

Bury Council
By email

Your ref 71622
Our ref DC/25/446v2
Date 17-JUL-25

Dear Planning Team

Location: Hardys Gate Bridge, Dumers Lane, Bury, BL9 9UR.
Proposal: Installation of flood gates.

United Utilities provides the following comments to support the Local Planning Authority in their determination of the planning application detailed above, and to direct the applicant to further sources of support and guidance on matters that might impact their proposal.

The letter and Appendix should be read in their entirety to support the determination, the design, and should the scheme be approved, the subsequent delivery of the proposal.

United Utilities holds no objection in principle to the proposals and is supportive of measures to reduce the impact of flooding across the region, however these proposals include significant engineering works either on or immediately adjacent to our public sewer network and water mains. Whilst we have been in direct liaison with the applicant (the Environment Agency) to reach a suitable solution to ensure United Utilities' assets are protected, there are a number of areas of the proposed development site where we still require further information to ensure that the public water supply and sewer network are protected. This information has not been submitted with the amended site layout and **it is our preference that further information is submitted for our consideration prior to the determination of this application regarding how the proposals relate to our assets and infrastructure.**

Given the presence of sewers and water infrastructure within the boundary of the proposed scheme, amendments to the proposed flood defence scheme or the diversion of infrastructure may be required. The applicant should be aware of the risk associated with proceeding to determination of this application in the absence of additional survey work to confirm the **PROVEN** location of these pipelines, including their line and depth.

ASSET PROTECTION – WATER MAINS

Based on the information set out above and the presence of water mains within the site it is our preference that these matters are resolved prior to the detailed design of the scheme being secured. The applicant should note that the water mains may need to be diverted if it is deemed that there is a risk to these assets due to the proposed development. We request that the

applicant liaises with United Utilities as soon as possible to discuss this matter further. In addition, it would be useful for United Utilities to understand the timescales and programme for delivery of the scheme.

In the event that details are not forthcoming as part of this planning application we request that the following condition is attached to any subsequent Decision Notice to afford appropriate protection to these assets.

ASSET PROTECTION CONDITION – WATER MAINS:

No development shall commence (including demolition, site clearance and any earthworks) until details of the means of ensuring the water mains that are laid within the site boundary are protected from damage as a result of the development have been submitted to and approved in writing by the Local Planning Authority.

The details shall include a survey that identifies the exact location of the assets, including line and depth, the potential impacts on the assets from construction activities (including any construction compounds), the potential impacts post completion of the development and identify mitigation measures, including a timetable for implementation, to protect and prevent any damage to the assets both during construction and post completion of the development. The details shall include a pre-construction condition survey. Any mitigation measures shall be implemented in full prior to commencement of development in accordance with the approved details and timetable and shall be retained thereafter for the lifetime of the development.

In the event that a diversion/diversions of the infrastructure is required, the developer shall submit evidence to the Local Planning Authority that a diversion has been agreed with the relevant statutory undertaker and that the approved works have been undertaken prior to the commencement of development. Upon completion of the works, a post completion condition survey shall be submitted to and approved by the Local Planning Authority in writing.

Reason: In the interest of public health and safety and to ensure protection of essential services.

ASSET PROTECTION – SEWERS

Public sewers cross the site and we will not allow building over them. We require an access strip for maintenance or replacement of each sewer and this access must not be compromised in any way. The minimum distances that might be acceptable to United Utilities are detailed within Part H of the Building Regulations however, we recommend the applicant determines the precise location, size, depth and condition of each pipeline as this is likely to influence the required stand-off distance from any structure and therefore the detailed design of the application proposals.

Should the Council deem this application suitable for approval we request the following condition is included in the subsequent Decision Notice to afford appropriate protective measures for the wastewater asset:

ASSET PROTECTION CONDITION – SEWERS:

No construction shall commence until details of the means of ensuring the sewer that is laid within the site boundary is protected from damage as a result of the development have been submitted to and approved by the Local Planning Authority in writing. The details shall outline the potential impacts from construction activities and the impacts post completion of the development on sewer that crosses the site and identify mitigation measures to protect and prevent any damage to the pipeline both during construction and post completion of the development. Any mitigation measures shall be implemented in full in accordance with the approved details.

Reason: In the interest of public health and safety and to ensure protection of essential services.

DRAINAGE

Directed by the principles set out in the National Planning Practice Guidance 'hierarchy of drainage options' (Paragraph: 056 Reference ID: 7-056-20220825), we require developers and Local Planning Authorities, to do all that they can to avoid surface water entering the public sewer, unless absolutely necessary. This applies to all proposed development. See Appendix 1.1 'Surface Water Hierarchy'.

All options for the sustainable management of surface water must be thoroughly investigated before we will accept any surface water connections from new development to the public sewer. Where a new surface water connection to the public sewer is proposed, we will require robust evidence to demonstrate the drainage hierarchy has been fully investigated and there are no more sustainable options available for the management of surface water.

Whilst we note that this is a full application, we are not aware of any proposed changes to the existing drainage arrangements. If this is not the case and amendments are required, and as this is a Full application, we would request that the applicant provides a detailed drainage plan, and that United Utilities has the opportunity to review and comment on this plan PRIOR TO DETERMINATION of this application.

Should planning permission be granted without the provision of this information and if drainage is proposed as part of the application scheme then, in this instance, we would request the following condition is attached to any subsequent Decision Notice:

DRAINAGE CONDITION:

Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include***

- evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;*
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);*
 - (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;*
 - (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and*
 - (v) Foul and surface water shall drain on separate systems.*

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

To discuss their drainage proposals the applicant should contact our **Developer Services** team by email at SewerAdoptions@uuplc.co.uk. Alternative ways to contact the team are detailed in the Appendix, Section 5.0 'Contacts'.

Please note, United Utilities is not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood Authority and / or the Environment Agency (if the watercourse is classified as a main river).

Management and maintenance of Sustainable Drainage Systems (SuDS)

Without effective management and maintenance SuDS can fail or become ineffective which may have a detrimental impact on the surrounding area, including the performance of the public sewer network (where the two systems interact). Therefore, where SuDS is included in a proposed development, we recommend the Local Authority include a condition relating to SuDS management and maintenance in any subsequent Decision Notice. An example condition is included with the Appendix, Section 2.2.

When considering their drainage proposal, it is the applicant's responsibility to investigate the existence of any infrastructure that might impact their detailed design. This includes water, wastewater, operational and/or abandoned pipelines. United Utilities will not routinely carry out this assessment when reviewing drainage proposals submitted within a planning application. Where infrastructure exists, the drainage design must comply with the relevant United Utilities guidelines and/or Building Regulations. Further information is available on our website: [Working near our pipes - United Utilities](#). Failure to consider existing infrastructure when designing a drainage proposal may result in the applicant having to redesign proposals at a later date.

UNITED UTILITIES' PROPERTY, ASSETS AND INFRASTRUCTURE

Water main

As set out above water mains cross the site. They must not be built over, or our access to the pipelines compromised in any way. We require an access strip as detailed in our 'Standard Conditions for Works Adjacent to Pipelines', which can be found on our website: <https://www.unitedutilities.com/builders-developers/your-development/planning/building-over-or-working-near-our-assets/working-near-our-pipes/> The applicant must comply with this document to ensure pipelines are adequately protected both during and after the construction period

Public sewers

As set out above public sewers cross the site and we will not allow building over them. We require an access strip for maintenance or replacement of each sewer and this access must not be compromised in any way. The minimum distances that might be acceptable to United Utilities are detailed within Part H of the Building Regulations however, we recommend the applicant determines the precise location, size, depth and condition of each pipeline as this is likely to influence the required stand-off distance from any structure.

It is the applicant's responsibility to investigate the existence of any pipelines that might cross or impact their proposed site and also to demonstrate the exact relationship between United Utilities' assets and the proposed development. The applicant should not rely solely on the detail contained within asset maps when considering a proposed layout.

It is important that the supporting information contained in the Appendix, Section 2.0 'United Utilities' Property, Assets and Infrastructure', is read in conjunction with this letter. This provides information that might impact a proposed layout and additional guidance that an applicant or developer must consider when United Utilities assets are located in, or in the locality of, the proposed site.

Where United Utilities' assets exist, it is essential that the applicant, or any subsequent developer, contacts our Developer Services team prior to commencing any works on site, including trial holes, groundworks or demolition. See Appendix, Section 5.0 'Contacts'.

We request that a copy of this letter and the Appendix is made available to the applicant.

Yours faithfully

United Utilities' Planning Team

APPENDIX:
Supporting information for the decision maker, applicant, developers and any other
interested party

Whilst we provide the following information to support the design and delivery of the proposed scheme, we strongly recommend that the applicant, or any subsequent developer, contacts our Developer Services team or visits our website for more detailed advice on any aspects of United Utilities' assets and services that might impact their proposal. Full contact details can be found in Section 5.0 'Contacts' (below).

1.0 DRAINAGE DESIGN

Surface water (rainwater) flows are very large when compared with foul water flows that come from toilets, showers, washing machines, etc. It is usually surface water flows that increase the risk of sewer flooding, potentially impacting homes and businesses, and can result in unwanted spills from storm overflows into watercourses.

We have embarked on an ambitious investment programme to improve the performance of our wastewater network, particularly relating to the management of surface water. Our focus is to reduce the risk of sewer flooding and the prevention, frequency and intensity of spills from storm overflows, ultimately moving to a position where they are no longer necessary. As we work hard to improve the existing wastewater network, it is important that we do not compromise the results by accepting any unnecessary new surface water connections and that we take all opportunities for the removal of existing flows.

1.1 Surface water hierarchy

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) advise that surface water from new developments is discharged according to the following hierarchy of drainage options:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

The applicant must consider their drainage plans in accordance with the drainage hierarchy outlined above.

United Utilities will only accept new surface water connections to the public sewer in circumstances where the applicant has provided robust evidence that the drainage hierarchy has been fully investigated and more sustainable options for the management of surface water have been proven to be unfeasible.

Surface water connections, particularly to the combined sewer, should only be considered as the last resort.

1.2 Adoption and construction of drainage systems

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, their proposed detailed design will be subject to a technical appraisal by our Developer Services team and must meet the requirements outlined in 'Sewerage Sector Guidance Appendix C – Design and Construction Guidance v2-2' dated 29 June 2022 or any subsequent iteration. This is important as drainage design can be a key determining factor of site levels and layout.

If the proposal incorporates a SuDS component(s) which interacts with a sewer network that may be offered for adoption by United Utilities, we recommend the applicant seeks further advice regarding the SuDS design; detailed information is available on our website.

Our acceptance of any drainage strategy submitted by an applicant to the Local Planning Authority for approval does not infer that a detailed drainage design will meet the requirements for a successful adoption application. We strongly recommend that no construction commences until the detailed drainage design has been submitted directly to United Utilities, assessed and accepted in writing. Any work carried out prior to the technical assessment being approved is done entirely at the developer's own risk and could be subject to change.

2.0 PLANNING CONDITIONS; OUR APPROACH TO DRAINAGE CONDITIONS

When appropriate, United Utilities will request planning conditions relating to site drainage. This is important to ensure the delivery of quality drainage design for both new and existing customers. There is also a particular focus on the sustainable management of surface water thorough investigation of the drainage hierarchy which is critical in the management of flood risk and to reduce the frequency and intensity of spills from storm overflows, which is a shared priority for both United Utilities and the customers and communities that we serve.

2.1 Drainage design

In scenarios where **all** relevant information regarding drainage design is available; the design is acceptable and all opportunities for the sustainable management of surface water have been fully investigated, we will usually request a compliance condition to enable the delivery of the proposed design. If **any** relevant information is missing, or where there is insufficient evidence to demonstrate that the drainage hierarchy has been fully investigated, we will request a pre-commencement condition to ensure that all aspects of drainage design are fully considered before any work begins on site.

2.2 Management and maintenance of Sustainable Drainage Systems (SuDS)

The Local Authority should consider a SuDS management and maintenance condition for any scheme where SuDS is included within the proposal. An example condition is below that may be suitable in many circumstances.

Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and

agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- (i) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and*
- (ii) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.*

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

It is important to note that United Utilities cannot provide comment on an asset that is owned by a third-party management and maintenance company and therefore, would not be involved in any application to discharge a condition relating to SuDS management and maintenance.

3.0 UNITED UTILITIES' PROPERTY, ASSETS AND INFRASTRUCTURE

3.1 Water pipelines

United Utilities will not allow building over or in close proximity to a water main.

For any works in the vicinity of water pipelines, including drainage, the applicant must comply with our 'Standard Conditions for Works Adjacent to Pipelines', which can be found on our website: [Working near our pipes - United Utilities](#)

3.2 Wastewater pipelines

United Utilities will not allow any new buildings or structures to be erected over or in close proximity to a public sewer or any other wastewater pipeline. This will only be reviewed in exceptional circumstances.

Nb. Proposals to extend domestic properties either above, or in close proximity to a public sewer will be reviewed on a case by case basis by either by a building control professional or following a direct application to United Utilities (see our website for further details).

3.3 Water and wastewater pipelines and apparatus

A number of providers offer a paid for mapping service, including United Utilities. Alternatively, the plans can be viewed for free. See Section 5.0 'Contacts' for further details.

The position of underground apparatus shown on water and wastewater asset maps is approximate only and is given in accordance with the best information currently available. The actual positions may be different from those shown on the plans and private pipes, sewers or drains may not be recorded. We strongly recommend the applicant, or any future developer,

does not rely solely on the asset maps to inform decisions relating to the detail of their site and instead investigates the precise location of any underground pipelines and apparatus.

Where additional information is requested to enable an assessment of the proximity of proposed development features to United Utilities assets, the proven location of pipelines should be confirmed by site survey; an extract of asset maps will not suffice. The applicant should seek advice from our Developer Services team on this matter. See Section 5.0. 'Contacts' (below). United Utilities Water PLC will not accept liability for any loss or damage caused by the actual position of our assets and infrastructure being different from those shown on asset maps.

Developers should investigate the existence and the precise location of water and wastewater pipelines as soon as possible as this could significantly impact the preferred site layout and/or diversion of the asset(s) may be required. Unless there is specific provision within the title of the property or an associated easement, any necessary disconnection or diversion of assets to accommodate development, will be at the applicant/developer's expense. In some circumstances, usually related to the size and nature of the assets impacted by proposals, developers may discover the cost of diversion is prohibitive in the context of their development scheme.

Any agreement to divert our underground assets will be subject to a diversion application, made directly to United Utilities. This is a separate matter to the determination of a planning application. We will not guarantee, or infer acceptance of, a proposed diversion through the planning process (where diversion is indicated on submitted plans). In the event that an application to divert or abandon underground assets is submitted to United Utilities and subsequently rejected (either before or after the determination of a planning application), applicants should be aware that they may need to amend their proposed layout to accommodate United Utilities' assets.

Where United Utilities' assets exist, the level of cover to United Utilities pipelines and apparatus must not be compromised either during or after construction and there should be no additional load bearing capacity on pipelines without prior agreement from United Utilities. This would include sustainable drainage features, earth movement and the transport and position of construction equipment and vehicles.

Any construction activities in the vicinity of United Utilities' assets, including any assets or infrastructure that may be located outside the applicant's red line boundary, must comply with national building and construction standards and where applicable, our 'Standard Conditions for Works Adjacent to Pipelines', which can be found on our website: [Working near our pipes - United Utilities](#).

The applicant, and/or any subsequent developer should note that our 'Standard Conditions' guidance applies to any design and construction activities in close proximity to pipelines and apparatus that are no longer in service, as well as pipelines and apparatus that are currently in operation. This advice is also relevant to any uncharted pipelines (pipelines that do not appear on our asset maps) that might be discovered on site either before or during construction. In this instance, the developer should contact our Developer Services team as soon as possible. See Section 5.0 'Contacts'.

It is the applicant's responsibility to ensure that United Utilities' required access is provided within any proposed layout and that our infrastructure is appropriately protected. The developer would be liable for the cost of any damage to United Utilities' assets resulting from their activity.

4.0 WATER AND WASTEWATER SERVICES, METERING AND CHARGES

If the applicant intends to receive water and/or wastewater services from United Utilities they should visit our website or contact the Developer Services team for advice at the earliest opportunity. This includes seeking confirmation of the required metering arrangements for the proposed development. See Section 5.0 'Contacts' (below).

If the proposed development site benefits from existing water and wastewater connections, the applicant should not assume that the connection(s) will be suitable for the new proposal or that any existing metering arrangements will suffice. In addition, if reinforcement of the water network is required to meet potential demand, this could be a significant project and the design and construction period should be accounted for.

In some circumstances a water meter must be installed to premises. Detailed guidance on whether the development will require a compulsory meter is available on our website within our published Charges Schemes; [Our household charges 2025/2026 | United Utilities](#) (Section 8.7).

To avoid any unnecessary costs and delays being incurred by the applicant or any subsequent developer, we strongly recommend the applicant seeks advice regarding water and wastewater services and metering arrangements, at the earliest opportunity. See Section 5.0 'Contacts'.

To promote sustainable development United Utilities offers a reduction in infrastructure charges to applicant's delivering water efficient homes and draining surface water sustainably (criteria applies). Further information can be found on our website: [Sustainability - United Utilities](#)

Business customers can find additional information on our sustainable drainage incentive scheme at [Incentive schemes | United Utilities](#)

5.0 CONTACTS

Contact our **DEVELOPER SERVICES** team as follows:

Website (including 'Live Chat'): [Building & Developing - United Utilities](#)

Email:

WATER (water mains, supply and metering): DeveloperServicesWater@uuplc.co.uk

WASTEWATER (public sewers and drainage): SewerAdoptions@uuplc.co.uk

SLUDGE PIPELINES: DeveloperServicesWater@uuplc.co.uk

Telephone (Monday-Friday, 8am-6pm): **0345 072 6067**

GROUNDWATER PROTECTION ZONES:

Where the proposed site is located in a Groundwater Source Protection Zone, the applicant should contact our Engineering team for advice, by email at Groundwater@uuplc.co.uk

PROPERTY SEARCHES (FOR ASSET MAPS):

The public water and sewer records can be viewed via our online viewing facility for free. Viewings are by appointment only. Email propertysearches@uuplc.co.uk or call **0370 751 0101** to book an appointment.

Alternatively, a number of providers offer a paid for mapping service including United Utilities. For more information, or to purchase a sewer and water plan from United Utilities, please visit [Property Searches | United Utilities](#)

UNITED UTILITIES LEGAL SERVICES (FOR EASEMENT DOCUMENTS):

Copies of relevant deeds may be purchased from United Utilities Legal Services. This information is also available from Land Registry.

To purchase a copy of easement documents from United Utilities, please email: LegalServices@uuplc.co.uk