

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

Our ref: CE/2010/104018/01-L01
Your ref: 3/2010/0719
Date: 10 September 2010

Dear Sir/Madam

**PROPOSED RESIDENTIAL DEVELOPMENT OF UP TO 270 DWELLINGS,
LANDSCAPE, OPEN SPACE, HIGHWAYS AND ASSOCIATED WORKS
LAND TO NORTH OF HENTHORN ROAD, CLITHEROE**

Thank you for referring the above application which was received on 23 August 2010.

We have no objection in principle to the proposed development subject to the inclusion of conditions which meet the following requirements:-

Flood Risk

The application is accompanied by the following Flood Risk Assessment (FRA):

- Flood Risk Assessment for Land off Henthorn Road, Clitheroe by Wardell Armstrong for Gladman Developments (August 2010; Report no. ST11615/02)

We have reviewed the FRA as submitted and we are satisfied that the proposed development would not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere, but we recommend that any subsequent approval is conditioned as follows:

CONDITION Development shall not begin until a scheme for surface water drainage and attenuation for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. Details of the maintenance and management of the scheme after completion shall be included. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

REASON To prevent the increased risk of flooding, to improve and protect water quality, to improve habitat and amenity and to ensure future maintenance of the surface water drainage system.

We promote the use of Sustainable Drainage Systems (SUDS) and recommend their use at this site. Support for the SUDS approach to managing surface water run-off is set out in paragraph 22 of Planning Policy Statement (PPS) 1: Delivering Sustainable Development and in more detail in PPS 25: Development and Flood Risk at Annex F. Paragraph F8 of the Annex notes that "Local Planning Authorities should ensure that their policies and decisions on applications support and complement Building Regulations on sustainable rainwater drainage". These not only attenuate the rate of surface water discharged to the system but help improve the quality of the water. They can also offer other benefits in terms of promoting groundwater recharge and amenity enhancements. This approach involves using a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands.

Approved Document Part H of the Building Regulations 2000 establishes a hierarchy for surface water disposal, which encourages a SUDS approach. Under Approved Document Part H the first option for surface water disposal should be the use of SUDS, which encourage infiltration such as soakaways or infiltration trenches. In all cases, it must be established that these options are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries groundwater pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Flow balancing SUDS methods which involve the retention and controlled release of surface water from a site may be an option for some developments at a scale where uncontrolled surface water flows would otherwise exceed the local greenfield run off rate. Flow balancing should seek to achieve water quality and amenity benefits as well as managing flood risk. Further information on SUDS can be found in:

- PPS25 page 33 Annex F
- PPS25 Practice Guide
- CIRIA C522 document Sustainable Drainage Systems-design manual for England and Wales
- CIRIA C697 document SUDS manual
- The Interim Code of Practice for Sustainable Drainage Systems

The Interim Code of Practice provides advice on design, adoption and maintenance issues and a full overview of other technical guidance on SUDS. The Interim Code of Practice is available on both the Environment Agency's website www.environment-agency.gov.uk and CIRIA's website www.ciria.org.uk

We recommend that the developer considers the following, as part of the scheme:-

- Water management in the development, including, dealing with grey waters
- Use of sustainable forms of construction including recycling of materials
- Energy efficient buildings

Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws,

the prior written consent of the Agency is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank of the River Ribble, which is designated as a Main River watercourse. In particular, no trees or shrubs may be planted, nor fences, buildings, pipelines or any other structure erected within 8 metres of the top of any bank/retaining wall of the watercourse without prior consent of the Agency. Full details of such works, together with details of any proposed new surface water outfalls, which should be constructed entirely within the bank profile, must be submitted to us for consideration.

Any works to the watercourses within or adjacent to the site which involve infilling, diversion, culverting or which may otherwise restrict flow, require the prior formal Consent of the Environment Agency under Section 23 of the Land Drainage Act 1991. Culverting other than for access purposes is unlikely to receive Consent, without full mitigation for loss of flood storage and habitats.

Details of any proposed new surface water outfalls, which should be constructed entirely within the bank profile, must be submitted to us for approval in accordance with the Water Resources Act 1991.

Any new access culvert(s) must be able to accommodate the 1 in 100 year plus climate change flood event.

Please contact Colin Worswick on 01772 714259 to apply for Consent.

Biodiversity

The application is accompanied by the following ecological assessment:

- Ecological Appraisal for Henthorn Road, Clitheroe by FPCR for Gladman Developments Ltd (July 2010)

The ecological assessment indicates that the ponds on site were recorded as being dry at the time of the survey. Seasonal ponds dry out occasionally which means they are often assumed to be 'lost'. In fact they support a vital range of specialised pond species and it is important that they are retained, and not deepened.

The seasonal drying out of the pond gets rid of fish which are a major predator and allows other species to thrive. A surprisingly high number of temporary ponds support very rare species, particularly where they occur in semi-natural landscapes. It should also be noted that standing open waters are a habitat listed within the UK Biodiversity Action Plan and development is listed as one of the major threat to these habitats.

Ponds are a priority BAP habitat and are sensitive to human intervention. The biodiversity value of the ponds must be maintained and where possible enhanced as part of the development. It is recommended that instead of carrying out works on the existing ponds, new ponds should be created adjacent to them. This will allow the process of natural succession to continue and therefore provide habitat for a wider range of species.

CONDITION Development shall not begin until details of any works that will alter the existing ponds on site or details of any new ponds adjacent to them have been submitted to and approved by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the

development is completed.

REASON To protect, restore and enhance the existing and/or proposed ponds within the site.

The ecological assessment also indicates that water voles may be present and that otters are using the site. The area adjacent to the river should therefore be left undisturbed. We will not issue our consent for any works within 8 metres of the River Ribble, including widening or improvements to the existing footpath, to ensure that this area is protected.

The assessment identifies an area of semi-improved grassland that will be lost if development proceeds in accordance with the illustrative masterplan. If this is the case, then a new area of grassland of the same size and with the same species composition should be provided elsewhere on site in a suitable location (e.g. next to a hedgerow or by the ponds).

We support the proposals for de-culverting the watercourse that runs across the site. We would request that the new channel be designed so as to be as close to natural as possible. The bed and banks should have a varied profile incorporating shallow margins to allow for growth of marginal species. This will maximize the biodiversity value of the channel. Any planting in or around the watercourse should be with native species, preferably of local provenance.

It is recommended that any vehicular or pedestrian crossings should be by clear spanning bridges (from banktop to banktop) rather than culverts. This will ensure that the river corridor is not impeded and allow the migration of both channel and bank species.

Planting throughout the development should comprise of native species only. Use of locally native species in landscaping plans is essential in order to benefit local wildlife and to help maintain the region's natural balance of flora. It will also help to prevent the spread of invasive, alien species within the region.

The Community Park should be managed in a way that is sympathetic to biodiversity. This may be achieved through the creation of wildflower meadows, areas of long grass and strengthening of existing wooded or scrubby areas. Management should then be undertaken to protect these habitats (e.g. provision of a suitable mowing regime, areas of minimal intervention).

Land Contamination

We recommend that any subsequent approval is conditioned as follows:

CONDITION

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

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

- b) 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 that investigation being carried out on the site.
- c) The site investigation and associated risk assessment have been undertaken in accordance with details approved in writing by the local planning authority.
- d) 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 and completed in accordance with the approved method statement and remediation strategy referred to in (d) above, and to a timescale 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 detail 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.

REASON

- a) To identify all previous site uses, potential contaminants that might reasonably be expected given those uses and the source of contamination, pathways and receptors.
- b) To enable:
 - A risk assessment to be undertaken,
 - Refinement of the conceptual model, and
 - The development of a Method Statement and Remediation Strategy.
- c) & d) To ensure that the proposed site investigation and remediation strategy will not cause pollution of ground and surface waters both on and off site.

Pollution Control

Prior to the commencement of any development, the developer must familiarise themselves with all surface waters & drains on the site.

As part of any development of this site, it is important to ensure that when the initial area of top soil is removed, any silt or silt-contaminated water should not be allowed

to enter any surface water. Stripped areas should be managed and viewed as pollution risks. Any dewatering activities should be strictly controlled ensuring no pollution to any water course or surface water. No building materials should enter any surface water.

All contractors involved in works at this location should be aware of the sensitive nature of the River Ribble & Mearley Brook. The applicant is advised to refer to the Oil Storage Regulations on our website for guidance on the storage & use of fuel & oil on this sensitive site. It is advised that a number of spill kits are available on site and all staff/contractors know their whereabouts and how to use them.

Due to the overall size of the site and location in relation to the River Ribble, prior to the commencement of any development, we would visit the site and carry out pollution prevention advice with the developer/contractor.

A copy of this letter has been sent to the applicant/agent.

Yours faithfully

Philip Carter
Planning Liaison Officer

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cc Gladman Developments