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28th November 2024

Our Reference: 23-1659

Dear Sir / Madam,

SECTION 73 APPLICATION FOR THE VARIATION OF CONDITION 17 ATTACHED TO PLANNING APPLICATION REF. 3/2021/1262.

LAND AT THE NORTH OF CHAPEL HILL, LONGRIDGE

Introduction

An application has been made under Section 73 of the Town and Country Planning Act 1990 (as amended) for the variation of Condition 17 attached to Planning Application ref. 3/2021/1262. The original consent relates to a full planning application for the erection of 4no. commercial units (Use Class E) at the land North of Chapel Hill, Longridge.

Condition 17

Condition 17 currently reads as follows:

"No development shall be commenced until a site-specific verification report, pertaining to the surface water sustainable drainage system, and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The verification report must, as a minimum, demonstrate that the surface water sustainable drainage system has been constructed in accordance with the approved drawing(s) (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets, and control structures) and full as-built drawings. The scheme shall thereafter be maintained in perpetuity.





Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the development as constructed is compliant with the requirements of Paragraphs 167 and 169 of the National Planning Policy Framework.”

It is proposed to alter the condition wording to state:

“Prior to the first occupation of the premises, a site-specific verification report, pertaining to the surface water sustainable drainage system, and prepared by a suitably competent person, shall be submitted to and approved in writing by the Local Planning Authority.

The verification report must, as a minimum, demonstrate that the surface water sustainable drainage system has been constructed in accordance with the approved drawing(s) (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets, and control structures) and full as-built drawings. The scheme shall thereafter be maintained in perpetuity.”

Conclusion

The current wording of the planning condition is contradictory, requiring the approval of a verification report demonstrating that the surface water drainage system has been constructed in accordance with approved plan, but has been requested pre-commencement of any development. The proposed change will allow the applicants to formally commence with works at the site, while the verification report can be submitted at a later date, prior to the first occupation of the premises.

Should any further information be required for the positive determination of this application, please contact the undersigned in the first instance.

Yours Faithfully,

Robert Palmer BA (Hons)

Assistant Planner | PWA Planning