

**Helen Booth**

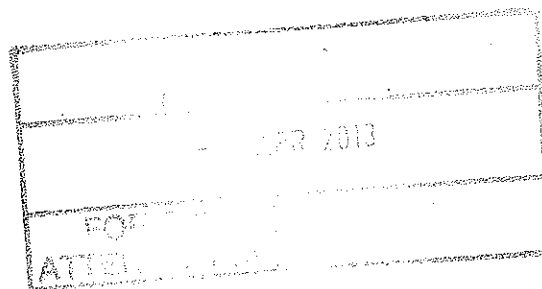
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**From:** Jackson, Gemma L [gemma.jackson@environment-agency.gov.uk]  
**Sent:** 04 April 2013 10:12  
**To:** planning  
**Subject:** consultation 3/2013/0169  
**Attachments:** 3-2013-0169.pdf  
Consultation 3/2013/0169

In relation to the above consultation, please find attached a copy of the Environment Agency's response

Kind regards

Gemma Jackson  
Sustainable Places - Planning Officer  
Environment Agency, PO Box 519, South Preston, PR5 8GD  
Tel: 01772 714332  
Ext 721 4332



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04/04/2013



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

**Our ref:** NO/2013/104961/01-L01  
**Your ref:** 3/2013/0169  
**Date:** 04 April 2013

Dear Sir/Madam

**PROPOSED DEMOLITION OF EXISTING BUILDINGS ON SITE AND THE  
ERECTION OF A 29 UNIT HOUSING SCHEME 30% OF WHICH IS AFFORDABLE,  
MADE UP OF 9 APARTMENTS, 17 HOUSES AND 3 BUNGALOWS AND ALL  
ASSOCIATED CAR PARKING, LANDSCAPING AND HIGHWAY WORKS  
PENDLE GARAGE, CLITHEROE ROAD, BARROW, CLITHEROE**

Thank you for referring the above application which was received on 18 March 2013.

We have no objection in principle to the proposed development subject to the inclusion of conditions which meet the following requirements:-

**Flood Risk**

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

Flood Risk Assessment - Flood Risk and Drainage Assessment 880298 R1 (00)  
October 2012

Surface water run off from the development needs to be limited to surface water run-off generated by the 1 in 100 year critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site. We therefore recommend that any subsequent permission is conditioned as follows:

**CONDITION**

No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year critical storm will

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Cont/d..



not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

## **REASON**

To prevent the increased risk of flooding, both on and off site.

### **Foul Drainage**

We note the application form states foul drainage will be discharged to public sewer. We recommend that United Utilities are also consulted on this application to highlight any issues with sewer capacity.

### **Land Quality**

We have reviewed the following report with respect to potential risks from land contamination:

*Preliminary Risk Assessment, Pendle Garage, Clitheroe Road, Barrow, RSK, Project Number: 321139, Date: July 2011.*

The preliminary risk assessment has identified a number of potential pollutant linkages which require further works to be undertaken to enable the risk to controlled waters to be fully assessed. We therefore recommend any subsequent planning permission is conditioned as follows:

## **CONDITION**

No development approved by this planning permission shall take place until a remediation strategy that includes the following components 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 results of the site investigation and the detailed risk assessment referred to in (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 the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.



Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

## **REASON**

To prevent the risk of pollution to controlled waters

## **CONDITION**

No occupation shall take place until a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority. The long-term monitoring and maintenance plan shall be implemented as approved.

## **REASON**

To prevent the risk of pollution to controlled waters

National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

## **SUPPLEMENTARY INFORMATIVES**

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

### *Waste on site*

*Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste.*

*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.

The Environment Agency recommends that developers should refer to our:

- Position statement on the Definition of Waste: Development Industry Code of Practice and;
- website at [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk) for further guidance.

#### Waste to be taken off site

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

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standards BS EN 14899:2005 'Characterisation of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer. Refer to our website at [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk) for more information.

Yours faithfully

**Gemma Jackson**  
**Planning Officer - Sustainable Places**

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