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Your Ref
BE/47/09
Our Ref
S/AR/BR/2009/47
Date
22/07/2009

Planning and Development Services
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

ACK

Dear Sir

Outline application for the demolition of all existing buildings and redevelopment of the site with up to 70 dwellings
Chalcroft Nursery & Associated Land Chalcraft Lane Bognor Regis
BE/47/09

Thank you for your letter of 17/07/2009

Following initial investigations, there is currently inadequate capacity in the local network to provide foul sewage disposal to service the proposed development. The proposed development would increase flows to the public sewerage system, and existing properties and land may be subject to a greater risk of flooding as a result. Additional off-site sewers, or improvements to existing sewers, will be required to provide sufficient capacity to service the development. Section 98 of the Water Industry Act 1991 provides a legal mechanism through which the appropriate infrastructure can be requested (by the developer) and provided to drain to a specific location.

Should this application receive planning approval, please include, as an informative to the permission, the following requirement:

"The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. Please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (tel 01962 858688), or www.southernwater.co.uk"

The applicants drainage strategy makes reference to making an application under Section 106 of the Water Industry Act for connection of foul flows to the public sewer.

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This we would contend would be premature pending the provision of adequate capacity. The provision of additional capacity through the Company's prioritised capital programme could not be completed for a considerable time. The bid for the next review period 2010 to 2015 is with OFWAT with determination due in December 2009. Developments included in this must have planning certainty, which is not the case for the development in question. The earliest that further capacity could be provided subject to OFWAT approval for funding would be 2016.

If the council is mindful to grant consent, we would contend that the provision of infrastructure shall be developer funded, through the requisitioning procedures of the Water Industry Act.

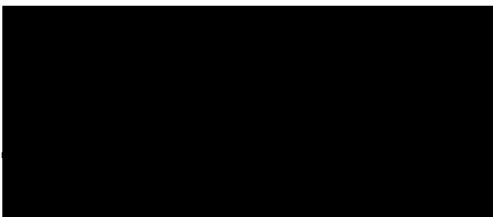
We request that should this application receive planning approval, the following condition is attached to the consent: "Construction of the development shall not commence until details of the proposed means of foul sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water."

To prevent a negative impact on existing services, we request that should this application receive planning approval, the following condition is attached to the consent: "Occupation of dwellings will not occur until the Local Planning Authority is satisfied that the necessary infrastructure capacity is available to adequately service the development. This decision will be reached in consultation with Southern Water."

The Surface Water Drainage Strategy refers to lack of percolation on site and the potential discharge to the adjacent watercourse. Southern Water would support this strategy, subject to the necessary approvals.

We request that should this application receive planning approval, the following condition is attached to the consent: "Construction of the development shall not commence until details of the proposed means of surface water disposal have been submitted to, and approved by, the Local Planning Authority in consultation with Southern Water."

Yours faithfully



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