

Kathryn Hughes
Ribbles Valley Borough Council
Development Control
Council Offices Church Walk
Clitheroe
Lancashire
BB7 2RA

Our ref: NO/2023/115662/02-L02
Your ref: 3/2023/0754
Date: 18 January 2024

Dear Hughes

**PROPOSED CHANGE OF USE OF AGRICULTURAL LAND TO NEW CAR PARK
AND STORAGE YARD.
JUDGE WALMSLEY MILL, LONGWORTH ROAD, BILLINGTON, BB7 9TP**

Dear Ms Hughes

Thank you for consulting us on the above application which we received 22 December 2023.

Environment Agency position

In our letter referenced NO/2023/115662/01-L01 and dated 29 November 2023, we objected to the development as proposed in the absence of an acceptable Flood Risk Assessment (FRA).

Our letter detailed a series of bullet points that needed to be addressed for us to consider removing our objection to the development as proposed. In our previous response we stated that the FRA submitted was deficient in the following areas:-

The FRA fails to:

- Identify pre- and post-development ground levels
- Evidence that there will be no displacement of flood plain storage
- Demonstrate that the proposal will not increase flood risk off site
- 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

To overcome our objection, we advised that the applicant should submit a revised FRA which addresses the points highlighted above, and which demonstrates in line with the National Planning Policy Framework (NPPF) that the development is safe without increasing risk elsewhere and where possible, it should reduce flood risk overall.

The applicant has now submitted a document entitled Flood Risk Assessment - EA Objection – Ref NO/2023/115662/01-L01 – RESPONSE. Unfortunately, the document does not constitute a revised FRA and fails to satisfactorily answer the points we raised

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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in our objection. We therefore maintain our objection to the development as proposed, until such time as our advice is followed and an FRA appropriate to the scale and nature of the development is submitted.

As directed in our previous response, the FRA should follow the “Guidance on how to prepare a flood risk assessment” which can be found at:-

<https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications>

For avoidance of doubt, in relation to points 1 and 2 of our letter ref: NO/2023/115662/01-L01, please revise the FRA to include information and to support the statement that there will be no alteration of ground levels.

- Provide details in the form description within the FRA, together with topographic plans and sections clearly showing the existing and proposed grounds levels (in mAOD), together with plans and sections showing the construction details, materials specification, and any external works details in the form of kerbing and edge restraints for the proposed new car park and storage yard.

In relation to point 3, while we accept that not raising ground levels and increasing the permeability of the surface should not be detrimental to flood risk, no evidence is provided to support the statement of flood risk betterment, or consideration of not increasing flood risk elsewhere, as requested.

- The development proposes change of use from agricultural to a proposed new car park and storage yard to facilitate the storage of large, manufactured products and materials. The FRA should provide evidence to support the statements made. This should include information about maintained flow routes and connectivity to the wider flood plain in the modelled flood event and design flood event.

Flood Risk off-site – Advice to applicant

In our previous response we raised concerns in relation to the potential for the proposed development to increase flood risk elsewhere. We believe the applicant has underestimated the sensitivity of the flood plain at this location, as evidenced by the scope of the FRA currently submitted. Because of the truncated nature of the flood plain caused by the A59 Road embankments, flood plain storage is finite at this location and is very sensitive to change as a result.

The applicant will be aware of the planning approval granted to Redrow Homes on the neighbouring site (planning application reference 3/2021/0205). This planning approval secures the requirement for compensatory storage to be provided on land adjacent to the proposed housing. The FRA for this proposed carpark development (3/2023/0754) must not increase flood risk elsewhere or compromise the functionality of the approved compensatory storage scheme, which forms part of application 3/2021/0205.

We advise the applicant to follow our previous advice and to make best use of any Environment Agency supplied Product 4 Flood Risk data, which we understand has been requested, but has not been used to evidence the FRA. Any flood risk data should be reproduced in full in the appendices along with any other supporting information. The FRA should be appropriately referenced whereby it contains a unique title, reference number and date.

Overcoming our objection

To overcome our objection, the applicant should submit a revised FRA 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 River Calder is a designated statutory main river.

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

Yours sincerely

Carole Reynolds
Planning Advisor

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