

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

Our ref: NO/2017/109749/01-L01
Your ref: 3/2017/0270
Date: 12 April 2017

Dear Sir/Madam

**CREATION OF NEW VEHICULAR AND PEDESTRIAN ACCESS AND AREA OF
ADDITIONAL CAR PARKING ASSOCIATED WITH THE ADJACENT HOLMES MILL
DEVELOPMENT**

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Thank you for consulting us on the above application.

Environment Agency position

In the absence of an acceptable Flood Risk Assessment (FRA) we object to the grant of planning permission and recommend refusal on this basis for the following reasons:

Reasons

The application site lies within Flood Zone 2 (medium probability of flooding) and Flood Zone 3 (high probability of flooding) and the proposal is for 'less vulnerable' development, as defined in the Planning Practice Guidance to the National Planning Policy Framework (NPPF). In accordance with the NPPF, the application is accompanied by a Flood Risk Assessment (FRA) prepared by Flood Risk Consultancy Limited.

We have reviewed the FRA in relation to the second part of the Exception Test as set out in paragraph 102 of the NPPF and it 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 application proposes to alter a structure that retains flood water. A detailed hydraulic model would be needed to fully understand the effect on flood risk to the site and the surrounding area.

Mearley Brook adjacent to the application site is designated a Main River. As such, any

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Lutra House Walton Summit, Bamber Bridge, Preston, PR5 8BX.
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www.gov.uk/environment-agency
Cont/d..

works within 8 metres from the top of the bank/retaining wall requires an Environmental Permit under the Environmental Permitting Regulations. Any activities which may increase flood risk would not be issued an Environmental Permit

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.

Advice to applicant

The applicant should be aware that as of 6 April 2016 the Flood Defence Consent regime has moved into the Environmental Permitting Regulations.

Mearley Brook adjacent to the site is designated a Main River and the developer may need an Environmental Permit. 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 Main River watercourse without an Environmental Permit. The developer should check at <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> and contact Flood Risk Officer, James Jackson, on 020 302 51306 to discuss our requirements if a permit or advice is required.

It should be noted that the grant of planning approval does not guarantee that any necessary permissions or consents that are required under separate legislation will be forthcoming.

Yours faithfully

Mr Alex Hazel
Planning Advisor - Sustainable Places Team

E-mail: CLPlanning@environment-agency.gov.uk