

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

**Our ref:** NO/2021/113355/05-L01  
**Your ref:** 3/2021/0205  
**Date:** 26 November 2021

Dear Sir/Madam

**ERECTION OF 36 RESIDENTIAL DWELLINGS, ALONG WITH LANDSCAPING AND ASSOCIATED SITE INFRASTRUCTURE.  
LAND AT NEDDY LANE, BILLINGTON, BB7 9LL**

Thank you for consulting us on the above application which we received 08 November 2021

We have reviewed the recent correspondence and plans submitted by Banners Gate, dated 5<sup>th</sup> November 2021 amongst previously submitted documents including:

- Flood Risk Assessment, produced by Banners Gate, referenced 20023\_FRA, Revision 3, dated 04/10/2021
- Schematic Flood Compensation Floodplain Proposal, 20023-SK07 F, Revision F, dated 24.09.2021

Following this review, we are minded to remove our objection to the development subject to;

1. The applicant and landowner agreeing to enter in to a suitably worded legal agreement with the LPA to secure the future land use of the flood compensation area for the lifetime of the proposed development; and
2. The inclusion of planning conditions attached to any approved planning permission relating to the implementation of the FRA, detailed design of the compensatory flood storage area and future maintenance arrangements of the compensatory flood storage area

Our detailed comments are as follows:

Flood Risk

The proposed development includes the raising of ground levels to create a development platform within land designated as Flood Zone 3. This proposal, without the provision of adequate compensatory storage, may impact flood storage in the floodplain and increase flood risk elsewhere.

The applicant has since submitted details of the proposed compensatory storage scheme to demonstrate no increase in flood risk elsewhere. The scheme is mostly a level for level scheme however includes a connecting drainage channel between the

existing floodplain and the proposed storage area. The scheme is reliant on the channel design to ensure that flood waters enter and drain freely, safeguarding no loss in storage capacity. No detailed design of the scheme, including final engineering solutions for the proposed channel and storage area, has been submitted. We must also insist that excavation of the compensation area is complete before development/ infilling commences to ensure that floodplain capacity is maintained during construction of the development.

In addition, no maintenance details of the scheme have been provided. Continued maintenance and regulation of the proposed scheme is vital to ensuring floodplain storage is not reduced. The compensatory flood storage scheme is essential to ensure the development does not increase or exacerbate flood risk off site. The flood storage area must also be retained for the lifetime of the proposed development. Any future changes to or loss of this feature could increase flood risk off-site. Given the sensitivity of flooding in this location and the need to avoid the loss of or any changes to this flood storage feature, we must insist that it is secured as part of a planning obligation as part of any subsequent planning approval. In the absence of such an agreement, we cannot agree that the means to reduce the increased risk of flooding off-site as a result of the development will be in place for the lifetime of the proposed development and we may have to reinstate our objection to this scheme.

We therefore request that these details are submitted to the local planning authority, however we accept that these can be dealt with through site-specific conditions attached to any planning permission. Without these conditions, the Environment Agency would maintain our objection to the proposed development due to the risks associated with the scheme and sensitive nature of the location.

### **Environment Agency position**

The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if the following planning conditions are included.

### **Conditions**

#### **1. Secure Implementation of FRA**

The development shall be carried out in accordance with the submitted flood risk assessment, produced by Banners Gate, referenced 20023\_FRA, Revision 3, dated 04/10/2021 and incorporate all the recommendations outlined in Section 8. These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

### **Reasons**

- To reduce the risk of flooding to the proposed development and future occupants
- To prevent the increased risk of flooding off site

#### **2. Scheme to be agreed (compensatory storage design)**

The development hereby permitted must not be commenced until such time as a scheme to provide appropriate compensatory storage on site has been submitted to, and approved in writing by, the local planning authority.

The scheme and plans submitted shall show the final engineering solution for the compensatory storage, providing detailed design to demonstrate how the scheme will function to ensure flood waters can enter the storage and be discharged freely after a flood. It must be demonstrated that there will be no loss in storage capacity for the lifetime of the development.

The scheme shall be fully implemented prior to any development on site and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

#### **Reasons**

- To ensure that there are no detrimental impacts to flood storage or flood flow routes
- To reduce the risk of flooding to the proposed development, future users and elsewhere

### **3. Compensatory storage maintenance**

The development hereby permitted must not be commenced until such time as a detailed management plan has been submitted to, and approved in writing by the local planning authority. The maintenance plan must demonstrate how the compensatory storage scheme, including proposed drainage channel shall be maintained for its lifetime. The plan as a minimum shall include:

- Details of the organisation responsible for the ongoing maintenance for the lifetime of the development
- Details of the funding arrangements in place for the inspection and maintenance. It must be demonstrated how the ongoing maintenance for the lifetime of the development will be funded.
- As built drawings and a maintenance and operation manual. This must include physical access arrangements for maintenance and establishment of legal rights of access.
- The maintenance schedule of work - itemising the tasks to be undertaken and the frequency at which they should be performed so that an acceptable long-term performance standard is secured. The schedule should be a living document as it may change, where inspections advise changes to the scheme maintenance requirements

#### **Reasons**

- To ensure that there are no detrimental impacts to flood storage or flood flow routes
- To reduce the risk of flooding to the proposed development, future users and elsewhere

Yours faithfully

**Carole Woosey**  
**Planning Advisor**

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