

10th May 2024

Project/File: 333100638/A3/JC

VIA PLANNING PORTAL ONLY

Ribble Valley Borough Council
The Planning Department
Council Offices
Church Walk
Clitheroe
BB7 2RA

Dear Sir / Madam,

Reference: APPLICATION TO DISCHARGE CONDITIONS 6, 9, 11, 15, 18, 20, AND 22 ATTACHED TO PERMISSION REFERENCE 3/2017/0232

On behalf of our client BDW Trading Limited ('the Applicant'), we hereby submit a discharge of condition application in relation to Conditions 6 (Planting Programme), 9 (Foul Drainage), 11 (Construction Management Plan), 15 (Travel Plan), 18 (Badger Survey), 20 (Landscape Management Plan) and 22 (Street Lighting) of planning permission reference 3/2017/0232 at Land East of Chipping Lane, Longridge ('the Site').

This Application is accompanied by the following documents and plans:

- Application Forms;
- Application Fee;
- Planting Programme (drawing no. 459-PP01);
- Report on 'Drainage Strategy to Accompany Planning Application 3/2017/0232 Condition 9';
 - Appendix A - Planning Application Reference Plan;
 - Appendix E – Flood Risk Assessment and Sustainable Drainage Assessment (March 2016);
 - Appendix F – Flood Risk Assessment and Drainage Strategy (November 2021);
 - Appendix J – Drainage Calculations;
 - Appendix L – Operation and Maintenance Manual;
- Construction Environmental Management Plan (ref. H7533-BAH-XX-XX-HS-CL-321300);
- Travel Plan (April 2024);
- Badger Survey Report (11319_R06a_LRD_MM);
- Landscape Management Plan (11319_R08); and
- Road Lighting and Illuminated Traffic Sign Cabling Works (drawing no. 459/ED/173).

Reference: APPLICATION TO DISCHARGE CONDITIONS 6, 9, 11, 15, 18, 20 AND 22 ATTACHED TO PERMISSION REFERENCE 3/2017/0232

Background

Outline planning permission was granted in October 2015 for the development of up to 363 homes (reference: 3/2014/0764).

Following the grant of outline permission, a subsequent Section 73 application was submitted which sought to vary condition 8 (drainage) of permission 3/2014/0374 which was granted on 12th June 2017 (ref. 3/2017/0232).

19 conditions were attached to permission reference 3/2017/0232, and the purpose of this application is to discharge Conditions 6 (Planting Programme), 9 (Foul Drainage), 11 (Construction Management Plan), 15 (Travel Plan), 18 (Badger Survey), 20 (Landscape Management Plan) and 22 (Street Lighting) of that consent.

An application for the approval of reserved matters for Phase 1 comprising of 124 dwellings was approved by the Council on 14th August 2018 (ref. 3/2018/0404). Phase 1 has now been implemented.

An application for the approval of reserved matters for Phases 2 and 3, comprising of 193 dwellings, was approved on 12th April 2019 (reference: 3/2018/0975). A Section 73 application to amend condition 1 of permission 3/2018/0975 for plot and house type substitutions was later granted on 9th June 2021 (reference: 3/2021/0010).

Full planning permission was granted on 3rd April 2023 for a 're-plan area' within Phases 2 and 3 which includes plot substitutions and an increase in the number of dwellings from 42 to 47 in that area (ref. 3/2021/1134) – therefore increasing the total number of dwellings in Phases 2 and 3 to 198.

Conditions

Condition 6 (Planting Programme)

Condition 6 of permission reference 3/2017/0232 states:

“All landscaping and landscape maintenance schemes approved for each phase of development (as approved under condition 4) shall be fully implemented in accordance with the approved details and in accordance with an agreed planting programme. The programme shall be submitted to and approved in writing by the local planning authority prior to the occupation of the first dwelling in each phase. Any trees or plants which, within a period of five years from completion of the relevant development phase die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.”

Pursuant to Condition 6, a Planting Programme (drawing no. 459-PP01) is submitted with this application which identifies timescales for implementation for landscaping across the Site.

The landscaping will be planted in accordance with the landscaping details which have been approved by the Council for Phases 1 (ref. 3/2018/0404), Phases 2 and 3 (ref. 3/2021/0010) and the re-plan area (ref. 3/2021/1134).

We, therefore, request that Condition 6 is discharged.

Reference: APPLICATION TO DISCHARGE CONDITIONS 6, 9, 11, 15, 18, 20 AND 22 ATTACHED TO PERMISSION REFERENCE 3/2017/0232

Condition 9 (Foul Drainage)

Condition 9 of permission reference 3/2017/0232 requires details of the foul drainage scheme for each phase, which shall be based on the Drainage Strategy approved pursuant to Condition 8 of the outline planning permission.

Condition 9 was partially discharged for Phase 1 on 6th September 2017 (ref. 3/2016/1061). As such, we seek approval for the details to satisfy this condition for Phases 2 and 3.

A 'Report on Drainage Strategy to Accompany Planning Application 3/2017/0232 Condition 9' is submitted in support of this application which confirms the majority of plots will be drained by gravity to a proposed foul pump station located in Phase 1. The pumped rising main will discharge to an existing United Utilities sewer located in Inglewhite Road. Some plots located on the southern boundary are to drain by gravity to the existing foul sewer, to drain into the existing pump station located within the site. This connection is also approved by United Utilities.

It should be noted that the submitted foul drainage strategy has been designed in line with the drainage strategy which has already been approved for Phases 2 and 3 under permission reference 3/2021/1134 (Betts Hydro Flood Risk Assessment and Drainage Strategy November 2021), which is submitted alongside this application for ease of reference.

However, the above report confirms that the approved discharge rate for Phases 2 and 3 is 13.6l/s/ha, which exceeds the rate as stated in Condition 8 (8.3l/s/ha) which was only relevant to Phase 1.

To address this, the Applicant will submit a separate Section 73 Application to amend Condition 8 to reflect the discharge rate of 13.6l/s/ha for Phase 2 which has already been approved by the Council under permission reference 3/2021/1134.

Based on the information which is submitted in support of this application, the foul water drainage strategy accords with the drainage strategy which has already been approved for Phases 1, 2 and 3 and we, therefore, request that Condition 9 is discharged.

Condition 11 (Construction Management Plan)

Condition 11 attached to permission reference 3/2017/0232 requires the submission of a Construction Management Plan (CMP) prior to the commencement of each phase. The CMP must address 13 specific criteria.

A CMP for Phase 1 was approved by the Council on 24th June 2021 (ref. 3/2019/0870), therefore, Condition 11 was partially discharged.

In support of this application, a CMP for Phases 2 and 3 is submitted to the Council.

We, therefore, request that Condition 11 is fully discharged.

Condition 15 (Travel Plan)

Condition 15 was partially discharged on 6th September 2017 following the Council's approval of a Framework Travel Plan (ref. 3/2016/1061) for Phase 1.

Reference: APPLICATION TO DISCHARGE CONDITIONS 6, 9, 11, 15, 18, 20 AND 22 ATTACHED TO PERMISSION REFERENCE 3/2017/0232

A Travel Plan is submitted alongside this Application which covers Phases 2 and 3 of the development.

We, therefore, request Condition 15 is fully discharged.

Condition 18 (Badger Survey)

Condition 18 states:

“Prior to the commencement of each phase of the development (approved pursuant to condition 4), the land within that phase shall be subject to a further survey to confirm the continued absence of badgers and badger setts and the results shall be submitted to the Local Planning Authority for approval in writing together with proposals for mitigation if required. The development shall be carried out in complete accordance with the approved survey(s).”

Condition 18 was partially discharged for Phase 1 (ref. 3/2016/1061) on 6th September 2017. However, the condition requires further surveys to be undertaken prior to commencement of development for each phase.

As part of the reserved matters application for Phases 2 and 3 (ref. 3/2018/0975) a Badger Survey was submitted to the Council and is listed as an approved document under condition 1 on the decision notice.

As such, this has already been approved by the Council, and we re-submit the approved Badger Survey for formal discharge of Condition 18.

Condition 20 (Landscape Management Plan)

Condition 20 attached to permission reference 3/2017/0232 requires the submission of a Landscape Management Plan (LMP) for each phase.

Condition 20 was partially discharged for Phase 1 (ref. 3/2016/1061) on 6th September 2017.

The LMP (11319_R08) for Phases 2 and 3 was submitted to and approved by the Council as part of reserved matters application reference 3/2018/0975 and is listed as an approved document under Condition 1.

As such, we re-submit the approved LMP to secure formal discharge of Condition 20.

Condition 22 (Street Lighting)

Condition 22 states:

“Prior to commencement of development within a phase (approved pursuant to Condition 4) details of a scheme for all external lighting for that phase/parcel, including timescales for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall accord, where relevant, with guidance issued by the Bat Conservation Trust and Institute of Lighting Engineers and the Highway Authority. The lighting scheme(s) shall be implemented in complete accordance with the approved details and retained thereafter at all times unless otherwise agreed in writing by the local planning authority.”

Condition 22 was partially discharged for Phase 1 on 6th September 2017 (ref. 3/2016/1061).

Reference: APPLICATION TO DISCHARGE CONDITIONS 6, 9, 11, 15, 18, 20 AND 22 ATTACHED TO PERMISSION REFERENCE 3/2017/0232

The Road Lighting and Illuminated Traffic Sign Cabling Works plan (drawing no. 459/ED/173) which is submitted in support of this application identifies the proposed lighting scheme for Phases 2 and 3.

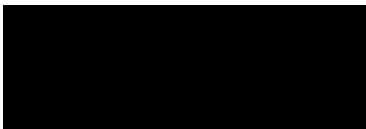
We, therefore, request that Condition 22 is fully discharged.

Summary

We trust the above information is sufficient to be able to determine the application. If, however, you require anything further, please do not hesitate to contact me.

Yours sincerely,

STANTEC UK LIMITED



Jordan Clark
Senior Planner