

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

**Our ref:** NO/2019/111448/01-L01  
**Your ref:** 3/2019/0007  
**Date:** 31 January 2019

Dear Sir/Madam

**EXTENSION TO EXISTING WORKSHOP AND CREATION OF PARKING AREA.  
JAMES ALPE LIMITED LINCOLN WAY, CLITHEROE, LANCASHIRE, BB7 1QD.**

Thank you for consulting with us on the above planning application.

We have considered the proposals and can comment as follows:

**Environment Agency position**

We object to this application as it involves building works within 8 metres of a Main River watercourse, in an area which is within a floodplain. As submitted, it is unlikely that we would grant a flood risk activity permit for this application.

**Reason(s)**

- The proposed development would restrict essential maintenance and emergency access to the watercourse. The permanent retention of a continuous unobstructed area is an essential requirement for future maintenance and/or improvement works.
- The proposed development would obstruct flood flows, thereby increasing the risk of flooding to surrounding areas.
- The underside of the proposed bridge would need to be at least 600mm above the 1 in 100 year flood level, which would be unachievable.

**Environmental permit - advice to applicant**

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert

Environment Agency  
Ghyll Mount (Gillan Way) Penrith 40 Business Park, Penrith, Cumbria, CA11 9BP.  
Customer services line: 03708 506 506

[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)

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- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

In this particular instance, it is unlikely that we would be able to issue a permit for these proposals.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

The Environment Agency has a right of entry to the Mearley Brook main river 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.

Yours faithfully

**Mrs Jilly Dougherty (for and on behalf of Alex Hazel)**  
**Planning Technical Specialist - Sustainable Places**

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