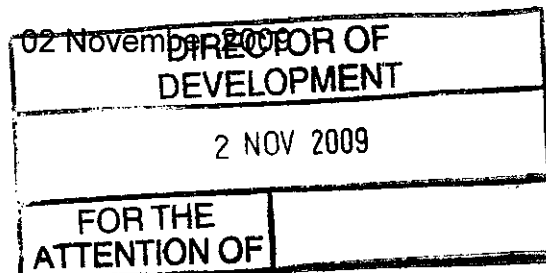


Ribble Valley Borough Council
Development Control
Council Offices Church Walk
Clitheroe
Lancashire
BB7 2RA

Our ref: CE/2009/103015/02-L01
Your ref: 3/2009/0791

Date:



Dear Sir/Madam

**PROPOSED MIXED USE DEVELOPMENT COMPRISING VOCATIONAL
LEARNING CENTRE, CHILDREN'S NURSERY, COMMERCIAL ELEMENT, 10
LIVE/WORK UNITS AND 70 RESIDENTIAL UNITS - ADDITIONAL INFORMATION
RECEIVED
LAND AT BARROW BROOK, BARROW, CLITHEROE**

I refer to the above and the following information which was received from Harrison Pitt Architects on 2 November 2009:

- Letter referenced 1506\D1\91029-L1, dated 29 October 2009, Harrison Pitt Architects
- Drawing number 1506-300 A 'Proposed Site Plan', dated 27 October 2009, Harrison Pitt Architects

The amended site plan shows the inclusion of a 4 metre buffer zone between the watercourse and any buildings or car parking or private garden space. We are therefore satisfied that the proposed development will not have an adverse impact on the river corridor and we **withdraw our objection**.

The vegetation within this 4 metre buffer zone should consist of the existing habitats on the site and not contain introduced non-native landscaping. To ensure effective management of the buffer zone we recommend that any subsequent planning approval is conditioned as follows:-

CONDITION No development shall take place until a scheme for the boundary treatment adjacent to the watercourse has been approved by the Local Planning Authority and completed in accordance with the approved plans.

REASON To preserve the integrity of the habitat corridor provided by the watercourse

We have also received copies of the following reports:-

- Environmental Risk Assessment – Ribble Valley Enterprise Park (Site A), Owen Williams Consulting Engineers, Ref: 339135/01, March 2005
- Geo-Environmental Risk Assessment – Ribble Valley Enterprise Park (Site B), Owen Williams Consulting Engineers, Ref: 339135/02, March 2006

We have reviewed the reports as submitted in support of the application, but in general terms they fall below what is acceptable as a preliminary risk assessment and site investigation. In producing such reports, we recommend that developers/consultants should:

- 1) Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
- 2) Refer to the Environment Agency Guidance on Requirements for Land Contamination Reports for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, e.g. human health.
- 3) Refer to our website at www.environment-agency.gov.uk for more information.

The site investigations are not in accordance with the relevant code of practice. Developers should conduct site investigations to the requirements of BS 10175 in order to establish the risk to controlled waters. Taking the above into account we also recommend any subsequent approval is conditioned as follows:-

CONDITION Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:-

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

REASON To prevent the pollution of controlled waters from potential

contamination on site.

The application as submitted was accompanied by the following flood risk assessment:

- Flood Risk Assessment for Land at Whalley Road, Barrow Brook Business Park, Clitheroe; MET Consulting Engineers, referenced 4804

We have reviewed the flood risk assessment and whilst the report discusses the different techniques available for surface water attenuation it does not specify the techniques that will be used and how these will attenuate surface water run off to existing rates. Surface water run-off from this site should be restricted to existing rates in order that the proposed development does not contribute to an increased risk of flooding. To this end we request your Council to condition any subsequent Planning Permission as follows:

CONDITION No development approved by this permission shall be commenced until a scheme for the provision and implementation, of a surface water regulation system has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

REASON To reduce the increased risk of flooding.

AGENCY INFORMATIVES

Any works to the watercourses within or adjacent to the site which involve infilling, diversion, culverting or which may otherwise restrict flow, require the prior formal Consent of the Environment Agency under Section 23 of the Land Drainage Act 1991. Culverting other than for storage purposes is unlikely to receive Consent, without full mitigation for loss of flood storage and habitats.

Surface water run-off from this site should be restricted to existing rates in order that the proposed development does not contribute to an increased risk of flooding.

Details of any proposed new surface water outfalls, which should be constructed entirely within the bank profile, must be submitted to the Development and Flood Risk Team for consideration.

Please contact Nikki Bamber on 01772 714246 to discuss discharge rates into Barrow Brook.

SUPPLEMENTARY INFORMATIVES

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Contaminated soil that is excavated, recovered or disposed of, is controlled waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- i) Duty of Care Regulations 1991
- ii) Hazardous Waste (England and Wales) Regulations 2005
- iii) Waste Management Licensing Regulations 1994 (as amended)
- iv) Pollution Prevention and Control Regulations (England and Wales) 2000
- v) Landfill (England and Wales) Regulations 2002

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed off site operations is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

The recovery, treatment and disposal of contaminated soils and groundwater is regulated by waste legislation and requires a Waste Management Licence or Pollution Prevention and Control permit.

Treatment of contaminated soil by mobile plant requires a mobile treatment licence. Soil may be re-used on-site as part of a soil recovery operation by registering a waste management licence exemption with the Environment Agency or by obtaining a Waste Management Licence.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

It is recommended that developers should refer to the Environment Agency's:

- remediation position statements outlining its regulatory position on remediation processes
- guidance on the Definition of Waste: developing greenfield and brownfield sites for assisting those involved with construction work in deciding whether or not they are handling waste.
- website at www.environment-agency.gov.uk for further guidance.

The site contains a number of mature trees, these should be retained and incorporated into the development wherever possible. If any works are required to the trees on this site then works should be avoided during the bird breeding season (March to August inclusive). Mature trees should also be surveyed for any evidence of use by bats by a licensed bat surveyor prior to any felling or pruning works. If bats are found then the local Natural England office should be contacted for advice regarding appropriate mitigation measures.

The Phase 1 Habitat Survey identified that parts of the site may also be suitable for ground nesting birds. Appropriate action must be taken to ensure that there is no harm caused to any such birds found on site prior to works commencing.

A copy of this letter has also been sent to the applicant/agent.

Yours faithfully

Gemma Jackson
Planning Liaison Officer

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Direct e-mail gemma.jackson@environment-agency.gov.uk

cc Harrison Pitt Architects