

REFORD

Consulting Engineers Limited

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17th November 2025

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

Dear Mr Kilmartin

Planning reference: 3/2025/0147

Location: Peel Street Business Estate, Peel Street, Clitheroe, BB7 1RA

Proposal: Proposed demolition of existing buildings and erection of six 2-bed and one 3- bed apartment building together with a two storey business centre and associated parking and bin store

We refer to the letter from the Environment Agency dated 15th September 2025 in which the Environment Agency withdrew their objection to the development on the grounds of an inadequate flood risk assessment, but maintained their objection due to 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 the objection the Environment Agency requested the following information should be 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. They should demonstrate that a minimum of 8 metres is left unobstructed and that Environment Agency access to and along that watercourse is not impeded.

We are unable to provide sections that demonstrate a minimum 8 metres is left unobstructed between the top of the river bank and the development at its closest point.

Examining the existing site layout prior to any development, the two separate buildings within the existing site, one of which lies within the centre of the site, are within 8m to the top of the river bank over a distance of 6.5m and 10.5m.

On the proposed site layout, only the single proposed building in the extreme northern part of the site will be within 8m of the top of the river bank along its total length 25.2m but no closer than 3.1m, a similar distance to the buildings on the adjacent site immediately downstream. The remainder of the site is to be used as car parking and can provide clear unobstructed access for maintenance. The proposed site plan is attached with clearance distances marked on.

Please also note that on the opposite side of the Mearley Brook to the development site are playing fields, from which access to the Mearley Brook can be taken for maintenance if needed.

That said, the Environment Agency appear to be working from the part to the whole and not the converse – a long-established engineering convention when considering matters relating to flood risk. On this occasion, the Environment Agency have ignored the fact that an 8m maintenance strip is not available downstream of this site due to existing / limiting physical constraints. Moreover, whilst the development proposals are marginally closer to Mearley Brook than the existing situation, we would contend that the current proposals actually provide access betterment for the Environment Agency, should it ever be minded undertaking any future maintenance, as the constraint is not within the centre of the site but at its northern end.

Planning permission for the development which is currently on site was initially granted in 2001 under reference 3/01/0413/P for the car wash centre and van sales / hire depot. The initial response from the Environment Agency on 19th June 2001 at Appendix A adopted a similar stance to that being offered in respect of this scheme. However, the Environment Agency were reconsulted following the submission of amended plans and responded on 27th July 2001 (Appendix B) and withdrew their initial objection once it was demonstrated that the proposed buildings were approximately 5m away from the top of bank of Mearley Brook. Clearly at that time, Cliff Welsby the Engineer at the Environment Agency, took a far more pragmatic view of matters and for the reasons detailed above we would request that matters be reviewed in this instance.

I attach the two appendices referred to in the above paragraph (apologies for the quality of some of the pages but these were photos taken from the Council's microfiche records).

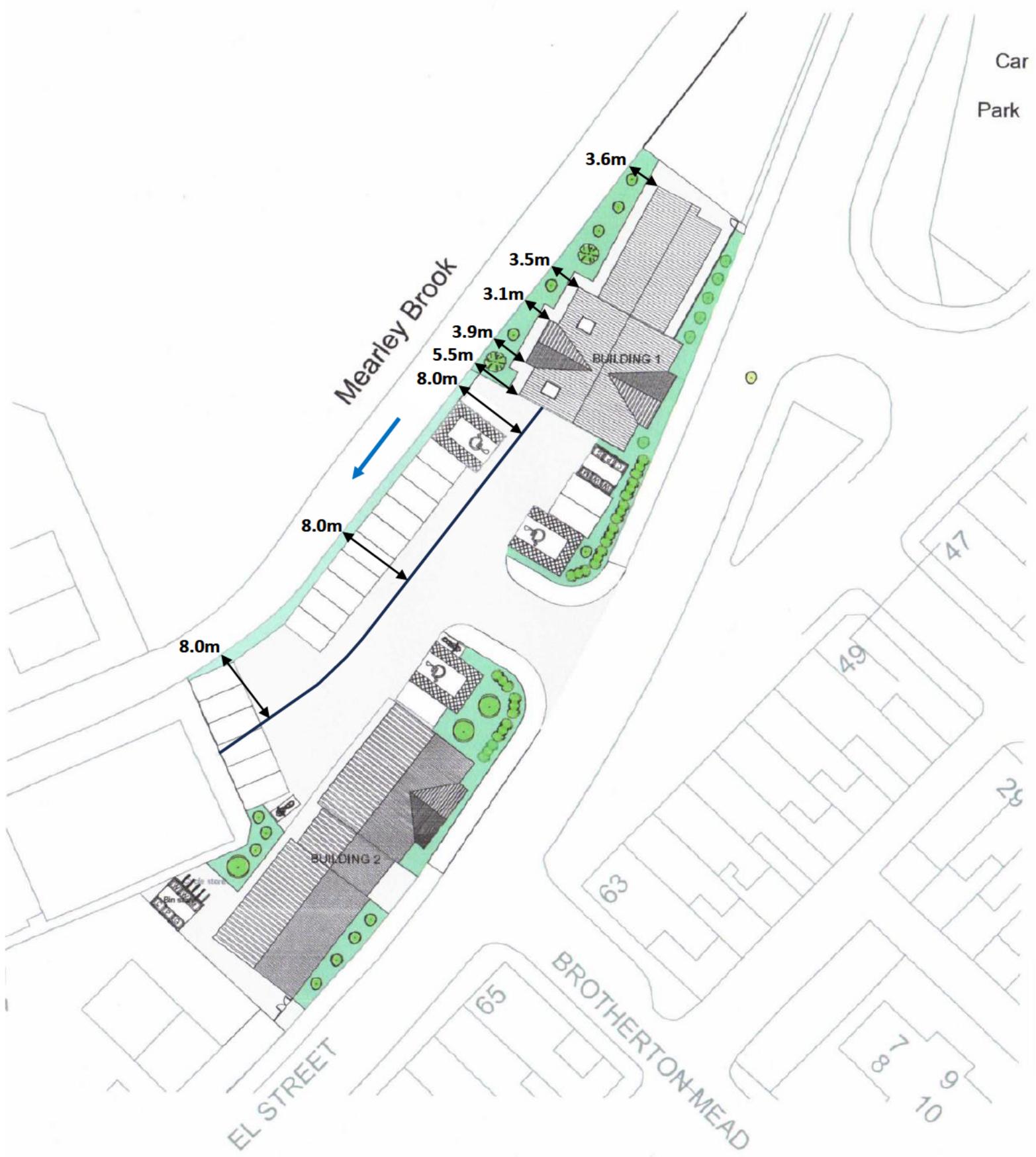
It is noted that should planning be granted, an application for an Environmental Permit will need to be made to the Environment Agency as the proposed building within the northern part of the site will lie within 8m of the Mearley Brook, which is designated Main River.

With reference to the above we therefore request that the Environment Agency removes their outstanding objection to the proposal.

Yours sincerely,

Bob Ford

Bob Ford
DIRECTOR
REFORD Consulting Engineers Limited



CLEARANCE DISTANCES FROM MEARLEY BROOK

APPENDIX A

Our ref: CE/2001/005862/001
Your ref: 3/01/413

Date: 19th June 2001

Chief Planning Officer
Ribble Valley Borough Council
Church Walk
Clitheroe
Lancashire
BB7 2RA



**ENVIRONMENT
AGENCY**

DIRECTOR OF
DEVELOPMENT

21 JUN 2001

Dear Sir/Madam

**DEMOLISH EXISTING BUILDING AND ERECT A CAR WASH AND VAN
SALES / HIRE DEPOT AT FORMER NORWEB DEPOT, PEEL STREET,
CLITHEROE.**

Thank you for referring the above application to the Agency.

The Agency **OBJECTS** to the proposed development as submitted on the following grounds:-

The proposed development is unacceptable because of its proximity to the top of the bank of the watercourse: Mearley Brook. The permanent retention of a continuous unobstructed area is an essential requirement for future maintenance or improvement.

The watercourse adjoining the site is designated a "main river" and is therefore subject to Land Drainage Byelaws. In particular, no trees or shrubs may be planted, nor fences, buildings, pipelines or any other structure erected within 8 metres of the top of any bank/retaining wall of the watercourse without prior Consent of the Agency.

The developer should be advised that the granting of planning permission does not remove the need to obtain the relevant statutory Agency Land Drainage Consent. Permission should be gained prior to any work commencing, but in this instance, it is unlikely to be granted.

To overcome our concerns, the Agency requests a revised site layout to show the required 8 metre access strip. Please send any plans to Cliff Welsby at Lutra House.

In addition to our above concerns, the Agency requests that the following conditions are applied to any permission granted:-

CONDITION

No development approved by this permission shall be commenced until a scheme for the provision and implementation, of a surface water regulation system has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plan.

REASON

To reduce the increased risk of flooding.

The Agency recommends that surface water attenuation should be carried out in accordance with the latest Sustainable Urban Drainage Systems as specified in 'Sustainable Urban Drainage Systems Design Manual for England and Wales' (CIRIA report number C22) and 'Sustainable Urban Drainage Systems - Best Practice' (CIRIA report C23).

CONDITION

No development approved by this permission shall be commenced until a desk study has been undertaken and agreed in writing by the Local Planning Authority, to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination a detailed site investigation should be carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. If remediation measures are necessary they will be implemented in accordance with the assessment and to the satisfaction of the Local Planning Authority.

REASON

To ensure a safe form of development that poses no unacceptable risk of pollution.

CONDITION

Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from the car parking areas shall be passed through trapped gullies with an overall capacity compatible with the site being drained.

REASON

To prevent pollution of the water environment.

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CONDITION

No development approved by this permission shall be commenced until a scheme for the provision and implementation, of a surface water regulation system has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

REASON

To reduce the increased risk of flooding.

The Agency recommends that surface water attenuation should be carried out in accordance with the latest Sustainable Urban Drainage Systems as specified in 'Sustainable Urban Drainage Systems Design Manual for England and Wales' (CIRIA report number C522) and 'Sustainable Urban Drainage Systems - Best Practice' (CIRIA report C523).

CONDITION

No development approved by this permission shall be commenced until a desk study has been undertaken and agreed in writing by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination a detailed site investigation should be carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. If remediation measures are necessary they will be implemented in accordance with the assessment and to the satisfaction of the Local Planning Authority.

REASON

To ensure a safe form of development that poses no unacceptable risk of pollution.

CONDITION

Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from the car parking areas shall be passed through trapped gullies with an overall capacity compatible with the site being drained.

REASON

To prevent pollution of the water environment.



**ENVIRONMENT
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AGENCY INFORMATIVES

Full details of any proposed new surface water outfalls, which should be constructed entirely within the bank profile, must be submitted to the Development Control Engineer, Cliff Welsby, for consideration.

Any development of this site must be **drained** on separate foul and surface water systems. All foul drainage must be connected to the **foul sewers** and only clean uncontaminated surface water should be connected to the surface water systems.

However, where there are established combined systems the possibility of deviation from this general policy may be discussed with your Council's Chief Technical Officer.

Only uncontaminated surface waters can be discharged to any watercourse. Vehicle wash waters must be conveyed to a foul sewer (with the permission of the water undertaker). If no foul sewer is available then the wash water must be conveyed to a sealed, recirculation system with no overflow, or to a sealed tank for off site disposal. Wash water must not be discharged to any watercourse or soakaway.

Please send me a copy of the decision notice.

A copy of this letter has been sent to the agent.


Mrs Adrienne Beeby
Area Planning Liaison Officer

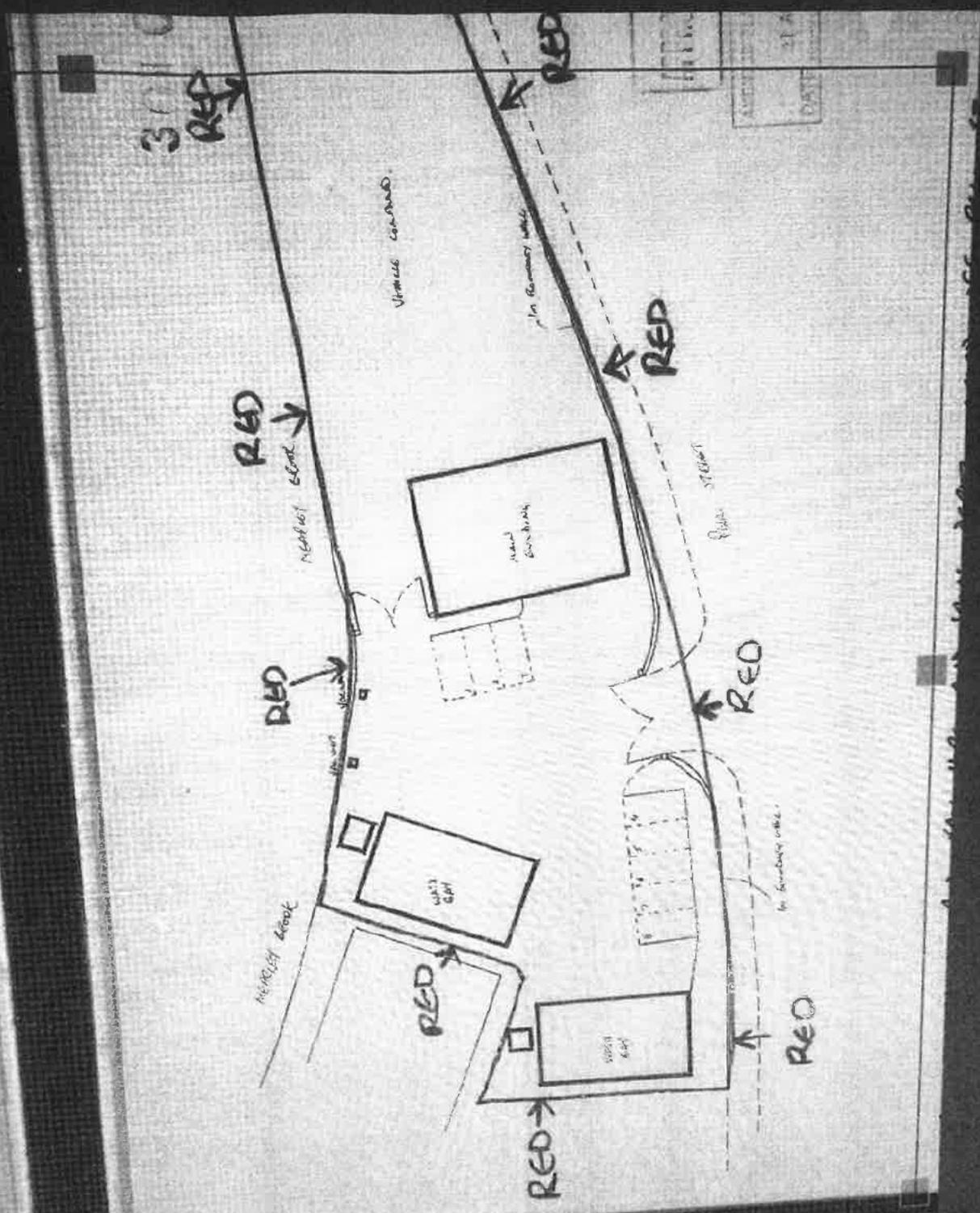
TO THE PLANNING AND
DEVELOPMENT COMMISSION

CAR WASH CENTER, VAN HILL + SLOTT'S ROAD, PACE ST, CANTONVILLE

PHILIPS

PHILIPS

Window Image Adjustment Auto Corrections Cropping Mode Scan to File Scan to Print to VIEW Mode



APPENDIX B



ENVIRONMENT
AGENCY

Our ref: CE/2001/005862-1

Your ref: 3/01/0413

Date: 27 July 2001

Alan Wells
Ribble Valley Borough Council
Council Offices
Clitheroe

Dear Alan,

**RE: ERECTION OF CAR WASH CENTRE AND VAN SALES / HIRE DEPOT
AT FORMER NORWEB DEPOT, PEEL STREET, CLITHEROE**

I am writing with regard to the amended plans for the above site.

As the amended plans now show the development to be approximately 5m from the top of the bank bank of the main river, Mearley Brook, I can confirm that we can withdraw our objection. It should be noted, however, that the applicant has not yet applied for Land Drainage Consent from the Agency to include the reduction of the required 8m access strip to 5m.

If you have any queries about this issue, please contact Cliff Welsby on 01772 339882 extension 4016.

Yours faithfully


Mrs Adrienne C Beeby
Area Planning Liaison Officer