

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

**Our ref:** NO/2014/107312/01-L01  
**Your ref:** 3/2014/1007  
**Date:** 08 December 2014

Dear Sir/Madam

## **CHANGE OF USE OF BARN TO DWELLING**

### **STARTIFANTS FARM GOOSE LANE, CHIPPING, PRESTON, PR3 2QB**

Thank you for consulting us on the above application.

#### **Environment Agency position**

The application site lies within Flood Zone 3, which is defined as having a high probability of flooding in the national Planning Practice Guidance (PPG). In accordance with the National Planning Policy Framework (NPPF), the application is accompanied by a Flood Risk Assessment (FRA).

As this is a Change of Use planning application a Sequential Test is not required in accordance with the NPPF.

We have reviewed the FRA prepared by ML Planning Consultancy Ltd as submitted with the application and **we object** to the proposed development for the following reasons:-

#### **Reason**

The FRA submitted with this application does not comply with the requirements set out in section 10, paragraph 30 of the Flood Risk and Coastal Change category of the national Planning Practice Guidance. The submitted FRA does not therefore provide a suitable basis for assessment to be made of the flood risks arising from the proposed development.

In particular, the submitted FRA:

1. Incorrectly states the application site lies partially within Flood Zones 3 and 2,

Environment Agency  
Lutra House Walton Summit, Bamber Bridge, Preston, PR5 8BX.  
Customer services line: 03708 506 506  
[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)

Cont/d..

- The site lies fully within the Flood Zones.
2. Incorrectly states that the Environment Agency have constructed flood defences adjacent to the application site that provide protection to the site. There are no Environment Agency formal flood defences adjacent to the site.
  3. Incorrectly states that the applicants can sign up for flood warnings and alerts when only flood alerts are available for this area. Flood alerts are only accurate to a catchment scale not a community scale. It is also incorrectly stated that registration with the Environment Agency's early flood warning system is available, flood warnings are not available in this area (only flood alerts are).
  4. States that the highest recorded flood levels for the site have been based on tidal flood levels when tidal flood levels are not relevant for this site. Therefore the section on tidal flood levels and proposed floor levels of the FRA is not relevant to this application site.
  5. Fails to consider how people will be kept safe from flood hazards identified.
  6. Fails to consider the requirement for flood emergency planning including evacuation of people for a range of flooding events up to and including the extreme event.

If the applicants or agents wish to discuss this position with us, they should contact James Jackson on 01772 714134.

### **Overcoming our objection**

You can overcome our objection by submitting a FRA which covers the deficiencies highlighted above and demonstrates that the development will not increase risk elsewhere and where possible reduces flood risk overall. If this cannot be achieved we are likely to maintain our objection to the application. Production of a FRA will not in itself result in the removal of an objection.

We ask to be re-consulted with the results of the FRA. We will provide you with bespoke comments within 21 days of receiving formal re-consultation. Our objection will be maintained until an adequate FRA has been submitted.

### **Informatives**

#### *Flood Defence Consent*

Chipping Brook, adjoining the site, is designated a Main River. Therefore under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank/retaining wall of Chipping Brook. In particular, no trees or shrubs may be planted, nor fences, buildings, pipelines or any other structure erected within the 8 metre easement without our prior consent. Full details of such works, together with details of any proposed new surface water outfalls, must be submitted to us for consideration.

The Environment Agency has a right of entry to the River Wyre 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.

Further information on applying for Flood Defence Consent can be found via this link: <https://www.gov.uk/government/publications/flood-defence-consent-england-and-wales>

*Flood Levels*

We may have more detailed flood risk information for this site that the applicant may be able to use in the preparation of their FRA. The applicant would be advised to submit a request for information to our Customer Services team at [Inforequests.cmbinc@environment-agency.gov.uk](mailto:Inforequests.cmbinc@environment-agency.gov.uk).

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

Yours faithfully

**Mr Alex Hazel**  
**Planning Advisor - Sustainable Places Team**

E-mail: [CLPlanning@environment-agency.gov.uk](mailto:CLPlanning@environment-agency.gov.uk)

cc ML Planning Ltd