

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

Our ref: NO/2016/109039/01-L01
Your ref: 3/2016/0580
Date: 08 August 2016

Dear Sir/Madam

**PROPOSED RESIDENTIAL DEVELOPMENT TO PROVIDE 34NO NEW DWELLINGS
AND ASSOCIATED WORKS AT SPOUT FARM, PRESTON ROAD, LONGRIDGE**

Thank you for consulting us on the above application.

Environment Agency position

We consider that planning permission could be granted to the proposed development as submitted if the following planning conditions are included as set out below. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

Land Quality

The application is accompanied by a Phase 1 Land Quality Assessment (reference D1654-R-01B dated 8 August 2013) prepared by PSA Design Ltd.

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 of water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

We have reviewed this report in terms of the risk to controlled waters and would like to make the following comments:-

- We have previously commented on a draft version of this report (D1654-R-01 dated 10 April 2013) and we are pleased to note that the report has been updated in line with our previous comments.

Environment Agency
Lutra House Walton Summit, Bamber Bridge, Preston, PR5 8BX.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

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- We agree with Section 3.3.1 that activities undertaken to the east of the site associated with the servicing and storage of machinery could be a potential source of contamination.
- The report indicates that the risk to controlled waters is low because of the relatively small quantities of fuel used at the site, pollution prevention measures in place, potentially thick underlying impermeable clay, distance to the surface water drain and topographic barrier to the reservoir. If only small volumes of fuel have been split at the site and/or there is clay below the site then we agree that the risk to controlled waters is likely to be low. However, further evidence is required to support these statements in the form of a site investigation.
- We note that further works are proposed at the site to investigate the extent, if any, of contamination in this area. The findings of this investigation will provide further justification that the risk to controlled waters is low.
- These further works comprise the use of trial pits to assess ground conditions at the site and we have no objection to this in the first instance. However, if significant contamination is identified then groundwater sampling may be required and we advise that boreholes are installed to sample groundwater.

Taking into account these comments we recommend that any subsequent approval is conditioned as follows:-

CONDITION

No 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, shall take place until a scheme 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 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 ensure that the development does not pose a risk of pollution to controlled waters

Advice to applicant

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:

- (i) excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
- (ii) treated materials can be transferred between sites as part of a hub and cluster project
- (iii) some naturally occurring clean material can be transferred directly between sites.

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 for further guidance.

Yours faithfully

Miss Jodie Brumhead
Planning Officer, Sustainable Places Team
Cumbria and Lancashire Area

E-mail CLplanning@environment-agency.gov.uk