

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

Our ref: NO/2021/113494/01-L02
Your ref: 3/2021/0242
Date: 07 May 2021

Dear Sir/Madam

**OUTLINE APPLICATION FOR UP TO 2 TWO STOREY RESIDENTIAL DWELLINGS
(ACCESS AND LAYOUT DETAILS APPLIED FOR ONLY)
LAND TO REAR OF GLENCROFT, PENDLE AVENUE, CHATBURN, BB7 4AX.**

Thank you for consulting us on the above application which we received 14 April 2021.

Environment Agency position

As submitted, we object to this application as it appears to involve work within 8m of Heys Brook watercourse, which is designated as a Main River. It is unlikely that we would grant a flood risk activity permit for this application. In addition, an unacceptable Flood Risk Assessment (FRA) has been submitted to support the 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
- The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not therefore adequately assess the development's flood risks. In particular, the FRA fails to:
 - take the impacts of climate change into account
 - consider how people will be kept safe from the identified flood hazards
 - consider how a range of flooding events (including extreme events) will affect people and property
 - consider the requirement for flood emergency planning including flood warning and evacuation of people for a range of flooding events up to and including the extreme event.

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

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Detailed response;

As the FRA sets out, there is no detailed modelling available in this area. The flood risk assessment has been based on the National Generalised Model which is a broad scale model. It appears that the flood zone 2 extent has been used as a proxy for climate change in this location. However, this has not been confirmed within the FRA, therefore it appears that there has been no consideration of climate change.

The National Generalised Model extents were provided to the applicant via a data request, however, this is a broad scale model which generally means that local detail has not been accounted for. It is clear from the flood zone line drawn on the topographic survey in Appendix E/figure 5 of the FRA that the flood extents do not follow the topography in this area, which demonstrates that the modelled flood extents at this location are not realistic. However, no further assessment of the extents has been made.

Due to the flood risk in this area and the proposed development being served by the proposed singular point of access, it is important that a more detailed assessment of flood risk is undertaken.

EA Main River access

EA access to the main river, Heys Brook must be considered in more detail. A large amount of development appears to be proposed within 8m of the top of bank of Heys Brook which would impair the EA's access for maintenance and improvement works to the river. This includes fencing, suspended paths and drives and buildings.

The EA requires that 8m from the top of the bank must remain development-free. It is unlikely that a permit for development within this area would be forthcoming. A site plan showing 8m from the top of the bank must be submitted to show that there will be no development located within this area.

Access and egress

It is a concern that access and egress has not been adequately assessed to and from the site. It is likely that access to these properties will be cut off in a flood event potentially resulting in a risk to life. Currently, the proposal has outlined that there is a singular point of access and egress to the site which will cross the watercourse and its flood plain. Inadequate assessment of the access and egress to the site has been made and based on the information available at present, the properties are likely to remain cut-off and isolated in a flood event.

In addition, there are a number of details which have not been provided which would further affect flood risk and access this includes;

- Bridge
- Suspended driveway and footpaths

Bridge

Unfortunately, neither a detailed bridge design nor an assessment of its impact on flood risk have been provided. Due to the broad scale nature of the available modelled information at this location, detailed modelling must be undertaken to demonstrate that the proposed bridge will not increase flood risk at the site and elsewhere in events up to the 1% AEP plus climate change. This is critical to confirm that the design of the bridge does not cause an increased risk of flooding and that flood free access is provided to the proposed dwellings.

Suspended driveways and footpaths

The proposed suspended driveway and footpath designs have not been provided and therefore very little assessment has been made in relation to the impact of the designs

on flood risk. Suspended structures can reduce capacity within the flood plain and affect flood flows. The proposed designs must be provided and modelled to show that they will not adversely affect flood risk.

In addition, the suspended structures will affect access to the watercourse as these are in close proximity to the site.

Finished floor levels

Whilst not being secured at outline stage - as modelling of the proposed site has been requested – the finished floor levels must be updated in line with the modelling.

Other details

- Climate change allowances must be assessed in line with the [Planning Practice Guidance](#). In line with this guidance, more vulnerable developments with a lifetime of 100-years, should consider the 35% and 70% climate change uplifts in the North West.
- The FRA states that the closest main river is the River Ribble, which is incorrect. Heys Brook which flows through the site is also a main river.

Overcoming our objection

To overcome our objection, the applicant should submit a revised FRA which addresses the points highlighted above including, but not limited to;

- A detailed site plan showing distances between the top of bank of the watercourse and proposed development. This must show an 8m undeveloped area of land along the top of bank of the watercourse.
- Hydraulic modelling of the watercourse to demonstrate that flood risk will not be increased elsewhere as a result of the proposed development
- Dimensioned drawings of the proposed suspended driveway and footpath designs.
- Dimensioned drawings of the proposed bridge
- Amended FRA to address the points raised above.
- Consideration of climate change in line with the PPG

If this cannot be achieved, we are likely to maintain our objection. Please consult us on any revised FRA and we will respond within 21 days of receiving it.

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
- 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 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.

Yours faithfully

Carole Woosey
Planning Advisor

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