

Copeland Local Plan 2021-2038 – March 2023

Statement of Common Ground between Copeland Borough Council and United Utilities

Introduction

This Statement of Common Ground has been prepared jointly between Copeland Borough Council (CBC) and United Utilities (UU). UU are responsible for water and wastewater services in the North West of England.

The purpose of a Statement of Common Ground is to set out the confirmed agreements and disagreements with regard to strategic cross- boundary issues surrounding the Copeland Local Plan. This is the result of early, meaningful and continuous engagement between the Local Planning Authority and statutory consultees and key stakeholders in the Local Plan process.

The statement is intended to assist the Inspectors during the examination of the Copeland Local Plan to show where effective co-operation and agreement on key issues has taken place. For more information on how Copeland Borough Council has engaged with key stakeholders throughout the Local Plan preparation process, please see the Duty to Co-operate statement.

Appendix A provides a full breakdown of UU's response to the Copeland Local Plan Publication Draft consultation and CBC's response to this. This approach has been agreed by the two organisations. Where we have been unable to reach an agreement this is set out in Appendix A.

The SoCG pre-dates the Local Plan Hearing Sessions and further modifications may be required as a result of the discussions held within the Hearing Sessions. CBC and UU will produce an updated post hearing session SoCG.

Copeland Borough Council and United Utilities agree the following:

1. Consultation and engagement has been undertaken in accordance with the Statement of Community Involvement and has provided adequate opportunity for UU to get involved with the development of the Plan at each key stage.
2. Early engagement is required with UU in advance of the submission of planning applications to understand and discuss a range of matters including (inter alia):
 - i) the approach to foul and surface water drainage including the design of sustainable drainage;
 - ii) any water supply needs;
 - iii) any risk of flooding from the public sewer / reservoirs;
 - iv) the implications of utilities infrastructure within and in the vicinity of a site;
 - v) the implications of any site which is within a groundwater source protection zone;
 - vi) the implications of any site which is on public water supply catchment land; and
 - vii) the implications of any site which is near to a wastewater treatment works.

Where necessary, mitigation measures will be put into place to ensure no detrimental impacts.

Signed on behalf of Copeland Borough Council

Name and Position: Chris Hoban, Strategic Planning Manager

Signature: 

Date: 06/03/2023

Signed on behalf of United Utilities

Name and Position: Dave Watson, Head of Planning

Signature:



Date: 18/04/2023

Appendix A: CBC response to UU Publication Draft Comments

Please note that whilst CBC can put forward suggested main and minor modifications to policies and sites in the Local Plan Publication Draft at the time it is submitted to the Planning Inspectorate, these may or may not be taken forward by the Inspector. If they are taken forward, they will be subject to a public consultation during the Examination in Public.

Key: Proposed additional wording in bold, proposed deletion in ~~strike through~~, notes in *italics*

Policy/ paragraph	Site ref	UU Comments	CBC response	UU position February 2023
DS6PU		<p>With respect to Local Plan Policy DS6PU (Design and Development Standards), we wish to recommend that the policy includes a requirement for new development to be built to the optional water efficiency standard prescribed in Building Regulations. A tighter water efficiency standard in new development has multiple benefits including a reduction in water and energy use, as well as helping to reduce customer bills. Building Regulations includes a requirement for all new dwellings to achieve a water efficiency standard of 125 litres of water per person per day (l/p/d).</p> <p>In 2015 an 'optional' requirement of 110 l/p/day for new residential development was introduced, which can be implemented through local planning policy where there is a clear need based on evidence. We have enclosed evidence prepared by Water Resources West to justify this approach. As you will see from the evidence, we believe that the optional standard can be achieved at minimal cost. We therefore recommend the following additional wording shown in blue as part of Policy DS6PU:</p> <p>New dwellings will be required to meet the higher National Housing Standard for water consumption of 110 litres per</p>	<p><i>Suggested Main Modification MA-LP14 (DS2PU, new criterion after bullet 5):</i></p> <p>Incorporate the higher National Housing Standard for water consumption of 110 litres per person per day in new housing developments and achieve a BREEAM rating of excellent in new non-domestic buildings.</p>	<p>UU welcomes the proposed change however consistent with our submission to Matter 14 Q14.3, we request that it includes the following additional amendment to take account of any potential amendment to the tighter water efficiency standard.</p> <p><i>'Incorporate the higher National Housing Standard for water consumption of 110 litres per person per day in new housing developments (or any future updates) and achieve a BREEAM rating of excellent in new non-domestic buildings.'</i></p> <p>A separate statement has also been submitted to the Inspector to justify the request for the tighter water efficiency standard.</p>

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		person per day. Non-domestic buildings will be expected to achieve a BREEAM rating of 'Excellent'.		
DS8PU		<p>Surface water should be managed as close to its source as possible. There are opportunities such as rainwater recycling, green roofs and water butts and we would encourage the LPA to embrace all water efficiency measures. Modern design techniques can promote measures for water recycling to reduce the impact on infrastructure requirements.</p> <p>With respect to Policy DS8PU (Reducing Flood Risk) we would highlight the need for the identification of flood risk to include dialogue with the relevant wastewater undertaker for the area so that any flood risk from public sewers can be identified and thereafter considered appropriately in accordance with national planning policy and guidance. Paragraph 16 of the National Planning Policy Framework is clear that: '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.' This is reflective of the need to have regard to the most up to date information and the fact that detailed information on sewer flood risk is not available in the public domain.</p> <p>When considering new development sites, it will be important to identify where there are existing public sewers within or near</p>	<p><i>Suggested Main Modification MA-LP36: Additional criterion added to DS6PU:</i></p> <p>Include water efficiency measures such as rainwater recycling measures, green roofs and water butts where possible and appropriate</p> <p><i>The policy relates to all types of flood risk, with the exception of criterion f. No change therefore to the policy itself. Suggested Minor Modifications MI-LP93 and MI-LP94: New paragraph and sub-title after 6.6.4:</i></p> <p>Waste Water</p> <p>Flooding can also occur when the public sewer network reaches capacity. When identifying flood risk prior to submitting a planning application, developers are encouraged to engage in early dialogue with the relevant</p>	<p>Noted. UU welcomes the proposed change.</p> <p>Although UU welcomes the reference to sewer flooding within the explanatory text, we wish to highlight that the amended wording should clearly state that applicants '<i>must</i>' engage in early dialogue with the relevant wastewater undertaker. The suggested change only '<i>encourages</i>' applicants to engage in</p>

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		<p>to the site, which are predicted to be at risk from flooding and/or sites where there is a record of previous flooding from the public sewer through consultation with the sewerage undertaker. This flood risk should be avoided in accordance with national planning policy as outlined above.</p> <p>We would therefore highlight the need for the policy to reference all forms of flood risk to be included in addition to the already cited tidal and fluvial flooding. In respect of sewer flood risk and existing incidents of flooding from the public sewer, we have provided detailed comments and recommendations in respect of various draft allocations below under the heading of 'Site Specific Allocations'. These are critical comments for you to consider to manage sewer flood risk at the draft site allocations.</p>	<p>wastewater undertaker for the area to identify whether there are any existing public sewers on or near the site which are at a risk of flooding and/or whether there is a record of previous flooding from public sewers on or near the site. This information will then be considered appropriately during the application process in accordance with national policy and guidance.</p>	<p>early dialogue with the relevant wastewater undertaker. We are also concerned that criterion b references the application of the sequential approach and exception tests in the context of 'windfall development'. The sequential approach should be applied to all sites as appropriate in accordance with national guidance. This would include where the sequential test has not been applied to sites at the local plan stage and where new flood risk information becomes available. For example, once flood risk from the public sewer is better understood, it may be necessary to apply the sequential approach to an allocated site. In addition, it may be necessary to apply the sequential approach to an allocated site if more recent flood risk information becomes available.</p> <p>Our statements to the local plan examination (matters 15 and 16) address our sewer flood risk concerns in respect of specific sites.</p>
DS8PU		As noted above, we wish to recommend that flood risk and surface water management is considered as early as possible in	<i>Suggested Minor Modification MI-LP96: New paragraph after 6.6.6</i>	

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		<p>the design process. We therefore request that the Local Plan is clear that future applicants should provide details of a foul and surface water management strategy. Thereafter, we recommend that reserved matters and applications for full planning permission should provide details on the approach to foul and surface water drainage including details of finished floor and ground levels as well as levels of the proposed drainage system. We believe that this is critical information so that the resilience of a site to climate change can be assessed early. For example, we would highlight that 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. This helps assess and manage sewer flood risk and can only be considered if detailed information is provided</p>	<p>Where appropriate reserved matters and applications for full planning permission should provide details on the approach to foul and surface water drainage by submitting a Foul and Surface Water Management Strategy which includes details of finished floor and ground levels as well as levels of the proposed drainage system. The Council's validation list sets out where this is required.</p> <p>Applicants will be expected to include details of how the approach to drainage on any phase of the development has regard to interconnecting phases within a larger site, for example, to avoid a proliferation of pumping stations.</p>	<p>UU believes that foul and surface water strategies should be provided for <u>all</u> applications including at the outline stage. The approach to drainage, especially surface water, is a key determinant of assessing the flood risk impact of a proposal and some detail will always be required. That being said, we acknowledge that the level of the information to be provided will be dependent on the nature of the application. For example, detailed applications for full / reserved matter approval, should be supported by detailed information including finished floor levels, ground levels, and details of drainage. This is because drainage details are intrinsically linked to the detail of site design. For example, Finished Floor Levels are material to ensuring that a scheme is resilient to exceedance paths from existing and proposed drainage systems. Also, landscaping details should be considered alongside the strategy for sustainable drainage so that multi-functional sustainable drainage is prioritised and integrated with other</p>

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				design elements early in the design process.
DS9PU		<p>It is important to explain that existing drainage systems in the district are often dominated by combined sewers. This method of sewer infrastructure is a result of the time it was constructed, with combined sewers taking both foul and surface water. If there is a consistent approach to surface water management as part of new development, it will help to manage and reduce surface water entering the sewer network, decreasing the likelihood of flooding from sewers, the impact on residents and businesses, and the impact on the environment.</p> <p>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.</p> <p>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</p>	<p><i>This issue is already covered in Policy DS9 (which has been formed through previous consultation with UU and CCC), which includes a surface water hierarchy. The policy also requires a Drainage Strategy to show how foul and surface water will be effectively managed and maintained. This will also be supported by the additional test above. There are also requirements, as recognised by UU's comments, set out in national planning policy and guidance.</i></p> <p><i>Given this, the proposed policy wording recommended by UU is considered by the Council to be unnecessary and overly long and detailed. Such detailed information could form part of any future SPD should the Council produce one.</i></p>	<p>Noting the council's concerns regarding the policy being overly long, we have revised our recommend drainage policy wording and associated explanatory text which is now set out below. Ultimately, there is a climate emergency and therefore as a flood risk management agency, we strongly recommend clear development plan policy relating to surface water management. Our recommended wording is below.</p> <p><i>'All applications must be supported by a strategy for foul and surface water management. Surface water should be discharged in the following order of priority:</i></p> <ul style="list-style-type: none"> <i>i. An adequate soakaway or some other form of infiltration system.</i> <i>ii. An attenuated discharge to a surface water body.</i> <i>iii. An attenuated discharge to public surface water sewer, highway drain or another drainage system.</i>

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		<p>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:</p> <p><i>'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</i></p>		<p><i>iv. An attenuated discharge to public combined sewer.</i></p> <p><i>Proposals should be designed to maximise the retention of surface water on-site and minimise the volume, and rate of, surface water discharge off-site. On greenfield sites, any rate of discharge shall be restricted to a greenfield run-off rate. On previously developed land, applicants must also follow the hierarchy for surface water management and target a reduction to a greenfield rate of run-off. Proposals on previously developed land must achieve a minimum reduction in the rate of surface water discharge of 30% rising to a minimum of 50% in any critical drainage area identified by the SFRA. To demonstrate any reduction, applicants must submit clear evidence of existing operational connections from the site with associated calculations on rates of discharge. Where clear evidence of existing connections is not provided, applicants will be required to discharge at a greenfield rate of run-off.</i></p>

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		<p>accordance with 'Ciria C753 The SuDS Manual' or any subsequent replacement guidance.</p> <p>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.</p> <p>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</p>		<p><i>The design of proposals must assess and respond to the existing hydrological characteristics of a site to ensure a flood resilient design is achieved and water / flooding is not deflected or constricted.</i></p> <p><i>Applications for major development will be required to incorporate sustainable drainage which is multi-functional, in accordance with the four pillars of sustainable drainage, in preference to underground piped and tanked storage systems, unless, there is clear evidence why such techniques are not possible. The sustainable drainage should be integrated with the landscaped environment and the strategy for biodiversity net gain.</i></p> <p><i>For any development proposal which is part of a wider development / allocation, foul and surface water strategies must be part of a holistic site-wide strategy. Pumped drainage systems must be minimised and a proliferation of pumping stations on a phased development will not be acceptable.</i></p>

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		<p>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.</p> <p>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.</p> <p>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.</p> <p>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,</p>		<p><i>Applications must be accompanied by drainage management and maintenance plans including a plan for any watercourse within the application site or an adjacent watercourse where the application site is afforded riparian rights.</i></p> <p><i>Explanatory Text</i></p> <p><i>Application of the hierarchy for managing surface water will be a key requirement for all development sites to reduce flood risk and the impact on the environment. Clear evidence must be submitted to demonstrate why alternative preferable options in the surface water hierarchy are not available.</i></p> <p><i>Foul and surface water drainage must be considered early in the design process. Sustainable drainage should be integrated with the landscaped environment and designed in accordance with the four pillars of sustainable drainage (water quantity, water quality, amenity and biodiversity). It should identify SuDS opportunities, including retrofit SuDS opportunities, such as</i></p>

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		<p>site-wide infrastructure strategy shall be submitted as part of any planning application for any strategic allocation.</p> <p>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.</p>		<p><i>green roofs; permeable surfacing; soakaways; filter drainage; swales; bioretention tree pits; rain gardens; basins; ponds; reedbeds and wetlands. Any drainage should be designed in accordance with 'Ciria C753 The SuDS Manual', sewerage sector guidance, or any subsequent replacement guidance.</i></p> <p><i>The hydrological assessment of the site must consider site topography, naturally occurring flow paths, ephemeral watercourses and any low lying areas where water naturally accumulates. Resultant layouts must take account of such circumstances. Applications will be required to consider exceedance / overland flow paths from existing and proposed drainage features and confirm ground levels, finished floor levels and drainage details. Drainage details, ground levels and finished floor levels are critical to ensure the proposal is resilient to flood risk and climate change. It is good practice to ensure the external levels fall away from the ground floor level of the proposed buildings (following any regrade), to allow for safe overland flow routes within the development and minimise any associated flood risk from</i></p>

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				<p><i>overland flows. In addition, 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.</i></p> <p><i>Holistic site-wide drainage strategies will be required to ensure a coordinated approach to drainage between phases, between developers, and over a number of years of construction. Applicants must demonstrate how the approach to drainage on any phase of development has regard to interconnecting phases within a larger site with infrastructure sized to accommodate interconnecting phases. When necessary, the holistic drainage strategy must be updated to reflect any changing circumstances between each phase(s). The strategy shall demonstrate communication with</i></p>

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				<i>infrastructure providers and outline how each phase interacts with other phases.'</i>
DS11PU		<p>With respect to Policy DS11PU (Protecting Air Quality), new development should provide appropriate mitigation in accordance with national planning policy for all potential emissions within and surrounding future development. We wish to emphasise the importance of any future policy setting out the need to consider surrounding existing development and all potential emissions, not just air quality.</p> <p>Paragraph 187 of the NPPF outlines that 'Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed'</p> <p>With respect to Policy DS11PU (Protecting Air Quality), we welcome the inclusion of this policy however request that the following additional wording shown in blue is included as part of Policy DS11PU:</p> <p><i>"Development proposals will only be granted planning</i></p>	<p><i>The Council disagrees with the suggested wording which lacks clarity and is unnecessary as the Local Plan already contains to ensure other harmful effects are mitigated. Also requiring a masterplan for all proposals would be an excessive requirement which does not align with national planning policy. No change therefore proposed.</i></p>	<p>We suggest the following alternative text for inclusion in Policy DS11PU. We believe this adds clarity to the policy and is more consistent with the agent of change principle outlined in the National Planning Policy Framework.</p> <p><i>'Development proposals will only be granted planning permission if it is demonstrated that the occupiers of new developments will enjoy an appropriate standard of amenity and will not be adversely affected by neighbouring uses and vice versa. When applicable, applicants will be required to submit the relevant impact assessments, outlining any adverse effects from the neighbouring site, and any required mitigation.'</i></p>

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		permission where there will be suitable mitigation included as part of a masterplan to respond to surrounding development which may already be an existing source of emissions including but not limited to noise and odour.”		
E5PU	ES3	<p>Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the 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 that affects part of the site. If a decision is taken to allocate the site, the existence of any flood risk from the public sewer may limit the capacity of the development site. We would request that policy requires the applicant to engage with United Utilities prior to any masterplanning process to ensure development is not located in an area at risk of sewer flooding. Applicants should consider site topography and any exceedance flow paths.</p> <p>Resultant layouts and levels should take account of such existing circumstances to ensure the most flood resilient solution is achieved. Given the existence of flood risk, applicants should not assume that changes in levels or any proposed diversion of the public sewerage system will be acceptable as such proposals could increase flood risk. It may be necessary to apply the sequential approach as outlined in national policy subject to the detail of the proposal that is brought forward.</p>	<p><i>Comments noted, the Local Plan encourages early engagement with developers (see paragraphs 5.2.4 and 13.9.5).</i></p> <p><i>Suggested Minor Modification MI-LP115 (new paragraph 7.8.7):</i></p> <p>Early engagement with United Utilities will be required prior to the submission of a planning application to determine where there might be a public sewer or utilities infrastructure present on the site</p> <p><i>Given the above, and the fact that any development on the site will need to comply with relevant policies in the plan relating to flooding and drainage (e.g. Ds8 and DS9), the Council does not feel it is necessary to make any amendments to Policy E5. Should the existence of any flooding limit</i></p>	<p>We continue to retain concerns with the approach of the council. The proposed change does not address our concerns. In particular, we do not understand why there are Allocation Profiles for housing sites but not for other allocations.</p> <p>It is our preference that any site specific matters that we have raised are addressed in Key Development Considerations within Allocation Profiles for all allocated sites.</p> <p>Our statements to the local plan examination (matters 15 and 16) address our sewer flood risk concerns in respect of specific sites.</p>

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			<i>the capacity for development on the site this will not affect the soundness of the Plan as there are sufficient alternative employment sites available to meet identified needs.</i>	
E5PU	ES14	<p>Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the site.</p> <p>United Utilities notes that there are flood incidents from the public sewer in the wider area. If a decision is taken to allocate the site, the position of United Utilities is that applicants will be required to engage with United Utilities prior to any masterplanning process and consider (amongst other things) site topography and any exceedance flow paths. Resultant layouts and levels should take account of existing circumstances to ensure the most flood resilient solution is achieved. The circumstances of the area could affect the detailed design of the site and result in the need to incorporate appropriate mitigating measures in the design of the proposal. Careful consideration will need to be given to the approach to drainage namely the point of connection to the public sewer; whether the proposal will be gravity or pumped; and the proposed finished floor and ground levels.</p> <p>Any full submission should therefore include details of finished floor and ground levels alongside a drainage strategy. In accordance with the hierarchy for surface water management,</p>	<p><i>Comments noted, the Local Plan encourages early engagement with developers (see paragraphs 5.2.4 and 13.9.5).</i></p> <p><i>Suggested Minor Modification MI-LP115 (new paragraph 7.8.7):</i></p> <p>Early engagement with United Utilities will be required prior to the submission of a planning application to determine where there might be a public sewer or utilities infrastructure present on the site</p> <p><i>Given the above, and the fact that any development on the site will need to comply with relevant policies in the plan relating to flooding and drainage (e.g. Ds8 and DS9),</i></p>	<p>We continue to retain concerns with the approach of the council. The proposed change does not address our concerns. In particular, we do not understand why there are Allocation Profiles for housing sites but not for other allocations.</p> <p>It is our preference that any site specific matters that we have raised are addressed in Key Development Considerations within Allocation Profiles for all allocated sites.</p> <p>Our statements to the local plan examination (matters 15 and 16) address our sewer flood risk concerns in respect of specific sites.</p>

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		alternative options to the public sewer for the management of surface water should be fully investigated. The applicant will be required to liaise with United Utilities to investigate opportunities for the removal of surface water from the public sewer as a result of the development.	<i>the Council does not feel it is necessary to make any amendments to Policy E5. Should the existence of any flooding limit the capacity for development on the site this will not affect the soundness of the Plan as there are sufficient alternative employment sites available to meet identified needs.</i>	
E5PU	ES12	Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the site.	<i>Comments noted – see response above</i>	<p>We continue to retain concerns with the approach of the council. In particular, we do not understand why there are Allocation Profiles for housing sites but not for other allocations.</p> <p>It is our preference that any site specific matters that we have raised are addressed in Key Development Considerations within Allocation Profiles for all allocated sites.</p>
E5PU	ELA2	Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the site.	<i>Comments noted – see response above</i>	<p>We continue to retain concerns with the approach of the council. In particular, we do not understand why there are Allocation Profiles for housing sites but not for other allocations.</p> <p>It is our preference that any site specific matters that we have raised are</p>

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				addressed in Key Development Considerations within Allocation Profiles for all allocated sites.
E5PU	E13	<p>Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the site. Early dialogue with United Utilities will be required prior to the submission of a planning application due to the proximity to Millom Wastewater Treatment Works which is a 24 hour waste management facility.</p> <p>The nature of any uses brought forward at the site will need very careful consideration and may need to be informed by appropriate impact assessments (e.g. noise and odour) due to the proximity to the treatment works. These may be required to ensure the proposed development can secure an acceptable level of amenity for potential future users / occupiers of the site</p>	<p><i>Comments noted – see response above.</i></p> <p><i>The site is being taken forward as an Employment Site. The requirement for additional assessments can be addressed at planning application and pre-application stage.</i></p>	<p>We continue to retain concerns with the approach of the council.</p> <p>It is our preference that any site specific matters that we have raised are addressed in Key Development Considerations within Allocation Profiles for all allocated sites.</p> <p>Whilst we note that additional assessments can be brought forward at the application stage, we request that the requirements of the development plan clearly identify the risk associated with proximity to an existing wastewater treatment works within a Site Allocation Profile. For clarity, employment uses may also require a supporting odour impact assessment. This reflects ‘<i>Guidance on the assessment for odour for planning</i>’ Version 1.1 – July 2018¹ produced by the Institute for Air Quality Management.</p>

¹ [Guidance on the assessment for odour for planning’ Version 1.1 – July 2018](#)

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E5PU	ES7	<p>Early dialogue with United Utilities will be required prior to the preparation of a masterplan and submission of a planning application due to the presence of utilities infrastructure and land interests, including easements and rights of way, within the 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 that affects part of the site. If a decision is taken to allocate the site, the existence of any flood risk from the public sewer may limit the capacity of the development site. We would request that policy requires the applicant to engage with United Utilities prior to any masterplanning process to ensure development is not located in an area at risk of sewer flooding. Applicants should consider site topography and any exceedance flow paths.</p> <p>Resultant layouts and levels should take account of such existing circumstances to ensure the most flood resilient solution is achieved. Given the existence of flood risk, applicants should not assume that changes in levels or any proposed diversion of the public sewerage system will be acceptable as such proposals could increase flood risk. It may be necessary to apply the sequential approach as outlined in national policy subject to the detail of the proposal that is brought forward</p>	<i>Comments noted – see response above.</i>	<p>We continue to retain concerns with the approach of the council. In particular, we do not understand why there are Allocation Profiles for housing sites but not for other allocations.</p> <p>It is our preference that any site specific matters that we have raised are addressed in Key Development Considerations within Allocation Profiles for all allocated sites.</p> <p>Our statements to the local plan examination (matters 15 and 16) address our sewer flood risk concerns in respect of specific sites.</p>
E5PU	ES9	<p>Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the site.</p>	<i>Comments noted – see response above</i>	<p>We continue to retain concerns with the approach of the council. In particular, we do not understand why there are Allocation Profiles for housing sites but not for other allocations.</p>

Policy/ paragraph	Site ref	UU Comments	CBC response	UU position February 2023
				It is our preference that any site specific matters that we have raised are addressed in Key Development Considerations within Allocation Profiles for all allocated sites.
E5PU	ES5	Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the site.	<i>Comments noted – see response above</i>	<p>We continue to retain concerns with the approach of the council. In particular, we do not understand why there are Allocation Profiles for housing sites but not for other allocations.</p> <p>It is our preference that any site specific matters that we have raised are addressed in Key Development Considerations within Allocation Profiles for all allocated sites.</p>
E5PU	ES4	Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the site.	<i>Comments noted – see response above</i>	<p>We continue to retain concerns with the approach of the council. In particular, we do not understand why there are Allocation Profiles for housing sites but not for other allocations.</p> <p>It is our preference that any site specific matters that we have raised are addressed in Key Development Considerations within Allocation Profiles for all allocated sites.</p>

Policy/ paragraph	Site ref	UU Comments	CBC response	UU position February 2023
E5PU	ES1a	<p>Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the site.</p> <p>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 that affects part of the site. If a decision is taken to allocate the site, the existence of any flood risk from the public sewer may limit the capacity of the development site. We would request that policy requires the applicant to engage with United Utilities prior to any masterplanning process to ensure development is not located in an area at risk of sewer 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. Given the existence of flood risk, applicants should not assume that changes in levels or any proposed diversion of the public sewerage system will be acceptable as such proposals could increase flood risk. It may be necessary to apply the sequential approach as outlined in national policy subject to the detail of the proposal that is brought forward</p>	<i>Comments noted – see response above</i>	<p>We continue to retain concerns with the approach of the council. In particular, we do not understand why there are Allocation Profiles for housing sites but not for other allocations.</p> <p>It is our preference that any site specific matters that we have raised are addressed in Key Development Considerations within Allocation Profiles for all allocated sites.</p> <p>Our statements to the local plan examination (matters 15 and 16) address our sewer flood risk concerns in respect of specific sites.</p>
E5PU	ES6	<p>Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the site.</p>	<i>Comments noted – see response above</i>	<p>We continue to retain concerns with the approach of the council. In particular, we do not understand why there are Allocation Profiles for housing sites but not for other allocations.</p> <p>It is our preference that any site specific matters that we have raised are</p>

Policy/ paragraph	Site ref	UU Comments	CBC response	UU position February 2023
				addressed in Key Development Considerations within Allocation Profiles for all allocated sites.
E5PU	ES11	Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the site.	<i>Comments noted -see response above</i>	<p>We continue to retain concerns with the approach of the council. In particular, we do not understand why there are Allocation Profiles for housing sites but not for other allocations.</p> <p>It is our preference that any site specific matters that we have raised are addressed in Key Development Considerations within Allocation Profiles for all allocated sites.</p>
E5PU	ES1B, ES1C	Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure and land interests within the site.	<i>Comments noted – see response above</i>	<p>We continue to retain concerns with the approach of the council. In particular, we do not understand why there are Allocation Profiles for housing sites but not for other allocations.</p> <p>It is our preference that any site specific matters that we have raised are addressed in Key Development Considerations within Allocation Profiles for all allocated sites.</p>

Policy/ paragraph	Site ref	UU Comments	CBC response	UU position February 2023
E5PU	ES2a	Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the site.	<i>Comments noted – see response above</i>	<p>We continue to retain concerns with the approach of the council. In particular, we do not understand why there are Allocation Profiles for housing sites but not for other allocations.</p> <p>It is our preference that any site specific matters that we have raised are addressed in Key Development Considerations within Allocation Profiles for all allocated sites.</p>
E5PU	ES2b	<p>Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the 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 that affects part of the site. If a decision is taken to allocate the site, the existence of any flood risk from the public sewer may limit the capacity of the development site. We would request that policy requires the applicant to engage with United Utilities prior to any masterplanning process to ensure development is not located in an area at risk of sewer flooding. Applicants should consider site topography and any exceedance flow paths.</p> <p>Resultant layouts and levels should take account of such existing circumstances to ensure the most flood resilient solution is achieved. Given the existence of flood risk, applicants should not assume that changes in levels or any</p>	<i>Comments noted – see response above</i>	<p>We continue to retain concerns with the approach of the council. In particular, we do not understand why there are Allocation Profiles for housing sites but not for other allocations.</p> <p>It is our preference that any site specific matters that we have raised are addressed in Key Development Considerations within Allocation Profiles for all allocated sites.</p> <p>Our statements to the local plan examination (matters 15 and 16) address our sewer flood risk concerns in respect of specific sites.</p>

Policy/ paragraph	Site ref	UU Comments	CBC response	UU position February 2023
		proposed diversion of the public sewerage system will be acceptable as such proposals could increase flood risk. It may be necessary to apply the sequential approach as outlined in national policy subject to the detail of the proposal that is brought forward.		
E6PU	OEG01	Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the site.	<i>Comments noted – see response above</i>	<p>We continue to retain concerns with the approach of the council. In particular, we do not understand why there are Allocation Profiles for housing sites but not for other allocations.</p> <p>It is our preference that any site specific matters that we have raised are addressed in Key Development Considerations within Allocation Profiles for all allocated sites.</p>
E6PU	OWH02	<p>Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the site.</p> <p>United Utilities notes that there are flood incidents from the public sewer in the wider area. If a decision is taken to allocate the site, the position of United Utilities is that applicants will be required to engage with United Utilities prior to any masterplanning process and consider (amongst other things) site topography and any exceedance flow paths. Resultant layouts and levels should take account of existing circumstances to ensure the most flood resilient solution is achieved. The circumstances of the area could affect the detailed design of the site and result in the need to incorporate appropriate</p>	<i>Comments noted – see response above</i>	<p>We continue to retain concerns with the approach of the council. In particular, we do not understand why there are Allocation Profiles for housing sites but not for other allocations.</p> <p>It is our preference that any site specific matters that we have raised are addressed in Key Development Considerations within Allocation Profiles for all allocated sites.</p>

Policy/ paragraph	Site ref	UU Comments	CBC response	UU position February 2023
		mitigating measures in the design of the proposal. Careful consideration will need to be given to the approach to drainage namely the point of connection to the public sewer; whether the proposal will be gravity or pumped; and the proposed finished floor and ground levels. Any full submission should therefore include details of finished floor and ground levels alongside a drainage strategy. In accordance with the hierarchy for surface water management, alternative options to the public sewer for the management of surface water should be fully investigated. The applicant will be required to liaise with United Utilities to investigate opportunities for the removal of surface water from the public sewer as a result of the development		Our statements to the local plan examination (matters 15 and 16) address our sewer flood risk concerns in respect of specific sites.
E6PU	OWH03	Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the site.	<i>Comments noted -see response above</i>	<p>We continue to retain concerns with the approach of the council. In particular, we do not understand why there are Allocation Profiles for housing sites but not for other allocations.</p> <p>It is our preference that any site specific matters that we have raised are addressed in Key Development Considerations within Allocation Profiles for all allocated sites.</p>
E6PU	OWH05	<p>Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the site.</p> <p>United Utilities notes that there are flood incidents from the</p>	<i>Comments noted – see response above</i>	We continue to retain concerns with the approach of the council. In particular, we do not understand why there are Allocation Profiles for housing sites but not for other allocations.

Policy/ paragraph	Site ref	UU Comments	CBC response	UU position February 2023
		<p>public sewer in the wider area. Applicants will be required to engage with United Utilities prior to any masterplanning process. The circumstances of the area could affect the detailed design of the site and result in the need to incorporate appropriate mitigating measures in the design of the proposal. Careful consideration will need to be given to the approach to drainage namely the point of connection to the public sewer; whether the proposal will be gravity or pumped; and the proposed finished floor and ground levels.</p> <p>Any full submission should therefore include details of finished floor and ground levels alongside a drainage strategy. In accordance with the hierarchy for surface water management, alternative options to the public sewer for the management of surface water should be fully investigated. The applicant will be required to liaise with United Utilities to investigate opportunities for the removal of surface water from the public sewer as a result of the development.</p> <p>In addition, 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 that affects part of the site.</p> <p>The existence of any flood risk from the public sewer may limit the capacity of the development site. We would request that policy requires the applicant to engage with United Utilities prior to any masterplanning process to ensure development is not located in an area at risk of sewer flooding.</p> <p>Applicants should consider (amongst other things) site</p>		<p>It is our preference that any site specific matters that we have raised are addressed in Key Development Considerations within Allocation Profiles for all allocated sites.</p> <p>Our statements to the local plan examination (matters 15 and 16) address our sewer flood risk concerns in respect of specific sites.</p>

Policy/ paragraph	Site ref	UU Comments	CBC response	UU position February 2023
		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. Given the existence of flood risk, applicants should not assume that changes in levels or any proposed diversion of the public sewerage system will be acceptable as such proposals could increase flood risk. It may be necessary to apply the sequential approach as outlined in national policy subject to the detail of the proposal that is brought forward		
E6PU	OWH06	<p>Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within and near to the site. Operational land owned by United Utilities is adjacent to the site. This should be afforded any necessary offset distance agreed in liaison with United Utilities. United Utilities notes that there are flood incidents from the public sewer at this site and in the wider area. Applicants will be required to engage with United Utilities prior to any masterplanning process. The circumstances of the area could affect the detailed design of the site and result in the need to incorporate appropriate mitigating measures in the design of the proposal. Careful consideration will need to be given to the approach to drainage namely the point of connection to the public sewer; whether the proposal will be gravity or pumped; and the proposed finished floor and ground levels.</p> <p>Any full submission should therefore include details of finished floor and ground levels alongside a drainage strategy. In accordance with the hierarchy for surface water management, alternative options to the public sewer for the management of</p>	<i>Comments noted – see response above</i>	<p>We continue to retain concerns with the approach of the council. In particular, we do not understand why there are Allocation Profiles for housing sites but not for other allocations.</p> <p>It is our preference that any site specific matters that we have raised are addressed in Key Development Considerations within Allocation Profiles for all allocated sites.</p> <p>Our statements to the local plan examination (matters 15 and 16) address our sewer flood risk concerns in respect of specific sites.</p>

Policy/ paragraph	Site ref	UU Comments	CBC response	UU position February 2023
		<p>surface water should be fully investigated. The applicant will be required to liaise with United Utilities to investigate opportunities for the removal of surface water from the public sewer as a result of the development. In addition, 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 that affects part of the site. The existence of any flood risk from the public sewer may limit the capacity of the development site. We would request that policy requires the applicant to engage with United Utilities prior to any masterplanning process to ensure development is not located in an area at risk of sewer flooding.</p> <p>Applicants should consider (amongst other things) 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. Given the existence of flood risk, applicants should not assume that changes in levels or any proposed diversion of the public sewerage system will be acceptable as such proposals could increase flood risk. It may be necessary to apply the sequential approach as outlined in national policy subject to the detail of the proposal that is brought forward</p>		
E6PU	OWH08	Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure and land interests within the site. United Utilities notes that there are flood incidents from the public sewer in the wider area. Applicants will be required to engage with United Utilities prior to any masterplanning process. The	<i>Comments noted – see response above</i>	We continue to retain concerns with the approach of the council. In particular, we do not understand why there are Allocation Profiles for housing sites but not for other allocations.

Policy/ paragraph	Site ref	UU Comments	CBC response	UU position February 2023
		<p>circumstances of the area could affect the detailed design of the site and result in the need to incorporate appropriate mitigating measures in the design of the proposal. Careful consideration will need to be given to the approach to drainage namely the point of connection to the public sewer; whether the proposal will be gravity or pumped; and the proposed finished floor and ground levels.</p> <p>Any full submission should therefore include details of finished floor and ground levels alongside a drainage strategy. In accordance with the hierarchy for surface water management, alternative options to the public sewer for the management of surface water should be fully investigated. The applicant will be required to liaise with United Utilities to investigate opportunities for the removal of surface water from the public sewer as a result of the development.</p> <p>In addition, 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 that affects part of the site.</p> <p>The existence of any flood risk from the public sewer may limit the capacity of the development site. We would request that policy requires the applicant to engage with United Utilities prior to any masterplanning process to ensure development is not located in an area at risk of sewer flooding.</p> <p>Applicants should consider (amongst other things) site topography and any exceedance flow paths. Resultant layouts and levels should take account of such existing circumstances to</p>		<p>It is our preference that any site specific matters that we have raised are addressed in Key Development Considerations within Allocation Profiles for all allocated sites.</p> <p>Our statements to the local plan examination (matters 15 and 16) address our sewer flood risk concerns in respect of specific sites.</p>

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		ensure the most flood resilient solution is achieved. Given the existence of flood risk, applicants should not assume that changes in levels or any proposed diversion of the public sewerage system will be acceptable as such proposals could increase flood risk. It may be necessary to apply the sequential approach as outlined in national policy subject to the detail of the proposal that is brought forward		
E6PU	OWH09	Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure and land interests within the site.	<i>Comments noted – see response above</i>	<p>We continue to retain concerns with the approach of the council. In particular, we do not understand why there are Allocation Profiles for housing sites but not for other allocations.</p> <p>It is our preference that any site specific matters that we have raised are addressed in Key Development Considerations within Allocation Profiles for all allocated sites.</p>
E6PU	OWH11	<p>United Utilities notes that there are flood incidents from the public sewer in the wider area. If a decision is taken to allocate the site, the position of United Utilities is that applicants will be required to engage with United Utilities prior to any masterplanning process and consider (amongst other things) site topography and any exceedance flow paths.</p> <p>Resultant layouts and levels should take account of existing circumstances to ensure the most flood resilient solution is achieved. The circumstances of the area could affect the detailed design of the site and result in the need to incorporate</p>	<i>Comments noted -see response above</i>	<p>We continue to retain concerns with the approach of the council. In particular, we do not understand why there are Allocation Profiles for housing sites but not for other allocations.</p> <p>It is our preference that any site specific matters that we have raised are addressed in Key Development Considerations within Allocation Profiles for all allocated sites.</p>

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		appropriate mitigating measures in the design of the proposal. Careful consideration will need to be given to the approach to drainage namely the point of connection to the public sewer; whether the proposal will be gravity or pumped; and the proposed finished floor and ground levels. Any full submission should therefore include details of finished floor and ground levels alongside a drainage strategy. In accordance with the hierarchy for surface water management, alternative options to the public sewer for the management of surface water should be fully investigated. The applicant will be required to liaise with United Utilities to investigate opportunities for the removal of surface water from the public sewer as a result of the development		Our statements to the local plan examination (matters 15 and 16) address our sewer flood risk concerns in respect of specific sites.
E6PU	OWH13	Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure and land interests within / near to the site. It is noted that this site is the location for a potential coal mine. Early dialogue will be required with the water and sewerage undertaker to understand any water and wastewater needs.	<i>Comments noted – see response above</i>	We continue to retain concerns with the approach of the council. In particular, we do not understand why there are Allocation Profiles for housing sites but not for other allocations. It is our preference that any site specific matters that we have raised are addressed in Key Development Considerations within Allocation Profiles for all allocated sites.
E6PU	OEG03	Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the site. United Utilities notes that there are flood incidents from the	<i>Comments noted – see response above</i>	We continue to retain concerns with the approach of the council. It is our preference that any site specific matters that we have raised are

Policy/ paragraph	Site ref	UU Comments	CBC response	UU position February 2023
		<p>public sewer in the wider area. If a decision is taken to allocate the site, the position of United Utilities is that applicants will be required to engage with United Utilities prior to any masterplanning process and consider (amongst other things) site topography and any exceedance flow paths. Resultant layouts and levels should take account of existing circumstances to ensure the most flood resilient solution is achieved. The circumstances of the area could affect the detailed design of the site and result in the need to incorporate appropriate mitigating measures in the design of the proposal. Careful consideration will need to be given to the approach to drainage namely the point of connection to the public sewer; whether the proposal will be gravity or pumped; and the proposed finished floor and ground levels.</p> <p>Any full submission should therefore include details of finished floor and ground levels alongside a drainage strategy. In accordance with the hierarchy for surface water management, alternative options to the public sewer for the management of surface water should be fully investigated. The applicant will be required to liaise with United Utilities to investigate opportunities for the removal of surface water from the public sewer as a result of the development.</p>		<p>addressed in Key Development Considerations within Allocation Profiles for all allocated sites.</p> <p>Our statements to the local plan examination (matters 15 and 16) address our sewer flood risk concerns in respect of specific sites.</p>
E6PU	OCL01	<p>Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the site.</p> <p>United Utilities notes that there are flood incidents from the public sewer in the wider area. Applicants will be required to engage with United Utilities prior to any masterplanning</p>	<i>Comments noted – see response above</i>	<p>We continue to retain concerns with the approach of the council. In particular, we do not understand why there are Allocation Profiles for housing sites but not for other allocations.</p>

Policy/ paragraph	Site ref	UU Comments	CBC response	UU position February 2023
		<p>process. The circumstances of the area could affect the detailed design of the site and result in the need to incorporate appropriate mitigating measures in the design of the proposal. Careful consideration will need to be given to the approach to drainage namely the point of connection to the public sewer; whether the proposal will be gravity or pumped; and the proposed finished floor and ground levels.</p> <p>Any full submission should therefore include details of finished floor and ground levels alongside a drainage strategy. In accordance with the hierarchy for surface water management, alternative options to the public sewer for the management of surface water should be fully investigated. The applicant will be required to liaise with United Utilities to investigate opportunities for the removal of surface water from the public sewer as a result of the development. In addition, 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 that affects part of the site.</p> <p>The existence of any flood risk from the public sewer may limit the capacity of the development site. We would request that policy requires the applicant to engage with United Utilities prior to any masterplanning process to ensure development is not located in an area at risk of sewer flooding. Applicants should consider (amongst other things) 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. Given the existence of flood risk,</p>		<p>It is our preference that any site specific matters that we have raised are addressed in Key Development Considerations within Allocation Profiles for all allocated sites.</p> <p>Our statements to the local plan examination (matters 15 and 16) address our sewer flood risk concerns in respect of specific sites.</p>

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		applicants should not assume that changes in levels or any proposed diversion of the public sewerage system will be acceptable as such proposals could increase flood risk. It may be necessary to apply the sequential approach as outlined in national policy subject to the detail of the proposal that is brought forward		
E6PU	OMI01	<p>Early dialogue with United Utilities will be required prior to the submission of a planning application due to the proximity to Millom Wastewater Treatment Works which is a 24 hour waste management facility.</p> <p>The nature of any uses brought forward at the site will need very careful consideration and will need to be informed by appropriate impact assessments, including odour and noise impact assessments. These will be required prior to the submission of a planning application as part of any masterplanning exercise to ensure the proposed development can secure an acceptable level of amenity for potential future users/occupiers of the site</p>	<p><i>Comments noted – see response above.</i></p> <p><i>The site is being taken forward as an Opportunity Site – the end use is therefore uncertain at this point in time. The requirement for additional assessments can be addressed at planning application and pre-application stage.</i></p>	<p>We continue to retain concerns with the approach of the council. In particular, we do not understand why there are Allocation Profiles for housing sites but not for other allocations.</p> <p>It is our preference that any site specific matters that we have raised are addressed in Key Development Considerations within Allocation Profiles for all allocated sites.</p> <p>The nature of the end use should not affect the recommended policy requirement for appropriate impact assessments. For example, employment uses may also require a supporting odour impact assessment. This reflects 'Guidance on the assessment for odour for planning' Version 1.1 – July 2018 produced by the Institute for Air Quality Management.</p>

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E6PU	OWN01	Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within / near to the site.	<i>Comments noted – see response above.</i>	<p>We continue to retain concerns with the approach of the council. In particular, we do not understand why there are Allocation Profiles for housing sites but not for other allocations.</p> <p>It is our preference that any site specific matters that we have raised are addressed in Key Development Considerations within Allocation Profiles for all allocated sites.</p>
CC2PU		<p>we also recommend the following amendments to Policy CC2PU: Wind Energy Developments. (Bullet Point) • Water resources and water quality (including catchment land for public water supply purposes)</p> <p>In cases of wind energy proposals on catchment land used for public water supply purposes, the applicant should seek to locate development so that the impact on public water supply is minimised through the location of the development and through the undertaking of appropriate risk assessments and inclusion of mitigation measures in the design and construction process in accordance with Policy N5PU. New wind turbines on water catchment land which is also deep peat should be avoided.</p>	<p><i>Suggested Main Modification to Policy CC1PU, MA-LP64, additional bulletpoint:</i></p> <p>Water resources and water quality (including catchment land for public water supply purposes)</p> <p><i>Suggested Main Modification, MA-LP47, amendment to bullet 4, Policy DS10PU – Soils, Contamination and Land Stability:</i></p> <p>Avoid development that results in the loss of best and most versatile agricultural land or areas of deep peat where possible</p>	<p>UU is supportive of the additional bullet point to Policy CC1PU.</p> <p>UU is supportive of the amendment to policy DS10PU.</p>

Policy/ paragraph	Site ref	UU Comments	CBC response	UU position February 2023
			<i>The impact of development on water supply is already covered in Policy N5PU.</i>	We remain concerned that Policy N5PU lacks explicit reference to catchment land used for public water supply purposes and land in a groundwater source protection zone. This is addressed in our comments to Policy N5PU below.
Nuclear Chapter		United Utilities notes the references to the potential for a nuclear power station and large scale energy generation at Moorside within the Draft Local Plan. United Utilities is primarily responsible for water supply, waste water and sewer management issues across Copeland and as such, it will be critical to include United Utilities in any future discussions at the earliest time if any development progresses at the Moorside Cumbria Clean Energy Park (as identified on the Draft Proposals Map). This is to ensure appropriate infrastructure for water and waste water can be carefully co-ordinated with any such nationally significant infrastructure.	<i>Comments noted.</i>	No further comment. We wish to emphasise that if proposals for a new nuclear power station progress, early dialogue with UU will be imperative to understand and plan for any water and wastewater needs.
R1PU		<p>With respect to Policy R1PU (Vitality and Viability of Town Centres and villages within the Hierarchy), we request that the policy gives further consideration to the proposed approach to landscaping and public realm improvements with stronger reference to the need for landscaping and any public realm improvements to be integrated with sustainable surface water management design objectives.</p> <p>The evaluation of surface water management opportunities should be undertaken early in the design process. It is imperative that the brief for any public realm improvements is intrinsically linked to opportunities for surface water</p>	<i>No change proposed, the matter is already addressed under Policy DS9PU.</i>	No further comment. This is now addressed via our suggested surface water policy.

Policy/ paragraph	Site ref	UU Comments	CBC response	UU position February 2023
		management improvements. As part of any public realm improvements within R1PU, we request that the Council and applicants consider opportunities for source control and slowing the flow of surface water. This could also be achieved through swales, permeable surfacing and bioretention tree pits/rain gardens for example.		
H5PU		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	<i>Comments noted: the majority of the allocated sites are in single ownership</i>	No further comment from UU.
H5PU		United Utilities acknowledges that the Draft Plan identifies significant development areas across various settlements within Copeland. 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. 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	<p><i>Comments noted – the Local Plan recommends developers carry out early pre-application discussions with the Council and key stakeholders.</i></p> <p><i>Suggested Minor Modification, MI-LP115, reiterates this point:</i></p> <p>Early engagement with United Utilities will be required prior to the submission of a planning</p>	No further comment from UU.

Policy/ paragraph	Site ref	UU Comments	CBC response	UU position February 2023
		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/	<p>application to determine where there might be a public sewer or utilities infrastructure present on the site</p> <p><i>There are also a number of modifications proposed to identify where utilities infrastructure is on site; MI-APP6-16, 18 and 19.</i></p>	
H5PU	HCM1	Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the site.	<p><i>Suggested Minor Modification to Site Profiles document, MI-APP8:</i></p> <p>Utilities infrastructure present on site. CBC will carry out ongoing engagement, including at planning application stage, with United Utilities, Electricity North West, Northern Gas and Cadent Gas to ensure that future development does not have an adverse impact on utility provision</p>	No further comment from UU.
H5PU	HWH1	Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the site.	<p><i>Suggested Minor Modification MI-APP6:</i></p> <p>No utility issues have been highlighted in relation to this site through consultation with utility providers. However, Utilities infrastructure present on site. CBC</p>	No further comment from UU.

Policy/ paragraph	Site ref	UU Comments	CBC response	UU position February 2023
			will carry out ongoing engagement, including at planning application stage, with United Utilities, Electricity North West, Northern Gas and Cadent Gas to ensure that future development does not have an adverse impact on utility provision	
H5PU	HDI2	Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the site.	<p><i>Suggested Minor Modification MI-APP15:</i></p> <p>No utility issues have been highlighted in relation to this site through consultation with utility providers. However, Utilities infrastructure present on site. CBC will carry out ongoing engagement, including at planning application stage, with United Utilities, Electricity North West, Northern Gas and Cadent Gas to ensure that future development does not have an adverse impact on utility provision</p>	No further comment from UU.
H5PU	HWH2	Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the site. A comprehensive strategy for foul and surface water drainage infrastructure at this site shall be required. Any proposals must have full regard to the topographical and hydrogeological conditions of this steeply	<i>No change considered necessary – a planning application has been submitted on the site that contains drainage details. UU have been engaged in the application process.</i>	It is our preference that any site specific matters that we have raised are addressed in Key Development Considerations within Allocation Profiles for all allocated sites.

Policy/ paragraph	Site ref	UU Comments	CBC response	UU position February 2023
		sloping site. Such steeply sloping sites can suffer from sub-soil drainage issues. These steeply inclined sites have existing ground water problems due to underground springs. Such issues must be considered when designing a proposed surface water system. There is a risk that groundwater / overland flow could overload the drainage system that is designed as a result of illegal connections being made as an afterthought by individual residents if their plots are not drained effectively. Therefore careful consideration will need to be given to land drainage to ensure there are no future misconnections to the public sewer		The fact that a planning application has been submitted / determined should not materially affect the need for site specific considerations to be addressed in the Allocation Profile. Revised applications / applications for approval of reserved matters / discharge of conditions could / will be received and it is critical that any site specific considerations are clearly outlined in the Allocation Profiles so that such matters are considered in the detail of the design process.
H5PU	HCM3	Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the site.	<i>Suggested Minor Modification MI-APP9:</i> No utility issues have been highlighted in relation to this site through consultation with utility providers. However, Utilities infrastructure present on site. CBC will carry out ongoing engagement, including at planning application stage, with United Utilities, Electricity North West, Northern Gas and Cadent Gas to ensure that future development does not have an adverse impact on utility provision	No further comment from UU.

Policy/ paragraph	Site ref	UU Comments	CBC response	UU position February 2023
H5PU	HAR01	Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure and land interests within and near to the site. This includes a right of way on the northern boundary which must be maintained for access to key utility infrastructure.	<p><i>Suggested Minor Modification MI-APP14:</i></p> <p>No utility issues have been highlighted in relation to this site through consultation with utility providers. However, Utilities infrastructure and land interests present on site. CBC will carry out ongoing engagement, including at planning application stage, with United Utilities, Electricity North West, Northern Gas and Cadent Gas to ensure that future development does not have an adverse impact on utility provision.</p>	<p>We continue to retain concerns with the approach of the council. The proposed change does not fully address our concern in particular the reference to a right of way on the northern boundary which needs to be maintained.</p> <p>It is our preference that any site specific matters that we have raised are addressed in Key Development Considerations within Allocation Profiles for all allocated sites.</p>
H5PU	HCM4	Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure and land interests within the site.	<p><i>Suggested Minor Modification MI-APP10:</i></p> <p>No utility issues have been highlighted in relation to this site through consultation with utility providers. However, Utilities infrastructure and land interests present on site. CBC will carry out ongoing engagement, including at planning application stage, with United Utilities, Electricity North West, Northern Gas and Cadent</p>	No further comment from UU.

Policy/ paragraph	Site ref	UU Comments	CBC response	UU position February 2023
			Gas to ensure that future development does not have an adverse impact on utility provision	
H5PU	HTH1	Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the site.	<p><i>Suggested Minor Modification MI-APP17:</i></p> <p>No utility issues have been highlighted in relation to this site through consultation with utility providers. However, Utilities infrastructure present on site. CBC will carry out ongoing engagement, including at planning application stage, with United Utilities, Electricity North West, Northern Gas and Cadent Gas to ensure that future development does not have an adverse impact on utility provision</p>	No further comment from UU.
H5PU	HMI2	Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the site.	<p><i>Suggested Minor Modification MI-APP13:</i></p> <p>No utility issues have been highlighted in relation to this site through consultation with utility providers. However, Utilities infrastructure present on site. CBC will carry out ongoing engagement, including at planning application stage, with United Utilities,</p>	No further comment from UU.

Policy/ paragraph	Site ref	UU Comments	CBC response	UU position February 2023
			Electricity North West, Northern Gas and Cadent Gas to ensure that future development does not have an adverse impact on utility provision	
H5PU	HSB3	Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the site which is identified as not in use. The status of this asset will require confirmation with United Utilities.	<p><i>Suggested Minor Modification MI-APP16:</i></p> <p>No utility issues have been highlighted in relation to this site through consultation with utility providers. However, Utilities infrastructure present on site which are not currently in use. CBC will carry out ongoing engagement, including at planning application stage, with United Utilities, Electricity North West, Northern Gas and Cadent Gas to ensure that future development does not have an adverse impact on utility provision</p>	No further comment from UU.
H5PU	HWH5	Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the site.	<p><i>Suggested Minor Modification MI-APP7:</i></p> <p>No utility issues have been highlighted in relation to this site through consultation with utility providers. However, Utilities</p>	No further comment from UU.

Policy/ paragraph	Site ref	UU Comments	CBC response	UU position February 2023
			infrastructure present on site. CBC will carry out ongoing engagement, including at planning application stage, with United Utilities, Electricity North West, Northern Gas and Cadent Gas to ensure that future development does not have an adverse impact on utility provision	
H5PU	HEG3	Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure and land interests within the site.	<i>Suggested Minor Modification MI-APP12:</i> No utility issues have been highlighted in relation to this site through consultation with utility providers. However, Utilities infrastructure and land interests present on site. CBC will carry out ongoing engagement, including at planning application stage, with United Utilities, Electricity North West, Northern Gas and Cadent Gas to ensure that future development does not have an adverse impact on utility provision	No further comment from UU.
H5PU	HEG2	Suggested amendment to existing text. Located in groundwater source protection zones (SPZ) (1, 2 and 3). Partially located in groundwater Source Protection Zone (SPZ) 1 immediately adjacent to Gulley Flats Borehole. Given	<i>Suggested Minor Modification, additional consideration MI-APP12:</i>	No further comment from UU.

Policy/ paragraph	Site ref	UU Comments	CBC response	UU position February 2023
		<p>this, a quantitative and qualitative risk assessment and mitigation strategy with respect to groundwater protection will be required to manage the risk of pollution to public water supply and the water environment. The risk assessment should be based on the source-pathway-receptor methodology. It shall 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. The mitigation measures shall include the highest specification design for the new foul and surface water sewerage systems (pipework, trenches, manholes, pumping stations and attenuation features). A 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 the appropriate mitigation measures necessary to protect and prevent pollution of these waters. Within and adjacent to Source Protection Zone SPZ 1, and in any other locations identified by the aforementioned risk assessment, pipework and site design will be required to adhere to a high specification to ensure that leakage from sewerage systems is avoided. Careful masterplanning will be required to mitigate the risk of pollution to public water supply and the water environment. For example, open space can be located so that it is closest to the boreholes in order to minimise the potential impact on groundwater. In addition, an appropriate management regime will be required for open space features in a SPZ</p>	<p>Located in groundwater source protection zones (SPZ) (1, 2 and 3). Partially located in groundwater Source Protection Zone (SPZ) 1 immediately adjacent to Gulley Flats Borehole. Please seek further guidance from the Planning Authority and United Utilities at pre-application stage.</p>	
H5PU	HMR2	Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of	<i>Suggested Minor Modification MI-APP19:</i>	We continue to retain concerns with the approach of the council. The

Policy/ paragraph	Site ref	UU Comments	CBC response	UU position February 2023
		<p>utilities infrastructure and land interests within the 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 that affects part of the site. If a decision is taken to allocate the site, the existence of any flood risk from the public sewer may limit the capacity of the development site. We would request that policy requires the applicant to engage with United Utilities prior to any masterplanning process to ensure development is not located in an area at risk of sewer flooding. Applicants should consider site topography and any exceedance flow paths.</p> <p>Resultant layouts and levels should take account of such existing circumstances to ensure the most flood resilient solution is achieved. Given the existence of flood risk, applicants should not assume that changes in levels or any proposed diversion of the public sewerage system will be acceptable as such proposals could increase flood risk. It may be necessary to apply the sequential approach as outlined in national policy subject to the detail of the proposal that is brought forward</p>	<p>No utility issues have been highlighted in relation to this site through consultation with utility providers. However, Early engagement with United utilities required due to utilities infrastructure, including existing public sewers present on site. CBC will carry out ongoing engagement, including at planning application stage, with United Utilities, Electricity North West, Northern Gas and Cadent Gas to ensure that future development does not have an adverse impact on utility provision</p>	<p>proposed change does not address our concerns.</p> <p>It is our preference that any site specific matters that we have raised are addressed in Key Development Considerations within Allocation Profiles for all allocated sites.</p> <p>Our statements to the local plan examination (matters 15 and 16) address our sewer flood risk concerns in respect of specific sites.</p>
H5PU	HMR1	Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure and land interests within the site.	<p><i>Suggested Minor Modification MI-APP18:</i></p> <p>No utility issues have been highlighted in relation to this site through consultation with utility providers. However, Utilities infrastructure and land interests present on site. CBC will carry out</p>	No further comment from UU.

Policy/ paragraph	Site ref	UU Comments	CBC response	UU position February 2023
			ongoing engagement, including at planning application stage, with United Utilities, Electricity North West, Northern Gas and Cadent Gas to ensure that future development does not have an adverse impact on utility provision	
N3PU		<p>United Utilities welcomes policy N3PU (Biodiversity Net Gain). As part of our response to the Environment Act and in preparation for the future delivery of biodiversity net gain (BNG), we are currently reaching out to local authorities to ensure we develop a BNG strategy that, wherever possible, supports local biodiversity and nature recovery needs. As part of the preparation of your new local plan, we would welcome the opportunity to further discuss your approach to the delivery of BNG and the identification of strategic opportunities to support local nature recovery. We are keen to ensure that BNG is delivered in the most appropriate locations and without restricting the potential future expansion and operation of key operational infrastructure which is often very geographically restricted and critical to meeting future growth and environmental drivers.</p> <p>It important that any approach to the delivery of BNG considers the context of the development and what is best for biodiversity. We recommend that policy N3PU includes flexibility to allow a balanced decision based on the circumstances of a proposal and a site. It is important to recognise that the location of land for infrastructure is often restricted and cannot be easily relocated. Therefore, the land that is within and adjacent to a site used for infrastructure is at</p>	<i>No change proposed, the policy accepts that on site net gain is not always appropriate and these matters can be discussed in more detail at planning application stage.</i>	The preference of UU would be that proposals at utility sites are specifically identified as an exception to the first preference for on-site provision. It is critical that land around infrastructure sites is available for future infrastructure investment / expansion.

Policy/ paragraph	Site ref	UU Comments	CBC response	UU position February 2023
		a premium. We would not wish to see a BNG policy which includes a spatial hierarchy that inflexibly prioritises on-site BNG on key infrastructure sites as this could be detrimental to the availability of that land for infrastructure investment to support future environmental drivers and growth needs.		
N5PU		<p>The Environment Agency has defined Groundwater Source Protection Zones (SPZs) for groundwater sources, which are often used for public drinking water supply purposes. The prevention of pollution to drinking water supplies is critical. The SPZs signify where there may be a particular risk from activities on or below the land surface. Such activities include construction. The details of SPZs can be viewed on the website of the Environment Agency.</p> <p>We wish to highlight that new development sites are more appropriately located away from locations which are identified as sensitive groundwater protection areas especially land within and adjacent to Groundwater Source Protection Zone 1 (SPZ1) which is closest to the water abstraction point and the most sensitive. This is of relevance given the presence of SPZs in Copeland.</p> <p>With respect to Policy N5PU (Protection of Water Resources), we welcome the inclusion of this policy however request that the following wording shown in blue is included as part of Policy N5PU: 'In consultation with the council and relevant statutory bodies, applicants will be required to consider the potential impacts on water quality resulting from the design, construction and operation of proposed development. Where necessary,</p>	<p>Suggested Minor Modification, additional paragraphs after 15.12.6 MI-LP238:</p> <p>The Environment Agency has defined Groundwater Source Protection Zones (SPZs) for groundwater sources, which are often used for public drinking water supply purposes. The prevention of pollution to drinking water supplies is critical. The SPZs signify where there may be a particular risk from activities on or below the land surface. Such activities include construction.</p> <p>There is one Groundwater Source Protection Zone in the Copeland Local Plan area. Where possible, new development sites should be appropriately located away from locations which are identified as sensitive groundwater protection areas especially land within and</p>	<p>UU retains concerns with the approach of the council. These concerns are summarised as follow.</p> <ol style="list-style-type: none"> 1) For clarity, there is more than 1 groundwater source protection zone in the borough. There are 4 in total which are located near to Egremont. 2) We are concerned that the matter is proposed to be addressed as explanatory text. We feel that this is more appropriately addressed via a combination of policy and explanatory text. 3) The additional text references '<i>where development within a Groundwater protection zone is unavoidable</i>'. The wording of the text should be written to ensure that unacceptable

Policy/ paragraph	Site ref	UU Comments	CBC response	UU position February 2023
		<p>development proposals should include measures to reduce any risk to the water environment and aim to protect and improve water quality.</p> <p>Development proposals within Groundwater Source Protection Zones must accord with the latest national guidance on Groundwater Protection. New development within Groundwater Source Protection Zones will be expected to conform to the following.</p> <p>i) RISK ASSESSMENT - a quantitative and qualitative risk assessment and mitigation strategy with respect to groundwater protection will be required to manage the risk of pollution to public water supply and the water environment. The risk assessment should be based on the source-pathway-receptor methodology. It shall 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. Subject to the outcome of the risk assessment, the mitigation measures may include the highest specification design for the new foul and surface water sewerage systems (pipework, trenches, manholes, pumping stations and attenuation features).</p> <p>ii) MASTERPLANNING – careful masterplanning is required to mitigate the risk of pollution to public water supply and the water environment. For example, open space can be located so that it is closest to the boreholes in order to minimise the potential impact on groundwater. In addition, an appropriate management regime will be required for open space features in a groundwater source protection zone.</p>	<p>adjacent to Groundwater Source Protection Zone 1 (SPZ1) which is closest to the water abstraction point and the most sensitive.</p> <p>Where development within a Groundwater protection zone is unavoidable, development must accord with the latest national guidance on groundwater protection and developers will be expected to submit a risk assessment, masterplan to mitigate any risk to the public water supply and water environment and construction management plan.</p>	<p>proposals do not progress noting that not all development within a groundwater source protection zone will be acceptable in principle.</p> <p>4) The policy makes no explicit reference to public water supply catchment land as per our original representation.</p> <p>On the basis of above, we recommend the below additional paragraphs to the Policy wording of N5PU.</p> <p><i>‘Development will only be acceptable where it is demonstrated to the Local Planning Authority that there will be no unacceptable impact on the water environment, including the groundwater environment and land used for public water supply catchment purposes.</i></p> <p><i>Where necessary, applicants will be required to undertake a risk assessment of the impact on the water environment and incorporate any necessary mitigating measures.’</i></p>

Policy/ paragraph	Site ref	UU Comments	CBC response	UU position February 2023
		<p>iii) CONSTRUCTION MANAGEMENT PLAN - 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 the appropriate mitigation measures necessary to protect and prevent pollution of these waters.”-----</p> <p>Water Catchment Land</p> <p>United Utilities notes the plan in Appendix D which identifies land potentially suitable for wind energy.</p> <p>United Utilities wishes to note that this area includes land used as catchment land for public water supply purposes.</p> <p>Development proposals on water catchment land can have an impact on water supply resources and therefore we recommend that you expand your Policy N5PU: Protection of Water</p> <p>Resources in accordance with the following additional paragraph.</p> <p>Development proposals on land used for public water supply catchment purposes will be required to consult with the relevant water undertaker. The first preference will be for proposals to be located away from land used for public water supply purposes. Where proposals are located on catchment land used for public water supply, careful consideration must be given to the location of the proposed development and a risk assessment of the impact on public water supply may be required with the identification and implementation of any required mitigation measures.</p>		<p>In addition, we recommend that MI-LP238 is amended as follows (our amendments in red and strikethrough):</p> <p><i>‘The Environment Agency has defined Groundwater Source Protection Zones (SPZs) for groundwater sources, which are often used for public drinking water supply purposes. Parts of the borough are also catchment land that is used for drinking water supply purposes.</i></p> <p><i>The prevention of pollution to drinking water supplies is critical.</i></p> <p><i>The SPZs and water catchment land signify where there may be a particular risk from activities on or below the land surface. Such activities include construction.</i></p> <p><i>There is one are four Groundwater Source Protection Zones in the Copeland Local Plan area. Where possible, new development sites should be appropriately located away from locations which are identified as sensitive groundwater protection areas and water catchment land especially land within and adjacent to</i></p>

Policy/ paragraph	Site ref	UU Comments	CBC response	UU position February 2023
				<p>Groundwater Source Protection Zone 1 (SPZ1) which is closest to the water abstraction point and the most sensitive.</p> <p>Where dDevelopment within a Groundwater <i>source</i> protection zone is unavoidable, development must accord with the latest national guidance on groundwater protection. and dDevelopers will be expected to submit a risk assessment, alongside careful masterplanning, to assess and mitigate any risk to the water environment and public water supply and water environment and including a construction management plan.'</p>
Other		United Utilities notes the references to the importance of mining within Copeland historically and currently. United Utilities is primarily responsible for water supply, waste water and sewer management across Copeland and as such, it will be critical to include United Utilities in any future discussions at the earliest time if any mining developments progress to ensure appropriate infrastructure for water and waste water can be planned into any potential proposals for a site	<i>Comments noted.</i>	No further comment from UU.