

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

Our ref: NO/2021/113762/01-L01
Your ref: 3/2021/0767
Date: 31 August 2021

Dear Sir/Madam

**REPLACEMENT TWO STOREY OUTBUILDING
THE BARN BY THE RIVER KENYON LANE LANGHO**

Thank you for consulting us on the above application.

Environment Agency position

We object to this application as it involves works within 8 metres of the top of the bank of the River Ribble, which is a designated Main River watercourse. As submitted, it is unlikely that we would grant a Flood Risk Activity Permit for this application.

Reason

The existing garage building and terrace appear to be located adjacent to the top of bank of the River Ribble. Section AA indicates that the ground levels will be raised within Flood Zone 2 to accommodate the proposed terrace, infilling and reducing the capacity of the floodplain resulting in a potential increase in flood risk elsewhere. We also note that this drawing conflicts with the north-east and south-west elevation drawings which do not show a terrace.

Any development within 8 metres of the top of the bank of a Main River requires an Environmental Permit. An Environmental Permit would not be forthcoming for ground raising that would reduce flood plain storage.

Overcoming our objection

A series of cross sections should be submitted clearly showing:

- The water level in the main river, the top of the bank of the main river, the location of the existing development and the location of the existing decking. The

Environment Agency
PO Box 519, South Preston, Lancashire, PR5 8GD.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

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distance between the top of the bank of the main river and the existing decking should be clearly marked on the drawing.

- The location of the proposed development and decking in relation to the top of the bank of the main river. The distance between the top of the bank and the development (including the decking) should be clearly marked, the minimum distance must also be clearly marked.
- The existing and the proposed ground level between the main river and the proposed development.

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 is a tidal main river) without the need for planning permission

Further guidance is available at <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or from our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or via e-mail at 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.

The construction of the existing terrace would have needed a Flood Risk Activity Permit for the works, however, we have not been able to find any record of an application on our system. As such, the existing terrace may be an unpermitted illegal structure and we are unable to retrospectively issue a permit.

Yours faithfully

Philip Carter
Planning Officer - Sustainable Places

Direct dial 02030251396

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