

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

Our ref: NO/2020/113157/05-L03
LPA ref: 3/2020/0840
Date: 21 September 2021

Dear Sir/Madam

**CHANGE OF POSITION OF REST SHELTER AREA.TO APPLICATION 3/2018/1054.
ADDITION OF SMALL SHED. ADDITION OF WOODEN STRUCTURE 58FT X 30FT -
ADDITIONAL INFORMATION
LAND ON THE SOUTH SIDE OF RIDDING LANE (BROAD LANE) WHALLEY ADJ
SEWAGE WORKS.**

Environment Agency position

We responded to a planning consultation for the retrospective works on this site 10 September 2021. In our response we noted that the fence along the top of the bank of the River Calder is unpermitted work and could restrict our access to the river for maintenance purposes. We also indicated in our response that we would consult with our field teams to determine if the location of the fence would be acceptable. Our field teams have indicated that there are no Environment Agency assets in the area that would require an 8 metre unobstructed access strip and therefore we remove our objection. However, the applicant should note that the River Calder is designated as a Main River and therefore the EA will always have a statutory right of access to the river bank in this location should it be required.

Safe access and egress - Advice to the LPA

The proposed development is located in Flood Zones 1-3 on the EA's Flood Map for Planning. The new building and parts of the site are located in Flood Zone 3, and the risk of flooding has been acknowledged and accepted in the submitted "Flood Evacuation Plan.ppt." Whilst flood risk has not been assessed in accordance with the PPG, a risk of flooding of the site has been accepted and an evacuation plan has been prepared.

This document includes details of access and egress to the site and an evacuation plan. A review of the adequacy of the evacuation plan lies outside the remit of the EA and must be reviewed in further detail by others. We wish to add that the site is surrounded by Flood Zone 3 and the only access to the site may be cut off in a flood. This risk has not been considered. Whether or not this is acceptable is an emergency planning risk and it is for others to decide if this is deemed acceptable.

Flood Map for Planning – Advice to applicant

We also wish to point out that "The Bark Park – Flooding information.pdf" document submitted, is not sufficient to alter the Flood Map for Planning. A Flood Zone Challenge

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

Cont/d..

can be made to alter the flood map. The maps within this document that refer to the flood extents as “correct” and “incorrect” are maps showing flood risk from a variety of sources (e.g. surface water, reservoir and river). Generally the EA’s planning consultation comments focus on fluvial (river) flooding. All maps are produced using a range of information including topographic information and computational modelling to determine accurate flood extents.

Environmental permit - advice to applicant

The applicant has undertaken works within 8 metres of the Main River, these works are unpermitted and it is not possible to apply for a permit for works within 8 metres of the Main River retrospectively. We therefore remind the applicant of the rules governing the issuing of Environmental Permits.

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 culverted main river (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
- 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

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506. 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.

Yours faithfully

Carole Woosey
Planning Advisor

E-mail clplanning@environment-agency.gov.uk