



The countryside charity
Sussex

CPRE Sussex

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13 April 2025

Dear Sir/Madam,

Independent Commission on the Water Sector Regulatory System: Call for Evidence

Dear Sir/Madam,

CPRE Sussex is a charity that works to protect, celebrate and regenerate the landscapes, countryside and green spaces of Sussex. It has some 2000 members and supporters. Many of these are concerned about the ongoing problems with sewage and water supply in various parts of Sussex. Sussex has many important chalk streams, wetland sites and valued coastal areas all of which can be adversely affected by sewage pollution.

The issues with the untenable level of 'storm overflows' at monitored sites, and the consequent effects on the health of watercourses and the sea are well-rehearsed in the media. Our own research has indicated an additional and under-reported phenomenon, of frequently recurring, unplanned, unpermitted diffuse sewage pollution from burst pipes, manholes and other unmonitored sites. This results in sewage on people's streets and in their homes and gardens – or tankers and temporary pipes being repeatedly deployed to 'bail out' sewerage systems that simply cannot cope.

We surveyed parish and town councils across Sussex in 2024, and 78% told us that they experience sewage flooding in their areas. Only 25% said that their water company always helped to clear it up. We have attached a summary of the survey results as Annex A.

The chronic under-investment that has got us to this point is well understood. What is apparently less well discussed is how the current situation will be affected by the government's ambitions to develop 1.5 million new homes over 5 years. **Our work on development planning makes us aware of the apparently fundamental disconnect between the planning system on the one hand and the processes for managing investment in sewerage infrastructure on the other.** This manifests itself in a number of ways:

- There is no alignment between the phasing of water companies' five-year asset management plans and the allocation/release of sites for development (either at Local Plan level or in relation to specific planning applications).
- Water companies frequently appear to accept that they have a duty to connect any and all approved development to their networks, regardless of capacity, and with no

conditions on when a development will be occupied relative to the timing of sewerage upgrades.

In this context, **an additional 1.5 homes added to the existing, creaking sewerage system with little or no regard to the capacity of the system or when it will be upgraded, will place significant additional pressures on both permitted storm outflows and unplanned diffuse sewage flooding.**

We believe this is an unsustainable position. We would welcome the Commission examining how to ensure better integration between the development planning and water infrastructure regulatory regimes to avoid these unwelcome consequences.

In particular, we would like to see:

- Government providing clearer national strategic direction on investment in water supply, sewerage and flood management aligned with objectives around housing and other development, with national objectives transposed strategically at the subregional level including in the Spatial Development Strategy (through the proposed Mayoral Combined County Authority, in the case of Sussex) and implemented by water companies in close liaison with local authorities.
- The National Planning Policy Framework to support the principle that sewerage deficiencies must be resolved before new home developments are allowed to be built or occupied
- DEFRA and the Department of Health to review the extent of diffuse sewage flooding and its threats to public health, and provide advice to local authorities.
- Whole catchment reporting of sewage releases, pollution data (including the effect on public health), the capacity/overloading of sewerage systems, and the resilience of these to housing development, used as a key input to Spatial Development Strategies and Local Plans.
- An approach to the allocation of sites in Local Plans that ties the timing of development to the satisfactory upgrade of sewerage capacity in water companies' Asset Management Plans.
- **The regular use of pre-commencement "Grampian" conditions by local planning authorities when considering and making decisions on development planning applications, to require that sewerage infrastructure is upgraded before construction or occupation of new sites.**

We believe that a Grampian approach – and the constructive dialogue that would result - might also prove helpful when water supply is an issue; but have not focused on that here.

Overall CPRE Sussex believes these measures would be helpful both to the general public and the water sector itself who might benefit from greater clarity on these issues so they can plan service improvements more sustainably.

In addition, we believe that councils – down to parish and town scale – could benefit from further guidance on the measures they can take at the most local level, such as establishing flood watch groups that could report in an organised way on situations where sewage contributes to the impact of flooding or is indeed a main cause at local scales.

Yours faithfully,

Prof Dan Osborn, Chair CPRE Sussex

cc Paul Steedman, Director CPRE Sussex

Annex A: Final results from CPRE Sussex sewerage survey

Position at 28th October 2024

67 responses (27%)

No.	Question	Results	Comments
1	Do you suffer sewage flooding in your area?	Yes 78% No 18%	The high extent of problems suffered is consistent with Southern Water's risk and vulnerability assessments.
2	How often does sewage flooding happen?	Weekly 7% Monthly 27% Every 6 months 30%	Taken together, the weekly and monthly sewage flooding exceeds DEFRA's limit of an average 10 rainfall events per year by 2050.
3	Is sewage flooding extensive?	Widespread 15% Isolated parts 85%	These results confirm the need for DEFRA and the Department of Health to review diffuse sewage flooding and provide guidance for public health protection to local authorities.
4	Where has sewage flooding impacted?	Homes 56% Roads 62% Footpaths 47% Green spaces 45% Ditches, rivers and rife 73%	These results indicate the need for the Environment Agency to review the environmental significance of diffuse sewage flooding, provide guidance to local authorities and prosecute regular offences.
5	Does sewage flooding occur only when it rains?	Yes 45% No 40%	This implies the need for rainwater drainage to be maintained in an effective condition in many cases and improved where necessary.
6	Does groundwater infiltrate the sewers in your area?	Yes 65% No 6%	Infiltration is a major contributor to storm sewage overflows. To reduce infiltration will require extensive relining of sewers.

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		Don't know 29%	
7	Does surface water make the problem worse?	Yes 73% No 5% Don't know 23%	Inundation is a major contributor to storm sewage overflows. To reduce inundation will require extensive application of sustainable urban drainage (SuDs) techniques, including the construction of swales, tree planting and installing numerous water butts.
8	Are the sewers in your area hydraulically overloaded?	Yes 63% No 10% Don't know 27%	The high extent of problems suffered is consistent with Southern Water's risk and vulnerability assessments. The poor condition of many sewerage networks will require considerable attention and the deficiencies must be rectified before further new home developments can be permitted.
9	Is the water company taking action to prevent sewage flooding?	No 41% Don't know 27% Yes 32%	Clearly, the water company needs to do more. Presently, Southern Water is extensively using tankers to alleviate regular problems, but this is not an acceptable long-term solution.
10	When sewage flooding occurs, does the water company help to clear it up?	Yes 25% No 15% Sometimes 37% Don't know 23%	It appears that the water company needs to do more.
11	Does sewage flooding cause water pollution in your area?	Yes 50% No 13% Don't know 37%	These results indicate the need for the Environment Agency to review the environmental significance of diffuse sewage flooding, provide guidance to local authorities and prosecute regular offences.

12	Is your parish under development pressure to build new homes?	Yes 69% No 28%	These results demonstrate the extent of the pressure to build new homes in Sussex, much of which is speculative due to weaknesses in the planning system.
13	If new homes are built will the sewerage system cope with the additional sewage?	No 86% Yes 2% Don't know 13%	One of CPRE Sussex's demands is that the Government sets up a cross-party committee to examine the conflict between widespread deficiencies in sewerage infrastructure and house building policies.
14	Have any planning appeals been upheld regardless of your sewerage concerns?	Yes 37% No 37% Don't know 27%	There presently is a significant gulf between the environmental concerns of local communities and the decisions of planning inspectors. The frequent disregard of paragraph 11D in the National Planning Policy Framework, whereby adverse environmental impact should provide a basis for rejecting a planning application, is a matter of grave concern.
15	Could the use of pre-commencement (Grampian) conditions strengthen planning in your area?	Yes 57% No 3% Don't know 39%	One of the main aims of CPRE Sussex's campaign is to promote the use of Grampian conditions such that sewerage deficiencies would be required before development was allowed to commence. Whereas the majority of local councils supported the approach, further explanation and guidance appears needed.
16	Do you monitor sewage flooding in your area?	We have a flood watch group 11% We keep a record of incidents 26% No 46%	There appears to be scope for local councils to set up a flood watch team in their area.
17	Do you wish to be kept informed of the CPRE Sussex campaign?	Yes 93%	This is a strong indicator of the interest in sewerage and development – clearly a major issue.