

Matter 15 Housing Allocations

**United Utilities Water Limited
Representor Reference ID 72**

Question 15.6 Policy SP H5PU

1) United Utilities Water Limited (UW)

UW is the statutory water and wastewater undertaker for the north west of England and its area of operation includes Copeland. UW is a statutory consultee in the preparation of development plans. This includes working with developers and local planning authorities on the risk of flooding from the public sewer and the delivery of on-site infrastructure, which includes detailed consideration of drainage proposals.

In our submission to the Publication Draft Local Plan we recommended a number of changes. Within our recommended changes we noted a range of matters which are not repeated here but remain relevant. At the current time, the LPA has chosen to not include a number of our recommended changes to policy / text. This statement is submitted to highlight our sewer flood risk concerns in response to the Inspector's Questions and recommend updated wording to the flood risk element of our site-specific comments in respect of HMR 2 Adjoining Scagill Road. Our submitted comments relating to other matters at this site, such as, infrastructure passing through the site and our property interests, remain relevant.

We are particularly concerned that the risk of flooding from the public sewer, which we identified in our latest representation, is not clearly referenced in either the proposed Local Plan or the Strategic Flood Risk Assessment.

2) National Policy and Guidance

Flood Risk from Overwhelmed Sewers and Drainage Systems

When considering flood risk and the location of development, it is important to highlight that a development plan should give sufficient emphasis to all forms of flood risk including sewer flood risk. This is clear from Paragraph: 001 Reference ID: 7-001-20220825 of the National Planning Practice Guidance (NPPG) which defines flood risk as including '*overwhelmed sewers and drainage systems*'. It is clear that '*Strategic flood risk assessments show all sources of flood risk, now and in the future*'.

Having regard to the above guidance, Paragraph 161 of the National Planning Policy Framework states:

'All plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property.'

3) Inspectors' Questions

The following question has been raised.

HMR 2 Adjoining Scalegill Road

Q15.6 What are the potential adverse impacts of developing the site and how could these be mitigated for example in terms of and the impact on flood risk? Would policy safeguards and proposed mitigation be sufficiently effective?

In our representation to the publication draft local plan, U UW suggested various amendments to the draft local plan so that the need to take account of flood risk from the public sewer is clear to applicants when bringing forward any proposals at HMR2 Adjoining Scalegill Road.

We highlighted that existing public sewers pass through / near to this site. Modelling data, and/or sewer flooding incident data, identifies these sewers as being at risk of sewer flooding. We emphasised that this will need to be carefully considered in the detailed design, masterplanning and drainage strategy. The applicant will be required to engage with U UW prior to any masterplanning to ensure development is not located in an area at risk of on-site flooding from the public sewer. 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. For consistency with national policy and guidance, we request that amendments are made to the Site Allocation Profile for this site so that it is clear that there is an on-site risk of sewer flooding which must be fully considered in the preparation of any applications for planning permission.

We suggest the following wording in blue. This updates the second paragraph of our previously recommended wording for this site (see our consultation response dated 18 March 2022 to the publication draft plan). The first paragraph of our previously recommended wording relating to infrastructure passing through the site is unchanged

‘Existing public sewers pass through and near to this site. Modelling data (and / or flooding incident data) identifies these sewers as being at risk of sewer flooding. This will need careful consideration in the detailed design, masterplanning and drainage details for the site.’

We also recommend the following explanatory / additional text.

'Explanatory Text

The applicant must engage with United Utilities prior to any masterplanning to ensure development is not located in an area at risk of flooding from the public sewer. Applicants should consider site topography and any exceedance flow paths. Resultant layouts and levels should take account of such existing circumstances. Applicants must demonstrate that the proposed development would be safe and not lead to increased flood risk. Applicants should not assume that changes in levels or changes to the public sewer, including diversion, will be acceptable as such proposals could increase / displace flood risk. It may be necessary to apply the sequential approach and incorporate mitigating measures subject to the detail of the development proposal.'

We also request that the Strategic Flood Risk Assessment is updated to take account of the risk of sewer flood risk that we have identified at this site.