to be considerate

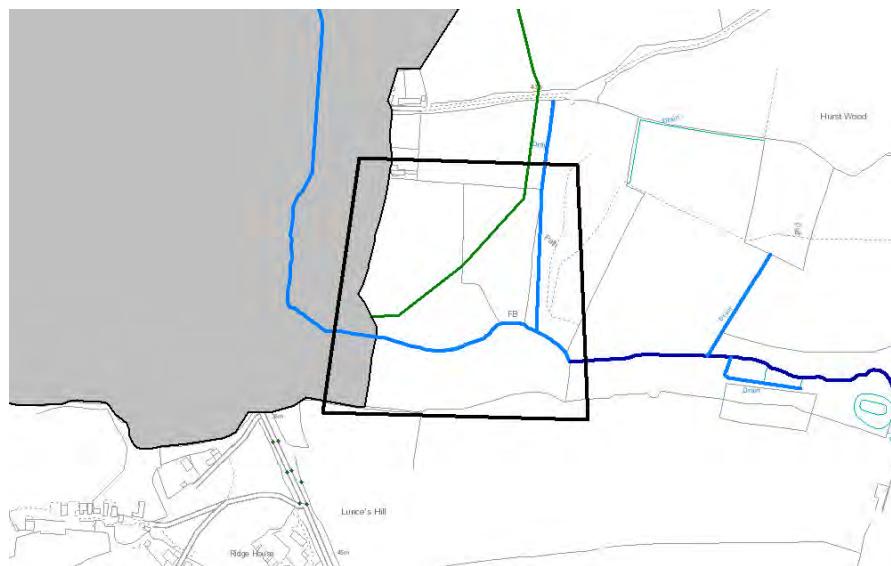
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Figure 8: Ground Stability

The information provided is guidance only. All development proposals must undertake the necessary site surveys to confirm the drainage constraints or opportunities. For further information on drainage strategy requirements, please refer to the ESCC [Guide to Sustainable Drainage Systems in East Sussex](#) and the [Local Flood Risk Management Strategy](#). The 'surface water drainage checklist' available on our website lists the information we expect to be submitted in support of a planning application

Watercourses and Drainage Assets

Watercourses and drainage assets in the vicinity of the property are shown below.



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Figure 9: Watercourses

If any ordinary watercourses lie within the site boundary, any planned works to the watercourse map require a separate [Ordinary Watercourse Consent](#) from ESCC.

If a main river lies within the site boundary, any planned works to this watercourse may require an [Environmental Permit](#) (formerly Flood Defence Consent) from the Environment Agency. Contact the EA for enquiries at enquiries@environment-agency.co.uk

To connect into existing surface water and foul water systems, agreement must be obtained from Southern Water. Please refer to Southern Water for details on [the capacity of the existing sewer system](#) and applications for a [new connection](#) to the existing sewer system.

Water Quality and Landfill

Figure 10 below shows the ecological status of adjacent waterbodies, as defined by the Water Framework Directive and any historic landfill sites.



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Figure 10: Water Quality and Landfill

If the site is adjacent to a sensitive waterbody, as defined by the Water Framework Directive, the Quality of water discharged from the site is likely to be a key consideration. Contact the EA for enquiries at enquiries@environment-agency.co.uk for further information.

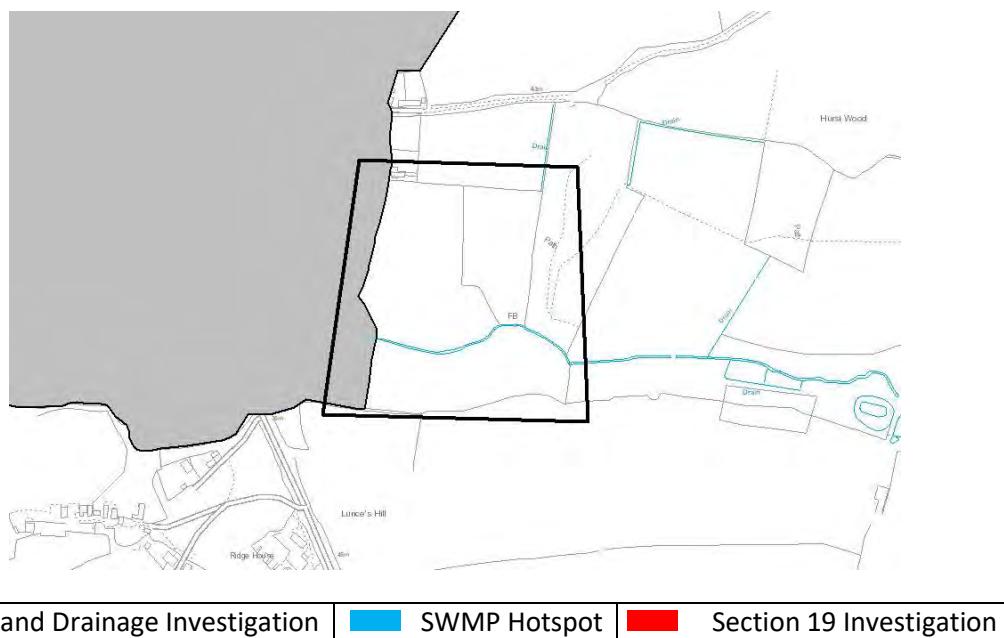
If the site is in the vicinity of a historic landfill the EA may have additional comments on the associated water quality risks.

Investigations

ESCC has undertaken a broad range of investigations into historic flooding and drainage issues including section 19 reports, Land Drainage Investigations and Surface Water Management Plans. Figure 11 below illustrates the location of these investigations.

Where a significant flood event has occurred and the responsibility for managing the risk is unclear; ESCC may undertake a formal investigation under Section 19 of the Flood and Water Management Act 2010. The published report aims to identify the responsible party and proposed response to the incident. To address less severe, localised flooding, ESCC may undertake a Land Drainage Investigation.

The [Surface Water Management Plans](#) (SWMP) in ESCC identified several risk 'hotspots'. If the site is adjacent to a hotspot, please refer to the full SWMP document for more information.



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Figure 11: Previous investigations

If the site is adjacent to any Section 19 Reports, Land Drainage Investigations or SWMP hotspots, please contact the Flood Risk Management Team at watercourse.consenting@eastsussex.co.uk

Other Information

The site lies with administrative area of East Sussex County Council LLFA. Additional requirements may need to be taken into consideration. Please contact the below relevant authority for further information.

East Sussex County Council LLFA	Watercourse.consenting@eastsussex.gov.uk
---------------------------------	--

Figure 12 below shows any known archaeological sites adjacent to the site. If there is an adjacent site, it is highly likely that information on the location and extent of heritage assets will be required, as well as the archaeological potential of the area. It is recommended to investigate the level of information required by contacting East Sussex Historic Environment Record (HER) at country.HER@eastsussex.gov.uk

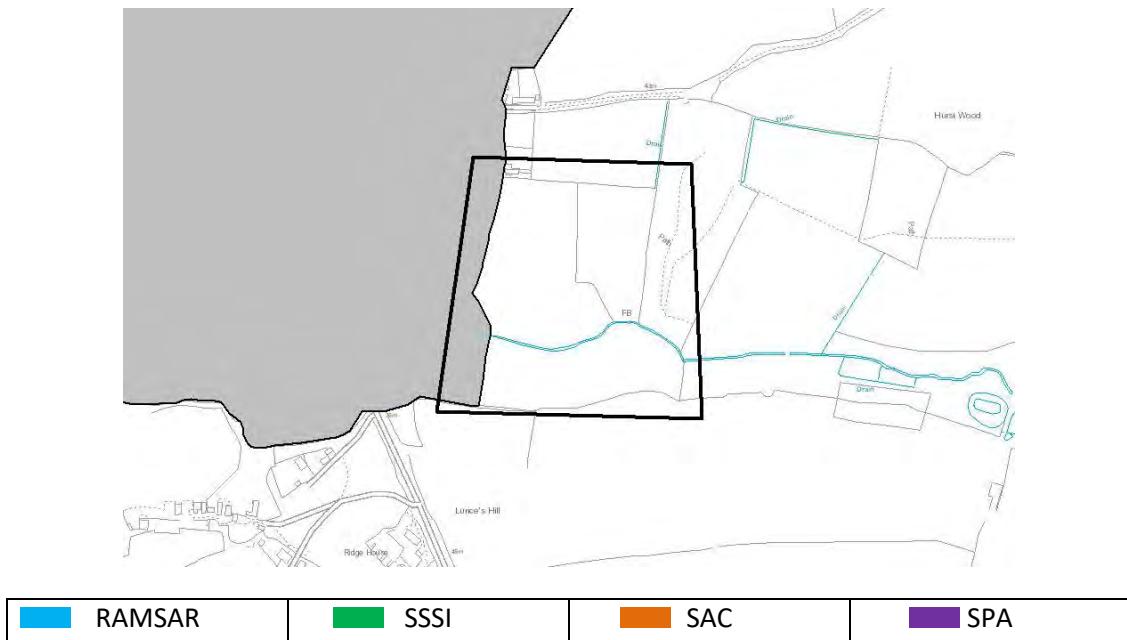


 Archaeological Site

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Figure 12: Archaeology

East Sussex contains area of international, national and local importance for biodiversity. The below Figure 13 illustrates the location of RAMSAR sites, Sites of Specific Scientific Interest (SSSI), Special Areas of Conservation (SAC) and Special Protection Areas (SPA).



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Figure 13: Biodiversity

ESCC policy states that the development should provide net gain in biodiversity where possible. Therefore Sustainable Drainage Systems (SuDS) should be designated as multifunctional features, which ensure that biodiversity can be compensated and/or enhanced.

Further information can be found in the [Guide to Sustainable Drainage Systems in East Sussex](#).

Appendix C

West Sussex Consultation Response

Josh Hughes
RPS Consulting Services Limited
Fourth Floor
1-3 Newhall Street
Birmingham
B3 3NH

7th October 2024

Dear Josh,

WSSC-648230291- Land off Lunce's Hill, Haywards Heath, West Sussex, RH16 4QT

WSSC Flood Risk Management Team Level 1 Pre-Application Advice has been sought for an approximately 8.75 ha site in Mid Sussex district. It is expected that around 135 dwellings and community/farm shop will be built along with areas of open space and landscape. As this site is cross boundary between East and West Sussex, we may have a lack of information for the part of the site that is within East Sussex.

Flood Risk for Land off Lunce's Hill:

The proposed site does not lie within Flood Zones 2 or 3 (Appendix A), however it is over 1ha therefore a Flood Risk Assessment in line with guidance from the Environment Agency ([Flood risk assessments: applying for planning permission](#)), NPPF (December 2023 version) and PPG Flood risk and coastal change (August 2022 version; this includes a Site-specific flood risk assessment checklist) will be required. Within the FRA all sources of flooding should be assessed, including flood risk from surface water, ordinary watercourses including ditches, groundwater, artificial sources such as reservoirs and existing drainage infrastructure. The site is not currently located in EA flood warning or alert areas (Appendix B).

The proposed site is in an area of high to low risk of surface water flooding as identified by the Environment Agency Risk of Surface Water Flooding map (Appendix C). There is surface water flow path shown through the site from the west along the southern boundary of the site below the ordinary watercourse. According to our records there is an ordinary watercourse which flows from Haywards Heath down the western boundary of the site then through the site in a west to east direction. The watercourse turns into main river once it leaves the site (Appendix D). There might be another watercourse along the eastern boundary of the site however as this is in East Sussex they will need to clarify this. As there is a flow path through the site, a sequential test might be needed. The Local Planning Authority leads on deciding whether a sequential/exception test is needed and sets the parameters required. As the site crosses Lewes and Mid Sussex it might be that sequential tests have to be discussed with both LPAs.

According to BGS data the bedrock for the site is bedrock for the site is sandstone and siltstone, with superficial deposits of Head-clay, silt, sand and gravel. It is noted that groundwater monitoring and infiltration testing results have not been provided for our review. These will need to be provided when the application is submitted to the Local Planning Authority. Groundwater flood risk details can be found in Appendix E.

On EA mapping there are no records of fluvial flooding within the site or surrounding area. (Appendix F). Haywards Heath and Lindfield is identified in our Local Flood Risk Management Strategy 2013 as a wet spot however the site is just outside this area (Appendix G). WSCC have no records of surface water or groundwater flood events within the site, however there are some events in the surrounding area. (Appendix H). Please note, this does not guarantee that no flooding has occurred within the site boundary or immediate vicinity as flood events might not have been reported to the Flood Risk Management Team.

SuDS Guidance:

The use of Sustainable Drainage Systems (SuDS) should be considered at an early stage in the design process, to integrate SuDS with road networks and other infrastructure. The drainage system should consider the four pillars of SuDS (water quantity, water quality, amenity, and biodiversity) and follow the surface water discharge hierarchy. We expect that investigation into infiltration potential is undertaken using methods in accordance with BRE365. If infiltration testing and groundwater monitoring results are unfavourable for draining the site using infiltration SuDS, any existing runoff rates/volumes must be controlled to a pre-development greenfield runoff rate (Q_{bar}). We would expect that above ground SuDS are used as much as possible to maximise controlling surface water runoff where it falls (e.g. water reuse, green roofs, bioretention areas, ponds, basins, swales etc.). Attenuation features (basins) should be located outside of the surface water flood risk area, otherwise they will have reduced capacity in storm events.

The FRA/Drainage Strategy should demonstrate there will be sufficient surface water quality treatment by implementing an appropriate amount of water quality treatment stages through the use of SuDS. Chapter 26 of the CIRIA SuDS Manual has lots of guidance for managing surface water quality, including tables for suitability of different SuDS components and the Simple Index Approach. Interception storage should be used in the beginning of the treatment train to ensure the drainage system manages pollutants as close to the source as possible and remove sediment upstream in the system rather than closer to the discharge location.

We would expect that any proposed surface water drainage scheme takes all opportunities to improve any existing risk of flooding to the surrounding road networks. Opportunities should also be considered on how the development may improve flood risk overall by assessing if any additional flood mitigation can be integrated into the scheme, such as storage areas in blue green corridors.

Any phasing of the development must be shown to be able to be developed with a dedicated drainage infrastructure that does not rely on any other phase to be developed. A drainage phasing timeline will be required to show how each element of the drainage system will be implemented prior to completion of the building phase. Details of the required maintenance of any SuDS features and structures

and who will be adopting these features for the lifetime of the development must be provided in accordance with the NPPF.

We require the applicant to submit information and drawings which clearly shows the proposed drainage strategy and exceedance flood flow routes for all areas of development. These plans should include the finished floor levels of all buildings, the proposed finished floor levels and potential exceedance flow route.

Details of the construction phase temporary drainage arrangements are required by the LLFA to ensure there will be no increase in flood risk due to the construction works of the development either onsite or elsewhere. A high-level assessment is required at an initial planning stage. Furthermore, the applicant will also need to submit the proposed construction phasing plans for the development to demonstrate that prior to completing the site there will be no increase in flood risk due to the interim development phases either onsite or elsewhere.

When submitting the application to the Local Planning Authority, please submit the SuDS proforma and validation checklist to assist us in reviewing the application and expedite the process. These can be found here: [Flood Risk Management: Pre-application advice](#).

Further guidance on surface water drainage requirements for planning applications within Mid Sussex district can be found here: [Flood Risk and Drainage for Planning - Mid Sussex District Council](#)

Yours sincerely,

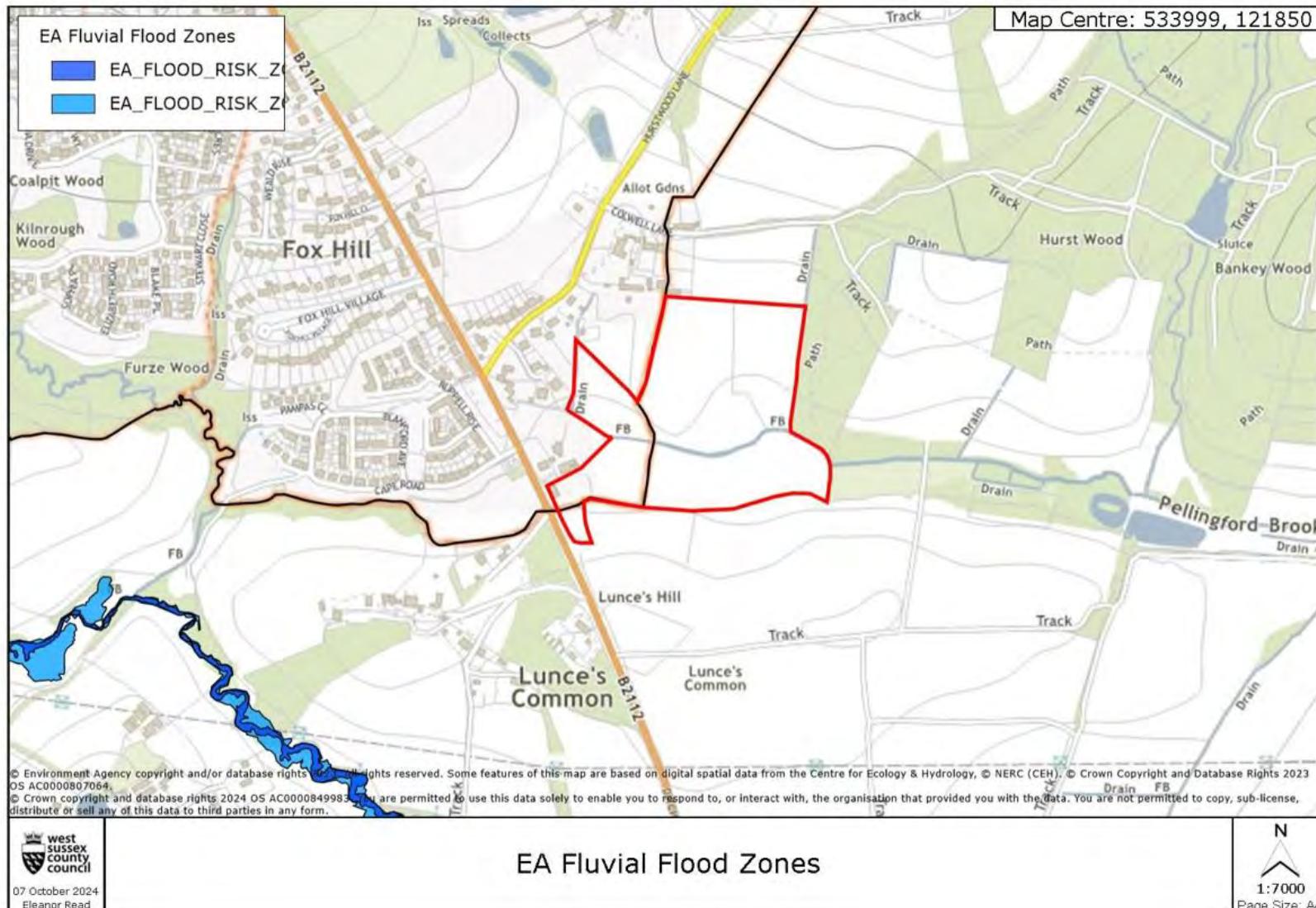
Eleanor Read

Eleanor.read@westsussex.gov.uk

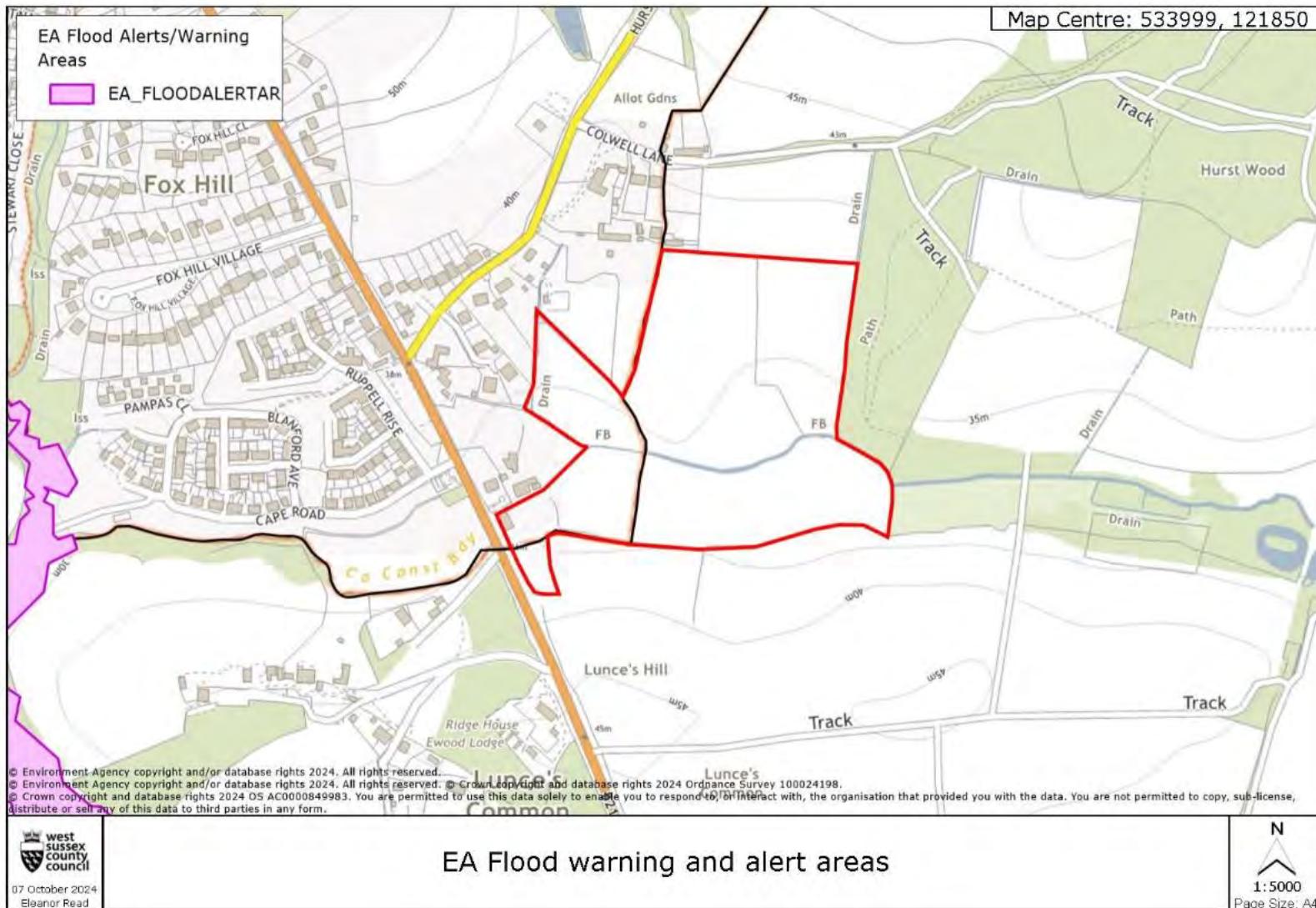
Flood Risk Management Team

Appendices

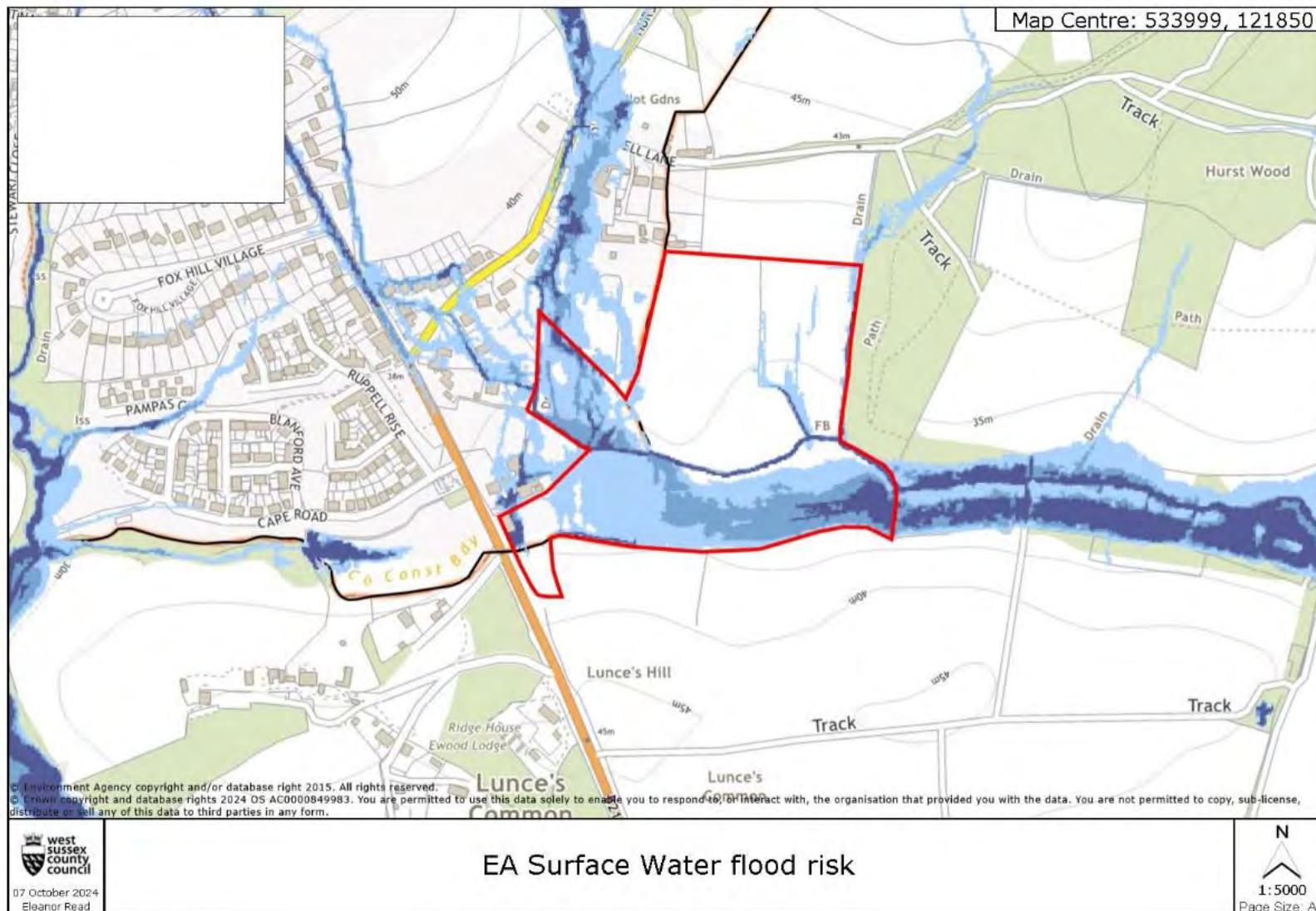
Appendix A-Fluvial Flood Risk



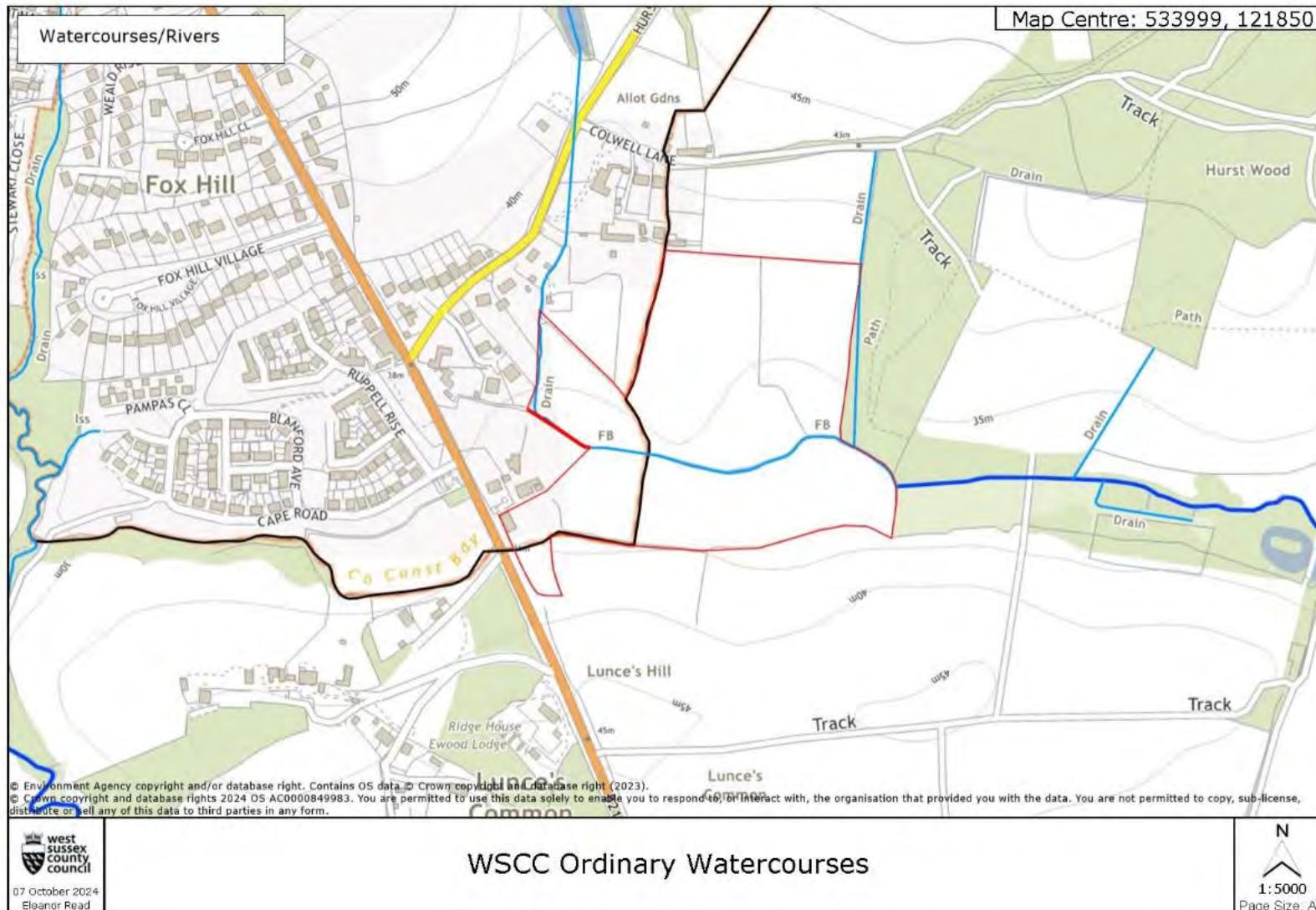
Appendix B-Flood warning and alert areas



Appendix C-Surface water flood risk

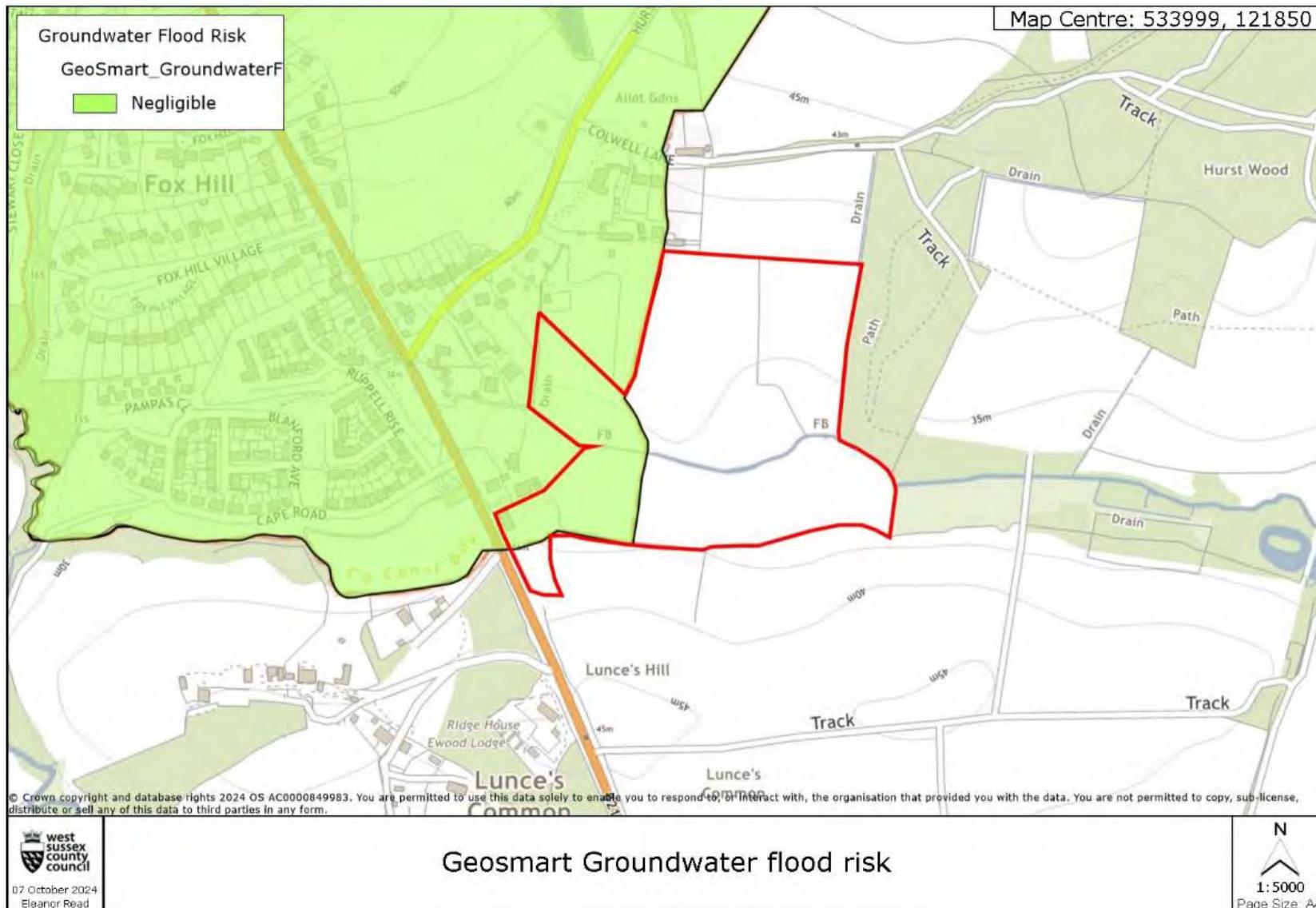


Appendix D-Ordinary Watercourses

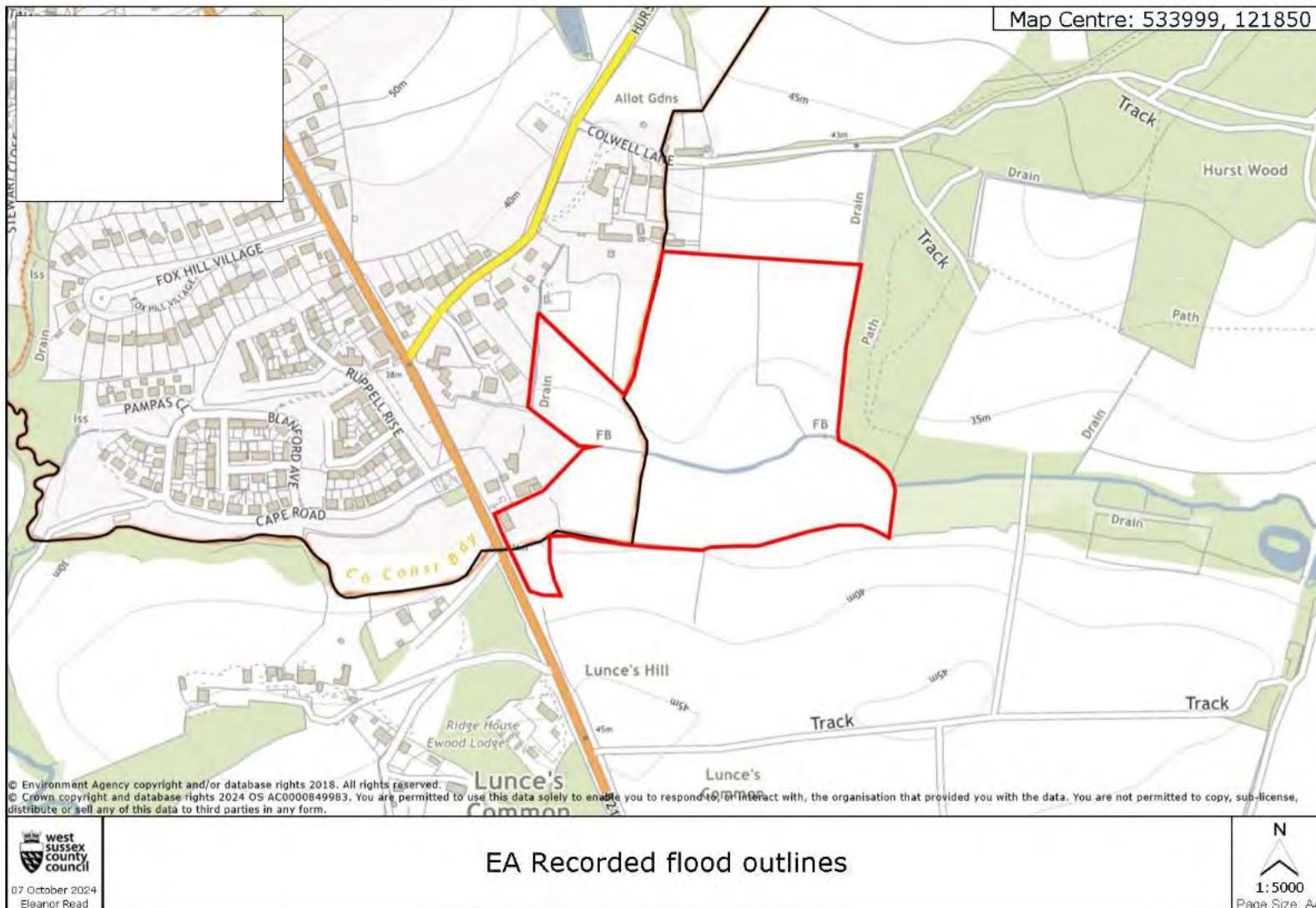


Appendix E-Susceptibility to groundwater flooding





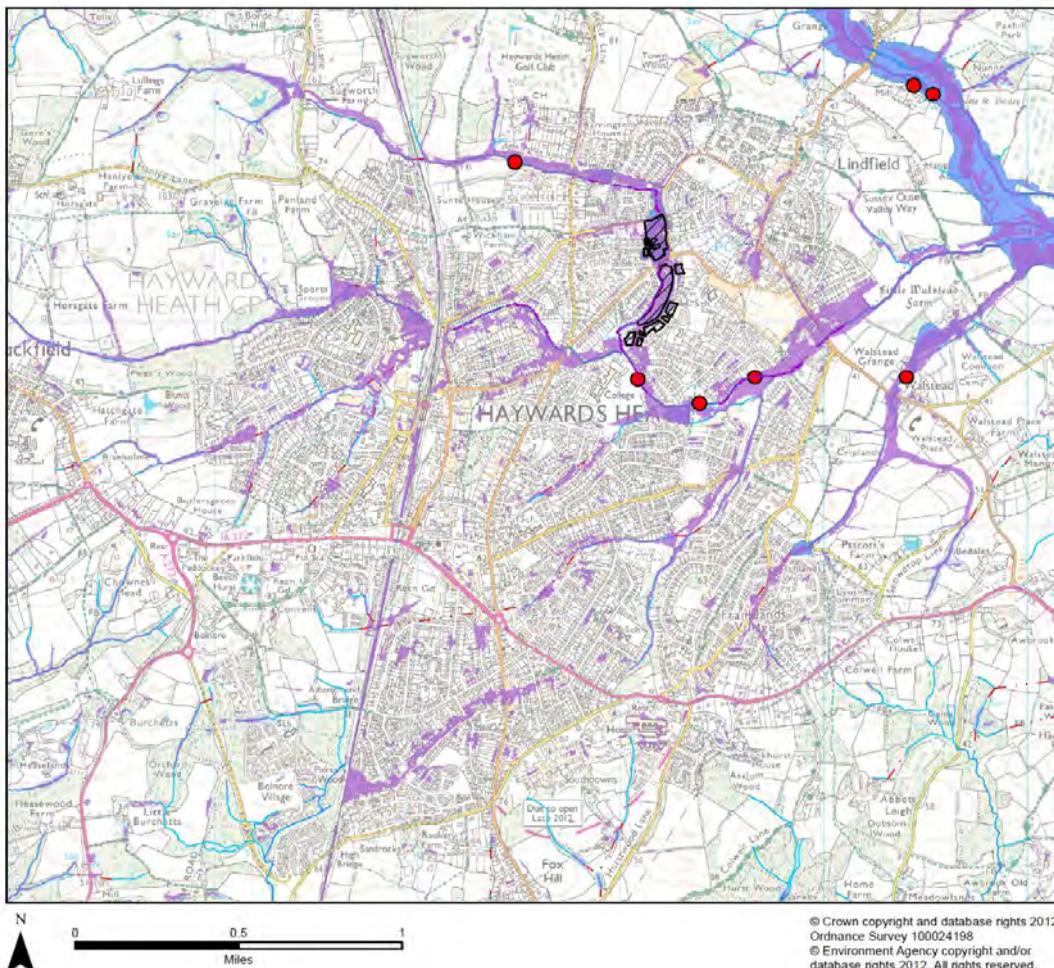
Appendix F-Environment Agency Historic Flood Map



Appendix G-Wet Spots

Wet spots show areas classified in 2013 Local Flood Risk Management Strategy where a significant number of properties may be susceptible to flooding. Haywards heath & Lindfield is identified as a Wet Spot. The site is located just to the south of this area.

Haywards Heath & Lindfield Wet Spot



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Legend

- Surface Water Flood Map
1 in 200 yr rainfall event
- Rivers and Sea Flood Map
1 in 100 year river event,
1 in 200 year sea event

River obstructions

- ARTIFICIAL
- NATURAL
- UNKNOWN

River network

- Primary River
- Secondary River
- Tertiary River
- D/S of High Water Mark
- D/S of Seaward Extension
- Lake / Reservoir
- Canal
- Extended Culvert (> 50m)
- Canal Tunnel
- Underground River (inferred)
- Underground River (local knowledge)

Numbers of properties at risk from
surface water vs. rivers and sea




Appendix H-Historic Flood Incidents (WSCC)

No records within site itself (West Sussex bit)

Hurstwood Lane – Highway flooding in May 2018

Appendix D

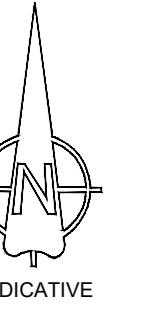
Topographic Survey



It is important to note that every effort has been made to correctly identify species of trees on the site, we advise that an arborologist be consulted before any decisions are made.

Information contained in this drawing (including digital data) should be checked and verified prior to any fabrication or construction.

Coordinates are based on an OS GNSS system plane grid with a scale factor of 1.0000.



Hurstwood Barn

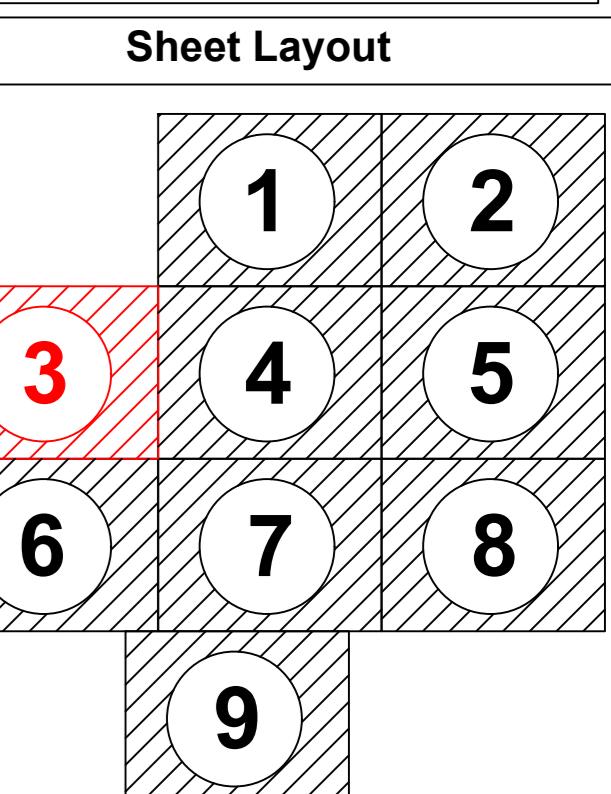
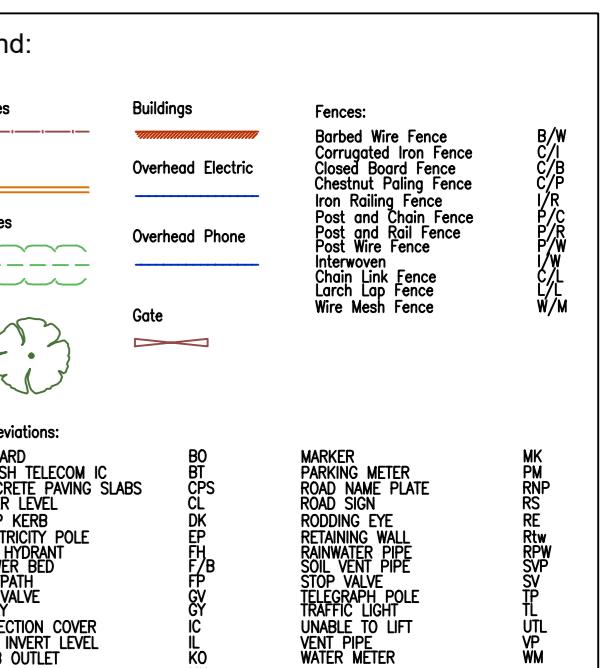
A map showing property boundaries and a road. Two specific locations are marked with crosses and labeled "533740E" and "533760E". A large area is labeled "HURSTWOOD".

A map showing the location of Hurstwood Close. The street name 'HURSTWOOD CLOSE' is written vertically along a road line. A small cross marker is placed on the road line. The map also shows 'eylands' to the west and a large area labeled 'HURSTWOOD' to the east.

May Tree Cottage

Greylag

37



Date	Initials	Revision Details

Catesby Estates

Lunces Hill
Haywards Heath


2403044	Old Job No.
g Number	Revision Suffix
2403044/3	
00m (A0)	Date

CD SURVEYS LTD
LAND, BUILDING & SITE ENGINEERING
OFFICE
URCH STREET
E UPON THAMES
Y, TW18 4XZ


Tel (01784) 775977
Email: mail@cdsurveys.com
Visit us at: www.cdsurveys.com














Appendix E

Development Plans



Appendix F

Asset Location Plans

Drainage and water enquiry

CON29DW Commercial

Order reference: LS/U1764149

Your reference: 25123916

Search address:

Land At Cleavewater Lunce s Hill
Haywards Heath
West Sussex
RH16

Ordered by:

TM Property Searches Limited
1200 Delta Business Park Great Western Way
Swindon
Wiltshire
SUN5 7XZ

For enquiries regarding the information provided in this report, please contact the LandSearch team:

Tel: 0330 303 0276

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

Email: searches@southernwater.co.uk

Web: www.southernwater.co.uk



DRAINAGE + WATER
SEARCHES NETWORK
DWSN

What you need to know about...

Private sewer transfer

On 1 October 2011, ownership of private sewers and lateral drains changed in accordance with The Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The contents of this search may not reflect these changes.

For further information please visit our website: www.southernwater.co.uk/sewer-ownership-changes.

Records searched

The following records were searched in compiling this report: the Map of Public Sewers, the Map of Waterworks, water and sewerage records, the Register of Properties subject to Internal Foul Flooding, the Register of Properties subject to Poor Water Pressure and the Drinking Water Register. Should the property not fall entirely within Southern Water's region, a copy of the records held by the relevant water company was searched.

Competition in the non-household retail market

From April 2017 non-household customers in England can choose their retailer. 'Retail' refers to the way in which customers are billed for their water and sewerage as well as customer services including meter reading.

The 'wholesale' part of the water industry was not opened for competition in April 2017. This means Southern Water continues to look after the pipes and infrastructure for all its customers across Kent, Sussex, Hampshire and the Isle of Wight.

Moving

There can be a lot to do and remember when you're moving. Whether you are moving within our area, moving into our area or moving out of the area please let your retailer know.

Your order summary

Maps

1.1	Where relevant, please include a copy of an extract from the public sewer map.	Map provided
1.2	Where relevant, please include a copy of an extract from the map of waterworks	Map provided

Drainage

2.1	Does foul water from the property drain to a public sewer?	No
2.2	Does surface water from the property drain to a public sewer?	No
2.3	Is a surface water drainage charge payable?	No
2.4	Does the public sewer map indicate any public sewer, disposal main or lateral drain within the boundaries of the property?	Yes
2.4.1	Does the public sewer map indicate any public pumping station or any other ancillary apparatus within the boundaries of the property?	No
2.5	Does the public sewer map indicate any public sewer within 30.48 metres (100 feet) of any buildings within the property?	No
2.5.1	Does the public sewer map indicate any public pumping station or any other ancillary apparatus within 50 metres of any buildings within the property?	No
2.6	Are any sewers or lateral drains serving, or which are proposed to serve the property, the subject of an existing adoption agreement or an application for such an agreement?	No
2.7	Has any sewerage undertaker approved or been consulted about any plans to erect a building or extension on the property over or in the vicinity of a public sewer, disposal main or drain?	No
2.8	Is the building which is or forms part of the property at risk of internal flooding due to overloaded public sewers?	No
2.9	Please state the distance from the property to the nearest boundary of the nearest sewage treatment works.	See answer

Water

3.1	Is the property connected to mains water supply?	No
3.2	Are there any water mains, resource mains or discharge pipes within the boundaries of the property?	Yes
3.3	Is any water main or service pipe serving, or which is proposed to serve the property, the subject of an existing adoption agreement or an application for such an agreement?	No
3.4	Is the property at risk of receiving low water pressure or flow?	No
3.5	What is the classification of the water supply for the property?	See answer
3.6	Is there a meter installed at this property?	No
3.7	Please include details of the location of any water meter serving the property.	See answer

Charging

4.1.1	Who is responsible for providing the sewerage services for the property?	Southern Water
4.1.2	Who is responsible for providing the water services for the property?	South East Water
4.2	Who bills the property for sewerage services?	See answer
4.3	Who bills the property for water services?	See answer

Your order summary continued

Other Information

5.1	Is there a consent on this property to discharge trade effluent under Section 118 of the Water Industry Act (1991) into the public sewerage system?	No
-----	---	----

Supplementary questions

6.1	Is there a wayleave / easement agreement giving the Water and/or Sewerage Undertaker the right to lay or maintain assets or right of access to pass through private land in order to reach the Company's assets?	Information unavailable
6.2	On the copy extract from the public sewer map, please show manhole covers, depth and invert levels where information is available.	Map provided

Maps

Public sewer map

Q. 1.1: Where relevant, please include a copy of an extract from the public sewer map.

A.: A copy of an extract from the public sewer map is provided.

Guidance Notes:

The Water Industry Act 1991 defines public sewers as those which the Company has responsibility for. Other assets and rivers, watercourses, ponds, culverts or highway drains may be shown for information purpose only.

Any private sewers or lateral drains which are indicated on the extract of the public sewer map as being subject to an agreement under Section 104 of the Water Industry Act 1991 are not an "as constructed" record. It is recommended these details be checked with the developer.

Map of waterworks

Q. 1.2: Where relevant, please include a copy of an extract from the map of waterworks.

A.: A copy of an extract of the map of waterworks is provided.

Guidance Notes:

Assets other than vested water mains may be shown on the plan for information only.

The Company is not responsible for private supply pipes connecting the property to the public water main and does not hold details of these. These may pass through land outside of the control of the seller, or may be shared with adjacent properties. The buyer may wish to investigate whether separate rights or easements are needed for their inspection, repair or renewal.

If an extract of the public water main record is enclosed, this will show known public water mains in the vicinity of the property. It should be possible to estimate the likely length and route of any private water supply pipe connecting the property to the public water network.

Drainage

Foul water

Q. 2.1: Does foul water from the property drain to a public sewer?

A.: The Company's records indicate that foul water from the property does not drain to the public sewerage system.

Guidance Notes:

The Company is not responsible for private drains and sewers that connect the property to the public sewerage system and does not hold details of these.

The property owner will normally have sole responsibility for private drains serving the property and may have shared responsibility, with other users, if the property is served by a private sewer which also serves other properties. These may pass through land outside of the control of the seller and the buyer may wish to investigate whether separate rights or easements are needed for their inspection, repair or renewal.

The copy extract will show known public sewers in the vicinity of the property. It should be possible to estimate the likely length and route of any private drains and/or sewers connecting the property to the public sewerage system.

If foul water does not drain to the public sewerage system the property may have private facilities in the form of a cesspit, septic tank or other type of treatment plant.

Surface water

Q. 2.2: Does surface water from the property drain to a public sewer?

A.: The Company's records indicate that surface water from the property does not drain to the public sewerage system. If the property was constructed after 6 April 2015 the surface water drainage may be served by a Sustainable Drainage System. Further information may be available from the developer.

Guidance Notes:

The Company is not responsible for private drains and sewers that connect the property to the public sewerage system and does not hold details of these.

The property owner will normally have sole responsibility for private drains serving the property and may have shared responsibility, with other users, if the property is served by a private sewer which also serves other properties. These may pass through land outside of the control of the seller and the buyer may wish to investigate whether separate rights or easements are needed for their inspection, repair or renewal.

The copy extract will show known public sewers in the vicinity of the property. It should be possible to estimate the likely length and route of any private drains and/or sewers connecting the property to the public sewerage system.

In some cases company records do not distinguish between foul and surface water connections to the public sewerage system. If on inspection the buyer finds that the property is not connected for surface water drainage, the property may be eligible for a rebate of the surface water drainage charge. Details can be obtained from the Company.

If surface water does not drain to the public sewerage system the property may have private facilities in the form of a soakaway or private connection to a watercourse.

Surface water drainage charge

Q. 2.3: Is a surface water drainage charge payable?

A.: Records confirm that a surface water drainage charge is not applicable at this property. If the property was constructed after 6 April 2015 the surface water drainage may be served by a Sustainable Drainage System. Further information may be available from the developer.

Guidance Notes:

Where surface water from a property does not drain to the public sewerage system no surface water drainage charges are applicable.

If on inspection the buyer finds that the property is not connected for surface water drainage, the buyer should contact their retailer.

Public sewers within the boundary of the property

Q. 2.4: Does the public sewer map indicate any public sewer, disposal main or lateral drain within the boundaries of the property?

A.: The public sewer map included indicates that there is a public sewer, disposal main or lateral drain within the boundaries of the property. However, from 1 October 2011 there may be additional public sewers, disposal mains or lateral drains which are not recorded on the public sewer map but which may further prevent or restrict development of the property.

Guidance Notes:

The approximate boundary of the property has been determined by reference to the Ordnance Survey record or the map supplied.

The presence of a public sewer within the boundary of the property may restrict further development within it.

Southern Water Services has a statutory right of access to carry out work on their assets, subject to notice. This may result in employees of Southern Water Services or its contractors needing to enter the property to carry out work.

Please note if the property was constructed after 1 July 2011 any sewers and/or lateral drain within the boundary of the property are the responsibility of the householder.

Public pumping station within the boundary of the property

Q. 2.4.1: Does the public sewer map indicate any public pumping station or any other ancillary apparatus within the boundaries of the property?

A.: The public sewer map included indicates that there is no public pumping station within the boundaries of the property. Any other ancillary apparatus is shown on the public sewer map and referenced on the legend.

Guidance Notes:

The approximate boundary of the property has been determined by reference to the Ordnance Survey record or the map supplied.

The presence of a pumping station within the boundary of the property may restrict further development within it.

Southern Water Services has a statutory right of access to carry out work on their assets, subject to notice. This may result in employees of Southern Water Services or its contractors needing to enter the property to carry out work.

It should be noted that only private pumping stations installed before 1 July 2011 will be transferred into the ownership of Southern Water Services.

Public sewers near to the property

Q. 2.5: Does the public sewer map indicate any public sewer within 30.48 metres (100 feet) of any buildings within the property?

A.: The public sewer map indicates that there are no public sewers within 30.48 metres (100 feet) of a building within the property.

Guidance Notes:

From 1 October 2011 there may be additional lateral drains and/or public sewers which are not recorded on the public sewer map but are also within 30.48 metres (100 feet) of a building within the property.

The presence of a public sewer within 30.48 metres (100 feet) of a building within the property can result in the local authority requiring a property to be connected to the public sewer.

The measure is estimated from the Ordnance Survey record, between a building within the boundary of the property and the nearest public sewer.

Public pumping station near to the property

Q. 2.5.1: Does the public sewer map indicate any public pumping station or any other ancillary apparatus within 50 metres of any buildings within the property?

A.: The public sewer map included indicates that there is no public pumping station within 50 metres of any buildings within the property. Any other ancillary apparatus is shown on the public sewer map and referenced on the legend.

Guidance Notes:

The measure is estimated from the Ordnance Survey record, between a building within the boundary of the property and the nearest pumping station.

It should be noted that only private pumping stations installed before 1 July 2011 will be transferred into the ownership of Southern Water Services.

Public adoption of sewers and lateral drains

Q. 2.6: Are any sewers or lateral drains serving, or which are proposed to serve the property, the subject of an existing adoption agreement or an application for such an agreement?

A.: Records indicate that the sewers serving the development, of which this property forms part, are not the subject of an application for adoption under Section 104 of the Water Industry Act 1991. Where the property is part of an established development it would not normally be subject to an adoption agreement under Section 104 of the Water Industry Act 1991.

Guidance Notes:

This enquiry is of interest to purchasers of new homes who will want to know whether or not the property will be linked to a public sewer.

Where the property is part of a very recent or ongoing development and the sewers are not the subject of an adoption application, buyers should consult with the developer to ascertain the extent of private drains and sewers for which they will hold maintenance and renewal liabilities.

Final adoption is subject to the developer complying with the terms of the adoption agreement under Section 104 of the Water Industry Act 1991.

Any sewers and/or lateral drains within the boundary of the property are not the subject of an adoption agreement and remain the responsibility of the householder. Adoptable sewers are normally those situated in the public highway.

Building over a public sewer, disposal main or drain

Q. 2.7: Has the sewerage undertaker approved or been consulted about any plans to erect a building or extension on the property over or in the vicinity of a public sewer, disposal main or drain?

A.: There are no records in relation to any approval or consultation about any plans to erect a building or extension on the property over or in the vicinity of a public sewer, disposal main or drain. However, the sewerage undertaker might not be aware of a building or extension on the property over or in the vicinity of a public sewer, disposal main or drain.

Guidance Notes:

Buildings or extensions erected over a sewer in contravention of Building Control may have to be removed or altered.

From 1 October 2011 private sewers, disposal mains and lateral drains were transferred into public ownership and the sewerage undertaker may not have approved or been consulted about any plans to erect a building or extension on the property or in the vicinity of these.

Risk of flooding due to overloading public sewers

Q. 2.8: Is the building which is or forms part of the property at risk of internal flooding due to overloaded public sewers?

A.: The building is not recorded as being at risk of internal flooding due to overloaded public sewers. From 1 October 2011 private sewers, disposal mains and lateral drains were transferred into public ownership. It is therefore possible that a building may be at risk of internal flooding due to an overloaded public sewer which the sewerage undertaker is not aware of. For further information it is recommended that enquiries are made of the vendor.

Guidance Notes:

A sewer is "overloaded" when the flow from a storm is unable to pass through it due to a permanent problem (e.g. flat gradient, small diameter). Flooding as a result of temporary problems such as blockages, siltation, collapses and equipment or operational failures are excluded.

"Internal flooding" from the public sewers is defined as flooding, which enters a building or passes below a suspended floor.

For reporting purposes, buildings are restricted to those normally occupied and used for residential, public, commercial, business or industrial purposes.

"At Risk" properties are defined as properties that have suffered or are likely to suffer internal flooding from the public foul, combined or surface water sewers due to overloading of the sewerage system more frequently than the relevant reference period (either once or twice in ten years) as determined by the sewerage undertaker's reporting procedure.

Flooding as a result of storm events proven to be exceptional and beyond the reference period of one in ten years are not included.

Buildings may be at risk of flooding but not identified where flooding incidents have not been reported to the sewerage undertaker.

Public sewers are defined as those for which the sewerage undertaker holds statutory responsibility under the Water Industry Act 1991.

It should be noted that flooding can occur from private sewers and drains which are not the responsibility of the sewerage undertaker. This report excludes flooding from the private sewers and drains and the sewerage undertaker makes no comment upon this matter.

Sewage treatment works

Q. 2.9: Please state the distance from the property to the nearest boundary of the nearest sewage treatment works.

A.: The nearest sewage treatment works is 1.6 kilometres South of the property. The name of the sewage treatment works is WIVELSFIELD WTW, which is the responsibility of Southern Water Services, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX.

Guidance Notes:

The nearest sewage treatment works will not always be the sewage treatment works serving the catchment within which the property is situated.

The sewerage undertaker's records were inspected to determine the nearest sewage treatment works.

It should be noted that there may be a private sewage treatment works closer than the one detailed above that have not been identified.

Water

Connection to mains water supply

Q. 3.1: Is the property connected to mains water supply?

A.: Records indicate that the property is not connected to mains water supply and water is therefore likely to be provided by virtue of a private supply.

Guidance Notes:

The situation should be checked with the current owner of the property.

Details of private supplies are not kept by the water undertaker.

Water mains, resource mains or discharge pipes

Q. 3.2: Are there any water mains, resource mains or discharge pipes within the boundaries of the property?

A.: The map of waterworks is provided by South East Water whose records indicate that there are water mains, resource mains or discharge pipes within the boundaries of the property.

Guidance Notes:

The boundary of the property has been determined by reference to the Ordnance Survey record or the map supplied.

The presence of a public water main within the boundary of the property may restrict further development within it.

Water undertakers have a statutory right of access to carry out work on their assets, subject to notice. This may result in employees of the water undertaker or its contractors needing to enter the property to carry out work.

Adoption of water mains and services pipes

Q. 3.3: Is any water main or service pipe serving, or which is proposed to serve the property, the subject of an existing adoption agreement or an application for such an agreement?

A.: Records confirm that water mains or service pipes serving the property are not the subject of an existing adoption agreement or an application for such an agreement.

Guidance Notes:

This enquiry is of interest to purchasers of new homes who will want to know whether or not the property will be linked to the mains water supply.

Risk of low water pressure or flow

Q. 3.4: Is the property at risk of receiving low water pressure or flow?

A.: Records confirm that the property is not recorded by the water undertaker as being at risk of receiving low water pressure or flow.

Guidance Notes:

“Low water pressure” means water pressure below the regulatory reference level which is the minimum pressure when demand on the system is not abnormal.

The reference level of service is a flow of 9 litres/minute at a pressure of 10 metres head on the customer's side of the main stop tap (mst). The reference level of service must be applied on the customer's side of a meter or any other company fittings that are on the customer's side of the main stop tap.

The reference level applies to a single property. Where more than one property is served by a common service pipe, the flow assumed in the reference level must be appropriately increased to take account of the total number of properties served.

For two properties, a flow of 18 litres/minute at a pressure of 10 metres head on the customers side of the mst is appropriate. For three or more properties the appropriate flow should be calculated from the standard loadings provided in BS6700 or Institute of Plumbing handbook.

Water companies include properties receiving pressure below the reference level, provided that allowable exclusions do not apply (i.e. events which can cause pressure to temporarily fall below the reference level). Refer to list below:

Abnormal demand: This exclusion is intended to cover abnormal peaks in demand and not the daily, weekly or monthly peaks in demand which are normally expected. Companies exclude properties which are affected by low pressure only on those days with the highest peak demands. During the year companies may exclude, for each property, up to five days of low pressure caused by peak demand.

Planned maintenance: Companies exclude low pressures caused by planned maintenance. It is not intended that companies identify the number of properties affected in each instance. However, companies must maintain sufficiently accurate records to verify that low pressure incidents that are excluded because of planned maintenance are actually caused by maintenance.

One-off incidents: This exclusion covers a number of causes of low pressure; mains bursts; failures of company equipment (such as PRVs or booster pumps); firefighting; and action by a third party. However, if problems of this type affect a property frequently, they cannot be classed as one-off events and further investigation will be required before they can be excluded.

Low pressure incidents of short duration: Properties affected by low pressures which only occur for a short period, and for which there is evidence that incidents of a longer duration would not occur during the course of the year, may be excluded.

Water hardness

Q. 3.5: What is the classification of the water supply for the property?

A.: The water supplied to the property has an average water hardness of 89 mg/l calcium carbonate which is defined as "Moderately soft" by South East Water.

Guidance Notes:

The hardness of water depends on the amount of calcium in it – the more it contains, the harder the water is.

There is no UK or European standard set for the hardness of drinking water. More information on water hardness can be found on the Drinking Water Inspectorates' website: <http://www.dwi.gov.uk/>

Water hardness can be expressed in various indices for example the hardness settings for dishwashers are commonly expressed in Clark's degrees, but check with the manufacturer as there are also other units. The following table explains how to convert mg/l calcium and mg/l calcium carbonate classifications.

To convert from:	to Clark degrees	to French degrees	to German degrees
mg/l calcium	multiply by 0.18	multiply by 0.25	multiply by 0.14
mg/l calcium carbonate	multiply by 0.07	multiply by 0.10	multiply by 0.056

Water meters

Q. 3.6: Is there a meter installed at this property?

A.: According to our records there is no meter installed at the property.

Guidance notes:

From April 2017 non-household customers in England can choose their retailer.

'Retail' refers to the way in which customers are billed for their water and sewerage as well as customer services including water meter reading.

Where the property is not served by a water meter and the customer wishes to consider this method of charging they should contact their water retailer.

Water meter location

Q. 3.7: Please include details of the location of any water meter serving the property.

A.: Records indicate that the property is not served by a water meter.

Additional meter information

No further information.

Guidance Notes:

From April 2017 non-household customers in England can choose their retailer.

'Retail' refers to the way in which customers are billed for their water and sewerage as well as customer services including water meter reading.

Where the property is not served by a water meter and the customer wishes to consider this method of charging they should contact their water retailer.

Charging

Sewerage undertakers

Q. 4.1.1: Who is responsible for providing the sewerage services for the property?

A.: Southern Water is responsible for providing the sewerage services for the property.

Guidance Notes:

The 'wholesale' part of the water industry did not open for competition in April 2017. This means that Southern Water continues to operate the network of pipes, mains and treatment works.

As a wholesaler, Southern Water sells sewerage services to the companies who enter the retail market. In some instances, wholesalers will still need to interact directly with customers. For example, customers will still contact Southern Water to report internal sewer flooding.

Water undertakers

Q. 4.1.2: Who is responsible for providing the water services for the property?

A.: South East Water is responsible for providing the water services for the property.

Guidance Notes:

The 'wholesale' part of the water industry did not open for competition in April 2017. This means that water undertakers continue to operate the network of pipes, mains and treatment works.

As a wholesaler, water undertakers sell water services to the companies who enter the retail market. In some instances, wholesalers will still need to interact directly with customers. For example, customers will still contact water undertakers to report leaks.

Sewerage bills

Q. 4.2: Who bills the property for sewerage services?

A.: If you wish to know who bills the sewerage services for this property then you will need to contact the current owner. For a list of all potential retailers of sewerage services for the property please visit www.open-water.org.uk.

Guidance Notes:

From April 2017 non-household customers in England can choose their retailer.

'Retail' refers to the way in which customers are billed for their water and sewerage as well as customer services including meter reading.

Water bills

Q. 4.3: Who bills the property for water services?

A.: If you wish to know who bills the water services for this property then you will need to contact the current owner. For a list of all potential retailers of water services for the property please visit www.open-water.org.uk.

Guidance Notes:

From April 2017 non-household customers in England can choose their retailer.

'Retail' refers to the way in which customers are billed for their water and sewerage as well as customer services including meter reading.

Other information

Trade effluent consents

Q. 5.1: Is there a consent on this property to discharge trade effluent under Section 118 of the Water Industry Act (1991) into the public sewerage system?

A.: The trader operating at this commercial property does not hold either a Trade Effluent Consent, or an acknowledgement of a trade effluent discharge, as issued by Southern Water.

Guidance Notes:

Please note, any existing consent is dependent on the business being carried out at the property and will not transfer automatically upon change of ownership.

Any change of ownership from the current incumbent of a property will require the negotiation of a new trade effluent consent or a new acknowledgement between the new incumbent and Southern Water.

Supplementary questions

Wayleaves and easements

Q. 6.1: Is there a wayleave / easement agreement giving the Water and/or Sewerage Undertaker the right to lay or maintain assets or right of access to pass through private land in order to reach the Company's assets?

A.: Records relating to wayleaves / easements are not available for inclusion in this report.

Guidance notes:

This question relates only to private agreements between Southern Water acting in a private capacity and a landowner. Such contracts may often be part of a conveyance or land transfer, or a deed of grant of easement.

If there is no formal easement, then a sewer or water main may have been constructed following the service of notice under the provisions of the Public Health Act 1936, Water Act 1945, Water Act 1989 or Water Industry Act 1991 as applicable. The Company does not hold copies of these notices. However, in the absence of evidence to the contrary there is a legal presumption that all matters were properly dealt with. All rights and obligations relating to sewers and water mains are now covered by the Water Industry Act 1991.

Where rights exist at the boundary of the property, but we are not sure of the exact correlation, we will answer "Yes" to this question.

A documentary right can exist even if the physical asset itself has not yet been laid, or has been moved, or removed. Likewise the position of the right and of the asset may differ. You may also find that an asset is protected both with contractual rights and statutory rights. Please consult your solicitor as to why this may happen, and its effects.

We refer to "defined" assets for the following reasons: Often a contract may give Southern Water an express right to install and maintain assets within an area but without stating the exact position or route of such assets. Also, the law may imply rights where none have been mentioned specifically in a related contract, such as a conveyance. Finally, rights may come into being through long use. In any of these cases the rights are undefined, and although Southern Water may need to rely on them from time to time, as we cannot map the rights accurately, we will answer "No" to this question.

Information obtainable from physical inspection (including Trial Bore Holes) overrides information contained in the report.

Any error in answering this question is not to be regarded as a waiver of Southern Water's rights or title, or an agreement or representation that Southern Water is prepared to vary or discharge any of its rights or title.

Manholes

Q. 6.2: On the copy extract from the public sewer map, please show manhole covers, depth and invert levels where information is available.

A.: A copy of an extract from the public sewer map is included which shows manhole cover, depth and invert levels where the information is available.

Guidance Notes:

The Water Industry Act 1991 defines public sewers as those which the Company has responsibility for. Other assets and rivers, watercourses, ponds, culverts or highway drains may be shown for information purpose only.

Any private sewers or lateral drains which are indicated on the extract of the public sewer map as being subject to an agreement under Section 104 of the Water Industry Act 1991 are not an "as constructed" record. It is recommended these details be checked with the developer.

The Company is not responsible for private drains and sewers that connect the property to the public sewerage system and does not hold details of these.

The copy extract will show known public sewers in the vicinity of the property.

DISCLAIMER: These replies and information, including that shown on the enclosed plan(s), are given on the distinct understanding that neither the Company nor any of its representatives is legally liable for its accuracy or for any action or omission to act whatsoever by anyone on the strength of that information, save as to obvious error. In particular, any person proposing to construct or excavate on land on the basis of information hereby provided should carry out all necessary on-site investigations.

Appendix one: Terms and expressions

"the 1991 Act" means the Water Industry Act 1991(i);
 "the 2000 Regulations" means the Water Supply (Water Quality) Regulations 2000(ii);
 "the 2001 Regulations" means the Water Supply (Water Quality) Regulations 2001(iii);
 "adoption agreement" means an agreement made or to be made under Section 51A(1) or 104(1) of the 1991 Act(iv);
 "bond" means a surety granted by a developer who is a party to an adoption agreement;
 "bond waiver" means an agreement with a developer for the provision of a form of financial security as a substitute for a bond;
 "calendar year" means the twelve months ending with 31 December;
 "discharge pipe" means a pipe from which discharges are made or are to be made under Section 165(1) of the 1991 Act;
 "disposal main" means (subject to Section 219(2) of the 1991 Act) any outfall pipe or other pipe which:
 (a) is a pipe for the conveyance of effluent to or from any sewage disposal works, whether of a sewerage undertaker or of any other person; and
 (b) is not a public sewer;
 "drain" means (subject to Section 219(2) of the 1991 Act) a drain used for the drainage of one building or any buildings or yards appurtenant to buildings within the same curtilage;
 "effluent" means any liquid, including particles of matter and other substances in suspension in the liquid;
 "financial year" means the twelve months ending with 31 March;
 "lateral drain" means:
 (a) that part of a drain which runs from the curtilage of a building (or buildings or yards within the same curtilage) to the sewer with which the drain communicates or is to communicate; or
 (b) (if different and the context so requires) the part of a drain identified in a declaration of vesting made under Section 102 of the 1991 Act or in an agreement made under Section 104 of that Act(v);
 "licensed water supplier" means a company which is the holder for the time being of a water supply licence under Section 17A(1) of the 1991 Act(vi);
 "maintenance period" means the period so specified in an adoption agreement as a period of time:
 (a) from the date of issue of a certificate by a sewerage undertaker to the effect that a developer has built (or substantially built) a private sewer or lateral drain to that undertaker's satisfaction; and
 (b) until the date that private sewer or lateral drain is vested in the sewerage undertaker;
 "map of waterworks" means the map made available under section 198(3) of the 1991 Act(vii) in relation to the information specified in subsection (1A);
 "private sewer" means a pipe or pipes which drain foul or surface water, or both, from premises, and are not vested in a sewerage undertaker;
 "public sewer" means, subject to Section 106(1A) of the 1991 Act(viii), a sewer for the time being vested in a sewerage undertaker in its capacity as such, whether vested in that undertaker:
 (a) by virtue of a scheme under Schedule 2 to the Water Act 1989(ix);
 (b) by virtue of a scheme under Schedule 2 to the 1991 Act(x);
 (c) under Section 179 of the 1991 Act(xi); or
 (d) otherwise;
 "public sewer map" means the map made available under Section 199(5) of the 1991 Act(xii);
 "resource main" means (subject to Section 219(2) of the 1991 Act) any pipe, not being a trunk main, which is or is to be used for the purpose of:
 (a) conveying water from one source of supply to another, from a source of supply to a regulating reservoir or from a regulating reservoir to a source of supply; or
 (b) giving or taking a supply of water in bulk;
 "sewerage services" includes the collection and disposal of foul and surface water and any other services which are required to be provided by a sewerage undertaker for the purpose of carrying out its functions;
 "sewerage undertaker" means the company appointed to be the sewerage undertaker under Section 6(1) of the 1991 Act for the area in which the property is or will be situated;
 "surface water" includes water from roofs and other impermeable surfaces within the curtilage of the property;
 "water main" means (subject to Section 219(2) of the 1991 Act) any pipe, not being a pipe for the time being vested in a person other than the water undertaker, which is used or to be used by a water undertaker or licensed water supplier for the purpose of making a general supply of water available to customers or potential customers of the undertaker or supplier, as distinct from for the purpose of providing a supply to particular customers;
 "water meter" means any apparatus for measuring or showing the volume of water supplied to, or of effluent discharged from any premises;
 "water supplier" means the company supplying water in the water supply zone, whether a water undertaker or licensed water supplier;
 "water supply zone" means the names and areas designated by a water undertaker within its area of supply that are to be its water supply zones for that year; and
 "Water undertaker" means the company appointed to be the water undertaker under Section 6(1) of the 1991 Act for the area in which the property is or will be situated.

In this report, references to a pipe, including references to a main, a drain or a sewer, shall include references to a tunnel or conduit which serves or is to serve as the pipe in question and to any accessories for the pipe.

- (i) 1991 c.56.
- (ii) S.I. 2000/3184. These Regulations apply in relation to England.
- (iii) S.I. 2001/3911. These Regulations apply in relation to Wales.
- (iv) Section 51A was inserted by Section 92(2) of the Water Act 2003 (c. 37). Section 104(1) was amended by Section 96(4) of that Act.
- (v) Various amendments have been made to Sections 102 and 104 by section 96 of the Water Act 2003.
- (vi) Inserted by Section 56 of and Schedule 4 to the Water Act 2003.
- (vii) Subsection (1A) was inserted by Section 92(5) of the Water Act 2003.
- (viii) Section 106(1A) was inserted by Section 99 of the Water Act 2003.
- (ix) 1989 c.15.
- (x) To which there are various amendments made by Section 101(1) of and Schedule 8 to the Water Act 2003.
- (xi) To which there are various amendments made by Section 101(1) of and Schedule 8 to the Water Act 2003.
- (xii) Section 199 was amended by Section 97(1) and (8) of the Water Act 2003.

Appendix two: A guide to new development

The information contained below is for general guidance only. It is recommended that Southern Water's Developer Services department be contacted for further details concerning new infrastructure development.

Wastewater information

Sewer requisitions

It may be necessary for a developer to request that Southern Water provides a public sewer to connect a development site to the existing public system. The developer is responsible for the cost of the work, although a discount will be applied based on the future predicted income from the development served by the new sewer.

Sewer diversions

If a public sewer crosses private land, it may be possible for the landowner/developer to request the sewer be diverted. In the majority of cases Southern Water will allow the developer to undertake this work under close supervision. Whether Southern Water or the developer undertakes the diversionary works the costs are the responsibility of the developer.

Building-over sewers

Public sewers are afforded statutory protection and consequently there is no right to build over or in close proximity to a public sewer. If an existing public sewer either crosses a development site or is located in close proximity to a development site it is essential that a developer contact Southern Water.

Sewer connections

A developer can serve notice on Southern Water that it wishes to make a connection to the public sewerage system. The developer must provide 21 days' notice and the work will be supervised by Southern Water.

Water information

Water requisitions

It may be necessary for a developer to request that Southern Water provides both:

- (a) A public water main to connect a development site to the existing public system and,
- (b) On-site public water mains to serve the individual properties.

In both cases the developer is responsible for the cost of the work, although a discount will be applied based on the future predicted income from the development.

It is possible for the developer to lay the on-site mains themselves under a Self-Lay Agreement. Further details are available from Southern Water.

Water main diversions

The building over or in close proximity to public water mains is not permitted. A developer must request that Southern Water undertakes a diversion of a water main that is affected by a development.

Water connections

A developer can request a new connection to a public water main. This work will be undertaken by Southern Water.

Contact us

For specific information on Southern Water's Developer Services service, including details on how to contact the right person, please visit our website: www.southernwater.co.uk/developers-and-builders-overview.

Appendix three: CON29DW Commercial Terms and Conditions

1 Introduction

- 1.1 These Terms set out the terms which will apply in respect of any Orders You place with us for a (i) Report (as defined in clause 2.1 below) and/or (ii).
- 1.2 These Terms may need to be amended from time to time and have a publication date which will be updated when any changes are made. Every time You wish to place an Order, please check these Terms to ensure You understand the terms which apply at that time, as they may have changed since any earlier order You may have placed.
- 1.3 If You do not accept these Terms You must not place any Orders with us.
- 1.4 If You are trading as a business, it is also Your responsibility to ensure that prior to placing an Order on behalf of a Client, that You make Your Client aware of the Terms, and that they accept them.

2 Interpretations & Definitions

- 2.1 In addition to any defined terms, the following words shall have the following meanings:
 - a. "Commercial Property" means the address(es) or location(s) of a commercial property provided by You when You place an Order.
 - b. "Report" means the report known as the "Commercial CON29DW" prepared by us providing drainage and water information in relation to a Commercial Property.
 - c. "Client" means the person, company or body (including where required, their mortgage lender) for whom You have agreed to supply one or more Reports in the normal course of Your business.
 - d. "Map" means any Ordnance Survey map (and any data contained therein) provided as part of the Services.
 - e. "Order" means any request for a Report made by You to us.
 - f. "Terms" means these terms and conditions for Commercial CON29DW enquiries and General Terms means any general commercial terms in effect between the parties.
 - g. 'You' and 'Your' means the person, firm or company requesting the provision of property-related and company search information and reports from us.
 - h. 'We', 'Our' and 'Us' means Southern Water Services Limited, being a company registered in England and Wales with company number 2366670, and whose registered office address is at Southern Water Services LTD, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX, and whose principle place of trading is at Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX.
 - i. 'Website' means <https://www.southernwater.co.uk/>
 - j. 'Services' means the provision of a Report.

3 Placing Orders and our Agreement

- 3.1 Your Order constitutes an offer by You to purchase Report(s) from us.
- 3.2 When You place an Order, You will receive an e-mail from us acknowledging that we have received Your Order but this does not mean we have accepted Your Order.
- 3.3 We may choose not to accept Your Order, but on the rare occasion that this may occur, we will aim to notify You within 24 hours. For the avoidance of doubt, no contract will exist between Us until we have expressly accepted Your Order.

4 Cancellation rights As a consumer

- 4.1 Where You are an individual consumer (and not acting for purposes wholly or mainly relating to Your trade, business, craft or profession), You have specific legal rights relating to cancellation of any Order You may place. You may cancel Your Order at any time within 14 days after the day on which the contract is entered into ("Cancellation Period").
- 4.2 To exercise the right to cancel, You must tell us of Your decision to cancel this contract by a clear statement.
- 4.3 Where You are ordering a Report as a consumer, due to Your cancellation rights, we will not process Your Order or provide the Report to You before the end of the Cancellation Period unless You provide Your express consent and You acknowledge that You will lose the right to cancel the contract under regulation 29(1) of the Consumer Contracts (Information, Cancellation, and Additional Charges) Regulation 2013.
- 4.4 In addition to these rights, where we are able to, we will cancel any Order in accordance with our cancellation policy, which can be found on our Website.

As a Business

- 4.5 The Cancellation Period does not apply to Your Order if You are placing the Order wholly or mainly for purposes relating to Your trade, business, craft or profession.
- 4.6 If You cancel Your Order other than in accordance with this clause You may be liable for fees as detailed in our cancellation policy at: [Drainage and water searches \(southernwater.co.uk\)](https://www.southernwater.co.uk/)

5 The Report

- 5.1 We will prepare the Report using the Commercial Property details You provide at the time You place Your Order. The Report You receive will rely on the accuracy, completeness, and legibility of the address and/or plans You supply with Your Order.
- 5.2 The Report is produced only for use in relation to Commercial Properties, development or land which require the provision of drainage and water information and cannot be used for residential properties, development of land or any property to be developed as a single, residential, domestic property. Where You require a report for a residential property, You can order a different report from us, and different terms shall apply.
- 5.3 The Report provides information as to the indicative location and connection status of existing services and other information relating to drainage and water enquiries and should not be relied on for any other purpose (including the potential and/or suitability for any other connections to be made to existing services).
- 5.4 As You may expect, the information contained in the Report can change on a regular basis so we cannot be responsible to You or if You are trading as a business to Your Client for any change in the information contained in the Report after the date on which the Report was produced (as shown in the Report).
- 5.5 The Report does not give details about the actual state or condition of the Commercial Property nor should it be used or taken to indicate or exclude actual suitability or unsuitability of the Commercial Property for any particular purpose, or be relied upon for determining saleability or value, or used as a substitute for any physical investigation or inspection. Further advice and information from appropriate experts and professionals should always be obtained.
- 5.6 We will send the Report to the address You have provided in Your Order, including email address for online Orders.
- 5.7 You agree only to use the Report for the purpose for which it is supplied in accordance with these Terms.
- 5.8 Where we accept Your Order:
 - a we will provide the Services with reasonable skill and care; and
 - b Your Order will be fulfilled within a reasonable period.
- 5.9 In providing the Report, we will comply with all laws and regulations which apply to the provision of the Report including ensuring that we have all the necessary licences and permissions, including intellectual property rights to provide the Report.
- 5.10 It is Your responsibility to ensure that Your Order, and the Report meet Your requirements if You are trading as a business the requirements of Your Client.
- 5.11 In providing You with this Report, we will comply with the Drainage & Water Searches Network (DWSN) Standards.

6 Disclaimers with regard to the Reports

- 6.1 The position and depth of apparatus shown on any maps attached to the Report are approximate, and are furnished as a general guide only, and no warranty as to its correctness is given or implied. The exact positions and depths should be obtained by excavation trial holes and the maps must not be relied on in the event of excavation or other works made in the vicinity of The Company's apparatus. Please be aware of specific disclaimers included in the Maps.

7 Intellectual Property Rights

- 7.1 The Report You receive is confidential and is intended for (a) Your own internal or personal purposes and/or (b) where You are trading as a business, the personal use of Your Client. The Report shall not be used or copied (in whole or in part) for any other use whatsoever, whether for commercial gain or otherwise.
- 7.2 We grant You a non-exclusive and non-transferable licence:
 - a to make copies of the Reports (except the Map) for Your own internal purposes;
 - b to incorporate the Reports (other than the Map) into any written advice You provide in the normal course of Your business; and
 - c to disclose the Reports, where You are trading as a business, in the normal course of Your business to:
 - i Your Client; and or
 - ii anyone who is acquiring or considering acquiring an interest in or charge over the property to which the Report relates, and their professional advisers.
- 7.3 You must not alter any part of the Report including altering, removing or obscuring any logos and/or branding which is contained in a Report.
- 7.4 All intellectual property rights, including trademarks, domain names and copyright in the Reports are owned by us and/or our licensors.
- 7.5 Any Maps contained in any Report are protected by Crown Copyright. The Maps must not be used for any purpose other than as part of the Report. Neither You nor anyone You provide the Report to may reproduce the Maps without paying for a separate licence from Ordnance Survey.
- 7.6 No intellectual or other property rights are transferred or licensed to You or where You are trading as a business to Your Client or any other person except to the extent set out in these terms.
- 7.7 You agree to compensate us against any losses, costs, claims, damages and/or expenses which we incur and/or suffer as a result of any breach of any intellectual property rights or obligations (set out in any of the Terms) by You, or where You are trading as a business to Your Client or any party to whom You provide a copy of the Report.

8 Additional Intellectual Property Right Provisions

- 8.1 The enquiries in the Report are protected by copyright by the Law Society of 113 Chancery Lane, London WC2A 1PL and must not be used for any purpose which is not expressly set out in these Terms.
- 8.2 The answers and information in the Report are protected by copyright by Southern Water Services.

9 Liability

- 9.1 This paragraph sets out the exclusions to and limitations on our liability to You and if You are trading as a business to Your Client.
- 9.2 We will not be liable to You (and/or if You are trading as a business to Your Client) in contract, tort, negligence, breach of statutory duty, misrepresentation or otherwise:
 - a if we do not accept Your Order,
 - b for any inaccuracies, mistakes or omissions in the Reports unless any such liability arises as a direct consequence of our negligence.
- 9.3 Notwithstanding the above, nothing affects any party's liability for (a) death or personal injury arising from its negligence, (b) liability for fraud or fraudulent misrepresentation and / or (c) any other liability which cannot be excluded or limited under applicable law.
- 9.4 In addition to the TPO redress scheme covering consumers, TPO will also provide redress for small businesses (including Charities and Trusts) that meet the following criteria:
 - o a small business (or group of companies) with an annual turnover of less than £3 million;
 - o a charity with an annual income of less than £3 million;
 - o a Trust with a net asset value of less than £3 million

10 Additional Provision relating to our Liability to You for the Report

- 10.1 Subject to clause 9.3, our total liability to You and/or if You are trading as a business to Your Client, whether for breach of contract, tort, negligence, breach of statutory duty, misrepresentation or otherwise, arising under or in connection with these Terms and/or the provision of a Report limited to £10 million pounds in aggregate.

11 Customer Complaints Procedure

- 11.1 Southern Water Services offer a robust complaints procedure which can be found on our Website or [here](#).
<https://www.southernwater.co.uk/media/default/PDFs/CON29DW-complaints-procedure1.pdf>
- 11.2 If Your complaint has gone through our complaints procedure and You are dissatisfied with the response or it has exceeded our response timescales, You may refer Your complaint for consideration under The Property Ombudsman Scheme (TPOs). You can obtain further information by visiting www.tpos.co.uk or email admin@tpos.co.uk

12 General

- 12.1 These Terms (and any General Terms or other documents referred to herein) are the only terms and conditions that shall apply to any Order and the provision of a Report by us to You and shall constitute the entire agreement between You and us and supersede, replace, and extinguish any previous arrangement, understanding or agreement between us relating to such Report.
- 12.2 Any dispute or claim arising out of or in connection with these terms and or their subject matter or formation (including non-contractual disputes or claims) shall be governed by the laws of England and Wales. Any dispute (including any non-contractual disputes or claims) shall be subject to the exclusive jurisdiction of the courts of England and Wales.
- 12.3 If there is any conflict or inconsistency between the provisions of these Terms and any other General Terms, the provisions of these Terms shall prevail.
- 12.4 In the event of any conflict or inconsistency between any information on the Website describing the features of the Report and these Terms, then these Terms shall prevail.
- 12.5 Where You are acting wholly or mainly in the normal course of Your trade, business, craft or profession Your Client is entitled to the benefit of these Terms. Save as provided in this clause
- 12.6 It is not intended that any other person who is not a party to these Terms has any right to enforce any term of these Terms under the Contracts (Rights of Third Parties) Act 1999.

These Terms and conditions are available in larger print for those with impaired vision.

Appendix four: Complaints procedure

When we get it wrong

You deserve the highest standard of service from us, but sometimes we make mistakes. If we do, please let us know and we will investigate and review your concerns.

Whilst we always try to resolve all complaints straight away, if this is not possible and you are not happy with the course of action taken by us, you can ask us to escalate the issue internally or take your complaint to an independent third party.

How you contact us

Firstly please call us and we will try to sort out your problem straight away. You can:

Call us between 8am and 5pm, Monday to Friday on 0330 303 0276

Email us at searches@southernwater.co.uk

Write to us at LandSearch, Southern Water Services, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX.

What you can expect

You will receive a full, fair and courteous response from someone who can effectively deal with your problem.

If we can remedy the problem straight away we will do it but if we cannot immediately resolve your problem we will keep you informed of actions being taken.

The process

We will try to resolve any telephone contact or complaint at the time of the call, however, if that isn't possible, we will take the details of your complaint and we will investigate and get back to you within 10 working days.

We will respond to written complaints within 10 working days of the date received, but we will always aim to respond more quickly. Depending on the scale of investigation required, we will keep you informed of the progress and update you with new timescales if necessary.

If you are still not satisfied with our response or action we will refer the matter to a Senior Manager for resolution. At your request we will liaise with a third party representative acting on your behalf.

Our commitment to you

If we find your complaint to be justified, or we have made any errors that substantially change the outcome in your search result, we will refund the search fee. We will also provide you with a revised search and undertake the necessary action to put things right as soon as practically possible. You will be kept informed of the progress of any action required.

If you remain dissatisfied

While we aim to resolve your complaint first time, in the event that we are unable to resolve the issue to your satisfaction, ultimately you can contact a third party. Please make sure that you have followed the process above first, if not, your complaint will be passed back to us.

If you are not satisfied with our final response, or if we exceed the response timescales, you may refer the complaint to The Property Ombudsman Scheme (TPOS):

The Property Ombudsman scheme, Milford House, 43-55 Milford Street, Salisbury SP1 2BP

Telephone: 01722 333306

Fax: 01722 332296

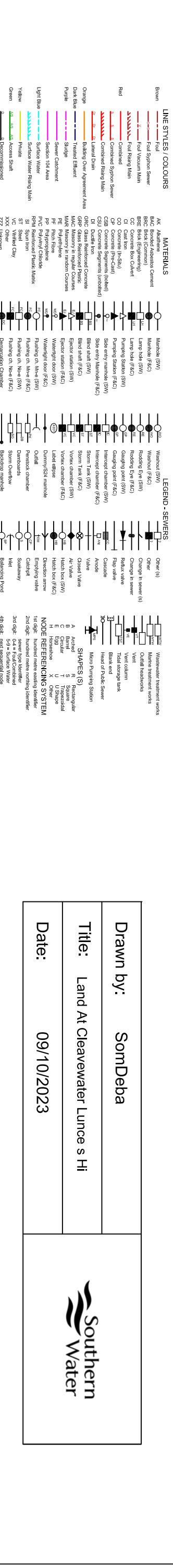
Website: www.tpos.co.uk

Email: admin@tpos.co.uk

SEWER RECORDS PAGE 2 OF 2

27/28

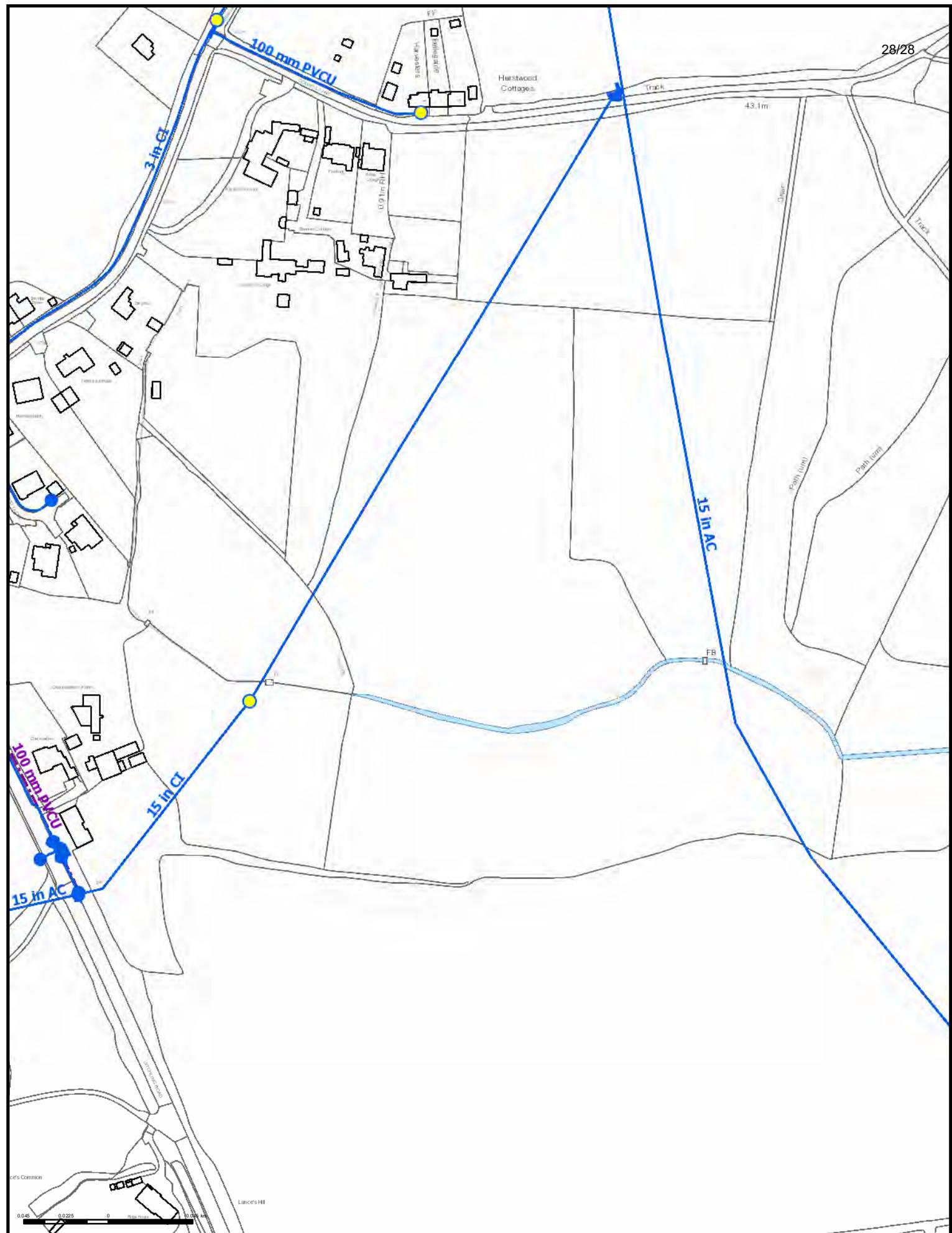
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6001X	VC		
6101X	VC		
6701X	CP		
6702X	CP		
6901X	VC		
6902X	VC		
6903X	VC		
6904X	PF		
6905X	PF		
6906X	VC		
690DX	PF		
7701X	CP		
770AX	CP		
770PX	PE		
771DX	CP		
7801X	VC		
7802X	VC		
7804X	VC		
7805X	UNK		
780DX	UNK		
7901X	VC		
7902X	VC		
7903X	VC		
8002X	VC		
8003X	VC		
8004X	VC		
9001X	UNK		



Date: 09/10/2023

Title: Land At Cleavewater Lunces H

Southern
Water



Drawing Title: Land At Cleavewater, Lunce's Hill, Haywards Heath, West Sussex, RH16

South East Water Mains and Fittings		Reference: U1764149
■ Valve	■ Meter	Distribution Main
● Washout	► Pressure Valve	Abandoned Main
● Fire Hydrant	◆ Air Valve	Company Boundary
		Plot Date: 06/10/2023
		Grid Reference: 534.044.1796 121.811.4948
		Scale: 1:2,500

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south east water

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