

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

Our ref: NO/2018/110761/04-L01
Your ref: 3/2018/0361
Date: 01 August 2018

Dear Sir/Madam

FULL APPLICATION FOR THE DEMOLITION OF EXISTING STRUCTURES AND REMOVAL OF CULVERT TO SABDEN BROOK; DEVELOPMENT OF 30 DWELLINGS INCLUDING RE-CONSTRUCTION OF FORMER MARBIL OFFICE BUILDINGS AS NEW DWELLINGS; RECONSTRUCTION OF BASE OF MILL CHIMNEY AS AN ECOLOGY TOWER AND ASSOCIATED ACCESS AND LANDSCAPING

VICTORIA MILL, WATT STREET, SABDEN

Thank you for re-consulting us on the above application following the submission of additional information.

We have considered the following details in relation to our previous objection to the proposed development:-

- Preliminary External Works Layout (reference 17140-C-SK.05E; dated 20 July 2018)
- Site Layout Arrangement Plan (reference 1582SPL/VMS-SL01 Rev K; dated 25 January 2018)
- Street Scene E (reference 1582SPL/VMS-SS.05 Revision C; dated 2 March 2018)
- Flood Risk Assessment and Drainage Strategy (reference 17140-CR-01 Rev D; dated 20 July 2018)

The revised plans demonstrate that the dwellings on plots 15 and 27 have been moved. They are no closer to Sabden Brook than any dwellings proposed through application 3/2014/0188. The cross-section through plots 15 and 27 also demonstrates that there will be no infilling of the channel as a result of the proposed development. The provision of a 300mm high raised highway bump at the site entrance has also been highlighted on the plans to reduce the risk of flooding from off-site.

Environment Agency
PO Box 519, South Preston, Lancashire, PR5 8GD.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

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Environment Agency position

We **withdraw our objection** to the proposed development but we recommend that any subsequent approval is conditioned to take account of the following issues:-

Flood risk

We have reviewed the Flood Risk Assessment (FRA) produced by Paul Waite Associates (referenced 17140/CR/01D; dated 20/07/2018) and submitted with the application. We are satisfied that it demonstrates that the proposed development will not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere. The proposed development must proceed in strict accordance with this FRA and the mitigation measures identified as it will form part of any subsequent planning approval. Any proposed changes to the approved FRA and / or the mitigation measures identified will require the submission of a revised FRA as part of an amended planning application.

The daylighting of the Sabden Brook culvert forms part of the proposed development, but it is not identified as a flood risk mitigation measure in the FRA. To ensure that the works to the culvert are completed, we recommend that any subsequent approval is conditioned as follows:-

Condition No occupation of the dwellings hereby approved shall take place until the Sabden Brook culvert has been removed and the watercourse restored to open channel in accordance with drawing 1582SPL/VMS-SL01 Rev K and drawing 17140-C-SK.05E

Reason To reduce the risk of flooding to the proposed development and future users

Flood Risk Activity permitting

Sabden Brook is designated a Main River and the developer will require an Environmental Permit for the development as proposed. In particular, no trees or shrubs may be planted, nor fences, buildings, pipelines (including outfalls) or any other structure erected within 8 metres of the top of the bank / edge of the retaining wall of a Main River watercourse without an Environmental Permit.

The Environment Agency has a right of entry to Sabden Brook by virtue of Section 172 of the Water Resources Act 1991, and a right to carry out maintenance and improvement works by virtue of Section 165 of the same Act.

Fisheries & biodiversity

The removal of the culvert is supported but the scheme for daylighting the watercourse should have regard to the following ecological / geomorphological issues:-

- An appropriate survey should be undertaken on the current state of the culvert, bed and walls. To improve in channel morphology and the ecological and aesthetic value of the river, it is important the bed of the culvert is not left as a smooth concrete bed. Uniform beds provide no ecological value and increase stream velocities so we would advise improving channel roughness to encourage deposition.

- The weir upstream of development accelerates flows and can result in changes in the direction of the flow of water, causing erosion of the retaining walls. This is documented in the structural report referenced 17140/SR/01 and dated August 2017. Adequate scour protection needs to be in place to prevent further scour of the bank and /or foundations or existing structures

We would recommend that an invasive species control strategy is produced to prevent the spread of Himalayan Balsam which has been identified on site.

Contaminated land

The residential development as proposed presents a medium risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is above Sabden Brook and a Secondary B aquifer.

The application is accompanied by a site investigation report by Paul Waite Associates (referenced 17140/GR/02; dated November 2017). This report provides us with confidence that it will be possible to suitably manage the risk posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken. In light of this, the proposed development will be acceptable if a planning condition is included requiring the submission of a remediation strategy, carried out by a competent person in line with paragraph 121 of the National Planning Policy Framework.

Condition No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

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 the 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 written consent of the local planning authority. The scheme shall be implemented as approved.

Reason To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution

Please note that the site investigation undertaken for this site satisfied parts 1 & 2 of the above planning condition, and the recommendations require that further investigations are undertaken to pursue potential contaminated land and to feed back in to the Environmental Risk assessment given in the report. Once these investigations have been undertaken and we have been able to agree the details of the remediation we have confidence this project can be completed successfully.

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

Yours faithfully

Philip Carter
Planning Officer - Sustainable Places

Direct dial 02030251396

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cc Addison Planning Consultants Ltd