

Ref. 10301/sjr/02  
Date. 16<sup>th</sup> October 2024

Ribble Valley Borough Council  
Department of Development  
Council Offices  
Church Walk  
Clitheroe  
BB7 2RA

Dear Planning Team

**Application 3/2024/0726**

**Location: Shackleton's Garden Centre Ltd, Clitheroe Road, Chatburn, BB7 4JY**

**Proposal: Proposed two-storey extension to rear and re-modelling of home and garden centre, including additional indoor and outdoor retail space and increased cafe area and play area**

I refer to the letter from Lancashire County Council Highways dated 11<sup>th</sup> October 2024 in which it was stated that Condition 17 relating to surface water drainage should not be discharged until the surface water drainage has been resolved.

The statement made by Lancashire County Council Highways (in italics below) was:

*Following a long history of flooding of the highway on Clitheroe Road, in 2021 Lancashire County Council carried out an investigation and identified a blockage 5m north of manhole EX4 (manhole reference taken from drawing 'Reid Jones Partnership 10301-101-P5 Proposed Drainage GA Sheet 1 of 2'). Manhole EX4 was full of silt. The blockage lies beneath third party land and is causing the system to silt up and flood the highway. The site was visited again in June 2023 but the manhole EX4 was unable to be accessed due to a parked car, there was water bubbling up from the concrete yard and it was anticipated that the same problem was evident. The surface water drainage from the site will be connected into this system.*

*Further evidence is needed to demonstrate, that these systems are in a sufficient condition and have sufficient capacity to accept the runoff generated by the proposed development, without resulting in an increased risk of flooding the highway. If the previously identified blockage has not been rectified, then the proposal is likely to result in an increased risk of flooding to the highway which the Highway Authority would raise an objection to on highway safety grounds.*

Please note the following:

- A survey of the existing drainage system immediately outside the Shackleton's site was carried out and submitted in support of the planning application.
- The surface water drainage from the existing site already connects into this system.
- Surface water runoff from the existing buildings facing Worston Road, prior to development taking place, is discharged directly onto Worston Road and creating a flood risk on the carriageway. The drainage proposal collects all surface water runoff from the roofs of the buildings on Worston Road into the proposed surface water drainage system, which will attenuate flows from this part of the site to 6.0 l/s. There will therefore be no direct discharge of surface water from the developed site onto Worston Road.

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Could we please point out that as the downstream drainage system lies outside of the blueline and is not under the control of the applicant, the responsibility for the maintenance of the drains lies with the riparian owners. If works essential to keeping the system functioning are not carried out, then Lancashire County Council has the powers of enforcement under Section 25 of the Land Drainage Act 1991 as amended to ensure that the work is carried out.

This has been supported by a Planning Inspector, when assessing another development on appeal, who stated the following:

“I agree with the appellant that there is a legal and enforceable requirement for riparian owners to provide maintenance of the ditch and culvert system to allow the passage of water through their land without any obstruction. Consequently, given that there are separate powers outside of the planning system to ensure that the flow of water is not obstructed, I do not consider that the maintenance of the system would be a sufficient reason to dismiss this appeal.”

In view of the above, we request that Lancashire County Council Highways recommend the discharge of Condition 17 relating to surface water drainage.

Yours sincerely  
For and on behalf of  
Reid Jones Partnership Ltd

A handwritten signature in black ink that reads "John Reid". The signature is written in a cursive style with a large, looping initial "J".

John Reid  
Director