

TOWN AND COUNTRY PLANNING ACT 1990
LAND SOUTH OF BARROW GREEN ROAD, OXTED
APPEAL BY CROUDACE HOMES LTD
PINS REF. APP/M3645/W/25/3372747

PROOF OF EVIDENCE

FOUL DRAINAGE

OXTED & LIMPSFIELD RESIDENTS GROUP AND OXTED PARISH COUNCIL

EVIDENCE OF: NICHOLAS SUMNER

Introduction

1. I am Nicholas Sumner and I am the owner of 24 Gordons Way, Oxted, Surrey RH8 0LW and I have lived here with my family since April 2000. The house was built in 1926 and was originally a 3-bedroom semi-detached house with a shared drive. Gordons Way in Oxted is a short walk from the appeal site, Stoney Field.

2. In this statement, I set out my concerns (which are shared by other members of the Rule 6 party) relating to the impact of the appeal scheme on the flooding of properties by foul water. In summary, I am concerned that there is inadequate capacity in the foul sewer for any part of the proposed development to be connected. I consider that the appellant has not adequately addressed the concerns of local residents that the development proposal will severely impact foul water drainage in the area and exacerbate the problems of sewage overflows. Unless major upgrades to the sewer system are implemented, events of foul water flooding will become even more common leading to severe health risks for families living in the surrounding area from the sewage contaminating their homes, as well as damage to property.

3. I set out here my personal experience of repeated incidents of flooding caused by the sewers backing up at my address so that the Inquiry is aware of the severity of the problem.

The Existing Problem

4. The overflows in the existing foul drainage network in this part of Oxted are well known to Southern Water and certainly to the residents either side of 24 Gordons Way.
5. We began to suffer incidents of external flooding to the house due to the sewer backing up soon after moving into the address. This was generally during periods of heavy rain but not always. Our house sits down from the level of the road and the rear gardens drop down again. The end of the garden backs onto land owned by Network Rail and the rail line.
6. During such rain, the sewage backs up on the lower section of the shared driveway which is situated near to the rear corner of our property. The sewage floods the lower driveway and eventually flows into the back garden.
7. When we first moved into the address the garage itself would be flooded. I raised the level of the garage and put a flood defence in place which now redirects all the sewage into the rear garden. The intensity of the flooding varied with the worst incident resulting in the back garden being under approximately 18 inches of sewage. Most commonly the flooding would result in the back garden having several inches of sewage.
8. On a number of occasions, I witnessed the flooding as it happened. The driveway drain would back up under extreme pressure and lift the block paving. The sewage would spout up 2-3 inches out of the drain. You could not walk on the area surrounding the drains as the block paving would sink under your feet due to the pressure of the sewage backing up. Over time the sand under the block paving was washed away.
9. I cannot remember precisely when I began raising complaints with Southern Water but this would have been within a year or so of moving into the

property. Initially I tried to resolve the issue by calling out private companies to clear the sewers from my property back to the main sewer. This did not have any effect on the nature or scale of the flooding incidents. Since then, I would estimate that I have reported between 10 -15 incidents of flooding to Southern Water. On average I would say that there were 2-3 incidents of the sewers backing up each year. I did not report every incident as it was not uncommon for me to wake up in the morning to find debris on the driveway from an overnight flooding incident that had dissipated.

10. Initially Southern Water blamed the flooding on FOG (Fat, Oil and Grease) in the main sewer caused by residents depositing such matter down their sinks. They promised to send notification to all local residents in the area about disposing of FOG matter and the Southern Water operatives were to clean the sewers on a regular maintenance schedule. Neither made any difference to the flooding incidents.
11. I would always speak with the sewer engineers who attended the property when they attempted a clean-up. One of them explained that non-return valves (NRVs) had already been fitted to addresses further down Gordons Way (around numbers 52) opposite Westlands Way. There was clearly an ongoing issue with sewage backing up on the even side of Gordons Way. I was not the only neighbour affected but certainly the rear gardens of 22, 24 and 26 bore the brunt of the flooding. I eventually realised that these events were not caused by FOG in the main sewer but by a complete lack of capacity in the sewer network with no surface water connections available to any residents in the nearby roads.
12. I made repeated requests for the fitment of non-return valves both over the phone and later in writing. Southern Water refused to instigate any meaningful interventions until after I raised a complaint with OFWAT in 2022.
13. Appendix 1 comprises two relevant emails, the first to the customer accounts team at Southern Water dated 23rd November 2021 and the second to the

OFWAT customer care team due to the lack of response from Southern Water.

14. The sustained issue led to the properties on the even side of Gordons Way (including my own property No. 24) requiring the installation of non-return valves by Southern Water in May 2022 in order to prevent foul water overflows into their gardens and dwellings.
15. There has not been an incident of localised sewage flooding on the even side of Gordons Way since the non-return valves were fitted. I am not aware of any further work to increase the capacity of the sewer.
16. The non-return valves have prevented the overflow of sewage in the driveways and gardens of the properties from 18 - 28 Gordons Way. However, when the NRVs are engaged the houses on the even side of Gordons Way lose access to the sewer system. If the rainfall is heavy and for extended periods this can then cause the sewage from each house to back up out of the drains. Once the NRVs are engaged the sewage/dirty water from the house builds up in the drains on the household side of the NRV. It can't escape and eventually backs up. Obviously nothing like the problem we had before the NRVs. So better but far from ideal.
17. On the 24th January 2023, Southern Water paid £5,000 compensation for the damage caused to my driveway.
18. Appendix 2 contains images of some of the flooding incidents with dates. The first incident noted on the 1st August 2024 was caused by a lack of capacity in the surface water system. The non-return valves fitted in Gordons Way appeared to have worked but the surface water system was unable to cope and all driveways from numbers 20 – 30 were flooded from water breaching the kerb stones. This is the first time since living at this address that our driveway kerb stone at 24-26 Gordons Way has been breached by surface water.

19. The other images have been dated and show some of the earlier incidents where the sewer system failed to cope and flooded into our back garden. The impact of these incidents has been significant. There is the rather obvious stench of sewage that lingers for 24-36 hours after each incident. We have had to throw away hundreds of pounds worth of toys over the years. I raised the level of the back garden and fitted extensive drainage. The volume of sewage is such that nothing could cope. The clean-up process usually took days, with disinfectant being sprayed liberally and the sweeping up of the more physical traces of sewage.
20. I have spoken to other residents affected and they have confirmed that similar flooding and sewerage overflow incidents have and are being experienced not just in my part of Oxted but also in Wheeler Avenue to the south of the appeal site. Please may I stress these are not isolated incidents or a rare event but have occurred regularly.
21. The existing system is already failing badly across a significant area and cannot cope with current demand.
22. Southern Water have acknowledged that a “*significant upgrade*” would be needed to the sewer system to service the proposed development and that a pumping station would be required. I also note that a letter from Southern Water regarding this proposal and dated 2 December 2024 asserts that “*there is currently foul capacity for 50 units, though, please note this is only valid for 12 months from the date the assessment was taken, 25/06/2024.*” I strongly disagree with this assertion. My own experience demonstrates there is no spare capacity. Indeed, the system is repeatedly failing under the existing load.
23. It is unclear if or when the upgrades, accepted as necessary by all parties, would be provided and without them the proposed development is, in my opinion, undeliverable. Should planning permission be granted, planning conditions must be imposed (Grampian condition) which prevent the

commencement of any of the development until such time as the sewage/water undertaker has fully upgraded the system.

24. Any sewer upgrade suggested by Southern Water should be such that the fitment of NRVs in Gordons Way is no longer required and that all parties are satisfied that this will meet the needs of the proposed development with capacity to spare.

25. My experience of the sewage flooding problems is so severe that given the increased risk of surface and foul water flooding, damage and risk to health that this proposed development poses, I respectfully request that the appeal is dismissed.

Appendix 1

From: Nick Sumner <nm.sumner@gmail.com>
To: Customeraccounts@southernwater.co.uk <Customeraccounts@southernwater.co.uk>; Nick Sumner <nm.sumner@gmail.com>
CC:
Sent: 23.11.21 14:05:19
Subject: Ref 4312826 24 Gordons Way Oxted

Dear Customer Service Team

Please find attached the claim form for the most recent flooding on the 20th October 2021. I am sure your records will show that this flooding has now been a persistent issue for the entire time that we have lived at the property. We moved here in April 2000.

We have repeatedly reported the issue to you and asked for a permanent solution. All the interventions you have taken to date clearly have been insufficient. As I have repeatedly stated there is an overwhelming capacity issue in Oxted. The sewers have repeatedly been unable to cope during periods of heavy rain.

I reported this recent matter immediately to you and after the initial site visit by a contractor you stated that an inspector would attend. To date I am unaware of any further visit by an Inspector. Certainly no one has contacted me to explain what action you have taken and what you are going to do to finally resolve this issue.

On previous occasions you have agreed to ensure that the sewers are cleaned regularly all the way round to where it joins the larger sewer section in Barrow Green Road. I have not seen any evidence of this being done. Can you confirm that this cleaning was done and how often this cleaning was completed.

You will note in the claim that the driveway have been damaged. This will need a complete repair on the lower section of the drive. This has been caused purely by these flooding episodes and the extreme pressure the flood water creates around the exit points of the drain hole and inspection cover on the drive. As the rain fell I tried to walk on the drive but immediately began to sink. The sand under the block paving has been washed away. I raised this with you in earlier reported claims.

I have attached images of the driveway, the numerous toys that have been soaked in sewage and of the flooding in the back garden. By chance we had the floorboards up in the kitchen area of the house and we could see a couple of inches of flooding under the floorboards. Images are also attached.

As an interim measure can you consider the fitment of non-return valves on my property and that of neighbouring properties.

I look forward to hearing from the Inspector and the full resolution of the damages incurred by the repeated flooding incident.

Yours sincerely

Nick Sumner

Nick Sumner <nm.sumner@gmail.com>

*Feb 12, 2022,
10:22 AM*

to casework

Dear casework team,

Further to my conversation with Emma last week I now provide the headline information and attached emails relating to my complaint.

Background:

My address is 24 Gordons Way, Oxted, Surrey RH80LW. We have lived at this address since April 2000. There has been an issue with the drains backing up and flooding since we arrived at the property. We are not alone. There are a number of addresses affected by sewage flooding along Gordons Way on the even side. At least 2 addresses have had non return valves fitted (around 52-56 Gordons Way). However, it seems that numbers 20-26 are most regularly affected. I have been reporting this flooding for approximately 10 years as have a number of the neighbours. This does not just happen during extreme rainfall. The most recent event that this complaint refers to (Oct 2021) is a good example of where the rainfall was heavy but not extraordinary. We have a shared drive that sits 2-3 meters down from the road. This is where the sewage backs up and flows into the back garden. I have fitted extensive drainage in the back garden spending in excess of £3000k. Despite this the garden is common under several inches of sewage when an event occurs. In the past this would have been 18 inches.

Within the past 18 months network rail has reintroduced a land drain at the rear of the property. This drainage ditch runs along the back of the properties along Gordons Way and leads to the end road with Chalk Pit Lane. On the other side of Chalk Pit Lane is an open stream. The introduction of the drainage ditch has hugely increased capacity for rainwater to be absorbed into the ground. Despite this we have still had the rear gardens under sewage when the drains have backed up.

Most recent event - 20/10/2021 - SW reference 4312826

I reported this flooding immediately on the phone and then followed up with emails to the customer service team at SW. I was contacted by phone stating that they would send out an inspector to review

the case. It was only on Thursday 10/02/22 that a lone contractor was knocking at doors in Gordons Way asking to inspect the connections at each address.

Up until this point I had not been contacted nor had any neighbours.

I followed up with a claim for compensation form and images of the damaged items. I received an email reply on 27/11 stating that the attachments were in the wrong file format. I sent them again on the 1/12 in jpeg format. I have never received a response to this email or the claim for compensation.

On or around 13/12 I received a phone call from Tina Henderson at SW. She was phoning about my case but was only interested in an historical matter where I was accused by SW of having an unlawful connection to the sewer and was threatened with legal action. I challenged this at the time with SW and received a written apology (letter dated 12/01/2017) and a personal visit to my address by a senior manager who also apologised to me. It would seem that SW did not have a copy of this letter on my file and I sent my copy to them. I have never heard from Tina Henderson again nor did I receive any form of update.

I emailed again in January. No reply

Finally I emailed on 02/02/22. They have failed to respond to the initial report, offer reasonable compensation or take my complaint.

I have attached the emails sent although I may need to send them individually due to the file sizes.

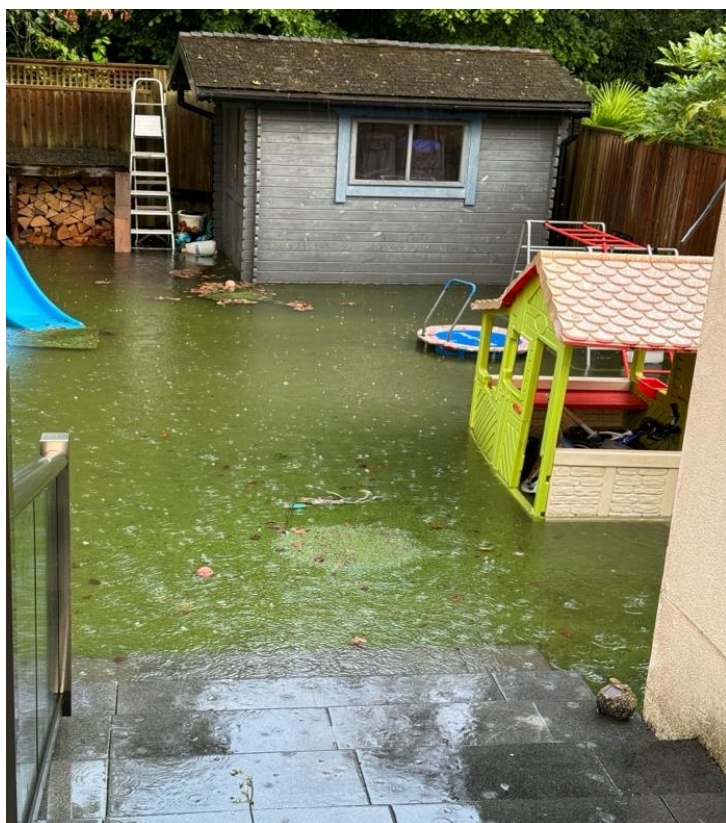
If you need further information then please come back to me. I apologise for the delay in sending this information. I have just started a new contract and have been busy with work.

Yours sincerely.

Nick Sumner

Appendix 2

1st August 2024



21st October 2021



16th February 2020





20th December 2019

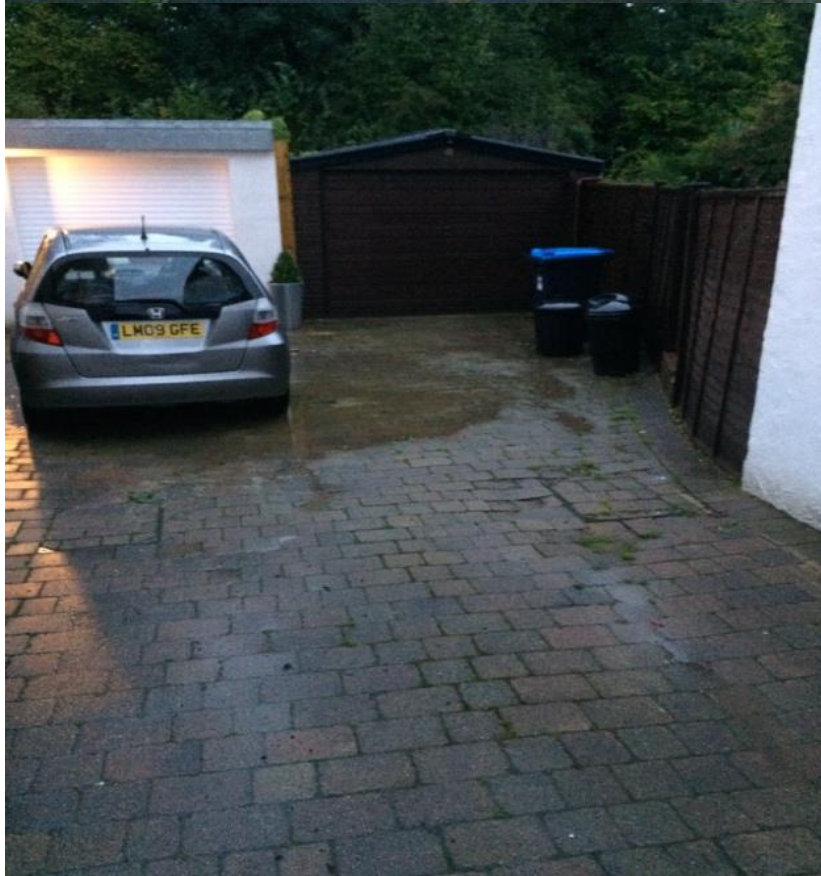




31st August 2017



13th October 2014



6th October 2014



24th December 2013



