

**[PLEASE NOTE THIS RESPONSE IS THE SUBJECT OF ON-GOING DISCUSSION WITH SLDC]**



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**Your ref**  
**Our ref**  
**Date**

DC/12/910  
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Dan Hudson  
Development Strategy Group Manager  
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LA9 4UF

Dear Dan

**Proposal: South Lakeland District Council - Land Allocations DPD**

Thank you for your consultation and seeking the views of United Utilities PLC in this process.

United Utilities PLC supports growth and sustainable development within the North West.

United Utilities PLC would like to build a strong partnership with Local Planning Authorities [LPA] to aid sustainable development and growth.

Our aim is to proactively share our information; assist in the development of sound planning strategies, to identify future development needs and to secure the necessary long-term infrastructure investment.

Water and wastewater services are vital for the future health and well-being of your community and the protection of the environment. When developing your Local Development Framework [LDF] and future policies LPA should consider the impacts on the health and well-being its community, environment and ensure infrastructure capacity is available. If infrastructure deficiencies cannot be addressed, an alternative location and/or timescale should be sought where infrastructure capacity is available and it meets the LPA development needs.

Inappropriate development could result in the closing of a hospital and/or school etc, due to the inappropriate development siphoning off the historical water or wastewater infrastructure capacity; no water supply for washing and catering facilities and/or sewerage flooding of the property/highway.

①

United Utilities PLC would like to make the follow specific comments, to be included in further consultations and if possible, the development of South Lakeland District Council's [Council] future sustained economic growth plans and polices.

### **Specific comments**

The phasing of development must be based on strong proactive planning processes that not only identify the needs but the constraints associated with the delivery of supporting infrastructure; in particularly the provision of water and wastewater services where a long lead-in-time may be required; the phasing/timescales of development must therefore reflect these limitations.

Failure to achieve these goals would result in an unsound Land Allocation DPD.

The Council should consider the constraints [are not limited to, but include] that are outside the control of United Utilities PLC:

- Regulatory approval
- Environmental constraints
  - Does the receiving watercourse/environment have the capacity to accept additional flows without causing environmental damage?
  - Small river : large development
- Environmental consents and permits
  - Construction of new processes required to meet new consents and/or permits
- Planning approval
  - The Land Allocation process has not highlighted and/or specified land for infrastructure use, therefore future planning applications from utilities infrastructure may be thwarted or prolonged processes.
  - Historical local resistance to the expansion of utilities assets
  - Planning application approval restrictions delay implementation of supporting infrastructure assets
- Land acquisition
- Access into the highway
  - Limitations from the highway departments for road works
- Environmental restrictions
  - bird breeding and/or nesting seasons; great crested newts; badgers etc
- Implementation and commissioning restrictions from planning application; environmental consents and permits conditions

The Council's Land Allocation DPD and planning policy process needs to identify and safeguard land for infrastructure use; failure to do so could mean United Utilities PLC cannot provide the additional capacity required to support your growth plans therefore an unsound Land Allocation plan.

The Land Allocation and future planning policies must ensure development does not have a detrimental affect on the existing capacity of the community's supporting infrastructure; development should not be deemed sustainable and/or sound if it results in a reduced quality of life and/or risk of environmental damage.

Proactively planning can provide a sustainable cross boundary solution that addresses the needs of a number of LPA/communities, instead of a reactive solution for a single development.

When reactive infrastructure investment is used, it is generally a short-term fix to address a service failure and/or risk of environment; the planning process has failed

and the community is already experiencing a reduced quality of life and/or the environment is damaged.

Reactive short-term investment solution will become abortive when the long-term sustainable solution is implemented; resulting in an unnecessary increased carbon footprint; higher customer bills, leading to an increase in deprivation and reduced quality of life and health for the community.

The Councils' phasing process does not fully align to with United Utilities PLC's Asset Management Plan [AMP - five yearly capital investment programme approval by water and wastewater companies financial regulator, the Office of Water Services (Ofwat)]; in addition no projects to accommodate additional capacity have been identified and/or approval for the current AMP period 2010 – 2015 [known as AMP5]

United Utilities PLC propose the following phasing changes to Policy LA1.3: Housing Allocations and the Land Allocations DPD

**Phase 2/3** is the latter stage of phase 2 early stage of phase 3.

Settlement	Site Ref	Timescale	
		Council	Change
Allithwaite	R339# (inc.s RN73)	Phase 1	Phase 2
Allithwaite	R347#	Phase 1	Phase 2
Allithwaite	RN224, RN86# & RN195	Phase 1	Phase 2
Allithwaite	RN265#	Phase 2	
Allithwaite	M32#-mod	Phase 2	
Allithwaite	RN79# - mod	Phase 2	
Arnside	MN20-mod	Local	
Arnside	R81	Phase 1	
Arnside	RN225-mod	Phase 2	
Arnside	RN337#	Phase 1	
Brigsteer	RN213-mod	Phase 1	
Broughton in Furness	MN19-mod	Local	
Broughton in Furness	R163M-mod	Phase 1	
Burneside	E32M	Local	
Burneside	R489M	Phase 3	
Burneside	M38M	Phase 3	
Burton in Kendal	MN26#-mod	Phase 1	Phase 2
Burton in Kendal	R76M	Phase 1	Phase 2
Burton in Kendal	RN226 (shown as + RN277# on map)	Phase 1	Phase 2
Cartmel	R112 + ON17	Phase 1	Phase 2/3
Cartmel	RN14#	Phase 2	Phase 2/3
Endmoor	EN20 & EN33#	Phase 2	
Endmoor	R670-mod	Phase 3	
Endmoor	M41M (shown as -mod on map)	Phase 2	
Flookburgh / Cark	EN42#	Local	Phase 2/3
Flookburgh / Cark	R321M	Phase 1	Phase 2/3

Settlement	Site Ref	Timescale	
		Council	Change
Flookburgh / Cark	R685	Phase 2	Phase 2/3
Flookburgh / Cark	R687	Phase 1	Phase 2/3
Grange	M378M / R381	Phase 2	
Grange	MN25M	Phase 2	
Grange	R110	Phase 1	Phase 2
Grange	R350M	Phase 2	
Grange	R383		Phase 2
Grange	R74 / R449	Phase 2	
Grange	R672M	Phase 2	
Grange	R89	Phase 1	Phase 2
Great / Little Urswick	M10M & RN126M - mod	Phase 2	Phase 2/3
Great / Little Urswick	ON57#	Phase 1	Phase 2/3
Greenodd / Penny Bridge	RN152	Phase 1	
Holme	M35M	Local	Phase 2
Holme	R653M-mod	Phase 1	Phase 2
Holme	R675M-mod	Phase 1	Phase 2
Holme / Elmsfield	E18M	Local	Phase 2
Kendal	E31M	Local	Phase 2/3
Kendal	E33	Local	Phase 2/3
Kendal	E4M	Strategic	Phase 2/3
Kendal	EN28M	Local	Phase 2/3
Kendal	E23K#	Local	Phase 2/3
Kendal	M2M-mod	Business / Science Park	Phase 2/3
Kendal	M41KM	Phase 2	
Kendal	MN27#	Phase 1	
Kendal	R103M-mod	Phase 2	
Kendal	R107M & R150M	Phase 1	
Kendal	R121M-mod	Phase 2	
Kendal	R129M + R143	Phase 2	
Kendal	R170M - mod	Phase 3	
Kendal	R31#	Phase 1	
Kendal	R44	Phase 1	
Kendal	R46	Phase 2	
Kendal	R97M-mod & part of MN34# - mod	Phase 1	
Kendal	RN117M	Phase 2	
Kendal	RN133M + RN301#	Phase 1	
Kendal	RN169M & RN299#	Phase 3	
Kendal	RN228#	Phase 1	
Kendal	Canal H	Phase 3	
Kendal	Appleby Road (Broad Location)	Phase 3	
Kendal	Burton Road (Broad Location)	Phase 3	
Kirkby in Furness	R29	Phase 1	

Settlement	Site Ref	Timescale	
		Council	Change
Kirkby in Furness	RN11#	Phase 1	
Kirkby Lonsdale	R127M-mod	Phase 1	
Kirkby Lonsdale	R640#	Phase 1	
Kirkby Lonsdale	R642M	Phase 1	
Kirkby Lonsdale	RN317#	Phase 1	
Levens	R51M	Phase 2	
Levens	RN121M-mod	Phase 1	
Levens	RN125		
Milnthorpe	E13M-mod	Local	Phase 2
Milnthorpe	EN17M	Local	Phase 2
Milnthorpe	M9M1-mod	Local	Phase 2
Milnthorpe	M9M2-mod	Phase 1	Phase 2
Milnthorpe	R151M-mod	Phase 2	
Milnthorpe	RN140	Phase 1	Phase 2
Milnthorpe	RN57M-mod	Phase 1	Phase 2
Milnthorpe	Land adjacent to Firs Road (Broad Location)	Phase 3	Phase 2
Natland	R62	Phase 1	
Oxenholme	R108M	Phase 1	
Oxenholme	RN223#	Phase 2	
Sandside / Storth	M683sM-mod	Phase 2	
Sandside / Storth	EN40-mod	Local	Phase 1
Swarthmoor	RN315# & RN109M	Phase 2	
Swarthmoor	R684SWM	Phase 1	
Ulverston	E30 / M26	Strategic	
Ulverston	EN22	Local	
Ulverston	M11M-mod	Business/Science Park	
Ulverston	M28	Phase 3	
Ulverston	MN29#	Phase 1	
Ulverston	ON45		
Ulverston	R268	Phase 1	Phase 2
Ulverston	R270M	Phase 1	Phase 2
Ulverston	R274M RN313# RN314#	Phase 2	
Ulverston	R689ULVM	Phase 3	Phase 2
Ulverston	R692ULVM	Phase 1	Phase 2
Ulverston	RN250#	Phase 1	Phase 2
Ulverston	RN3	Phase 1	Phase 2
Ulverston	R690ulv, R691ULV, R126M, RN184, RN234# & part R242	Phase 1	Phase 2
Ulverston	R697 & part R242 & R135	Phase 1	Phase 2
Ulverston	RN131, RN141#, RN321# & RN284#	Phase 1	Phase 2

The above comments must be read in conjunction with the following remarks and United Utilities PLC would like these to be taken into consideration and incorporated into your future policies and/or documents:

**General notes:**

**National Planning Policy Framework [NPPF]**

**The presumption in favour of sustainable development**

LPA should adopt proactive strategy priorities in their Local Plan. This should include strategic policies to deliver:

- the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
- the provision of health, security, community and cultural infrastructure and other local facilities; and
- climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

Crucially, Local Plans should:

- plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of the NPPF;
- be drawn up over an appropriate time scale, preferably a 15-year time horizon, take account of longer term requirements, and be kept up to date;
- be based on co-operation with neighbouring authorities, public, voluntary and private sector organisations;
- indicate broad locations for strategic development on a key diagram and land-use designations on a proposals map;
- allocate sites to promote development and flexible use of land, bringing forward new land where necessary, and provide detail on form, scale, access and quantum of development where appropriate;
- identify areas where it may be necessary to limit freedom to change the uses of buildings, and support such restrictions with a clear explanation;
- identify land where development would be inappropriate, for instance because of its environmental or historic significance; and
- contain a clear strategy for enhancing the natural, built and historic environment, and supporting Nature Improvement Areas where they have been identified.

**Infrastructure**

NPPF 162. Local planning authorities should work with other authorities and providers to:

- assess the quality and capacity of infrastructure for transport, water supply, wastewater and its treatment, energy (including heat), telecommunications, utilities, waste, health, social care, education, flood risk and coastal change management, and its ability to meet forecast demands; and
- take account of the need for strategic infrastructure including nationally significant infrastructure within their areas.

To ensure that future development is sustainable; prevents environmental damage and preserves the quality of life for the existing and future generations, developments should not be permitted until infrastructure capacity is available.

United Utilities PLC cannot confirm if capacity is available until the connection point/s, flows and completion dates are available.

If additional supporting infrastructure is required then the LPA should work closely with United Utilities PLC [and other utility providers] to ensure a sustainable cross-boundary solution is identified and approved by the appropriate Regulators bodies before granting planning approval; failure may result in the deterioration of the community's quality of life and/or environmental damage.

The scale and type of development needs to be defined so the appropriate infrastructure is in place to ensure growth is sustainable.

United Utilities PLC has a number of recent examples where infrastructure has been provided based on identified growth, but not delivered; this has resulted in major operational issues; the treatment process is under loaded; it is failing to operate because it cannot reach its operational capacity.

Additional temporary engineer solutions are in place; this represents a significant risk to the exiting customers; the environment and United Utilities PLC; not forgetting the additional financial burden on United Utilities PLC's customers.

The Council has a number of capacity issues; any additional developments in these and/or adjoining areas without firstly ensuring infrastructure solutions are implemented could result in an increased number and frequency of sewer flooding incidents.

*[Reason: Ensure timely delivery of development and infrastructure to protect the good quality of life and the environment]*

### **Surface Water**

Site drainage should be a major consideration for LPA and developers when selecting possible development sites; ground conditions; local flooding issues; development layout; design and planning policy.

The treatment and processing of surface water [storm water; rainwater] is a not a sustainable solution; the sites' current natural discharge solution should be continued and/or mimicked; if the existing surface water does not have an existing natural solution, United Utilities PLC questions the development of a flooded site.

Surfacewater should be managed at source and not transferred; if not this will only transfer the issue to another location; generally to a single pinch point, generating further problems in that location.

Developments must drain on a separate sewerage system, with only foul drainage connected into the foul sewerage network.

Every option should be investigate before discharging surface water into a public sewerage network.

Connecting surface water to the public sewerage network is not a sustainable solution and LPA should discourage this practice.

The priority options for the management of surface water discharges are:

- Continue and/or mimic the site's current natural discharge process
- Store for later use



- Discharge into infiltration systems located in porous sub soils
- Attenuate flows into green engineering solutions such as ponds; swales or other open water features for gradual release to a watercourse and/or porous sub soils
- Attenuate by storing in tanks or sealed systems for gradual release to a watercourse
- Direct discharge to a watercourse
- Direct discharge to a surface water sewer
- Controlled discharge into the combined sewerage network ~ this option is a last resort when all other options have been discounted.

Development on greenfield sites shall not discharge surface water into the public combined sewerage network and shall not increase the rate of run-off into the public surface water network ~ this statement does not replace the priority options for surface water management above.

On previously developed land, a reduction of at least 30% will be sought, rising to a minimum of 50% in critical drainage areas ~ this statement does not replace the priority options for surface water management above

Any discharge to the public sewerage system must be via approved SuDS and will require an approved discharge rate.

Consideration should given for green infrastructure, low carbon, soft engineering SuDS solutions, such as ponds; swales; wet land areas and detention basins etc.

<http://www.ciria.com/suds/index.html>

A discharge to groundwater or watercourse may require the consent of the Environment Agency.

*[Reason: To ensure that the surface water is properly discharged to prevent flooding or the overloading of the public sewerage network]*

### **Green Infrastructure**

The Council should seek opportunities to use developer financial and/or resources contributions to meet common objectives.

Use green and open spaces, sports and recreation facilities to address surfacewater and climate change issues.

Building green infrastructure assets such as ponds, swales and wetlands will not only meet the Council's Green Space needs but also their local existing and/or future surface water/ climate change issues.

Artificial pitches; cycle paths; play areas multi-use games areas and skate parks can be used to local underground civil engineering SuDS solutions. SuDS solutions that incorporate irrigation systems will help support and maintain the Council's allotments, parks and garden areas.

The Council's should identify opportunities for the installation retro fitting SuDS.

*[Reason: To ensure that the development is sustainable, properly drained; prevents flooding and environmental damage]*

### **Climate change adaptation**

Climate change is a major consideration on the future available capacity of sewerage networks; wastewater treatment works and watercourses.

Planners and Developers should consider that the impacts of climate change on future development, existing infrastructures, and the environment.

Developments to be designed to reduce the impacts of climatic change on the development itself, the existing infrastructure and the environment; with consideration for hotter, drier summers, greater flood risk and more severe weather events.

To reduce the impacts of climate change on the existing infrastructure LPA should seek a significant reduction in the discharge from developments.

Urban creep has a significant impact on capacity; the paving over of gardens contributes to flood risk and should therefore be discouraged.

*[Reason: To ensure that the development is properly drained; prevents flooding and environmental damage]*

### **Water Resources Planning**

On 12 March 2012, seven water companies [Anglian Water, South East Water, Southern Water, Sutton and East Surrey Water, Thames Water, Veolia Water Southeast and Veolia Water Central] announced they are consulting on temporary restrictions to be in place by 5 April 2012.

The number of drought measures highlights the need to manage water resources effectively, given increasing pressure on water supply because of population increase, changing household usage patterns and by climate change.

All this despite the UK having a reputation as being a rainy country, we may face a future with less rainfall and less certainty about when that rain will fall.

United Utilities PLC's Water Resources Management Plan published in 2009, sets out our strategy for water resources management for the next twenty-five years and highlights areas where there is likely to be a supply deficit and what activities will be put in place to mitigate any shortfall in supply.

The plan can be accessed here:

<http://www.unitedutilities.com/WaterResourcesPlan.aspx>

United Utilities PLC would encourage all developers and planners to contact United Utilities PLC at the earliest opportunity to enable identification of points of connection with least cost to the developer.

*[Reason: To maintain the public water supply and to provide satisfactory/sustainable development]*

### **Increased Water Capacity**

The developer is required to pay for their increased capacity (up to the point of a treatment works) and they are only allowed to connect at specific points identified by United Utilities PLC and following approval to connect.

Planners and Developer should obtain local capacity information from the United Utilities PLC Area Teams\Connections who would be able to identify areas where there is current capacity for development; this would be on a case by case basis and developers are required to pay a fee for this service (a pre development enquiry).

*[Reason: To maintain the public water supply and to provide satisfactory/sustainable development]*

### **General Water Efficiency Guidance**

United Utilities encourages the use of water efficient designs and development wherever this is possible. There are a number of actions developers can undertake to ensure that their developments are water efficient. The most up to date advice for water efficiency and water efficiency products can be found at Waterwise who have recently published a best practise guide on water efficiency for new developments. United Utilities PLC would encourage utilisation of the following water efficiency activities:

- Installing of the latest water efficient products, such as a 4.5l flush toilet instead of the 6l type.
- Minimise run lengths of hot and cold water pipes from storage to tap/shower areas. This minimises the amount of waste during the time the water goes from cold to hot.
- Utilising drought resistant varieties of trees, plants and grasses when landscaping.
- Install water efficient appliances such as dishwashers, washing machines.

*[Reason: To maintain the public water supply and to provide satisfactory/sustainable development]*

### **Responding Strategic Housing Land Availability Assessment [SHLAA]**

Responding to an individual site identified in a SHLAA will not give a true reflection on impact on the existing infrastructure or provide a clear investment plan for the future.

A single plot will not be constructed, a number of plots will and therefore numerous build scenarios can be created from the list of sites identified in a SHLAA.

What if:

Plots A, B, C and Z are constructed

Or

Plots B; C; D; Y and Z are constructed.

United Utilities PLC can not provide a true impact assessment on the development plots identified in your SHLAA, United Utilities PLC would prefer to meet a member of your team to discuss this in further detail.

*[Reason: To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal and to provide satisfactory/sustainable development]*

### **Development adjacent to infrastructure assets**

The future expansion of infrastructure assets to meet the needs of future development and changes in legislation could create a potential conflict with development plans, this may result in £Millions of customers money being spent in building a new infrastructure outside the locality; therefore developments adjacent to United Utilities PLC assets should be discouraged by LPA

Water and sewerage companies have a legal right of access to their assets; this can be for their operational and/or maintenance therefore United Utilities PLC will not permit the building over and/or near its infrastructure assets.

By their nature, wastewater processes generate odour levels, which the public may deem to be unacceptable; in addition, the filter processes attract flies.

To avoid any conflict historically these facilities have been sited away from the general population.

To protect the public from these by-products United Utilities PLC would ask that the Environmental Health Authority be consulted in any future developments adjacent to wastewater infrastructure assets. In most cases, the distance of 400 metres from the WWTW is used as a guide, but this can differ due to local topography, climatic conditions, size and nature of the wastewater infrastructure asset and development in question.

The Council must ensure United Utilities PLC is kept informed of any waste management related development and/or planning application within 500m of a Large Diameter Trunk Main (LDTM). Prior consent will be required from United Utilities PLC before granting approval. It is also essential that this information is included in future planning policy

United Utilities PLC would seek the support of LPA in the LDF and planning application processes to protect/secure land for infrastructure use. Failure could mean United Utilities PLC cannot provide the additional capacity required to support your growth plans therefore a failed and/or unsound development plan.

*[Reason: To protect existing and future infrastructure and maintain service]*

### **Infill land**

You should be aware that, on occasion, gaps are left between properties; this is due to the presence of underground utility assets. United Utilities PLC will not allow the building over or near to these assets and development will not be acceptable in these locations.

*[Reason: In order to allow sufficient access for maintenance and repair work at all times]*

**Carbon impact**

LPA and developers should consider to the total carbon impact of future developments; not only the footprint of the development but also the carbon impact for additional infrastructure assets; their associated treatment processes and their future maintenance and operation requirements. To meet future reduction targets LPA and Developers should considered the wider carbon impact when determining the location of future developments.

*[Reason: Satisfactory and sustainable development]*

**Windfall Sites**

Windfall sites siphon investment and resources away from defined development plans; sabotaging infrastructure investment identified to address specific water and wastewater infrastructure needs.

For LPA this could greatly impact their development plans to address areas of deprivation; poor housing; high unemployment; education and health care issues.

A single development site [windfall] must not impair and/or sabotage the time; resources; infrastructure investment and partnerships developed to support the future growth of a LPA and/or number of LPAs.

*[Reason: Protect investment, well being of the community and deliver sustainable development]*

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Yours Sincerely

Dave Sherratt  
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United Utilities PLC