

Ribble Valley Borough Council
By email

Your ref: 3/2022/0082
Our ref: DC/22/442
Date: 11-MAR-22

Dear Planning Team

Location: The Old Garage Site Newton Road Dunsop Bridge BB7 3BB

Proposal: Redevelopment of the old garage site to provide new building that includes a cafe, community shop, retail unit, post office, community spaces together with a separate store/plant room.

United Utilities wish to make the following comments regarding the proposal detailed above.

The comments below contain a number of requests for information prior to determination, including an **OBJECTION**, regarding:

1. Ownership Certificate;
2. Protection of United Utilities Water Mains (**OBJECTION**); and
3. Drainage solution – request for levels information.

ACCESS TO LAND OWNED BY UNITED UTILITIES

The applicant has signed 'Certificate A' in the application form. The red line boundary contains land owned by United Utilities, *Dunsop Bridge Pumping Station*. We provide this information for the LPA so they can inform the applicant to follow the correct process in an amended application form with the applicant formally notifying United Utilities of the submission.

This site and the infrastructure within it are of importance to local water supply. Water and sewerage companies have a legal right of access to their assets, which includes leaving appropriate vehicular access in order to maintain the operational requirements at our facilities. The access is used by tankers and large vehicles, so necessary provision must be left by the applicant as part of any development. It is expected that United Utilities access is maintained and is provided 24 hour access to the site from any resulting solution.

More information can be found under *United Utilities property, assets and infrastructure* below. We ask that the applicant contacts our Property Services team to discuss how the proposals may interact with our access and the associated easement via PropertyGeneralEnquiries@uuplc.co.uk.

REQUEST FOR INFORMATION PRIOR TO DETERMINATION – UU WATER ASSETS

It is important for the applicant and the Local Planning Authority (LPA) to understand we request clarification on the following points below **prior to determination** to ensure there are no issues further into the development process.

It is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by their proposals and to demonstrate the exact relationship between any United Utilities' assets and the proposed development. Therefore, our recommendation to the LPA is that the **application is not progressed further** until the exact location of the water assets referred to above are confirmed with us and so that the implications for the proposed site layout can be fully understood and redesigned if necessary prior to determination. We must therefore **OBJECT** until the impact on our assets is fully understood and agreed by United Utilities.

We wish to highlight the following:

1. Development is proposed close to, or potentially over, a number of United Utilities water mains and the applicant must provide clarity on the exact location of the asset to ensure these will not be directly built over. It's important to understand that **we will not permit development over or in close proximity to our water mains in the site.**
2. Additionally, as referred to above, we have land ownership and associated easements within the red line boundary. We require discussions regarding protecting our water assets include the associated access to maintain our statutory rights to access our infrastructure.

We are keen to work with the applicant to firstly trace the water mains. Once we are satisfied with the location of the main in relation to the development, we will look to work with the applicant and the LPA to agree protection measures and associated access, potentially with a condition.

Any required easement distance can only be truly understood once the **exact** location of the main has been determined. To maintain our access, any proposed layout must indicate a minimum of 3 metre easement either side of the centre line of the pipe (6 metres in total). This is due to the mains size.

The Water Industry Act 1991 affords United Utilities' specific rights in relation to maintenance, repair, access and protection of our water infrastructure. We require an access strip as detailed in our 'Standard Conditions for Works Adjacent to Pipelines', a copy of which accompanies this letter. The applicant must comply with this document to ensure pipelines are adequately protected both during and after the construction period. It also includes advice regarding landscaping in the vicinity of pipelines.

Should the Council deem this application suitable for approval without addressing the concerns outlined above, **which we do not recommend**, we request the following condition is included in the subsequent Decision Notice to afford appropriate protective measures for our water assets in the site:

CONDITION 1 – Protection of United Utilities Water Mains

No development shall commence until details of the means of ensuring the water mains that are laid within the site boundary is protected from damage as a result of the development have been submitted to and approved by the Local Planning Authority in writing. The details shall outline the potential impacts on the water main from construction activities and the impacts post completion of the development on the water main infrastructure that crosses the site and identify mitigation measures to protect and prevent any damage to the water main both during construction and post completion of the development.

Any mitigation measures shall be implemented in full in accordance with the approved details.

Reason: In the interest of public health and to ensure protection of the public water supply.

We ask that the applicant contacts **Simon Barton** at DeveloperServicesWater@uuplc.co.uk at the earliest opportunity to discuss the protection of water mains within the site.

REQUEST FOR INFORMATION PRIOR TO DETERMINATION - DRAINAGE

We request that the applicant submits a plan outlining the proposed levels (including finished floor levels and ground levels) shown in metres above Ordnance Datum and an indicative foul and surface water drainage strategy (including cover and invert levels). It is our recommendation this information is submitted for our review **prior to determination** so that any risk of sewer surcharge can be further assessed. The applicant should note that it may be necessary to raise finished floor and ground levels and / or include mitigation measures to manage the risk of sewer surcharge.

We request the following drainage condition is attached to any subsequent approval:

CONDITION 2 – Foul and Surface Water Drainage

Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;*
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);*
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;*
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable;*
and
- (v) Foul and surface water shall drain on separate systems.*

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

The applicant can discuss any of the above with Developer Engineer, **Shoaib Tauqeer**, by email at wastewaterdeveloperservices@uuplc.co.uk.

Please note, United Utilities is not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood Authority and / or the Environment Agency (if the watercourse is classified as main river).

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, their proposed detailed design will be subject to a technical appraisal by our Developer Services team and must meet the requirements outlined in 'Sewers for Adoption and United Utilities' Asset Standards'. This is important as drainage design can be a key determining factor of site levels and layout.

Acceptance of a drainage strategy does not infer that a detailed drainage design will meet the requirements for a successful adoption application. We strongly recommend that no construction commences until the detailed drainage design, has been assessed and accepted in writing by United Utilities. Any work carried out prior to the technical assessment being approved is done entirely at the developer's own risk and could be subject to change.

Management and Maintenance of Sustainable Drainage Systems

Without effective management and maintenance, sustainable drainage systems can fail or become ineffective. As a provider of wastewater services, we believe we have a duty to advise the Local Planning Authority of this potential risk to ensure the longevity of the surface water drainage system and the service it provides to people. We also wish to minimise the risk of a sustainable drainage system having a detrimental impact on the public sewer network should the two systems interact. We therefore recommend the Local Planning Authority include a condition in their Decision Notice regarding a management and maintenance regime for any sustainable drainage system that is included as part of the proposed development. You may find the condition below a useful example.

Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a resident's management company; and*
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.*

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

Please note United Utilities cannot provide comment on the management and maintenance of an asset that is owned by a third party management and maintenance company. We would not be involved in the discharge of the management and maintenance condition in these circumstances.

WATER AND WASTEWATER SERVICES

If the applicant intends to receive water and/or wastewater services from United Utilities, they should visit our website or contact the Developer Services team for advice. This includes seeking confirmation of the required metering arrangements for the proposed development.

If the proposed development site benefits from existing water and wastewater connections, the applicant should not assume that the arrangements will be suitable for the new proposal.

In some circumstances we may require a compulsory meter is fitted. For detailed guidance on whether the development will require a compulsory meter please visit <https://www.unitedutilities.com/my-account/your-bill/our-household-charges-20212022/> and go to section 7.7 for compulsory metering.

If reinforcement of the water network is required to meet potential demand, this could be a significant project and the design and construction period should be accounted for. To avoid any unnecessary costs and delays being incurred by the applicant or any subsequent developer, we strongly recommend the applicant seeks advice regarding water and wastewater services, and metering arrangements, at the earliest opportunity. Please see 'Contacts' section below.

UNITED UTILITIES PROPERTY, ASSETS AND INFRASTRUCTURE

United Utilities will not allow building over or in close proximity to a water main.

United Utilities may not allow building over or in close proximity to a public sewer.

According to our records there is a legal easement within the proposed development site which is in addition to our statutory rights for inspection, maintenance and repair. The easement has a **UU Ref: 060/00407/E** and this has restrictive covenants that must be adhered to in addition to our statutory rights. It is the responsibility of the developer to obtain a copy of the document, available from United Utilities Legal Services or Land Registry and comply with the provisions stated within the document. Under no circumstances should anything be stored, planted or erected on the easement width. Nor should anything occur that may affect the integrity of the pipe or United Utilities legal right to 24 hour access.

It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. Developer's should investigate the existence and the precise location of water and wastewater pipelines as soon as possible as this could significantly impact the preferred site layout and/or diversion of the asset(s) may be required. Where United Utilities' assets cross the proposed red line boundary, developers must contact our Developer Services team prior to commencing any works on site, including trial holes, groundworks or demolition.

Unless there is specific provision within the title of the property or an associated easement, any necessary disconnection or diversion of assets to accommodate development, will be at the applicant/developer's expense. In some circumstances, usually related to the size and nature of the assets impacted by proposals, developers may discover the cost of diversion is prohibitive in the context of their development scheme.

Where United Utilities' assets exist, the level of cover to United Utilities pipelines and apparatus must not be compromised either during or after construction and there should be no additional load bearing capacity on pipelines without prior agreement from United Utilities. This would include earth movement and the transport and position of construction equipment and vehicles.

Consideration should also be applied to United Utilities assets which may be located outside the applicant's red line boundary. Any construction activities in the vicinity of our assets must comply with our 'Standard Conditions for Works Adjacent to Pipelines' or national building standards.

The applicant or developer should contact our **Developer Services** team for advice if their proposal is in the vicinity of water or wastewater pipelines and apparatus. It is their responsibility to ensure that United Utilities' required access is provided within their layout and that our infrastructure is appropriately protected. The developer would be liable for the cost of any damage to United Utilities' assets resulting from their activity. See 'Contacts' section below.

CONTACTS

Website

For detailed guidance on water and wastewater services, including application forms and the opportunity to talk to the Developer Services team using the 'Live Chat' function, please visit:

<http://www.unitedutilities.com/builders-developers.aspx>

Email

For advice on water and wastewater services or to discuss proposals near to pipelines, email the Developer Services team as follows:

Water mains and water supply, including metering - DeveloperServicesWater@uuplc.co.uk

Public sewers and drainage - WastewaterDeveloperServices@uuplc.co.uk

Telephone - **0345 072 6067**

Property Searches (for asset maps):

A number of providers offer a paid for mapping service including United Utilities. For more information, or to purchase a sewer and water plan from United Utilities, please visit <https://www.unitedutilities.com/property-searches/>

Water and sewer records can be viewed for free at our Warrington Head Office by calling 0370 751 0101. Appointments must be made in advance. Public sewer records can be viewed at local authority offices. Arrangements should be made directly with the local authority.

The position of the underground apparatus shown on asset maps is approximate only and is given in accordance with the best information currently available. United Utilities Water will not accept liability for any loss or damage caused by the actual position being different from those shown on the map.

We request that a copy of this letter is made available to the applicant.

Yours faithfully

Adam Brennan
The Planning, Landscape and Ecology Team