

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

Our Reference: PA-0004779/03
Customer reference: 3/2026/0238
Date: 19 August 2026

Approval of details reserved by conditions 3 (construction management plan/method statement) 4 (surface water) 5 (bat boxes) 7 (street maintenance) 8 (flood mitigation) 9 (flood management plan) 10 (surface water/foul drainage) 19 (cycle storage) 20 (travel plan) and 21 (operation/maintenance manual) on planning permission 3/2022/1158 granted on appeal APP/T2350/W/25/3368139.

Land South of Accrington Road, Whalley

Dear Lucy Walker,

Thank you for re-consulting us on the additional information submitted in support of the discharge of Conditions 8 and 9.

In our previous letter (reference PA-0004779/02) dated 22 July 2026, we advised that our position remained unchanged and that we were unable to recommend the discharge of Conditions 8 and 9 for the reasons set out in that letter.

We have now been re-consulted on the submission of additional flood risk information. The submission comprises 6 documents, all dated 27 July 2026 and available on your planning portal.

Environment Agency position

We have reviewed the additional information and do not consider that these are sufficient to allow discharge of Conditions 8 and 9.

Reason(s)

Whilst additional information has been provided, we do not consider that sufficient detail has been submitted to demonstrate the final engineering solution required by

Condition 8. In particular, further clarification is required regarding the detailed design solution and the provision of proposed construction cross-sections in proximity to the River Calder, which is designated as a Main River and forms the southern boundary of the site.

There remains insufficient information to demonstrate that suitably engineered, stable, and maintainable ground conditions will be provided, particularly in areas where works are proposed over or adjacent to the five Flood Compensation Area (FCA) culverts. Furthermore, in the absence of this information, it is not possible to determine whether adequate consideration has been given to future access arrangements and maintenance requirements.

The engineering concerns outlined above relate to the area of land between the River Calder and the site. This area includes the retaining embankment for the compensatory flood storage area and is perforated by 5 no. 450mm diameter fill/drain down outfalls.

The River Calder is a Main River and the Environment Agency must retain the ability to access and undertake future flood risk management activities associated with it, including access to the weir.

Insufficient information has been submitted to demonstrate the provision and retention of a suitably engineered 8-metre-wide access corridor. This would facilitate access by appropriately sized medium and heavy plant to the weir, should such access be required for the removal of debris blockages, reactive repairs, or future improvement works.

In the absence of this information, we are unable to conclude that Conditions 8 and 9 have been satisfactorily addressed and therefore cannot recommend their discharge at this time.

Given the advanced stage of the planning process and the requirement to discharge Conditions 8 and 9, we consider this information essential to demonstrate that the proposals are deliverable, maintainable and will not compromise the operation of flood risk management infrastructure.

Additional Information

We note that Drainage Layout Drawing No. P10-1001-21315-S2-DR-ZZ-01-GAD-P10, dated 29 July 2026, has been amended to show compensatory storage outlets increased to 450 mm in accordance with CIRIA guidance.

We are satisfied with this amendment. However, notwithstanding this positive change, there remains lack of construction detail and engineering information to

support the proposed works, particularly in relation to the interface with the River Calder and the FCA culverts.

Overcoming our objection

Please refer to our previous letter and the points highlighted above and address the matters systematically, paying particular attention to the proposed construction details forming the area of land between the River Calder and the site.

This should include sufficient information to demonstrate how the full 8-metre access corridor adjacent to the Main River will be retained and maintained for the lifetime of the development and how this can be achieved without compromising the integrity, operation, maintenance and long-term functionality of the compensatory flood storage scheme and associated infrastructure.

Environmental permit – Flood risk activities - advice to applicant

We would also again take this opportunity to remind the applicant that the planning process is separate from the requirement to obtain any necessary Flood Risk Activity Permits (FRAPs).

To date, no permit applications have been submitted, nor has there been any pre-application requests.

Undertaking regulated activities without the necessary environmental permit may constitute a breach of environmental permitting legislation.

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.

If you have any questions regarding our response, please contact clplanning@environment-agency.gov.uk.

Yours sincerely,

Dana Binns – Sustainable Places Planning Advisor

National Contact Centre: 03708 506 506
clplanning@environment-agency.gov.uk
Lutra House, Dodd Way, off Seedlee Road, Preston, PR5 8BX