

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

Our ref: NO/2025/116706/02-L01
Your ref: 3/2025/0147
Date: 06 August 2025

Dear Mr Kilmartin

PROPOSED DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF SIX 2-BED AND ONE THREE-BED APARTMENT BUILDING TOGETHER WITH A TWO STOREY BUSINESS CENTRE AND ASSOCIATED PARKING AND BIN STORE.

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Thank you for re-consulting us on the above application, which we received on 21 July 2025.

In our letter referenced NO/2025/116706/01-L01 and dated 17 April 2025, we objected to the development as proposed on two grounds:

1. The submitted Flood Risk Assessment (FRA) did not meet the requirements for a site-specific FRA
2. The close proximity of the buildings and proposed car parking to the top of the bank of Mearley Brook, which is designated as a Main River.

To overcome our objection, we said the applicant should submit:

1. Plan and sectional drawings which clearly states the distance from the top of the riverbank to the development at its closest point, based on topographical survey data, including any boundary fencing or walls. They should demonstrate that a minimum of 8 meters is left unobstructed and that Environment Agency access to and along that watercourse is not impeded.
2. A revised FRA which addresses the points highlighted in our objection.

We have now been re-consulted on a Response to Environment Agency letter, prepared by REFORD Consulting Engineers Limited (dated 16 June 2025, reference 3/2025/0147).

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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Environment Agency position

Proximity to Main River

We maintain our objection on main river proximity grounds as the applicant has not submitted plan and sectional drawings which clearly state the distance from the top of the riverbank to the development at its closest point, based on topographical survey data, including any boundary fencing or walls. As a result, we do not know how many meters of land between the watercourse and development will be left unobstructed, and we do not know whether the Environment Agency's access to and along that watercourse will be impeded.

The letter prepared by REFORD Consulting Engineers Limited (dated 16 June 2025, reference 3/2025/0147) notes that "an application for an Environmental Permit will need to be made to the Environment Agency as the proposed building within the northern part of the site will lie within 8m of the Mearley Brook, which is designated Main River" – however, we do not know to what extent the development will take place within 8 metres of the watercourse.

However, without the information required (see above), it is unclear whether we would be able to grant a flood risk activity permit. Principally, we do not wish to remove our objection to a planning application and then be in a position where we must refuse an Environmental Permit. An applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted.

Flood Risk

On the basis of the additional information provided, we withdraw our objection on inadequate FRA grounds, however we do wish to make the following comments:-

Note to LPA

Should our concerns regarding the site's proximity to a Main River get resolved, we would seek the inclusion of planning conditions relating to flood risk.

We therefore request that the Local Planning Authority re-consult us prior to determining the application, should they be minded to approve it. This will allow us to provide appropriate recommendations for planning conditions.

Environmental permit – Flood risk activities - advice to applicant

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any of the following activities:

- erecting any temporary or permanent structure in, over or under a main river, such as a culvert, outfall, weir, dam, pipe crossing, erosion protection, scaffolding or bridge
- altering, repairing or maintaining any temporary or permanent structure in, over or under a main river, where the work could affect the flow of water in the river or affect any drainage work
- building or altering any permanent or temporary structure designed to contain or divert flood waters from a main river
- dredging, raising or removing any material from a main river, including when you

- are intending to improve flow in the river or use the materials removed
- diverting or impounding the flow of water or changing the level of water in a main river
- quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- any activity within 8 metres of the bank of a main river, or 16 metres if it is a tidal main river
- any activity within 8 metres of any flood defence structure or culvert on a main river, or 16 metres on a tidal river
- any activity within 16 metres of a sea defence structure
- activities carried out on the floodplain of a main river, more than 8 metres from the river bank, culvert or flood defence structure (or 16 metres if it is a tidal main river), if you do not have planning permission (you do not need permission to build agricultural hay stacks, straw stacks or manure clamps in these places)

For further guidance please visit Flood risk activities: environmental permits - GOV.UK 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.

Yours sincerely

Mrs Dana Binns
Sustainable Places - Planning Advisor

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