

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

Our ref: NO/2016/109105/01-L01
Your ref: 3/2016/0764
Date: 30 August 2016

Dear Sir/Madam

**DEMOLITION OF EXISTING WORKSHOPS BUILDINGS (OTHER THAN WORKSHOP 3), CONVERSION OF WORKSHOP 3 TO PROVIDE 14 RESIDENTIAL APARTMENTS, THE ERECTION OF 4 RESIDENTIAL APARTMENTS, ERECTION OF CYCLE/REFUSE STORE, LAYING OUT OF PARKING AND CIRCULATION AREAS, AND ASSOCIATED LANDSCAPING
PRIMROSE WORKS, PRIMROSE ROAD, CLITHEROE**

Thank you for consulting us on the above application. We have no objection in principle to the proposed development and would like to make the following comments:

Environment Agency position

We have reviewed the report, 'Phase I Land Quality Assessment – Lodematic Ltd', (Ref: D1990-GR-01B), by PSA Design Ltd, dated February 2015, that was submitted with this application.

The conceptual model does not correctly consider controlled waters as a vulnerable receptor. To satisfy Point (1) of the first condition below, a conceptual model should be submitted that meets the required standard.

We recommend the following conditions. Without these conditions the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

Condition

Prior to each phase of development approved by this planning permission no development (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:

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

- 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; and
 - 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.

Condition

No occupation shall take place until a verification report demonstrating completion of 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. The long-term monitoring and maintenance plan shall be implemented as approved.

Condition

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.

Reasons

To prevent the pollution of controlled waters from potential contamination on site.

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 ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

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:

- 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
- treated materials can be transferred between sites as part of a hub and cluster project
- 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

Direct e-mail clplanning@environment-agency.gov.uk

cc Mike Gee Town Planning Services Ltd