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By Email: Localplanconsultation@copeland.gov.uk

Our ref:

PL000189763/ PL00772182

Date

26 April 2022

Dear Sir/Madam

Consultation: Copeland Local Plan 2021-2038 Publication Draft Addendum – Gypsy and Traveller Site Allocation and Sustainability Appraisal

Thank you for consulting Historic England on the above.

Historic England is the Government's statutory adviser on all matters relating to the historic environment in England. We are a non-departmental public body established under the National Heritage Act 1983 and sponsored by the Department for Culture, Media and Sport (DCMS). We champion and protect England's historic places, providing expert advice to local planning authorities, developers, owners and communities to help ensure our historic environment is properly understood, enjoyed and cared for.

The table (attached to this letter) provides detailed comments on the Plan. We agree with the Council's assessment that site GTW3 Land North of Greenbank Whitehaven and GTW5 Land at Sneckyeat do not cause any harm to heritage assets. In addition, we have suggested one minor change to Policy H10PU to better align it with the requirements of the NPPF.

In view of our comments, we will not be making any representations on the sustainability appraisal.

If you wish to discuss anything further, please let me know.

Yours sincerely,



Historic Environment Planning Adviser (North West) Development Advice Historic England

E-mail:

# Table of Historic England's comments on the Copeland Local Plan Addendum – Gypsy and Traveller

# **April 2022**

Page	Section/Para	Sound/unsound	Comments	Suggested Amendments
4	Strategic Policy H9PU:	Sound	We agree with the Council's	
Appendix A	Appendix A Gypsies, Traveller and		GTW4 will not harm the historic	
and B	Travelling Showpeople		environment.	
4	Policy H10PU: Gypsies,	Sound subject to minor	In the NPPF, any proposals	The site would not lead to the
	Travellers and Travelling	change	should not harm heritage assets	unacceptable loss, or <del>significant</del>
	Showpeople Sites		rather than 'significant adverse	adverse impact harm to upon
			impact'. Therefore, Bullet B	landscape character and value,
	Bullet B		should be amended	heritage assets and their settings,
				nature conservation or biodiversity
				sites;



# Copeland Borough Council - Gypsy and Traveller Site Allocation 2021-2038 Consultation

Contact Details

Planning and Development Team

The Coal Authority 200 Lichfield Lane

Berry Hill

MANSFIELD

Nottinghamshire

NG18 4RG

Planning Email: <u>planningconsultation@coal.gov.uk</u>

Planning Enquiries: 01623 637 119

<u>Date</u>

3<sup>rd</sup> May 2022



# **Gypsy and Traveller Site Allocation 2021-2038 Consultation**

Thank you for your notification received on the 21<sup>st</sup> March 2022 in respect of the above consultation.

The Coal Authority is a non-departmental public body sponsored by the Department of Business, Energy & Industrial Strategy. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

Our records indicate that within the Copeland Borough area there are recorded coal mining features present at surface and shallow depth including; mine entries, shallow coal workings, mine gas sites and reported surface hazards. These features pose a potential risk to surface stability and public safety.

The Coal Authority's records also indicate that surface coal resource is present in the area, although this should not be taken to imply that mineral extraction would be economically viable, technically feasible or environmentally acceptable. As you will be aware those authorities with responsibility for minerals planning and safeguarding will have identified where they consider minerals of national importance are present in your area and related

policy considerations. As part of the planning process consideration should be given to such advice in respect of the indicated surface coal resource.

I have reviewed the two sites included in the consultation document and have the following comments to make.

# Site GTW3 - North of Greenbank, Whitehaven

Our records indicate that on this site there is a recorded mine entry for which we hold no treatment details. It is recorded in the north western corner of the site but its recorded position may be subject to significant departure from its actual location. The site is also in an area of coal outcrops which may have been subject to unrecorded coal workings at shallow depth. These features pose a potential risk to surface stability and public safety.

The mine entry poses a significant risk to public safety and we would expect its location to be established .and any development, including the siting of structures and mobile homes to avoid this feature and its associated zone of influence. If development is proposed within the site with the mine entry this feature should be located and either treated (stabilised and capped) or fenced to avoid any risks being posed to occupiers and users of the site.

The Coal Authority is of the opinion that building over the top of, or in close proximity to, mine entries should be avoided wherever possible, even after they have been capped, in line with our adopted policy:

https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

# <u>Site H9PU – Land at Sneckyeat Industrial Estate, Whitehaven</u>

This site lies within the Development Low Risk Area and there are no coal mining features recorded as being present at surface and shallow depth in this area.

I hope this is helpful but please let me know if you wish to discuss this further.

Yours sincerely

**Development Team Leader (Planning)** 

From:	
Sent:	28 March 2022 13:58
To:	Local Plan Consultation
Subjec	t:Copeland Local Plan 2021-2038 Potential Gypsy and Traveller Site Assessment - Sport
Englan	d Ref: SP/21/00004376
CAUTIO	ON: External email, think before you click!
Please	report any suspicious email to our IT Helpdesk
Dear P	olicy Team,
Thank	you for your consultation on the Copeland Local Plan 2021-2038 Potential Gypsy and
Travell	er Site Assessment.
None o	of the sites analysed appear to affect playing fields, therefore Sport England has no
comm	ents to make.
Kind re	egards,
Janet E	Belfield
Princip	al Planning Manager - North Team
M:	
E:	



Central Square South Orchard Street Newcastle upon Tyne NE1 3AZ

T: +44 (0)191 261 2361 F: +44 (0)191 269 0076

avisonyoung.co.uk



Our Ref: MV/ 15B901605

03 May 2022

Copeland Borough Council localplanconsultation@copeland.gov.uk via email only

Dear Sir / Madam

Gypsy and Traveller Site Allocation Consultation

March – May 2022

Representations on behalf of National Grid

National Grid has appointed Avison Young to review and respond to local planning authority Development Plan Document consultations on its behalf. We are instructed by our client to submit the following representation with regard to the current consultation on the above document.

# **About National Grid**

National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales. The energy is then distributed to the electricity distribution network operators, so it can reach homes and businesses.

National Grid Gas plc (NGG) owns and operates the high-pressure gas transmission system across the UK. In the UK, gas leaves the transmission system and enters the UK's four gas distribution networks where pressure is reduced for public use.

National Grid Ventures (NGV) is separate from National Grid's core regulated businesses. NGV develop, operate and invest in energy projects, technologies, and partnerships to help accelerate the development of a clean energy future for consumers across the UK, Europe and the United States.

# Response

We have reviewed the above document and can confirm that National Grid has no comments to make in response to this consultation.

# **Further Advice**

National Grid is happy to provide advice and guidance to the Council concerning their networks.

Please see attached information outlining further guidance on development close to National Grid assets.

If we can be of any assistance to you in providing informal comments in confidence during your policy development, please do not hesitate to contact us.



To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect their assets. Please remember to consult National Grid on any Development Plan Document (DPD) or site-specific proposals that could affect National Grid's assets.

We would be grateful if you could add our details shown below to your consultation database, if they are not already included:



# nationalgrid.uk@avisonyoung.com

Avison Young Central Square South Orchard Street Newcastle upon Tyne NE1 3AZ

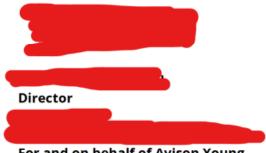


# box.landandacquisitions@nationalgrid.com

National Grid National Grid House Warwick Technology Park Gallows Hill Warwick, CV34 6DA

If you require any further information in respect of this letter, then please contact us.

Yours faithfully,



For and on behalf of Avison Young



National Grid is able to provide advice and guidance to the Council concerning their networks and encourages high quality and well-planned development in the vicinity of its assets.

# **Electricity assets**

Developers of sites crossed or in close proximity to National Grid assets should be aware that it is National Grid policy to retain existing overhead lines in-situ, though it recognises that there may be exceptional circumstances that would justify the request where, for example, the proposal is of regional or national importance.

National Grid's 'Guidelines for Development near pylons and high voltage overhead power lines' promote the successful development of sites crossed by existing overhead lines and the creation of well-designed places. The guidelines demonstrate that a creative design approach can minimise the impact of overhead lines whilst promoting a quality environment. The guidelines can be downloaded here: <a href="https://www.nationalgridet.com/document/130626/download">https://www.nationalgridet.com/document/130626/download</a>

The statutory safety clearances between overhead lines, the ground, and built structures must not be infringed. Where changes are proposed to ground levels beneath an existing line then it is important that changes in ground levels do not result in safety clearances being infringed. National Grid can, on request, provide to developers detailed line profile drawings that detail the height of conductors, above ordnance datum, at a specific site.

National Grid's statutory safety clearances are detailed in their 'Guidelines when working near National Grid Electricity Transmission assets', which can be downloaded here: <a href="https://www.nationalgridet.com/network-and-assets/working-near-our-assets">www.nationalgridet.com/network-and-assets/working-near-our-assets</a>

# Gas assets

High-Pressure Gas Pipelines form an essential part of the national gas transmission system and National Grid's approach is always to seek to leave their existing transmission pipelines in situ. Contact should be made with the Health and Safety Executive (HSE) in respect of sites affected by High-Pressure Gas Pipelines.

National Grid have land rights for each asset which prevents the erection of permanent/ temporary buildings, or structures, changes to existing ground levels, storage of materials etc. Additionally, written permission will be required before any works commence within the National Grid's 12.2m building proximity distance, and a deed of consent is required for any crossing of the easement.

National Grid's 'Guidelines when working near National Grid Gas assets' can be downloaded here: www.nationalgridgas.com/land-and-assets/working-near-our-assets

# How to contact National Grid

If you require any further information in relation to the above and/or if you would like to check if National Grid's transmission networks may be affected by a proposed development, please visit the website: <a href="https://lsbud.co.uk/">https://lsbud.co.uk/</a>

For local planning policy queries, please contact: <a href="mailto:nationalgrid.uk@avisonyoung.com">nationalgrid.uk@avisonyoung.com</a>

Avison Young (UK) Limited registered in England and Wales number 6382509. Registered office, 3 Brindleyplace, Birmingham B1 2JB. Regulated by RICS



United Utilities Water Limited Grasmere House Lingley Mere Business Park Lingley Green Avenue Great Sankey Warrington WA5 3LP

unitedutilities.com

Planning.Liaison@uuplc.co.uk

By email only: localplanconsultation@copeland.gov.uk

Strategic Planning Team Copeland Borough Council The Market Hall Market Place Whitehaven Cumbria CA28 7JG

Date: 03-MAY-22

Dear Sir / Madam

# Copeland Local Plan 2021-2038: Publication Draft Addendum Gypsy and Traveller Site Allocation (Regulation 19 Consultation Paper) March 2022

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:

Developer Services – Wastewater

Email: WastewaterDeveloperServices@uuplc.co.uk

Developer Services – Water

Tel: 0345 072 6067

Email: <u>DeveloperServicesWater@uuplc.co.uk</u>

# **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. We have also included a General Advice section below which provides additional guidance on working near to our assets.

# **Draft Allocations**

Please note that we have **not** reviewed the other sites within the Gypsy and Traveller Potential Site Assessment consultation document. If you were minded to consider any of these sites as either additional / alternative allocations to the two options you have identified, we would request the opportunity to first provide you with our comments to fully inform your site selection process. This is because our comments could be material to the site selection process.

We have reviewed the two site options for allocation for gypsy and traveller accommodation and wish to make the following comments. We recommend that these comments are reflected in updated development plan policy and / or as an 'allocation profile' in the emerging local plan. We note that the publication draft plan included 'Housing Allocation Profiles'. We recommend that any site allocated for Gypsy and Traveller accommodation is similarly supported by an 'allocation profile', which identifies the below site / development considerations for consideration by the applicant in any application submission.

# Site Reference GTW3 CBC Land Lying to the West of Greenbank Avenue

An existing public sewer and water main pass through this site. <u>United Utilities will not allow building over or in close proximity to a water main</u>. United Utilities may not allow building over or in close proximity to a public sewer.

Any surface water should discharge to the most sustainable option in accordance with the hierarchy for the management of surface water outlined in the national planning practice guidance. If an infiltration system is not feasible, surface water should discharge to the watercourse to the east of the site.

There are significant changes in levels at the site and therefore if this site is allocated, any development will need to give careful consideration to the site layout and levels to allow for safe overland flow routes within and through the development, and, to minimise any associated flood risk from overland flows that may arise from existing drainage systems or as a result of a drainage system failure. Careful consideration must be given to the point of connection to the public sewer. We wish to note that where the ground level of the site is below the ground level at the point where the drainage connects to the public sewer, care must be taken to ensure that the proposed development is not at an increased risk of sewer

surcharge. It is good practice for the finished floor levels and manhole cover levels (including those that serve private drainage runs) to be higher than the manhole cover level at the point of connection to the receiving sewer.

# Site Reference GTW5 CBC Land at Sneckyeat

A water main passes through this site. <u>United Utilities will not allow building over or in close proximity to a water main.</u>

Any surface water should discharge to the most sustainable option in accordance with the hierarchy for the management of surface water outlined in the national planning practice guidance. From a review of our mapping records, it is not clear whether this site has readily available alternatives to the public sewer for the management of surface water. This should be investigated further to understand what options may exist. We recommend that these investigations take place as soon as possible.

# Draft Policy

# Policy H10 PU: Gypsies, Travellers and Travelling Show people Sites

We have reviewed this draft policy and note criterion (g) which states:

'g) The site can be adequately drained.'

In accordance with our submission to the consultation on the publication draft of the local plan and the above site-specific comments, United Utilities wishes to recommend that this wording should be strengthened to ensure that surface water is drained in the most sustainable manner and via a sustainable drainage system.

In our response to the publication draft we stated the following regarding 'Sustainable Drainage':

'With respect to Policy DS9PU (Sustainable Drainage) new development should manage foul and surface water in a sustainable way in accordance with national planning policy. We wish to emphasise the importance of any future policy setting out the need to follow the hierarchy of drainage options for surface water in national planning practice guidance which clearly identifies the public combined sewer as the least preferable option for the discharge of surface water.

Paragraph 167 of the National Planning Policy Framework (NPPF) outlines that 'When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment'.

Noting that not all applications are required to submit a flood risk assessment, United Utilities wishes to outline that policy should set an expectation that all applications will be required to submit clear evidence that the hierarchy for surface water management has been fully investigated to ensure that flood risk is not increased elsewhere. We wish to recommend that the policy requires applicants to submit a foul and surface water drainage strategy that fully investigates the surface water hierarchy to minimise the risk of flooding and ensures that future development sites are drained in the most sustainable way whilst being resilient to the challenges of climate change. We wish to recommend the following additional policy wording shown in blue as part of Policy DS9PU:

'All applicants will be expected to design sustainable drainage in accordance with the four pillars of sustainable drainage. These are water quantity, water quality, amenity and biodiversity. As such, landscaping and biodiversity 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 (for example permeable surfaces and bioretention areas). Applicants will be expected to incorporate site drainage as part of a high quality green and blue environment with multifunctional spaces.

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 underground conventional 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.

All applications should be supported by strategies for foul and surface water. On greenfield sites, applicants will be expected to demonstrate that the current natural discharge solution from a site is mimicked. On previously-developed land, applicants will be expected to follow the surface water hierarchy. Thereafter, any proposal based on a proposed reduction in surface water discharge from a previously-developed site should be in accordance with the non-statutory technical standards for sustainable drainage produced by DEFRA (or any replacement national standards) which target a reduction to greenfield run-off rate. Thereafter a minimum reduction will be required of 30% on previously developed sites and 50% on previously developed sites in any critical drainage area identified through the SFRA. In order to demonstrate any reduction in the rate of surface water discharge, applicants should include clear evidence of existing operational connections from the site with associated calculations on rates of discharge.

Applications for new development and proposals for public realm improvements will be required to be supported by a foul and surface water management strategy to protect water resources. The hierarchy for the management of surface water should be followed and surface water will only be allowed to discharge to the public sewer as a last resort. The approach to drainage for new development proposals and as a result of public realm improvements should be informed by a comprehensive strategy for drainage for the area which identifies linkage opportunities between development proposals and public realm improvements. Drainage will be required to be considered early in the design process and linked to any strategy for landscaping, biodiversity and public realm improvements.

Applicants should consider 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 drainage and flood resilient solution is achieved. Applications for detailed approval will be expected to be supplemented by appropriate maintenance and management regimes for the lifetime of any drainage schemes. Applications should also be supported by foul water drainage strategies. At the detailed stage, this should include details of ground levels and finished floor levels so that the resilience of a site layout to flood risk can be assessed.

For any development proposal which is part of a wider development site, it will be necessary to ensure foul and surface water drainage proposals are part of a wider, holistic strategy which coordinates the approach to drainage between phases, between developers, and over a number of years of construction. Applicants will be expected to include details of how the approach to drainage on any phase of development has regard to interconnecting phases within a larger site. A comprehensive, site-wide infrastructure strategy shall be submitted as part of any planning

application for any strategic allocation. Infrastructure should be sized having regard to interconnecting phases and demonstrate how the site delivers sustainable drainage as part of interconnecting phases.

Drainage strategies should ensure a proliferation of pumping stations is avoided on a phased development. When necessary, the infrastructure strategy must be updated to reflect any changing circumstances between each phase(s). The strategy shall demonstrate communication with infrastructure providers and outline how each phase interacts with other phases.'

In accordance with these comments, we recommend that criterion g) is amended to state:

'g) The site can be adequately drained in accordance with sustainable drainage principles as outlined in Policy DS9PU. Applicants will be required to submit a foul and surface water drainage strategy that fully investigates the hierarchy for the management of surface water, incorporates sustainable drainage, ensures no increase in flood risk and demonstrates that the site is not at an unacceptable risk of flooding from any source.'

We recommend the following additional criterion regarding water efficiency:

'New accommodation will be required to meet the higher National Housing Standard for water consumption of 110 litres per person per day.'

Finally, we also recommend the following additional criterion regarding utility infrastructure:

'Applications will be expected to demonstrate that they have engaged in early dialogue with infrastructure providers and prior to the submission of a planning application to ensure that any proposed layout adequately takes account of any utility infrastructure within and near to the site.'

# General Advice

# **Building Near Our Assets**

<u>United Utilities will not allow building over or in close proximity to a water main</u>. United Utilities may not allow building over or in close proximity to a public sewer.

We require access as detailed in our 'Standard Conditions for Works Adjacent to Pipelines', (a copy of which is enclosed). Developers / Applicants must comply with our 'Standard Conditions' document. This should be taken into account in the final proposals, or a diversion may be necessary.

It is the applicant's / developer's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. Applicants / Developers 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 a site, developers must contact United Utilities 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. If considering a diversion, the applicant / developer should contact United Utilities at their earliest opportunity as they may find that a diversion is not possible. In some circumstances, usually related to the size and nature of the assets impacted by proposals, developers may discover that the cost

of a diversion is prohibitive in the context of their development scheme. 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's/developer's expense.

Where United Utilities' assets exist, the level of cover to our pipelines and apparatus must not be compromised either during or after construction and there should be no additional load bearing capacity on our assets without prior agreement with United Utilities. This would include earth movement and the transport and position of construction equipment and vehicles. The applicant should therefore give careful consideration to the implications of any changes in proposed land levels. Any such changes will need to be agreed with United Utilities.

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 United Utilities 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.

Our 'Standard Conditions' document includes details of trees and shrubbery suitable for planting in the vicinity of our assets. Deep rooted shrubs and trees should not be planted near to our apparatus.

# 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 - <u>DeveloperServicesWater@uuplc.co.uk</u>

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



# 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 <a href="https://www.unitedutilities.com/property-searches/">https://www.unitedutilities.com/property-searches/</a>

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.

# 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

Planning, Landscape and Ecology United Utilities Water Limited

Enc. Standard Conditions for Works Adjacent to Pipelines



# Standard Conditions for Works Adjacent to Pipelines

Document Ref. 90048

Issue 3.1 July 2015

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# **AMENDMENT SUMMARY**

Amendment No. Date	Brief Description and Amending Action	Owner	Verifier
3.1 July 2015	'Easement Area' defined and legal clarifications made.		
3.0 March 2015	Full review and update		
2.0 May 2014	Full review and update. Appendix 1 incorporated to provide guidance on tree roots and planting. Improvements to document around vibration monitoring and discolouration		
1.2 October 2007	Alterations into Distribution Manual		
1.1 August 2007	Alteration to Guideline number 12		
1 July 2003	First issue in standard format		



# HISTORY OF THE DOCUMENT

The following table details the task team involved in the full review of the Standard Conditions:

Date and Issue Number	Task Team members
3.0 March 2015	UU Engineering UU Engineering UU Engineering UU Water Services (Network) UU Engineering UU Water Services (Network)

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#### SCOPE 1.

This document sets out United Utilities Ltd (UU) standard conditions for work carried out over, under or adjacent to a UU Pipeline which can include multiple UU Pipelines laid adjacent to each other.

It is UU company policy not to allow any building over UU Pipelines or water mains. Any such building / structure would compromise UU's obligation to maintain a constant water supply and, in particular, would obstruct UU's ability to respond in the event of a failure of the Pipeline. Building over mains also has potential risks to the health and safety of anyone who might be affected by a failure, including the occupants of the building.

#### **DEFINITIONS** 2.

Term	Definition
Pipeline	Means any aqueduct, trunk main, water distribution main, multiple pipes laid adjacent to each other or non-potable main vested in UU as water undertaker.
Easement Area	Means the easement specified in any relevant document, e.g. conveyance, transfer or deed of grant with such widths as specified therein.
Easement Width	Means the Easement Width for any Pipeline laid under statutory powers. For large diameter Pipelines, unless otherwise specified, the Easement Width shall extend 5 metres to each side of the Pipeline from its centreline (10 metres total width).
	For small single Pipelines of up to and including 300mm diameter, unless otherwise specified, the Easement Width shall extend 3 metres to each side of the Pipeline from its centreline (6 metres total width)
	Contact UU for specific Easement Width limits and conditions.
Street	The whole or part of any highway, any road, lane, footway, alley or passage, square or court, whether or not a thoroughfare. A Street can therefore be a footpath, cycle track, bridleway or full vehicular highway. Where a Street passes over a bridge or through a tunnel these are included as part of the Street.
PPV	Peak Particle Velocity
Shall or Must	Mandatory requirements are adopted through the use of 'shall' or 'must' or are otherwise specifically stated. The document also contains information and guidance that is not mandatory but is provided for consideration.

Stopping up Order An order authorising the stopping up (removal of public rights of way) of any highway, if the Secretary of State is satisfied to do so, to allow development to be carried out in accordance to a valid and relevant planning permission granted under the Town and Country Planning Act 2008 as amended or re-enacted from time to time.

Promoter

Any utility company, self-lay organisation, developer, Highway Authority, Local Authority or any other organisation wishing to work adjacent to or cross over or under a UU Pipeline.



# 3. GUIDELINES

# 3.1. General Guidelines

- 3.1.1. The Standard Conditions are issued for the guidance of Promoters and others to reduce the risk of damage to the Pipeline and the consequent liability for such damage. They do not replace or alter any powers or rights exercisable by, or protection afforded to UU by virtue of:
  - a) Its ownership of the Pipeline or any rights or privileges in relation thereto;
  - b) Any conveyance, lease, deed or grant, easement (see Figure 1 Easement Widths), licence, wayleave or other legal document relating to the Pipeline;
  - c) Any statutory provision (including any provision in subordinate legislation) including but not limited to: -
    - The Water Industry Act 1991 as amended or re-enacted from time to time, will also apply.
  - ii. Any local statutory provision relating to a Pipeline and to any work of any other body or person which regulate, either generally or in relation to any specific crossing or work, the relations between UU and such other body or person, including any agreement or other document referred to in or incorporated with any such statutory provision.

In the event of any inconsistency between the provisions of these Standard Conditions and those of any document or statutory provision mentioned above, the latter shall prevail unless capable of variation by agreement and the substitution of the relevant provisions of these Standard Conditions is expressly agreed.

- 3.1.2. The Standard Conditions apply to all Pipeline(s). In the case of Pipeline(s) located in streets, the provisions of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004, as amended or re-enacted from time to time, will also apply.
- 3.1.3. No work of any description shall take place on or within the Easement Area or Easement Width before full agreement has been reached with UU regarding the manner in which the work shall be carried out and consent to the same has been given in writing. At least 28 days' notice shall be given of any intention to carry out works in the Easement Area or Easement Width.
- 3.1.4. No vehicle, plant or machinery is to stand, operate or travel within the Easement Area or Easement Width of the Pipeline except as agreed by United Utilities.
- 3.1.5. UU reserves the right to supervise any work carried out on or within the Easement Area or Easement Width and to recover the costs incurred.
- 3.1.6. No buildings / structures of any description shall be erected within the Easement Area or the Easement Width.
- 3.1.7. No service shall cross the Pipeline at less than 1 metre in front of a socket face or at less than 300mm behind it. (See Figure 2)
- 3.1.8. No materials including spoil shall be placed on or stored within the Easement Area or Easement Width.
- 3.1.9. Access to and along the Easement Area or Easement Width shall be kept clear and unrestricted at all times. See Section 7, 'Easement Infringements'.



- 3.1.10. Sanitary arrangements approved by UU shall be provided for persons working on or within the Easement Area or Easement Width. Precautions shall be taken to avoid spillage of fuels, oils, paints, solvents or any other substance, which may damage the Pipeline or its protection.
- 3.1.11. Where construction of a new structure / building is proposed within 1m of the edge of the Easement Area or Easement Width, its foundations shall be designed to ensure that load from the structure / building is not transferred onto the Pipeline. The design shall also ensure that UU has full access to the lowest point of the bedding of the Pipeline for maintenance or construction purposes
- 3.1.12. No alteration to the existing ground levels or surface use of the Easement Area or Easement Width shall be made without prior written consent from UU. At least 28 days notice shall also be given of any proposal to alter ground levels or the surface of land adjoining the Easement Area or Easement Width. This includes increasing the ground level above the Pipeline by placing material to form a landscaping bund or road (or other) embankment, as this has the potential to cause settlement to the Pipeline that could damage it.
- 3.1.13. Persons or their Promoters working on or within the Easement Area or Easement Width shall be required to indemnify UU for the full cost of any damage caused to its Pipelines and for any costs, charges and expenses resulting from these operations.
- 3.1.14. In an emergency, contact shall be made immediately using the following telephone number:

The UU Response Manager is available on-07713887302 and this number shall be used for EMERGENCIES ONLY e.g. if the UU Pipeline is damaged / burst the UU response Manager must be

Please supply the UU Response Manager with the following information:

Who you are (name and company)?

What is your contact number?

contacted immediately.

Exactly where you are (in order to quickly identify which main is damaged and potential risks to UU)?

What is the damage?

Is it causing flooding?

Is flood water entering a watercourse?

# 4 ISSUES AFFECTING A PIPELINE DURING CONSTRUCTION ACTIVITIES

# 4.1. Temporary Access

- 4.1.1. Movement of vehicles and plant with a total weight exceeding 6 tonnes across the unprotected Pipeline is forbidden. The repetitive movement of vehicles or plant of any weight over the unprotected Pipeline in the same position is forbidden. Where temporary or permanent access is required, the Promoter must consult with UU prior to gaining access.
- 4.1.2. Each proposed temporary crossing point of a Pipeline shall be considered on an individual basis. The Promoter shall submit the design of the proposed crossing point



to UU for acceptance. Work to construct the temporary crossing point shall not commence without prior written consent from UU.

- 4.1.3. The Promoter shall design any temporary crossing point such that the load from any vehicle or any item of construction plant that will use the crossing point creates a suitably factored bearing pressure of not more than 8.5kN/m2 at the crown of the UU Pipeline. (N.B. *This load is approximately equivalent to the loading on a Pipeline with 900mm of cover when a 6 tonne excavator crosses above it.*) In order to achieve this, the Promoter may use substantial timber baulks, reinforced concrete slabs or proprietary ground protection systems (e.g. Eve Trakway). Where it is not possible to distribute the surcharge load from the plant to less than 8.5kN/m2 at the crown of the Pipeline, then the design of the temporary crossing point shall consist of a suspended crossing which bridges over the Pipeline.
- 4.1.4. Temporary crossing points shall only be used to allow vehicles and plant to traverse across a Pipeline. Temporary crossing points are not to be used as working platforms for construction plant. Plant shall not be allowed to operate above a UU Pipeline unless specific written consent is given by UU. Any request by a Promoter for them to site working plant above a UU Pipeline must demonstrate that the platform which their plant is to be sited on has been designed as a working platform and will ensure that the maximum surcharge load from that plant is distributed to less than 8.5kN/m2 at the crown of the Pipeline, or bridges over the Pipeline.
- 4.1.5. All parts of a temporary crossing point must be removed when the work is complete, unless written consent is obtained from UU for the crossing to be left in place. The design and construction of the temporary crossing point shall be such that it permits for its removal (and the reinstatement of the ground beneath it) without exposing the Pipeline to undue loading, vibration or risk.

# 4.2. Temporary Fencing

4.2.1. Fencing shall be erected by the Promoter when they are working in and around the Easement Area or the Easement Width to demarcate its location, to regulate vehicle movements and to confine the crossing of the Pipeline only to approved crossing points. The fencing shall be of substantial construction. It shall be adequately maintained at all times to the satisfaction of United Utilities.

# 4.3. Excavations within an Easement Area or Easement Width

- 4.3.1. Prior to general excavation, trial holes shall be dug by hand to determine the precise location of the Pipeline. UU reserves the right to carry out such excavations. The cost of all such excavations shall be borne by the Promoter.
- 4.3.2. Excavations shall be fully supported and shall be backfilled to the satisfaction of UU. All work shall be carried out during normal working hours, which shall have been previously agreed with UU. UU reserves the right to stop all work on or within the Easement Area or Easement Width which, in the opinion of its officers, places the Pipeline at risk. As a consequence of such action, UU shall not accept any claims for financial loss.
- 4.3.3. All excavations within the Easement Area or Easement Width shall be carried out by hand or may be carried out by mechanical excavator if under the supervision of UU personnel. Excavation within 1 metre of the Pipeline(s) must be carried out by hand and great care must be exercised to ensure that any protective wrapping is not damaged.
- 4.3.4. If a thrust block is discovered within any excavation adjacent to a Pipeline(s), then work shall be stopped and the excavation backfilled as soon as possible.



# 4.4. Ground Vibration

- 4.4.1. No blasting shall be carried out within 300 metres of the Pipeline(s) without prior written consent from UU, unless it can be demonstrated that ground vibration from such activities shall not exceed a peak particle velocity (PPV) of 5mm/s in any plane at the closest point of the Pipeline(s) to the blast.
- 4.4.2. Demolition, piling, tunneling or any other construction technique which induces significant vibration (not exceeding a peak particle velocity of 5mm/s) shall be permitted up to 10 metres away from the Pipeline(s). Permission will be granted by UU provided that the Promoter has accurately established the position of the Pipeline(s) and this has been verified by UU and a written statement of the precautions to be taken to ensure the safety of the Pipeline(s) has been submitted by the Promoter and received and consented to by UU prior to works being undertaken.
- 4.4.3. Should demolition, piling, tunneling or any other construction technique which induces significant vibration be proposed within 3.5 - 10 metres of the Pipeline(s) this shall be subject to seismic monitoring in order to prevent damage to the Pipeline(s). The Promoter shall accurately establish the position of the Pipeline(s). Seismograph readings shall be taken by the Promoter's specialist organisation on the line of the Pipeline at locations to be agreed with UU. Vibration monitoring shall be done under the supervision of a specialist organisation which has significant experience of similar monitoring work. The identity of the specialist organisation shall be proposed by the Promoter and approved by UU. This approval should not be unreasonably withheld or delayed. The cost of the seismic monitoring shall be borne by the Promoter. Vibration shall be measured in terms of peak particle velocity (PPV) and the Promoter shall employ suitable methods of construction in carrying out its works such that the PPV does not exceed 5mm/s. If the measured PPV does exceed 5mm/s then work shall cease immediately and a review of the monitoring data shall be undertaken between the Promoter and UU Engineering staff. If necessary UU shall notify the Promoter of any reasonable mitigation measures to protect the Pipeline(s) that it requires the Promoter to carry out. The Promoter shall comply with these reasonable mitigation measures in carrying out its works. A written statement of the precautions to be taken to ensure the safety of the Pipeline(s) shall be submitted by the Promoter and received and approved by UU prior to works being undertaken.
- 4.4.4. If UU identify that there is a risk of discolouration of the potable water supply the Promoter shall not excavate within 1m of the Pipeline(s) in any plane. Given the fact that there shall be significant excavation by hand, it may be more economical for the Promoter to consider directional drilling or another form of trenchless technique. UU would prefer this as an alternative construction technique.
- 4.4.5. Where practical, and when requested by UU due to the risk of discolouration, downstream turbidity monitoring should be undertaken for potable water Pipelines irrespective of Pipeline diameter. If UU reports to the Promoter that the turbidity levels measured in the main are very close to or exceeding the regulatory standards then work shall cease immediately and a review of the monitoring data shall be undertaken between the Promoter and UU Engineering staff. If necessary UU shall notify the Promoter of any reasonable mitigation measures to protect the Pipeline(s) that it requires the Promoter to carry out. The Promoter shall comply with these reasonable mitigation measures in carrying out its works.

# 5 ISSUES PERMANENTLY AFFECTING A PIPELINE OR EASEMENT

# 5.1. Permanent Access

5.1.1. Any proposed crossing of the Pipeline shall be considered on an individual basis. Any permanent access crossing the Easement Area or Easement Width shall be designed



and constructed by the Promoter to prevent any damage to the Pipeline. This may typically consist of mass concrete filled trenches constructed on either side of the Pipeline(s) with reinforced concrete slabs spanning between them. The Promoter shall submit the design of the proposed crossing point to UU for acceptance. Work to construct the permanent crossing point shall not commence without prior express written consent from UU.

# 5.2. Permanent Fences and Boundaries

5.2.1. Fences or other boundaries structures crossing the Easement Area or Easement Width shall be as near as possible perpendicular to the line of Pipeline and in no case shall be made at an angle of less than 45 degrees. Proposals for any new fences or other boundary structures shall be submitted to UU for approval. Where necessary a lockable gate shall be provided for UU for their sole use.

# 5.3. Installation of New Services within the Easement

- 5.3.1. Any pipes, drains, electricity cables or sewers crossing unmade ground over or under the Pipeline shall be laid in steel conduit or ductile iron pipe ideally unjointed (or similar UU approved material) and adequately supported so as to be self-supporting over any subsequent excavation which may have to be carried out i.e. they should extend well into the undisturbed ground at each side of the Pipeline trench and shall cross as near as possible to 90 degrees to the Pipeline.
- 5.3.2. In no case shall any crossing be made at an angle of less than 45 degrees.
- 5.3.3. Provided that ground conditions are suitable, pipes crossing below the Pipeline shall be constructed by an approved tunneling method, and agreed by UU. The Promoter shall demonstrate that the predicted and actual ground settlement at the level of the invert of the Pipeline as a result of their pipes crossing below the Pipeline is not more than 20mm.
- 5.3.4. For UU Pipelines up to and including 300mm diameter, any pipes drains, electricity cables or sewers laid adjacent to the Pipeline must have a minimum clearance of 300mm from it. For UU potable water Pipelines over 300mm diameter (or for smaller diameter Pipelines where UU network operations have highlighted a risk of discoloration), there shall be a clearance between the pipes, drains, electricity cables or sewers and the Pipeline that is greater than or equal to the diameter of the Pipeline (ideally at least 1m clearance if possible to reduce the risk of discoloration). These clearances shall apply to crossings above or below the Pipeline, and include pipes, drains, electricity cables or sewers laid adjacent to the Pipeline.
- 5.3.5. The Promoter shall exercise suitable care when selecting and placing backfill material for any excavation dug within the Pipeline Easement to ensure that it is adequately compacted, provides sufficient support to the Pipeline and will not cause damage to the Pipeline. Reference should be made to the current version of 'Civil Engineering Specification for the Water Industry' (CESWI).

# 5.4. Cathodic Protection of Pipelines

5.4.1. Where cathodic protection is proposed for the Promoter's works, or where it exists in connection with UU's Pipeline, the Promoter shall take all necessary steps to ensure that the integrity of the system is maintained during the construction of the works. Where cathodic protection exists on UU's Pipeline, or is to be installed by the Promoter on his apparatus, interference tests shall be carried out on completion of the works at the Promoter's expense. Where such tests indicate that UU's Pipeline may be at risk, then the Promoter, at his own expense, must install suitable remedial measures, to be agreed by UU. UU must be consulted in the case of installation of electric tramways over Pipelines.



# 5.5 Mains Adjacent to Buildings in Streets

5.5.1 Water mains may be laid in a Street or an Easement Area Sometimes this is immediately adjacent to a building. In the case of an Easement Area, new buildings and their foundations may not be built within 2.5m of an existing water main (5m for mains > 300mm). This is to facilitate repair and maintenance.

# 5.6. New Roads, Communal Parking and Driveways

No alteration to the surface use of the Easement Area or Easement Width for the purpose of constructing a road, communal parking or private driveways (except for vehicular crossings at >45degrees) shall be made without prior written consent being obtained from UU.

# 6 PLANTING NEAR TO PIPELINES

- 6.1 Written consent must be obtained from UU before any tree or shrub planting is carried out. Any consent is subject to UU retaining the right to remove, at any time, all trees or shrubs that in its opinion becomes a danger or nuisance to the pipeline or asset.
- 6.2 Selection and planting of tree species should be in accordance with BS8545:2014 Trees: from nursery to independence in the landscape. Recommendation.
- 6.3 Planting of shallow rooted hedge plants, domestic soft fruiting bushes and ornamental shrubs shall be permitted however these shall not be permitted to develop as shrub trees and shall be maintained by the Promoter / Owner to a maximum height of 1.5m.
- 6.4 There shall be strictly no planting of Poplus ssp. or Salix ssp. within 10 metres of a Pipeline.
- 6.5 Restrictions apply to all Easement Areas and Easement Widths see Appendix 1 for details. This includes a non-exhaustive list of trees and recommended planting distances.







Onited Utilities will consider the provision of specific tree root barriers where there is a need to establish trees closer to Pipeline(s) than would normally be acceptable best practice. Vertical or horizontal barriers can be effective and acceptable so long as they are professionally specified and installed following manufacturer's instructions and a suitable distance from the tree trunk to ensure tree stability at maturity. See the figures below for typical examples of these methods. These barriers shall be 1 – 2mm thick semi rigid type and be fitted by either a specialist installer or by very closely following the manufacturer's guidance. Further advice about root barriers can be found in BS8545.





Images supplied by GreenBlue Urban

6.7 A useful publication that can assist with planting near to utilities is "NJUG Guidelines for the Planting, Installation and Maintenance of Utility Apparatus in Proximity to Trees"

# 7 EASEMENT INFRINGEMENTS

- 7.1 UU acknowledges that there are situations where structures have been erected either directly above the Pipeline, or within an Easement Area or Easement Width. These encroachments should be assessed and recorded and appropriate actions taken. The assessment shall consider the potential risks to both UU's asset and the structure upon it.
- 7.2 The options available to UU are:
  - a) Notify owner of risks
  - b) Notify owner and consider mains diversion at owners cost with any required legal documentation to entered into
  - UU may take legal action to obtain a court order to instruct removal of the structure at the owners cost.

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The key factors to be considered when selecting one of these options are:-

- a) Security of supply
- b) Health and safety
- c) Cost benefit
- d) Company reputation
- Probability of Pipeline failure and likely consequences. These will vary with the Pipeline material, diameter, depth below foundation, ground conditions and the operating regime of the Pipeline
- 7.3 The notification given to the owner of the building shall state that, notwithstanding our Statutory Rights and those contained in any deed, UU shall not be liable for any costs whatsoever if damage is occasioned to the structure whilst carrying out our works.
- 7.4 In the case of structures of a temporary or easily removable character consent to such structures may after consideration be given by UU strictly on a case by case basis and the decision of UU being final. UU's access to any Easement Area or Easement Width should not be obstructed or impeded in any way

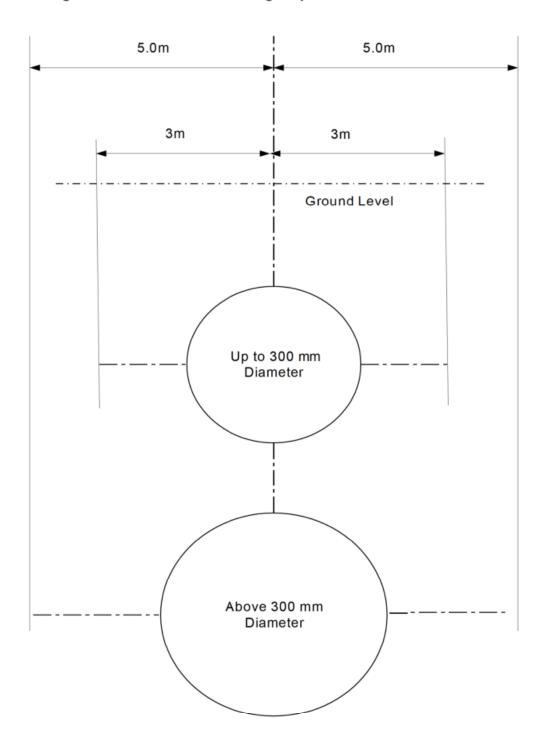
# 8 STOPPING UP ORDERS

- 8.1 UU has no objection to a Stopping up Order, provided that access remains for repair and maintenance of the network within the area affected.
- 8.2 If the proposed development will impede clear access, then the water main must be abandoned or diverted at the applicants cost.
- 8.3 Typically, there would be no objection if the water main remains within a Street to which there is vehicular access sufficient for UU to perform its statutory duties. It is not necessarily a problem if the Street is within a gated enclosure, e.g. alley gates are not a problem.
- 8.4 If the main does not remain within a Street, the developer must provide an easement according to UU standard conditions. Detailed information is available from the United Utilities Website
- 8.5 The following is specifically not permitted in relation to easements.
  - a) Any alteration to ground level which leaves the water main at a depth less than 900mm (750mm for PE pipes), or more than 1200mm.
  - b) Any building over the main, or within the Easement Area or Easement Width, such that an excavation of the main would threaten the stability of the building.
  - c) Planting of large trees (detailed information available in Appendix 1). This shows the distances that various trees and shrubs can be planted away from Pipelines and water mains. Root barriers can be used when planting closer to the mains; however trees root barriers need to be deep enough to stop roots from penetrating under the barrier.



# 9 DRAWINGS

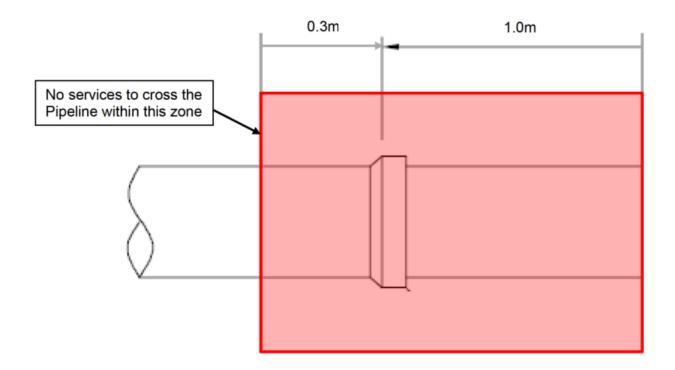
Figure 1: Easement Widths for Single Pipes



Note: This sketch is issued for guidance only (not to scale)



Figure 2: Service Crossing Restrictions in relation to Pipeline Sockets



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APPENDIX 1: PLANTING NEAR TO PIPELINES

	Tree or sk	Tree or shrub planting	Individual trees	Individual trees	Group trees planted
Common	5	maintained as nedge (no higher than 1.5m height)	planted from 3 metres of underground asset or pipe	planted from 6 metres of underground asset or pipe	rrom 10 metres or underground asset or pipe
Field Maple		Yes	Yes	Yes	Yes
Horse chestnut		×	×	×	Yes
Hornbeam		Yes	×	×	Yes
Sweet Chestnut		×	×	×	Yes
Hazel		Yes	Yes	Yes	Yes
Hawthorn		Yes	Yes	Yes	Yes
Beech		Yes	×	×	Yes
Holly		Yes	Yes	Yes	Yes
Larch		×	×	×	Yes
Privet		Yes	Yes	Yes	Yes
Apple		×	Yes	Yes	Yes
Crab Apple		×	Yes	Yes	Yes
Black pine		×	×	×	Yes
Scots Pine		×	×	×	Yes
London Plane	-	×	×	×	Yes
Wild Cherry		×	Yes	Yes	Yes
Plum		×	Yes	Yes	Yes
Laurel		Yes	Yes	Yes	Yes
Bird Cherry	_	×	Yes	Yes	Yes
Blackthorn		Yes	Yes	Yes	Yes
Pear		×	Yes	Yes	Yes
Ctanhard Carliffond for Work Advanta Attached	1 7				1000

Standard Conditions for Works Adjacent to Pipelines Issue 3.1, July 2015

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	_					_
Group trees planted from 10 metres of underground asset or pipe	Yes	Yes	Yes	Yes	Yes	Yes
Individual trees planted from 6 metres of underground asset or pipe	Yes	×	Yes	×	×	Yes
Individual trees planted from 3 metres of underground asset or pipe	Yes	×	×	×	×	×
Tree or shrub planting maintained as hedge (no higher than 1.5m height)	Yes	×	×	Yes	×	×
Common Name	Elder	Whitebeam	Rowan	Yew	Lime	Wych Elm
Latin Name	Sambucus nigra	Sorbus aria	Sorbus aucuparia	Taxus baccata	Tilia cordata	Ulmus glabra



Strategic Planning Copeland Borough Council The Market Hall Market Place Whitehaven Cumbria CA28 7JG

By email: LocalPlanConsultation@copeland.gov.uk

29 April 2022

Dear Sir / Madam,

Consultation on the Copeland Local Plan 2021-2038: Gypsy and Traveller Site Allocation for the Publication Draft

# **Homes England Response**

As a prescribed body, we would firstly like to thank you for the opportunity to comment on the above consultation.

Homes England is the government's housing accelerator. We have the appetite, influence, expertise, and resources to drive positive market change. By releasing more land to developers who want to make a difference, we're making possible the new homes England needs, helping to improve neighbourhoods and grow communities.

Homes England does not wish to make any representations on the above consultation. We will however continue to engage with you as appropriate.

Yours faithfully,



# Head of Planning and Enabling

Homes England 1<sup>st</sup> Floor Churchgate House 56 Oxford Street Manchester M1 6EU

Please send all Local Plan and related consultations to nwlocalplanconsultat@homesengland.gov.uk

0300 1234 500 www.gov.uk/homes-england