

8th August 2025

Submitted via Planning Portal

Development Management and Building Control
Ribble Valley Borough Council
Department of Development
Council Office
Church Walk
Clitheroe
BB7 2RA

Ref. 03875

Dear Lyndsey,

DISCHARGE OF CONDITION 7 PURSUANT TO PLANNING PERMISSION 3/2014/0717 – LAND OFF PENDLE DRIVE, WHALLEY, LANCASHIRE, BB7 9JT

Further to our recent phone call on 1st August 2025, on behalf of Taylor Wimpey Manchester ('the Applicant'), we are pleased to enclose an application to discharge Condition 7 attached to the above application.

This application has been submitted via Planning Portal (PP-14213849) and comprises electronic copies of the following documents:

- Completed Application Forms
- This Covering Letter
- Validation Reports ref. ENGPJO/196311 prepared by NX Consulting Limited

The requisite fee of £298.00, plus Planning Portal service charge of £85.00 has also been paid via Planning Portal.

BACKGROUND

Planning Permission for the erection of 46 dwellings, comprising a mix of 2-, 3-, 4- and 5-bedroom properties, with associated access, car parking, boundary treatment and landscaping, was granted by Ribble Valley Borough Council ('RVBC') on approved on 21 June 2012 (LPA ref. 3/2011/0837) ('the Extant Permission'). Attached to the Extant Permission are 16 conditions.

Condition 14 states:

"No development approved by this planning permission shall be commenced until:

A desktop study has been undertaken to identify all previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. Using this information and

Level 5
Transmission
6 Atherton Street
Manchester, M3 3GS
T 0161 233 7676 turley.co.uk

diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been produced.

A site investigation has been designed for the site using the information obtained from (a) above. This should be submitted to, and approved in writing by the Local Planning Authority prior to the investigation being carried out on the site.

The site investigation and associated risk assessment have been undertaken in accordance with details approved in writing by the Local Planning Authority.

A Method Statement and Remediation Strategy, based on the information obtained from (c) above has been submitted to and approved in writing by the Local Planning Authority.

The development shall then proceed in strict accordance with the measures approved. Work shall be carried out and completed in accordance with the approved Method Statement and Remediation Strategy referred to in (d) above, and to a timescales agreed in writing by the Local Planning Authority: unless otherwise agreed in writing by the Local Planning Authority.

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 and obtained written approval from the Local Planning Authority for, an addendum to the Method Statement. This addendum to the Method Statement must detailed how this unsuspected contamination shall be dealt with.

Upon completion of the remediation detailed in the Method Statement a report shall be submitted to the Local Planning Authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report."

An initial review of RVBC's online planning application register confirms that on 17 July 2012, a discharge of condition application (ref. 3/2012/0640) relating to Conditions 3, 4, 7, 8, 9, 10, 12, 13, 14 and 16 was submitted to the Council. A decision notice was issued on 7 November 2012. With regards to Condition 14, the decision notice states:

"Condition 14 is discharged in respect of the detailed submitted in relation to desk study, site investigation, risk assessment and proposals for remediation. However, the condition has several elements to it and the final part of the condition requires that on completion of the remediation detailed in the Method Statement a report is submitted to the LPA that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement. That has not yet been provided to the LPA and thus only partial discharge of this condition can be issued."

On 15 August 2014, an application to vary condition 6 (landscape drawings) of the Extant Permission was submitted to the Council, under Section 73 ('S73') of the Town and Country Planning Act (ref. 3/2014/0717) ('The S73 Permission). The approval of an application to remove or modify a condition provides a new, independent permission to carry out the same development as previously permitted, subject to the new or amended conditions.

The landscaping was implemented as per the amended plans and as such the S73 Permission supersedes the Extant Permission. The last completion on the development took place in March 2015.

The decision notice for the S73 application, issued on 13 October 2014 sets out a number of revised conditions and reasons. Condition 7 attached to that permission states:

"Upon completion of the remediation detailed in the Method Statement submitted and approved under 3/2012/0640/P, a report shall be submitted to the Local Planning Authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report."

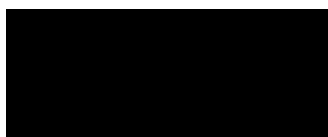
THIS APPLICATION

This application therefore seeks to discharge Condition 7 pursuant to planning permission ref. 3/2014/0717.

The approved remediation strategy identifies that the gardens of Plots 1-6, 8, 9, 12, 14, 15 and 20 require validation testing of subsoil and topsoil. Over the period from 30th April 2013 – 6th August 2014 validation testing was undertaken at the identified Plots. A detailed overview of the validation testing activity is set out within the associated reports.

The results confirm that validation testing has been completed in line with the agreed remediation methodology agreed with Ribble Valley Council and the NHBC and these plots are considered suitable for occupation. Therefore, the submitted reports comprehensively demonstrate the "post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met", as stated in Condition 7 in ref. 3/2014/0717. Accordingly, should condition 7 in ref. 3/2014/0717 should be fully discharged.

In reviewing the information detailed above, I trust you have all the information that you require to validate this application and approve the details associated with the discharge of Condition 7 attached to planning permission ref. 3/2014/0717. However, should you require any further information, please do get in touch.



Liz Slater

Senior Planner

liz.slater@turley.co.uk