

Date 26 Feb 2021

By Email - planningpolicy@shropshire.gov.uk

Dear Sir / Madam,

Consultation on the 'Regulation 19' pre-submission draft of the Shropshire Local Plan

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

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

When preparing the Development Plan and future policies, we can most appropriately manage the impact of development on our infrastructure if development is identified in locations where infrastructure is available with existing capacity. It may be necessary to co-ordinate the delivery of development with the delivery of infrastructure in some circumstances.

This consultation response follows our previous response to the Local Plan Review to Shropshire Council on 8th February 2019.

Continued communication with United Utilities

United Utilities wishes to highlight that we wish to continue the constructive communication with Shropshire Council to ensure a co-ordinated approach to the delivery of any future allocations. Our area of operation is only a small region of the Council area, but we wish to highlight relevant infrastructure issues and key principles to be considered in order to most appropriately manage the impact on our assets and would welcome further discussion with the LPA.

We are keen to emphasise that it is essential for early and continued detailed discussions take place over the allocations in Market Drayton, so we can most appropriately support future delivery. We strongly advise that contact is established by future applicants at the earliest stage, ideally before any land transactions, and certainly prior to any application to explore infrastructure options as early as possible. It is important to highlight that at this stage, we have limited information on the details of the development proposals.

All UU assets and associated easements will need to be afforded due regard in the masterplanning process and they may impact on deliverability dependent on the location within the site.

We encourage each local authority to direct future developers to our **free pre-application service** to discuss their schemes and highlight any potential issues. We cannot stress highly enough the importance of contacting us as early as possible.

Enquiries are encouraged by contacting:

Developer Services – Wastewater

Tel: 03456 723 723

Email: WastewaterDeveloperServices@uuplc.co.uk

Website: <http://www.unitedutilities.com/builder-developer-planning.aspx>

Developer Services – Water

Tel: 0345 072 6067

Email: DeveloperServicesWater@uuplc.co.uk

Website: <http://www.unitedutilities.com/newwatersupply.aspx>

Infrastructure Provision

Although the sites allocated in Market Drayton are close to existing infrastructure assets, they are located on the fringe/limits of the existing water supply and/or sewerage infrastructure networks. The network in these areas generally are of size that reflect their greenfield location. The current infrastructure may have limited capacity to support the planned growth. Providing a co-ordinated approach to infrastructure by collaborating with United Utilities will result in providing assets required to support the planned growth. Any growth needs to be carefully planned to ensure new infrastructure provision does not cause any unexpected delays to future allocations.

Once more information is available with respect to specific development sites, which is often only at the planning application stage, we will be able to better understand the potential impacts of development on infrastructure and, as a result, it may be necessary to coordinate the delivery of development with the timing for delivery of infrastructure improvements. We recommend that you include a policy in the future draft plan to this effect.

Surface Water Management and Site Specific Policies

UU only provides wastewater to a small area of Shropshire in various locations. In the context of the site allocations, our comments are specifically relevant to those sites identified for development in Market Drayton. Following on from the above, noting that UU don't object to the sites identified, we would highlight again that, owing to the rural nature of the settlement, the sewers in the area are small and may require upgrading to meet the proposed growth in this area.

UU welcomes the approach to Policy DP22 and the site specific policies relating to Market Drayton in Policy S11. We are pleased with the approach in these policies regarding the delivery of sustainable drainage. We have noted the link between sustainable drainage and green infrastructure referenced in Policy DP22. Our position is that Local Plans should proactively address a holistic approach Climate Change by including a requirement for the sustainable management of surface water through multi-functional benefits which are part

of a high quality green / blue water environment. Policy DP22 is therefore welcomed and we are happy with the wording proposed.

With respect to the specific allocations in Market Drayton, UU's preference would be to see DP22 referenced within the site specific policies as part of S11. We are pleased to note the requirement for a sustainable drainage strategy for each allocation in the area as part of S11. We are keen to ensure that the surface water from the new developments is designed holistically as part of any proposed landscaping/green infrastructure and is subsequently discharged in accordance with the surface water hierarchy. A further reference to Local Plan policies in S11 would further strengthen the requirements and ensure the consistency as allocations are brought forward.

We wish to draw attention to previous wording recommended in our previous response to the last Local Plan consultation. We would like to highlight the importance of site drainage in comparison with proposed finished floor levels. We recommend Policy S11 makes reference to the need for applicants to carefully consider the finished floor levels in comparison with the proposed drainage schemes on new development sites.

Based on the above, we would recommend the following policy to be added to S11:

'Sites must allocate provision for the management of surface water through the use of sustainable drainage systems with multi-functional benefits as part of a high quality green and blue water environment in line with Policy DP22. Development with such features should consider the topography of the site to understand and design around any naturally occurring flow paths and any low lying areas within the proposal where water will naturally accumulate.'

United Utilities Assets in the borough

In addition to the above, United Utilities owns other assets which are currently situated in the countryside. Upgrades to these assets may be required in the near future, and it is important to ensure that any required upgrades and expansions to these sites can be made in order for us to meet the infrastructure requirements of proposed future development in the borough. It is therefore requested that Local Policy is worded to recognise that utility sites, located within the countryside are appropriate for development for operational purposes. Our preference would be for this principle to be reflected on the proposals map and in development plan policy. These assets include:

- Woore Serviced Reservoir;
- Land at Bearstone Borehole;
- Adderley Wastewater Treatment Works (WWTW);
- Calverhall WWTW; and
- Oswestry Water Treatment Works (WTW).

This would enable us to ensure that we can continue to meet the growth and development aspiration of the Borough as well as respond to environmental agendas in accordance with our obligations. We have previously provided you with plans of these sites in our representation submitted in December 2017. Please do let us know if you need further copies of these plans.

At this stage, we would highlight that Oswestry and Llanforda Reservoir and WTW is currently located adjacent to Oswestry's Development Boundary. The asset is operational but also includes surplus land following recent major investment which is appropriate for alternative use consideration. This is addressed in a separate representation submitted on behalf of United Utilities.

United Utilities Asset - Vyrnwy Aqueduct and allocations in Oswestry

The LPA should be aware that one of our strategic cleanwater assets, the Vyrnwy Aqueduct, passes through Oswestry. It therefore should be a consideration when allocating future development sites. United Utilities would like to note that our asset passes through a number of sites allocated, including those saved from the SAMDev Plan Site Allocations. These sites are as follows:

- Land off Whittington Road (OSW004)
- Oldport Farm, Gobowen Road (OSW004)
- South of Whittington Road

We wish to highlight that this infrastructure is imperative to our water distribution network and it's important for the LPA and future applicants to understand this constraint in more detail should these sites be allocated for future development. It's important to understand that we will need unrestricted access for operating and maintaining the strategic asset, and **we will not permit development over or in close proximity to the aqueduct.**

The asset will need to be afforded due regard in the masterplanning process so we would strongly advise that the future developer(s) to contact us at their earliest convenience, ideally before any land transactions and certainly prior to any application to address how the water infrastructure will impact the future design of the site.

Our recommendation to the LPA at this stage is to direct the site promoters to contact United Utilities to firstly identify the exact location of the asset and then discuss the implications for crossing the asset as this will impact any proposed site layout as we will not allow development over or in proximity to the aqueduct.

Any required easement distance can only be truly understood once the **exact** location of the main has been determined. It's critical to undertake the required tracing as soon as possible, as we will not allow building over the water main so it is important future applicants fully understand the constraint and how it will impact the developable area. Importantly the precise location of the asset will be material to location of future development.

The applicant is strongly encouraged to contact **Sara Livesey** via DeveloperServicesWater@uuplc.co.uk

There are a number of separate legal easements afforded to this section of the asset. We encourage the LPA to direct future applicants to contact PropertyGeneralEnquiries@uuplc.co.uk to understand any additional obligations the easement may impose as restrictive covenants must be adhered to. It is the responsibility of future developers to obtain a copy of the document, available from United Utilities Legal Services or Land Registry and to comply with the provisions stated within the document. Under no circumstances should anything be stored, planted or erected on the easement

width. Nor should anything occur that may affect the integrity of the pipe or United Utilities legal right to 24 hour access.

Groundwater Source Protection Zones (SPZ)

Groundwater is a vital resource, supplying around one third of mains drinking water in England, however groundwater supplies are under pressure from development associated with an increasing population. The details of groundwater protection zones can be viewed on the website of the Environment Agency. We would also be happy to provide details if that would be helpful.

United Utilities' strong preference is for development to take place outside of any Environment Agency designated SPZ1. Whilst we welcome the provision within your adopted development plan policy relating to groundwater, we recommend this is strengthened with the following specific policy:

'Any proposals for new development within Groundwater Source Protection Zones must accord with Environment Agency guidance set out in its document titled 'The Environment Agency's approach to groundwater protection', or any subsequent iteration of the guidance.

New development within Groundwater Source Protection Zones will be expected to conform to the following:

MASTERPLANNING – careful masterplanning is required to mitigate the risk of pollution to public water supply and the water environment. For example, open space should be designed so it is closest to the boreholes so as to minimise the potential impact on groundwater. In addition, an appropriate management regime will be secured for open space features in the groundwater protection zone.

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. 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).

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.

Within Source Protection Zone 1, pipework and site design will be required to adhere to a high specification to ensure that leakage from sewerage systems is avoided."

Water Catchment Land

United Utilities wishes to highlight that there are areas of Shropshire which are public water supply catchment land. Development proposals on water catchment land can have an

impact on water supply resources and therefore we recommend that you include a policy in your local plan which identifies the need to engage with the statutory undertaker for water to determine whether any proposal is on land used for public water supply catchment purposes.

In cases of wind energy proposals on water catchment land 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. It is particularly important to avoid the location of new wind turbines on deep peat. We recommend you include the following policy relating to water catchment land:

“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 proposed on catchment land used for public water supply, careful consideration should 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.”

Health and Well-Being

In regards to health, well-being and maximising the quality of residential amenity, UU wishes to highlight that it is more appropriate to locate sensitive uses (such as residential) away from existing sources of noise and odour. UU are pleased to see that the preferred sites identified within this consultation are located away from our wastewater treatment works.

We feel it is important to re-emphasise that new development sites are more appropriately located away from our existing operational infrastructure. This is particularly relevant to our wastewater treatment works which are key operational infrastructure. A wastewater treatment works can result in emissions which include odour and noise. Therefore, if you are considering any sites for new allocations, especially housing allocations, near to wastewater treatment works, you should carefully consider the sites with your Environmental Health colleagues. This is important when comparing such sites with potential alternative sites that may be available to you for allocation. The position of United Utilities is that when considering a range of sites to meet the housing needs of the borough, it would be more appropriate to identify new housing sites, which are sensitive receptors, that are not close to a wastewater treatment works.

Our wastewater treatment works in your borough include:

- Adderley WWTW; and
- Calverhall WWTW.

Gypsy and Traveller Call for Sites

We note that the previous consultation also included a call for sites for Gypsies and Travellers. We would welcome early dialogue with you on the resulting sites from the last consultation so that we can advise you on any infrastructure concerns we may have with any sites that you may select. We would prefer to have this dialogue with you as early as possible and would welcome information on this as soon as possible. As referenced

previously, we have a strong preference for sites to be located away from any groundwater source protection zone, land used for water catchment purposes and away from any of our wastewater treatment works.

Summary

Moving forward, we respectfully request that the Council continues to consult with United Utilities for all future planning documents. We are keen to continue working in partnership with Shropshire Council to ensure that all new growth can be delivered sustainably, and with the necessary infrastructure available, in line with the Council's delivery target.

Yours faithfully

Adam Brennan
Planning, Landscapes and Ecology
United Utilities Water Limited