

# **Building over or close to a sewer: A guide**

## Introduction

Northumbrian Water (NW) is strongly opposed to construction of any building over, or close to our sewers. This is to protect both the sewer and the building from possible damage and to ensure that access to the sewer is not adversely affected.

As you are proposing to develop over or close to one of our sewers then it is important to ensure that:

- any sewers in our ownership are in good condition and any necessary repairs can be carried out by us (at our expense) before the building work takes place
- the sewers are properly protected during construction to avoid future any future issues in maintaining either our sewers or your property
- formal building over agreements are in place where needed to show that you have followed the necessary procedures to protect our sewers and your home (and to protect your interests in any future sales of the property)

## Getting consent to build over or close to a sewer or drain

In order for a consent to build over or within 3 metres of our sewers your build will need to fit into one of the four following scenarios:

1. Your build meets the consent criteria
2. Carrying out minor alterations to our network to meet the consent criteria
3. Your build falls outside the set of consent criteria and a formal legal agreement is required.
4. Carrying out minor alterations and a formal legal agreement is required

If you can satisfy the consent criteria (listed on our declaration of works form included in this pack), we will simply issue you with a consent letter and let you get on with your build without the need for you to contact us again. In some instances you may need to carry out minor alterations to our network to enable you meet the consent criteria such as, re locating an inspection chamber or replacing some pipework. You will need to agree these works with us. If the consent criteria can't be met then a formal legal agreement or money in lieu will be required. For more information on how to meet the consent criteria please refer to our full Build over Sewer guidance notes which are available on our website [nwl.co.uk/developers/building-over-sewers](http://nwl.co.uk/developers/building-over-sewers).

## How much is this going to cost

Our initial site visit is free of charge, and this should help identify whether the sewer or drain affected is part of our network. If it is then we will help you to determine if your build is going to meet the consent criteria, require alterations to our network, or require a legal agreement. There will be an administration charge for submitting an application form and in addition there will also be a separate charge for a CCTV survey (if required) and legal agreement where applicable. For all charges associated with the Building Over Sewer process please refer to section C of the application forms or refer to a copy of our charges scheme, which can be found on our website [nwl.co.uk/developers/building-over-sewers](http://nwl.co.uk/developers/building-over-sewers)

## Completing the right form

Please complete either the declaration of works or formal agreement application form that you have been provided with in this pack and return it by email to [buildingregulations@nwl.co.uk](mailto:buildingregulations@nwl.co.uk).

### Declaration of Works

Our Clerk of works will try and help you to fill in the declaration of works form and advise you as to whether alterations to our existing network are necessary. If you intend to build over an existing pipe, you will need to know the type of foundations which will be used for your build to be able to complete the form. Your builder or architect should be able to provide you with this information.

## Application for Agreement

### Section 1 – You must complete this section

Please complete the address you wish all of your correspondence to go to. If the name and address for correspondence is different to the name and address of the person paying for the work please also provide the additional name and address for us to send out the invoice.

### Section 2

If your correspondence address is not the address where works are being carried out please supply this address here. Please also provide some details of your proposed extension, including size and number of storeys.

### Section 3

If you have building regulations approval, please supply details of your Local Authority and Building Control Surveyor here.

### Section 4 – You must complete this section

Please indicate the size and depth of the sewer you are going to be building over here. If one of our Clerk of Works have been out on site this may already be completed.

### Section 5 – You must complete this section

Please tick the box which applies to your sewer. Please see our CCTV Survey Section to see why it's so important for us to carry this out.

### Section 6

Please tick the option you prefer. Please see our Building Over Agreement or Payment of Money In Lieu Section for a further information.

### Section 7

This section only needs to be completed if there are works to be carried out in relation to the sewer you are building over. Please see our Minor Alterations Section for further information.

### Section 8 – You must complete this section

Please tick all payments that are applicable for your building work and write the total amount payable in the total box.

### Section 9 – You must complete this section

Please tick all boxes that apply and remember to sign & date your application form.

## Pipe Condition

It is our policy, as recommended in Building Regulations, that we inspect the condition of a sewer prior to allowing any building to be built over it. This is to make sure any existing defects are repaired and to protect any future damage to your extension. This can be established by exposing the length of pipe which will be built over or the completion of an internal CCTV survey.

Where you opt to have a CCTV survey, this is a requirement as a result of your proposed building works and therefore you are required to pay for this. The CCTV survey is essential to safeguard customers served by the sewer and we must therefore recover these costs. **As a general principle OFWAT expects that new development activity is self-financed by developers including work such as this where property owners are seeking to improve their homes.**

Your CCTV survey will normally be carried out within 15 working days of us receiving your completed form back in our office.

**Please note:** If building works have started on site when we carry out our initial site visit and surveys and/or repair works are required this can result in delays or disruption to building works.

## Building Over Agreements or Payment of Money in Lieu

A building over agreement or money in lieu payment will be required where your build can not meet the consent criteria, for example, the depth of the existing pipework is greater than 2m or the internal diameter is larger than 150mm.

The purpose of a building over agreement is to set out the terms for allowing you to build over our sewer, the liabilities upon each party with regard to future damage to the building or sewer and agreeing the rights of access to repair the sewer in the event of a collapse.

The terms of this agreement can be viewed as quite onerous by some of our customers, so we also offer an alternative. Customers can pay a sum of money which insures them against any future failure of the sewer and in this case, all repairs to the sewer and any damage to your property would be covered by Northumbrian Water.

### Option 1 - Building Over Indemnity Undertaking (Building Over Agreement)

This provides you and future purchasers of your property reassurance that you have followed the correct procedure in order to protect your property and our sewer during your building over process. **Such an Undertaking gives Northumbrian Water the option to move all or part of the building, if the sewer requires future repair or replacement, without paying compensation.** This is a formal legal agreement which is needs to be signed, witness and returned to us. The fee for the building over indemnity undertaking is **£431.00**.

### Option 2 - Payment In Lieu (Money In Lieu)

**Such an Undertaking gives Northumbrian Water the option to move all or part of the building, if the sewer requires future repair or replacement, and Northumbrian Water will fully reinstate the building at their cost.**

The following charging bands for Option 2 Payment in Lieu are based on the floor area used for building regulations purposes:

Building Size (m <sup>2</sup> )	Single Storey	Two Storey
Buildings under 6m <sup>2</sup>	£582	£966
Buildings 6m <sup>2</sup> or over and under 10m <sup>2</sup>	£682	£1,165
Buildings 10m <sup>2</sup> or over and under 15m <sup>2</sup>	£812	£1,355
Buildings 15m <sup>2</sup> or over and under 20m <sup>2</sup>	£930	£1,551
Buildings 20m <sup>2</sup> or over and under 30m <sup>2</sup>	£1,045	£1,745
Buildings 30m <sup>2</sup> or over and under 40m <sup>2</sup>	£1,167	£1,939
Buildings 40m <sup>2</sup> or over	£1,794	£2,920

## Minor Alterations

### Allowing your own builder to carry out works:

NW may allow alterations to our sewer network to be carried out by your own builder where small diameter sewers, less than 1.05m deep are involved.

In this case we would carry out an initial site visit which will help us to identify and agree the work involved. This work can then be carried out by your builder. This work will typically consist of removal or replacement of access chambers/manholes, minor diversions, insertion of branch pipes or site specific alterations considered necessary to protect our assets.

We would then require 48 hours notice to inspect the works and the visit should allow us suitable access to view the agreed alterations prior to covering over any pipe work or access fittings. The fee for this service is £120.00 and is covered in section 8 of the application form.

### Using NW contractors:

Works on deeper sewers (or those sewers greater than 150mm diameter) will have to be carried out by one of NW's contractors. Following a site visit an estimate will be provided by one of our contractors which you must agree to prior to works commencing on site (see Section 7 of the application form)

## Making a Payment

Please call **0345 850 0514** Monday to Friday between 8am to 5pm, and quote reference BOS, followed by the house number, and the postcode relevant your application, to make payment over the telephone.

## How to Contact Us

You can contact us by post at:

Building Control Team  
Northumbrian Water  
Leat House  
Pattinson Road  
Washington  
NE38 8LB

E-mail us at: [buildingregulations@nwl.co.uk](mailto:buildingregulations@nwl.co.uk)

Call us on: 0333 321 4944