



BSG Solicitors  
10 Chapel Street  
Preston  
PR1 8AY

**United Utilities Water Ltd  
Developer Services & Planning**

1<sup>st</sup> floor Windermere House  
Lingley Mere Business Park  
Lingley Green Avenue  
Great Sankey  
Warrington WA5 3LP

[Wastewaterdeveloperservices@uuplc.co.uk](mailto:Wastewaterdeveloperservices@uuplc.co.uk)

Your Reference	GAM/SW/
Our Reference	4200028127
Date	3 October 2019

Dear Sir or Madam,

Thank you for your letter regarding the:

**225mm diameter foul water public sewer at an unconfirmed depth of 1.8m which is recorded as being within 3m of the proposed structure at 27 Humber Street, Longridge, Preston, PR3 3WD**

In consideration of the affected public sewer(s), **United Utilities grant permission in principle for your development** subject to the you entering into a 'Build Over Agreement' with us. Please note that this letter does not constitute permission to begin work.

**The following guidance should be passed to the applicant/property owner;**

**After speaking with one of our Engineers regarding diverting this sewer may not be the best option, on this occasion we would propose you to enter into a build over agreement and to install manhole access on either side of the sewer being built over.**

#### **What does this mean?**

- A 'Build Over Agreement' is a legal agreement between the land owner and United Utilities.
- Your development is subject to the Building Regulations 2010. In 'Part H4' of the guidance that supports these regulations it says that you need our permission to build near to or over public sewers (this can be found in paragraph 1.5 & 1.6 of Part H4). Electronic copies of the building regulations guidance can be found here:

<http://www.planningportal.gov.uk/buildingregulations/approveddocuments/downloads>

- We are looking to grant you permission but it can only be given in principle until the legal 'Build Over Agreement' and its conditions are complete. Then we will write to your building Control Inspector and give full permission so you can be granted your completion certificate from them.
- We will send a copy of this letter to your Building inspector or, if you do not yet have one appointed we will share a copy when they consult with us about your development (as they are legally required to do this).

### **What do I need to do next?**

- Please take a look the attached information sheet (*'Information required for the preparation of a Build Over Agreement'*) which outlines the information that we need to prepare the agreement.
- The most important thing is to establish the exact location and condition of the sewer as you cannot build near to or over a sewer that is in poor condition. Furthermore this will help you be sure that your work will not lead to damage to the public sewer. Defects such as deformation (change in Shape) hair-line cracks, open/displaced joints are unlikely to cause the sewer to fail and will not normally require attention if the sewer remains the same. Once construction starts close to or over the sewer these defects could possibly cause the sewer to collapse. Work to rectify such issues post development can be both intrusive and expensive, the cost of which may be repayable to United Utilities by the applicant. Please see the note on 'defective sewers' included in the information document sent with this response.
- You will need to appoint your own contractor who can contact our call centre on 03456 723 723 and request an 'Access Certificate' from the local Wastewater Network Engineer to get permission to survey the sewer. Information on defective sewers is included in the attached document.
- You may need to procure the services of a structural or civil engineer who can make sure that your proposals meet the other requirements of the Building Regulations including how to protect the sewer (Part H4) and how to protect your building from the sewer (Part A2 & A3). They will be familiar with these regulations and what needs to be done to satisfy them.
- Once we have a copy of the sewer survey and report, along with the plans and other information, we will instruct our legal department to send a draft agreement to your legal representative. Your legal representative should then contact you to arrange signing and completion of the agreement.

### **How much does it cost?**

- There are two payments required for a Build Over Agreement these are as follows;
  1. Administration and technical appraisal fee of £273. This is payable upfront when you submit the information for the build over agreement. Technical assessment of the information cannot begin until this is received.
  2. Legal fees. Depending on the size of your development will depend on the scale of the fee. For a typical residential extension this will usually be a legal fee around £458. This will be higher for larger, commercial or industrial developments. This will be requested by our legal department when the draft agreement is issued.

**When can I start work?**

- We recommend that you do not start any work near to the public sewer until the agreement is in place.

**Other useful information.**

1. United Utilities provides the approximate location of its sewers according to its records. These records are not necessarily accurate or complete nor do they normally show the positions of every sewer, culvert or drain, private connections to the public sewers or the particulars of any private system. No person or company shall be relieved from liability for any damage caused by reason of the actual position and/or depths being different from those indicated.
2. The applicant should carry out a site survey to determine the exact position of any underground assets prior to construction. Should the site survey identify any discrepancies the applicant should contact United Utilities Developer Services for further assistance as soon as possible.

Yours Faithfully

Sue King  
Wastewater Developer Services and Planning