

[REDACTED]

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Planning Policy and Programmes  
Warrington Borough Council  
East Annexe, Town Hall  
Warrington  
WA1 1HU

**Your ref:**  
**Our ref:**  
**Date:** 15-NOV-21

Dear Sir / Madam

**WARRINGTON BOROUGH COUNCIL – PROPOSED SUBMISSION VERSION LOCAL PLAN (September 2021)**

Thank you for your consultation seeking the views of United Utilities as part of the local plan process. United Utilities wishes to build a strong partnership with all local planning authorities (LPAs) to aid sustainable development and growth within its area of operation. We aim to proactively identify future development needs and share our information. This helps:

- ensure a strong connection between development and infrastructure planning;
- deliver sound planning strategies; and
- inform our future infrastructure investment submissions for determination by our regulator.

United Utilities wishes to highlight the benefit of early, constructive communication with the council and site promoters to ensure a co-ordinated approach to the delivery of any future allocations. We will seek to work closely with the council during the local plan process to develop a coordinated approach for delivering sustainable growth in sustainable locations. When preparing the Development Plan and future policies, new development should be focused in sustainable locations which are accessible to local services and infrastructure. We can most appropriately manage the impact of development on our infrastructure if development is identified in locations where infrastructure is available with existing capacity.

We encourage you to direct future developers to our **free pre-application service** to discuss their schemes and highlight any potential issues by contacting:

[REDACTED]

## **General Comments**

### **Our Assets**

It is important to outline to the LPA the need for our assets to be fully considered in development proposals. We will not normally permit development over or in close proximity to our assets. All United Utilities' assets will need to be afforded due regard in the masterplanning process for a site. This should include careful consideration of landscaping proposals in the vicinity of our assets and any changes in levels. We strongly recommend that the LPA advises future applicants of the importance of fully understanding site constraints as soon as possible, ideally before any land transaction is negotiated, so that the implications of our assets on development can be fully understood. Where our assets exist on a site, we ask site promoters to contact United Utilities to understand any implications using the above contact details.

### **Development Illustrative Concept Plans**

We have noted the inclusion of Illustrative Concept Plans for Proposed Allocations within the Proposed Submission Version of the Local Plan. The site-specific policies identify a range of constraints and technical requirements which need to be considered further in the preparation of a Development Framework. Constraints such as United Utilities' assets and associated easements, the proximity to a Wastewater Treatment Works (WwTW) and the location of a site in a groundwater source protection zone will impact on the masterplanning and detailed design of a site. We are concerned that the inclusion of Illustrative Concept Plans as part of the Local Plan in advance of such technical assessments being undertaken means that plans may not reflect such development constraints which are relevant to a particular site. We therefore request continued involvement in any masterplanning process.

### **Co-ordinated Infrastructure Provision**

Any growth needs to be carefully planned to ensure new infrastructure provision does not cause any unexpected delays to development delivery. At the current time, the full detail of the development proposals are not yet known. For example, the detail of the drainage proposals, including points of connection, the water supply requirements or the nature of any employment occupier. Once more information is available with respect to specific development sites, which is often only at the planning application stage, we will be able to better understand the potential impacts of development on infrastructure

It is also important to acknowledge that the development plan will cover the period up to 2038. This contrasts with our 5 yearly investment periods. Our current investment period covers the period 2020-2025. Any infrastructure investment response will therefore be brought forward over a number of the 5 yearly investment periods of a water and sewerage company.

In the absence of more detail, we cannot fully conclude the impact on our infrastructure over a number of 5 year investment periods and therefore as more information becomes available, it may be necessary to co-ordinate the timing for the delivery of development with the timing for the delivery of infrastructure improvements.

### **Large Sites in Multiple Ownership**

United Utilities has concerns regarding any large site allocations which are in multiple land ownerships. The experience of United Utilities is that where sites are in multiple ownership, the achievement of

sustainable development can be compromised by developers/applicants working independently. We therefore encourage you to make early contact with all landowners/site promoters and challenge those landowners on how they intend to work together, preferably as part of a legally binding framework or masterplan. We believe that raising this point at this early stage is in the best interests of achieving challenging delivery targets from allocated sites in the most sustainable and co-ordinated manner.

### **Specific Comments**

United Utilities acknowledges that the Draft Plan identifies significant development areas across various settlements within the borough, and whilst the level of Green Belt release has reduced since the 2019 Local Plan, there is still a substantial amount of Green Belt land proposed for release. For example, United Utilities notes the volume of growth that is proposed for South Warrington (including the South East Urban Extension). As a result, it is likely that there will be a need to respond with investment in our infrastructure and it may be necessary to co-ordinate the delivery of development with the delivery of new infrastructure.

United Utilities wishes to highlight that we wish to continue the constructive communication we have had with the Council to ensure a co-ordinated approach to the delivery of allocations. United Utilities have attended a number of meetings since the first draft to initially highlight relevant infrastructure issues and key principles to be considered in order to most appropriately manage the impact on our assets.

All United Utilities' assets and associated easements will need to be afforded due regard in the masterplanning process as they may impact on deliverability dependent on the location within the site. We therefore request continued involvement in any masterplanning process for each site.

We ask any future developers to contact United Utilities to explore options for addressing the above as early as possible. Enquiries are encouraged via the contact details above and plans of our assets are available from a range of providers including our Property Searches team who can be contacted at <https://www.unitedutilities.com/property-searches/>.

### **Policy Recommendations**

As set out above, the achievement of sustainable development can be compromised by developers/applicants working independently. We believe that raising this point at this stage in the preparation of the development plan is in the best interest of achieving challenging housing delivery targets from allocated sites in the most sustainable and co-ordinated manner. As such, it will be important that future applications demonstrate compliance with criterion 4 of draft Policy INF3 (including our associated recommended amendment) which requires applicants to ensure that the delivery of development is guided by site wide strategies for infrastructure (e.g. foul, surface water and clean water) which ensure coordination between phases of development over lengthy time periods and by numerous developers.

### **Policy INF3 – Utilities, Telecommunication and Broadband**

In accordance with our above comments regarding co-ordinated infrastructure provision, we would be grateful if Policy INF3 can include the following additional wording to criteria 3 and 4:

*3. Developers will be required to work with the Council and appropriate providers to deliver the necessary physical infrastructure and networks as an integral part of all new developments, taking into account the need to 'future proof' development to accommodate emerging technologies.*

*Developers will be required to undertake early dialogue with infrastructure providers to identify the infrastructure needs arising from new development and ensure that these are addressed through building design, utility networks and connections in time to serve the proposed development. It may be necessary to co-ordinate the timing for the delivery of development with the timing for the delivery of new infrastructure/ infrastructure improvements through the development management process.*

*4. On large development sites or sites developed on a phased basis, applicants will be required to ensure that the delivery of development is guided by site wide strategies for infrastructure (e.g. foul, surface water and clean water) which ensure coordination between phases of development over lengthy time periods and by numerous developers. Conditions or planning obligations may be used to secure these phasing arrangements. Any water and wastewater infrastructure in early phases of development should be designed to have regard to future interconnecting development phases.*

#### **Policy ENV8 – Environmental and Amenity Protection**

United Utilities recognises that following earlier versions of the Local Plan, additional text has been added at ENV 8(10) in relation to Groundwater Source Protection Zones. However, we would reiterate that it is important that United Utilities is involved in early dialogue on the potential masterplanning and mitigation measures identified through the risk assessment to agree any approach to development. For clarity, we would therefore suggest the following amended wording to Policy ENV8 [in blue below].

*10. Any proposals for new development within Groundwater Source Protection Zones must accord with central government guidance set out in its Groundwater Protection guides, or any subsequent iteration of the guidance. New development within Groundwater Source Protection Zones will require the following be required to:*

*~~a. be planned so as to mitigate the risk of pollution to the public water supply and the water environment;~~*

*~~b. undertake a risk assessment and mitigation strategy with respect to groundwater protection to manage the risk of pollution to public water supply and the water environment;~~*

*~~b. careful masterplanning to mitigate the risk of pollution to the public water supply and the water environment;~~*

*and*

*~~c. produce a Construction Management Plan to identify the potential impacts from all construction activities on both groundwater, public water supply and surface water and identify appropriate mitigation measures necessary to protect and prevent pollution of these waters.~~*

With respect to the associated justification text, we wish to suggest the following amendment to paragraph 9.8.10:

*'9.8.10 The risk assessment should be based on the source-pathway-receptor methodology and should identify all possible contaminant sources and pathways for the life of the development and provide details of measures required to mitigate any risks to groundwater and public water supply during all phases of the development. On land ~~or~~ within and adjacent to Groundwater Source Protection Zone 1, the mitigation measures should include the highest specification design for the new foul and surface water sewerage systems (pipework, trenches, manholes, pumping stations and attenuation features) to ensure that leakage from sewerage systems is avoided. Any development should be carefully planned in terms of site design and layout to mitigate the risk of pollution to public water supply and the water environment. For example, open space should be designed so it is closest to any boreholes so as to minimise the potential impact on*

*groundwater. In addition, an appropriate management regime will be required for open space features in the groundwater **source** protection zone. Construction Management Plans will be required to identify the potential impacts from all construction activities on both groundwater, public water supply and surface water and identify appropriate mitigation measures necessary to protect and prevent pollution of these waters.'*

## **Utilities and Environmental Protection**

Under the Utilities and Environmental Protection section of each proposed allocation, we would suggest the addition of the following text:

*'Unless a below ground infiltration system is proposed for the management of surface water, applicants will be expected to manage surface water through sustainable drainage features with multi-functional benefits as opposed to a reliance on conventional underground piped and tanked storage systems. Any sustainable drainage system should be designed in accordance with 'Ciria C753 The SuDS Manual' or any subsequent replacement guidance. No surface water shall discharge to the existing public sewer either directly or indirectly. The surface water strategy should be integrated with the site's green infrastructure network in order to maximise ecological and potentially recreational benefits. Early in the design process, applicants will be required to assess site topography, any naturally occurring flow paths and any low lying areas where water will naturally accumulate. Resultant layouts should take account of such existing circumstances to ensure the most sustainable and flood resilient solution is achieved. Landscaping proposals will be expected to be integrated with the strategy for surface water management. This can include hard and soft landscaping to reduce the volume and rate of surface water discharge. Applicants will be expected to incorporate site drainage as part of a high quality green and blue environment.'*

Policies MD1, MD2 and MD3 make reference to '*...incorporating exemplary multi-functional Sustainable Urban Drainage Systems (SUDS) and flood alleviation measures...*'. We would suggest that the policy wording for Policies MD4, MD5, OS1, OS2, OS3, OS4, OS5 and OS6 also includes '*incorporating exemplary multi-functional Sustainable Urban Drainage Systems (SUDS) and flood alleviation measures...*'.

### **Policy MD1 - Waterfront MDA**

In addition to our above recommended additional policy wording for all site allocations under the heading of '*Utilities and Environmental Protection*', we wish to note the following regarding this site.

It should be noted that this site is currently not served by water and wastewater infrastructure. Therefore to accommodate the proposed growth in this area United Utilities would welcome early engagement in relation to the use of the Western Link Road as a means of providing water and wastewater infrastructure.

### **Policy MD2 - SE Warrington Urban Extension**

In addition to our above recommended additional policy wording for all site allocations under the heading of '*Utilities and Environmental Protection*', we wish to note the following regarding this site.

United Utilities reiterates the inclusion of the following text. This comment was raised at the June 2019 Consultation draft, but has not been amended:

*The allocation includes existing water and wastewater infrastructure. Access to this infrastructure should be maintained within the proposed development layouts. Development layouts will be expected to be*

*designed to take these into account and applicants may be required to submit a management plan and details of any protection provisions to ensure the integrity of the water and sewerage assets are maintained both during and after construction.*

### **Policy MD3 - Fiddlers Ferry**

We note the inclusion of Fiddlers Ferry as a new allocation in the emerging development plan for Warrington.

In addition to our above recommended additional policy wording for all site allocations under the heading of 'Utilities and Environmental Protection', we request the inclusion of the following amendments [identified in blue] to Policy MD3.

*'3 (I).Flood mitigation and drainage including exemplary multi-functional sustainable drainage systems (SuDS).'*

*'34.A site-wide foul and surface water strategy will be required across the allocation site as a whole, incorporating appropriate exemplary Sustainable Drainage Systems (SUDS) and flood alleviation measures. The surface water strategy will be required to improve on greenfield run-off rates. Development proposals will be expected to incorporate infiltration SuDS and SuDS with multi-functional benefits in preference to traditional underground storage systems.'*

*'36.Improvements to the water supply and sewerage network will be required, ensuring that surface water drainage is not combined with foul discharge. A site wide clean water strategy will also be required. It may be necessary to co-ordinate the delivery of development with the timing for delivery of new infrastructure.'*

United Utilities would also suggest the inclusion of the following paragraphs in the wider policy wording.

*'The site includes water and wastewater supply infrastructure, including land owned by United Utilities and associated easements / rights of way, which will need to be fully considered in the masterplanning / design process and during any demolition / construction. Access to such assets will need to be maintained and protective measures will need to be included to ensure any assets are fully protected both during construction / demolition and during the lifetime of the development. The assets include major assets such as aqueducts and a large high pressurised sludge asset.'*

*'The site is in proximity to a wastewater treatment works (Shell Green). The proximity to the wastewater treatment works should be carefully considered in the masterplanning for the site noting that a wastewater treatment works is a 24 hour waste management operation and therefore the amenity of future occupiers will need to be given careful consideration in liaison with United Utilities.'*

*'The site is partially located within a groundwater source protection zone, zone 3. Any development should have full regard to the Environment Agency's approach to groundwater protection. It should risk assess the impact on the groundwater environment and include appropriate mitigating measures if identified as necessary to inform the masterplanning and redevelopment of the site.'*

As outlined above, United Utilities has concerns regarding any large site allocations, especially where they are in multiple land ownerships. The proposed allocation for Fiddlers Ferry includes a range of uses including residential, primary school and retail. The experience of United Utilities is the achievement of sustainable development can be compromised by developers/applicants working independently. We therefore encourage you to make early contact with all landowners/site promoters and challenge those

landowners on how they intend to work together and deliver development in a holistic manner, preferably as part of a legally binding framework or masterplan.

#### **Policy MD4 – Peel Hall**

In addition to our above recommended additional policy wording for all site allocations under the heading of 'Utilities and Environmental Protection', we wish to note the following regarding this site.

We note the reference in Policy MD4(42) to ensure that development must not inhibit the operation of the United Utilities sewage works located off Elm Road. For the avoidance of doubt, we request that a sentence [in blue below] is added to this policy.

*42. In accordance with Policy INF3, development within the site must not inhibit the operation of the existing National Grid gas pipeline to the northern boundary of the site, or the United Utilities sewage works located off Elm Road. Access to the asset needs to be maintained, alongside appropriate offset distances.*

The proposed development site is situated within Groundwater Source Protection Zone (SPZ) 3, close to United Utilities water abstraction boreholes and within a Drinking Water Safeguard Zone for Groundwater. Drinking Water Safeguard Zones, designated by the Environment Agency under the Water Framework Directive, are used for areas around abstractions where water quality is poor and where additional measures are needed to improve water quality. United Utilities would therefore request that the following wording is added to the policy. Similar wording is currently included in a number of other proposed allocations.

*'Development proposals will be required to assess the impact on the groundwater environment, the Drinking Water Safeguarding Zone and incorporate appropriate mitigating measures'.*

#### **Policy MD5 – Thelwall Heys**

In addition to our above recommended additional policy wording for all site allocations under the heading of 'Utilities and Environmental Protection', we wish to note the following regarding this site.

We note the addition of Thelwall Heys as a proposed allocation within the Proposed Submission Local Plan. The site includes water and wastewater supply infrastructure. Under the heading of Utilities and Environmental Protection, we recommend the inclusion of the following criteria:

*'The site includes water and wastewater supply infrastructure, which will need to be fully considered in the masterplanning / design process and during any construction. Access to such assets will need to be maintained and protective measures will need to be included to ensure any assets are fully protected both during construction and during the lifetime of the development.*

Existing public sewers pass through this site which modelling data identifies as being at higher risk of sewer surcharge. These represent a higher risk of public sewer flooding and will need to be carefully considered in the design and masterplanning process for any development at this site. Under Utilities and Environmental Protection, we therefore recommend the inclusion of the following criterion:

*Existing public sewers pass through this site which modelling data identifies as being at higher risk of sewer surcharge. These represent a higher risk of public sewer flooding and will need to be carefully considered in the design and masterplanning process for any development at this site. The applicant will be required to engage with United Utilities prior to any masterplanning process to ensure development is*

*not located in an area at risk of flooding. Applicants should consider site topography and any exceedance flow paths. Resultant layouts and levels should take account of such existing circumstances to ensure the most flood resilient solution is achieved.*

As outlined above, United Utilities has concerns regarding any large site allocations, especially where they are in multiple land ownerships. The experience of United Utilities is the achievement of sustainable development can be compromised by developers/applicants working independently. We therefore encourage you to make early contact with all landowners/site promoters and challenge those landowners on how they intend to work together and deliver development in a holistic manner, preferably as part of a legally binding framework or masterplan.

#### **Policy OS5 – Lymm - Rushgreen Road**

In addition to our above recommended additional policy wording for all site allocations under the heading of 'Utilities and Environmental Protection', we wish to note the following regarding this site.

Existing public sewers pass through this site which modelling data identifies as being at higher risk of sewer surcharge. These represent a higher risk of public sewer flooding and will need to be carefully considered in the design and masterplanning process for any development at this site. Under Utilities and Environmental Protection, we therefore recommend the inclusion of the following criterion:

*Existing public sewers pass through this site which modelling data identifies as being at higher risk of sewer surcharge. These represent a higher risk of public sewer flooding and will need to be carefully considered in the design and masterplanning process for any development at this site. The applicant will be required to engage with United Utilities prior to any masterplanning process to ensure development is not located in an area at risk of flooding. Applicants should consider site topography and any exceedance flow paths. Resultant layouts and levels should take account of such existing circumstances to ensure the most flood resilient solution is achieved.*

#### **Policy OS6 - Winwick**

In addition to our above recommended additional policy wording for all site allocations under the heading of 'Utilities and Environmental Protection', we wish to note the following regarding this site.

In the earlier consultation on the draft allocation for this site, United Utilities responded with concerns in relation to:

1. The potential impacts on water quality resulting from construction close to the boundary of the reservoir and in groundwater source protection zones 1 and 2. Our strong preference is for development to take place outside of any Environment Agency designated source protection zone 1.
2. The site is an operational asset that operates 24/7 and may result in noise that needs to be given due regard in the preparation of a new application for planning permission.
3. The Service Reservoir is surrounded by large water network supply pipes transporting water to and from the asset. There is a concern that new development close to these assets will impact on our ability to effectively maintain them.
4. Careful masterplanning is required to mitigate the above issues and in particular to mitigate the risk of pollution to public water supply / the water environment.

We note the addition of text in relation to the need to assess the impact on the groundwater environment and the operational asset – Winwick Service Reservoir in close proximity to the site. It is important United



Utilities are involved in early dialogue on the potential masterplanning and mitigation measures identified through the risk assessment to advise on delivery and cost implications. However, we would reiterate that significant existing infrastructure passes through the allocation. We would like to remind you that all of our assets will need to be afforded due regard and you should be aware that serious complications could arise. It is essential that constructive discussions between United Utilities, the Local Planning Authority and the applicant take place if the scheme is progressing further, in a bid to highlight any matters that may have significant impact upon the site layout or even boundary.

United Utilities recommends that the following criteria [in blue] should be included under the Policy Section 'Utilities and Environmental Protection'.

*18. The site is adjacent to an existing reservoir and within groundwater source protection zones 1 and 2. Development proposals will be required to assess the impact on the groundwater environment, public water supply and the operational assets in close proximity to the site and incorporate appropriate mitigation measures in accordance with Policies INF3 (Parts 5 to 7) and ENV8 (Parts 10 to 13). Any approach to development will need to be agreed with the planning authority in liaison with United Utilities. The applicant should liaise with United Utilities regarding the proximity of development to the existing reservoir and associated infrastructure (such as wash out pipes from the reservoir), existing water supply pipes and given the location of the site within a groundwater source protection zone. The applicant will need to take full account of such existing infrastructure in the design of their site to ensure existing operations of utility infrastructure can continue. Careful masterplanning is required to mitigate the risk to water supply asset; the groundwater environment; any amenity issues (such as noise); and to ensure an easement width of 10m (5m either side) of existing utility infrastructure. No development, including any proposed drainage infrastructure, will be allowed to be located within the easement width. The applicant will be required to prepare and agree a management plan and incorporate mitigating measures to ensure the impacts on the water supply infrastructure and the groundwater environment are managed and mitigated during the construction process and during the operational life of the development. This will include an agreed management plan for any open space.*

## **Summary**

Moving forward, we respectfully request that the council continues to consult with United Utilities for all future planning documents. In the meantime, if you have any queries or would like to discuss this representation, please do not hesitate to contact me.

Yours faithfully

Andrew Leyssens  
Planning, Landscape and Ecology  
United Utilities Water Limited