

Ribble Valley Borough Council
Council Offices, Church Walk
Clitheroe
BB7 2RA

Your ref: 3/2021/0205
Our ref: DC/21/961
Date: 20-APR-21

Dear Sir/Madam,

Location: Land at Neddy Lane Billington BB7 9LL

Proposal: Proposed erection of 36 residential dwellings, along with landscaping and associated site infrastructure

With regards to the above development proposal, United Utilities Water Limited ('United Utilities') wishes to provide the following comments. We have recommended 3 conditions within this representation, 2 of which relate to drainage and 1 which relates to the protection of our sewer assets in the site. It is our recommendation that the points raised below however, particularly the proposed sewer diversion, are addressed prior to determination.

Upon review of the submitted information, we wish to highlight the following points:

- United Utilities has reviewed the submitted documents and notes that the proposed layout plan includes land within our ownership, known as Billington Wastewater Pumping Station. In addition the applicant is advised that United Utilities has restrictive legal easements and a right of access that is used to access its wastewater pumping station. The applicant must ensure our 24 hour access to our asset within the site is maintained and available both during and post construction. The applicant seek must formalise an access for United Utilities to access our apparatus post completion. It is recommended that the approach to both our land ownership, access route and easements within the site should be clarified as soon as possible, to avoid any delays in delivery. The applicant should contact the Property Services team via PropertyGeneralEnquiries@uuplc.co.uk. More details can be found below within the '*United Utilities' Property, Assets and Infrastructure*' section below.
- We are aware of the applicants proposal to United Utilities to divert our sewer running through the site. It must be understood by the applicant and the LPA that the details of the diversion have not been agreed. We would strongly recommend the diversion route and estimate is agreed with United Utilities prior to determination, to avoid any complications should the application be approved. Again, more details can be found below within the '*United Utilities' Property, Assets and Infrastructure*' section below.

We request that the applicant continues to engage in dialogue with United Utilities regarding their proposals in relation to our infrastructure. It must be understood by the applicant that discussions may lead to further changes to the wider layout, which may further result in changes to the sites drainage proposals.

The applicant should be aware of the 15 metre offset from the existing pumping station as stated in the [Design and Construction Guidance](#). This is designed to minimise the impact of the existing asset on the proposed development. It is recommended that this is discussed further with Developer Engineer, **Robert Brenton**, by email at wastewaterdeveloperservices@uuplc.co.uk

It is the applicants' responsibility to identify the exact location of United Utilities infrastructure and the necessary diversion details must be agreed as it likely we will not allow building over of the asset and would need to be afforded suitable access for maintenance and repair.

Drainage

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

The Drainage Strategy Plan, ref: 20023-DS01 C dated 1.02.21 shows the culverted watercourse crosses. The applicant should be aware that this culvert is **not** a United Utilities asset and contact should be made with the riparian owner who is responsible for the watercourse.

We request the following drainage conditions are attached to any subsequent approval to agree an amended approach to drainage:

Condition 1 – Surface water

No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme 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;*
- (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); and*
- (iii) A timetable for its implementation.*

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

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

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

Condition 2 – Foul water

Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

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

Please note, United Utilities are 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, the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as we need to be sure that the proposal meets the requirements of Sewers for Adoption and United Utilities' Asset Standards. The detailed layout should be prepared with consideration of what is necessary to secure a development to an adoptable standard. This is important as drainage design can be a key determining factor of site levels and layout. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets. Therefore, should this application be approved and the applicant wishes to progress a Section 104 agreement, we strongly recommend that no construction commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers 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.

For schemes of 10 or more units and other major development, we recommend the Local Planning Authority consults with the Lead Local Flood Authority regarding the exact wording of any condition. You may find the 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 Supply

Our water mains may need extending to serve any development on this site and the applicant may be required to pay a contribution.

If the applicant intends to obtain a water supply from United Utilities for the proposed development, we strongly recommend they engage with us at the earliest opportunity. If reinforcement of the water network is required to meet the demand, this could be a significant project and the design and construction period should be accounted for.

To discuss a potential water supply or any of the water comments detailed above, the applicant can contact the team at DeveloperServicesWater@uuplc.co.uk.

Please note, all internal pipework must comply with current Water Supply (water fittings) Regulations 1999.

United Utilities' Property, Assets and Infrastructure

As highlighted above, United Utilities asset, Billington Waste Water Pump Station has been included in your proposed development plans. Our reference **60/00033**, Land Registry title **LAN76634**. Further to our review of the submitted plans the applicant must address the points raised above to ensure satisfactory access to our assets as a result of this proposal.

United Utilities have interest in the land being put forward for development where we have public sewers crossing the site that are protected by legal easements, and part of the land being put forward where a pumping station is sited is in the ownership of United Utilities. We would therefore encourage the applicant to contact United Utilities so that we can work through any issues before the permission is granted.

As mentioned above, our records indicate there is an easement crossing the proposed development site which is in addition to our statutory rights for inspection, maintenance and repair. The easement dated 07/10/2015 **UU Ref: Z4432** has restrictive covenants that must be adhered to. It is the responsibility of the developer to obtain a copy of the document, available from United Utilities Legal Services or Land Registry and to 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.

Further to the above, a **rising sewer main** crosses this site and we may not permit building over it. We will require an access strip width of six metres, three metres either side of the centre line of the main which is in accordance with the minimum distances specified in the current issue of Part H of the Building Regulations, for maintenance or replacement. Therefore a modification of the site layout may be necessary. All costs associated with sewer diversions must be borne by the applicant.

Several **public sewers** cross this site and we may not permit building over them. We will require an access strip width of six metres, three metres either side of the centre line of each sewer which is in accordance with the minimum distances specified in the current issue of Part H of the Building Regulations, for maintenance or replacement. Therefore a modification of the site layout, or a diversion of the affected public sewer may be necessary. All costs associated with sewer diversions must be borne by the applicant.

We will require full details of any protection measures that may be necessary during the construction process and during the lifetime of the development. This is reflected in our recommended asset protection condition.

We recommend the following condition, should the application be approved in the absence of requested information:

Condition 3 – Sewer Protection and Diversion

No construction shall commence (including any earthworks) until details of the means of ensuring the water main that is 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 include a survey that identifies the exact location of all sewers in the red line boundary, the potential impacts on the assets from construction activities (including the construction compound), the impacts post completion of the development on the sewer infrastructure within the site and identify mitigation measures, including a timetable for implementation, to protect and prevent any damage to the sewers both during construction and post completion of the development. Any mitigation measures shall be implemented in full prior to commencement of development in accordance with the approved details and timetable and shall be retained thereafter for the lifetime of the development. In the event that the survey of sewer infrastructure identifies the buildings/plots as within a 3 metre standoff either side of the asset (6 metres in total), the developer shall submit evidence to the Local Planning Authority that a diversion has been agreed with the relevant statutory undertaker and that the approved works have been undertaken prior to the commencement of development.

Reason: In the interest of public health and to ensure protection of the public sewer network.

To discuss a further sewer diversion, the applicant must discuss this at an early stage with **Rob Brenton** at wastewaterdeveloperservices@uuplc.co.uk as a lengthy lead in period may be required if a sewer diversion proves to be acceptable.

Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems.

Where United Utilities' assets exist, the level of cover to the water mains and public sewers must not be compromised either during or after construction.

For advice regarding protection of United Utilities assets, the applicant should contact the teams as follows:

Water assets – DeveloperServicesWater@uuplc.co.uk

Wastewater assets – WastewaterDeveloperServices@uuplc.co.uk

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.

A number of providers offer a paid for mapping service including United Utilities. To find out how to purchase a sewer and water plan from United Utilities, please visit the Property Searches website; <https://www.unitedutilities.com/property-searches/>

You can also view the plans for free. To make an appointment to view our sewer records at your local authority please contact them direct, alternatively if you wish to view the water and the sewer records at our Lingley Mere offices based in Warrington please ring [0370 751 0101](tel:03707510101) to book an appointment.

Due to the public sewer transfer in 2011, not all sewers are currently shown on the statutory sewer records and we do not always show private pipes on our plans. If a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

Should this planning application be approved the applicant should contact United Utilities regarding a potential water supply or connection to public sewers. Additional information is available on our website <http://www.unitedutilities.com/builders-developers.aspx>

Yours faithfully

Adam Brennan
Planning, Landscape and Ecology