

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

Our ref: NO/2021/113750/01-L01
Your ref: 3/2021/0731
Date: 16 August 2021

Dear Sir/Madam

REDEVELOPMENT OF THE EXISTING EDUCATIONAL FACILITY INCLUDING PART DEMOLITION OF THE EXISTING INFANT SCHOOL TO PROVIDE A STANDALONE NURSERY FACILITY, TOGETHER WITH THE REMODELLING OF, AND EXTENSION TO, THE EXISTING JUNIOR SCHOOL, AND ERECTION OF A NEW INFANT BLOCK TO THE REAR OF THE BUILDING, ALONGSIDE ADDITIONAL CAR PARKING. SOFT AND HARD LANDSCAPING TREATMENT AND VEHICULAR ACCESS WORKS OFF GREENACRE STREET. ST JAMES C OF E PRIMARY SCHOOL, GREENACRE STREET, CLITHEROE, BB7 1ED.

Thank you for consulting us on the above application which we received 27 July 2021.

Environment Agency position

We object to this application as it involves works within close proximity to Pendle Water and a flood defence. As submitted, it is unlikely that we would grant a flood risk activity permit for this application. In addition, the submitted flood risk assessment (FRA) is inadequate.

Reason(s)

- The proposed development would restrict essential maintenance and emergency access to the watercourse and defences. 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 nearby
- The proposed development may adversely affect the construction and stability of the flood defence which will compromise its function.
- 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 flood risks posed by the development. In particular, the FRA fails to:
 - 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

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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- 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.

Detailed comments

- At present, the distance the proposed development is away from the top of the bank of the watercourse and from the flood defences is unclear. Please submit a plan clearly showing 8metres from top of bank and 8metres from the flood defences. Dimensions must also be shown at pinch points.
- The planning application was registered on 27th July, as such the new climate change allowances had come into effect when registered. More information can be found on <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>. The climate change allowance used for this site should be 36% for the 2080s scenario or 29% for the 2050s scenario (the design life of the development has not been confirmed).
- The finished floor levels (FFL) should be set 600 mm above the Q100 plus Climate change (CC) allowance level, this should be the higher level of either the defended or undefended levels, unless adequate justification can be provided. At present, the FFL of 72.32m is not 600mm higher than the undefended Q100 level (this has not accounted for an allowance for climate change).
- No proposed finished floor levels have been detailed for the various extensions on the building on the left bank of Pendle Water.
- Whilst we accept the approach detailed with respect to FFL's, no additional mitigation measures have been proposed to demonstrate the development, including its users, will be safe for its lifetime. A flood management plan has been strongly recommended, however no plan has been submitted to support this application.
- There are a number of proposed aspects of the development which could affect ground levels such as car parking areas, and play areas on both sides of the river. It has not been confirmed whether the ground levels will be altered within the 1% AEP plus climate change extent. It is therefore unclear whether the development will result in increased flood risk off site.

Overcoming our objection

To overcome our objection, the applicant should submit a revised FRA and plan which addresses the points highlighted above.

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

Environmental permit - advice to applicant

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption 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 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

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.

Flood warning and emergency response - advice to LPA

We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network.

The [planning practice guidance](#) (PPG) to the National Planning Policy Framework states that, in determining whether a development is safe, the ability of residents and users to safely access and exit a building during a [design flood](#) and to evacuate before an extreme flood needs to be considered. One of the key considerations to ensure that any new development is safe is whether adequate flood warnings would be available to people using the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions. As such, we recommend you refer to '[Flood risk emergency plans for new development](#)' and undertake appropriate consultation with your emergency planners and the emergency services to determine whether the proposals are safe in accordance with paragraph 167 of the NPPF and the guiding principles of the PPG.

Flood resistance and resilience - advice to LPA/applicant

We strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

To find out which measures will be effective for this development, please contact your building control department. If you'd like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change pages of the planning practice guidance.

Further guidance on flood resistance and resilience measures can also be found in: *Government guidance on flood resilient construction*

<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

CIRIA Code of Practice for property flood resilience

https://www.ciria.org/Research/Projects_underway2/Code_of_Practice_and_guidance_for_property_flood_resilience.aspx

Yours faithfully

Carole Woosey
Planning Advisor

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