



**European Union**  
European Regional  
Development Fund

# Jacobs

**Preston and South Ribble  
Flood Risk Management Scheme  
Area 1 and 2  
Planning Statement**

| Final  
December 2020

**Environment Agency**

In partnership with:



## Preston and South Ribble Area 1 and 2 Flood Risk Management Scheme

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Area 1B - Sections and Details 2 of 7

Area 1B - Sections and Details 3 of 7

### Drawing Reference

ENV0000009C-JAC-ZZ-ZZ-DR-PL-0002

ENV0000009C-JAC-ZZ-ZZ-DR-PL-0001

ENV0000009C-JAC-ZZ-41A-DR-PL-0001

ENV0000009C-JAC-ZZ-41A-DR-PL-0002

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ENV0000009C-JAC-ZZ-41B-DR-PL-0001

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ENV0000009C-JAC-ZZ-41D-DR-PL-0001

ENV0000009C-JAC-DW-41X-DR-PL-0001

ENV0000009C-JAC-DZ-41A-DR-PL-0001

ENV0000009C-JAC-DZ-41A-DR-PL-0002

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ENV0000009C-JAC-DZ-41A-DR-PL-0009

ENV0000009C-JAC-DZ-41B-DR-PL-0001

ENV0000009C-JAC-DZ-41B-DR-PL-0002

ENV0000009C-JAC-DZ-41B-DR-PL-0003

Area 1B - Sections and Details 4 of 7	ENV0000009C-JAC-DZ-41B-DR-PL-0004
Area 1B - Sections and Details 5 of 7	ENV0000009C-JAC-DZ-41B-DR-PL-0005
Area 1B - Sections and Details 6 of 7	ENV0000009C-JAC-DZ-41B-DR-PL-0006
Area 1B - Sections and Details 7 of 7	ENV0000009C-JAC-DZ-41B-DR-PL-0007
Area 1B - Long Sections 1 of 6	ENV0000009C-JAC-DZ-41B-DR-PL-0008
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Area 1B - Long Sections 6 of 6	ENV0000009C-JAC-DZ-41B-DR-PL-0013
Area 1C - Sections and Details	ENV0000009C-JAC-DZ-41C-DR-PL-0001
Area 1B - Flood Gate 1 Miller Gardens Apartments	ENV0000009C-JAC-DF-41B-DR-PL-0001
Area 1B - Flood Gate 2 Ribble Cottage	ENV0000009C-JAC-DF-41B-DR-PL-0002
Area 1 Tie-in Details 1 of 3	ENV0000009C-JAC-DW-41X-DR-PL-0002
Area 1 Tie-in Details 2 of 3	ENV0000009C-JAC-DW-41X-DR-PL-0003
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Area 2B - General Arrangement 1 of 3	ENV0000009C-JAC-ZZ-42B-DR-PL-0001
Area 2B - General Arrangement 2 of 3	ENV0000009C-JAC-ZZ-42B-DR-PL-0002
Area 2B - General Arrangement 3 of 3	ENV0000009C-JAC-ZZ-42B-DR-PL-0003
Area 2C - Network Rail Underpass GA & Sections	ENV0000009C-JAC-ZZ-42C-DR-PL-0001
Area 2 - Wall Typical Details	ENV0000009C-JAC-DW-42X-DR-PL-0001
Area 2A - Sections and Details 1 of 3	ENV0000009C-JAC-DZ-42A-DR-PL-0001
Area 2A - Sections and Details 2 of 3	ENV0000009C-JAC-DZ-42A-DR-PL-0002
Area 2A - Sections and Details 3 of 3	ENV0000009C-JAC-DZ-42A-DR-PL-0003
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Area 2B - Sections and Details 1 of 4	ENV0000009C-JAC-DZ-42B-DR-PL-0001
Area 2B - Sections and Details 2 of 4	ENV0000009C-JAC-DZ-42B-DR-PL-0002
Area 2B - Sections and Details 3 of 4	ENV0000009C-JAC-DZ-42B-DR-PL-0003
Area 2B - Sections and Details 4 of 4	ENV0000009C-JAC-DZ-42B-DR-PL-0004
Area 2B - Longitudinal Section 1 of 3	ENV0000009C-JAC-DZ-42B-DR-PL-0005
Area 2B - Longitudinal Section 2 of 3	ENV0000009C-JAC-DZ-42B-DR-PL-0006
Area 2B - Longitudinal Section 3 of 3	ENV0000009C-JAC-DZ-42B-DR-PL-0007
Highway Typical Details 1 of 2	ENV0000009C-JAC-ZZ-00-DR-PL-0001
Highway Typical Details 2 of 2	ENV0000009C-JAC-ZZ-00-DR-PL-0002
Ribble Sidings Draft Landscape Sketch	ENV0000009C-JAC-ZZ-42X-DR-L-0001
Environmental Masterplan Sheet 1 of 8	ENV0000009C-JAC-ZZ-ZZ-DR-L-0002
Environmental Masterplan Sheet 2 of 8	ENV0000009C-JAC-ZZ-ZZ-DR-L-0003
Environmental Masterplan Sheet 3 of 8	ENV0000009C-JAC-ZZ-ZZ-DR-L-0004
Environmental Masterplan Sheet 4 of 8	ENV0000009C-JAC-ZZ-ZZ-DR-L-0005
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# 1. Introduction and Site Context

## 1.1 Introduction

This Supporting Statement has been prepared by Jacobs to inform and accompany an Application for Planning Permission and listed building consent for alterations, extension or demolition of a listed building under the Town and Country Planning Act 1990 (as amended) and Planning (Listed Buildings and Conservation Areas) Act 1990. This is a joint application that has been submitted to Lancashire County Council (LCC) on behalf of the Environment Agency and LCC in partnership with the European Regional Development Fund (ERDF), North West Regional Flood & Coastal Committee, Preston City Council (PCC), and South Ribble Borough Council (SRBC), for works associated with Areas 1 and 2 of the Preston and South Ribble Flood Risk Management Scheme (FRMS).

The Preston and South Ribble FRMS consists of new and improved flood defences to better manage flood risk along the River Ribble and River Darwen to provide greater flood protection to approximately 4,800 properties across Preston and South Ribble.

The Preston and South Ribble FRMS is located within the administrative boundaries of PCC and SRBC. However, it was agreed from an early stage of the project that LCC will act as the determining authority for the planning application. The scope of this planning application covers Areas 1 and 2 of the FRMS, whilst subsequent planning applications are planned for submission for Areas 3 and 4 in Autumn 2021 and for Area 5 in Spring 2022.

The purpose of this statement is to present the case for the approval of the works associated with Areas 1 and 2 of the Preston and South Ribble FRMS, hereon in referred to as the 'proposed Scheme', which require planning consent and to assess and conclude on the acceptability of the proposals in terms of the proposals' compliance with planning policy and any other material considerations.

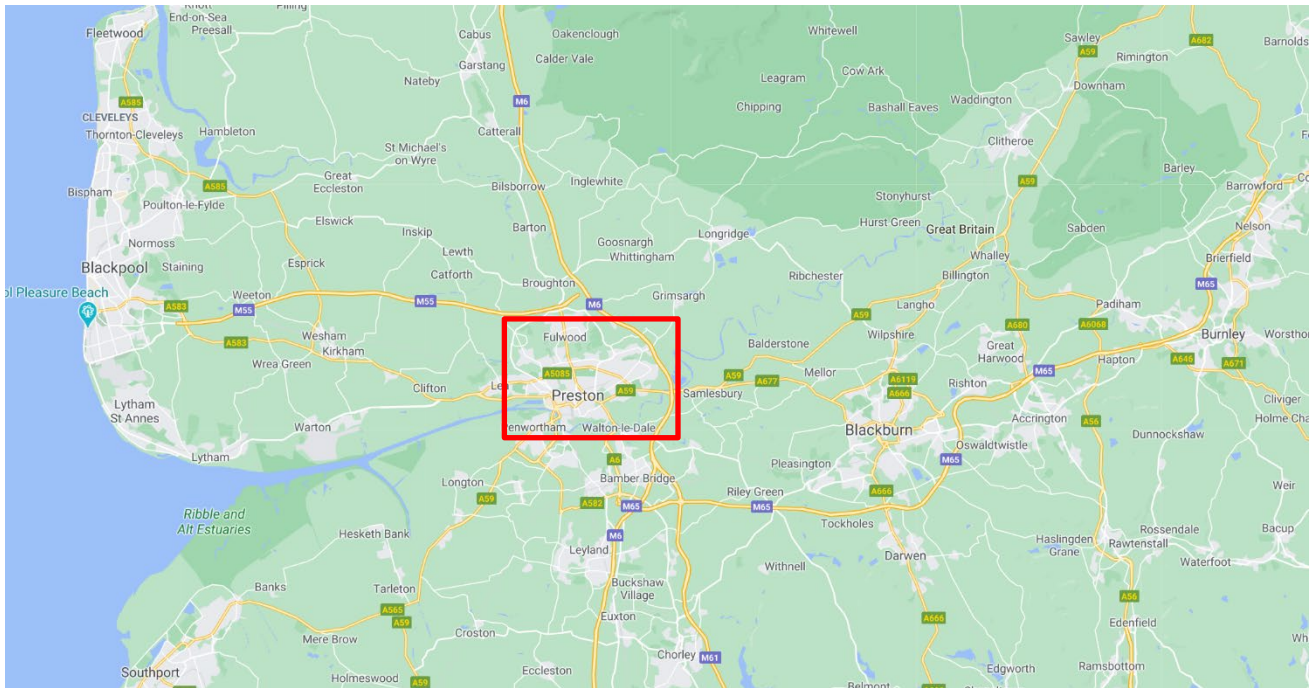
The proposed Scheme consists of works requiring planning consent and works that could be undertaken as permitted development. However, it has been agreed with LCC, PCC and SRBC that planning consent will be sought for all required works for full transparency and to enable statutory consultees, stakeholders and local residents the opportunity to provide comment on all aspects of the proposed Scheme.

This statement has been informed by a number of supporting assessments and surveys, which have been collated into a non-statutory Environmental Report (ER). These assessments have informed the appraisal of the proposed Scheme's compliance with the development plan and other relevant planning policy, plans and strategies (refer to Section 6) and are a material consideration in the determination of the planning application. A summary of the ER and the conclusions of the accompanying assessment have been provided in Section 9.

## 1.2 Site Context

Preston is a city located in central Lancashire to the north of the River Ribble. South Ribble is a non-metropolitan district and borough of Lancashire located to the south of the River Ribble (refer to Figure 1). The two authorities have a combined population of approximately 235,000 (estimated population in Mid-2018). There are two main rivers within the authorities – the River Ribble which bisects the authorities and the River Darwen which joins the River Ribble at Walton-le-Dale, as well as numerous watercourses and drainage systems. There are extensive flood defences on both of these watercourses which provide part of the wider flood risk management for the Preston and South Ribble areas.





**Figure 1: Location of Preston**

Areas 1 and 2 of the Preston and South Ribble FRMS are located along the north and south banks of the River Ribble to the south of Preston city centre at national grid reference (NGR) SD 53174 28203 (refer to Figure 2). The proposed Scheme will extend from Liverpool Road Bridge to the West Coast Main Line (WCML) on the north bank (Area 1) and from Penwortham Old Bridge to the WCML on the south bank (Area 2). The proposed works will primarily involve the replacement of existing flood defences and therefore the majority of the works will take place along the existing alignments.



**Figure 2: General Site Location**



## 2. Preston and South Ribble Flood Risk Management Scheme Overview

The Environment Agency and LCC are proposing a flood risk management scheme to manage flood risk to local communities in Preston and South Ribble. Preston and South Ribble have a history of flooding, the most significant of which was Storm Eva in 2015.

There are extensive lengths of existing flood defences along both watercourses, however they do not provide a high Standard of Protection (SoP) and this will worsen with climate change. As noted, the most significant flood event to affect Preston occurred on 26 December 2015. Heavy rainfall from Storm Eva combined with an already heavily saturated catchment, produced widespread flooding in the North of England. Within Preston, the existing defences along the Ribble were sufficient in containing flows, but the most significantly affected areas were in Walton-le-Dale and Higher Walton along the Darwen. Overall, the event was considered a near miss, with peak water levels observed to be at or just below existing defence levels.

The Environment Agency's climate change guidance for the National Planning Policy Framework (NPPF) indicates that climate change is likely to have an impact on river flows and rainfall intensity, which are both likely to contribute to the increased frequency of events such as Storm Eva which will exceed the capacity of the existing flood defence measures within Preston and South Ribble.

The existing flood defences within Preston and South Ribble are comprised primarily of flood walls with some sections of earth embankments. Despite this, Areas 1 and 2, and some of Areas 3, 4, & 5 are still shown as being within Flood Risk Zones 2 and 3 on the Environment Agency's Flood Map for Planning, as shown in Figure 3.

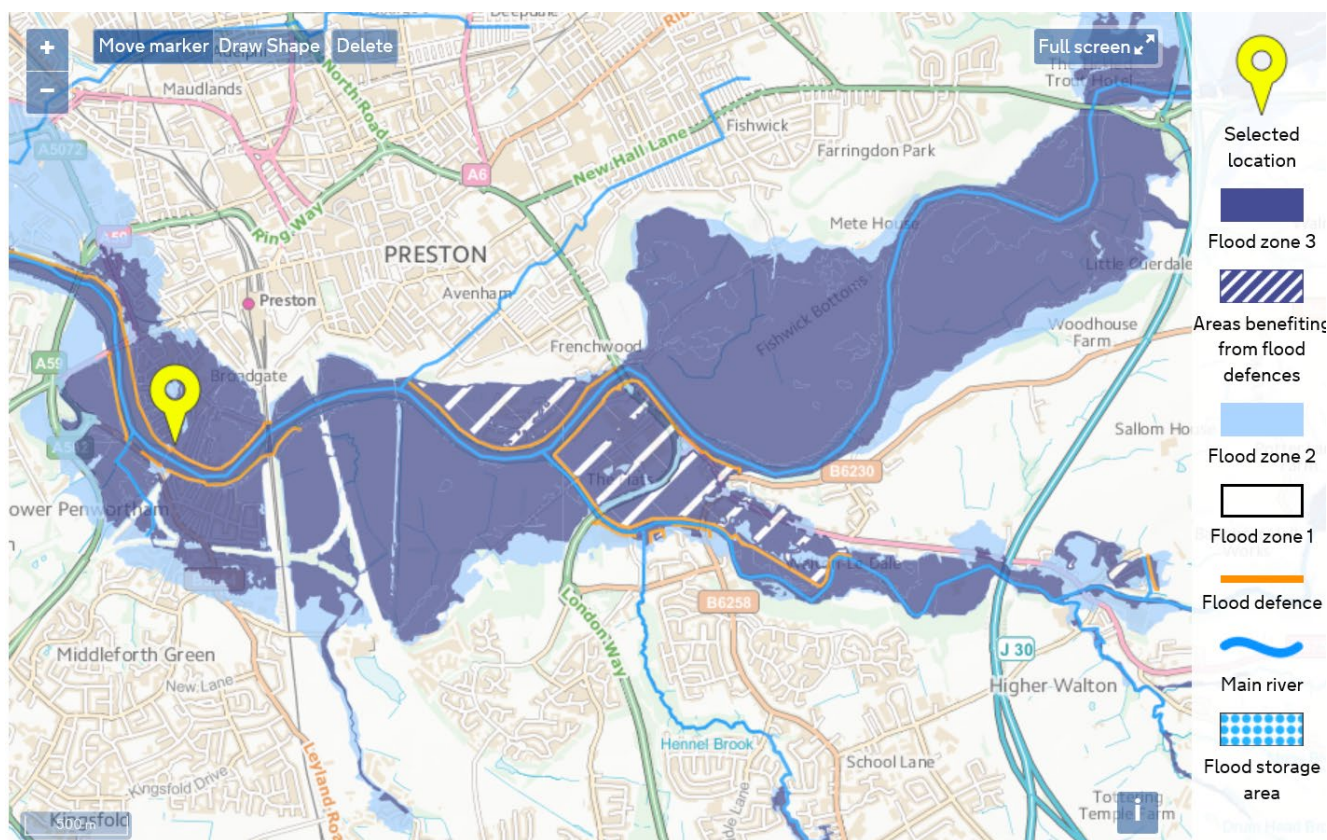


Figure 3: Environment Agency Flood Map for Planning

Consequently, options have been and are continuing to be developed to increase the SoP to properties across Preston and South Ribble. The Preston and South Ribble FRMS will seek to reduce the high level of flood risk to properties, businesses and infrastructure along the River Ribble and River Darwen. This will mainly be achieved

through a combination of new and replacement concrete walls and earth embankments to increase the height of existing defences. The proposed Scheme has been designed to provide a present-day Standard of Protection (SoP) of 0.5% Annual Exceedance Probability (AEP). This SoP is predicted to reduce over time due to the impact of climate change to a 1.33% AEP SoP by the end of the 2080's epoch. The SoP was arrived at in accordance with FCERM (Flood and Coastal Erosion Risk Management) appraisal guidance, and through consideration of engineering, environmental and affordability factors.

As the works required are continuing to be developed and refined a phased approach is being taken to their implementation. The Preston and South Ribble FRMS has therefore been divided into the following five areas as illustrated in Figure 4:

The FRMS and is split into five areas:

- Area 1: Riversway and Broadgate;
- Area 2: Lower Penwortham;
- Area 3: Frenchwood and Walton-le-Dale along the Ribble;
- Area 4: Walton-le-Dale along the Darwen; and
- Area 5: Higher Walton.

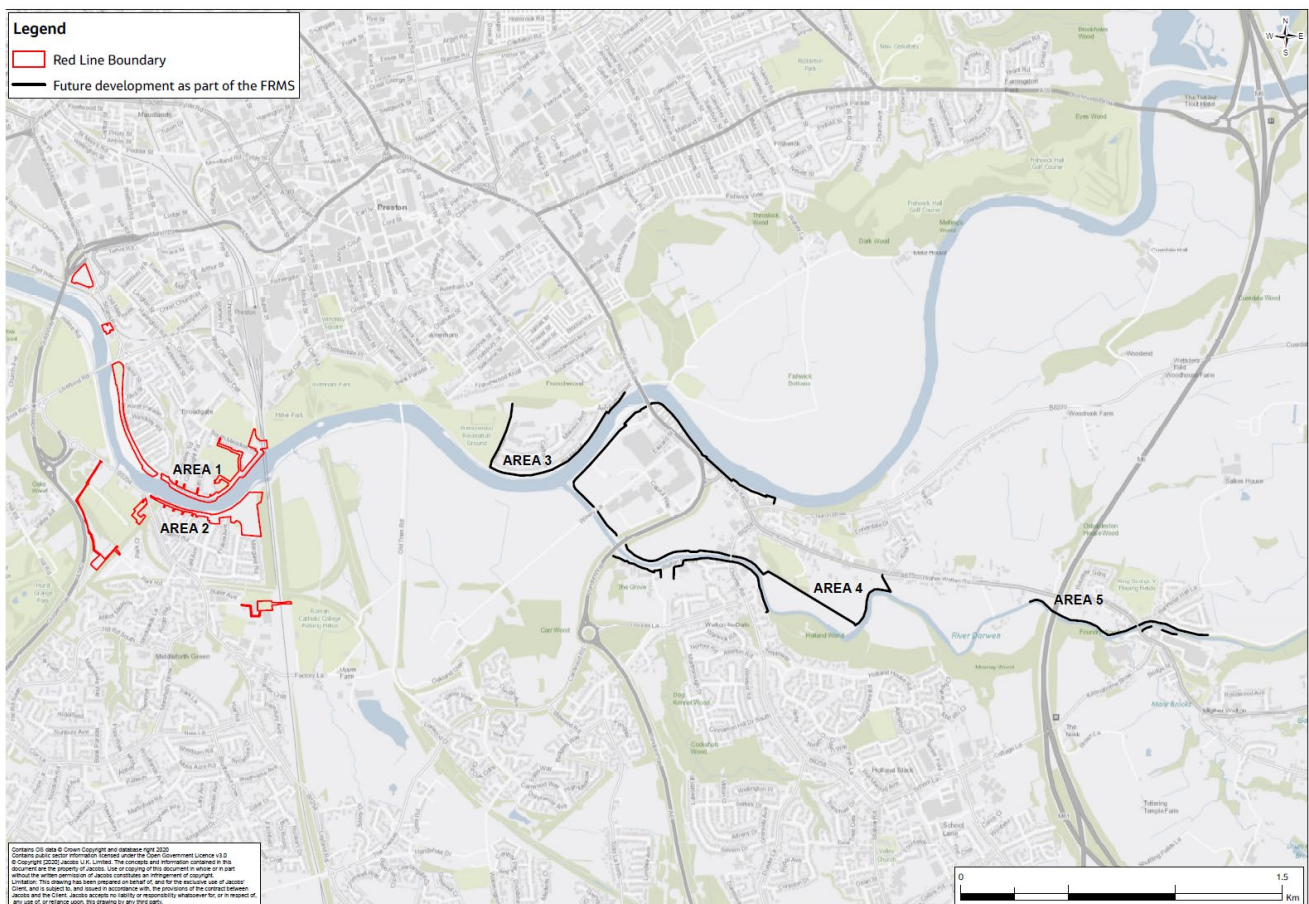


Figure 4: Five Areas of Preston and South Ribble Scheme

**Area 1: Riversway and Broadgate**

Area 1 is located on the right (north) bank of the River Ribble, to the south and west of Preston city centre. This area is approximately 1.3km long, extending from Liverpool Road Bridge upstream to the WCML. The proposed defences will comprise of concrete walls, concrete walls with glass panels on top (upstream of Penwortham Old Bridge), new flood gates and blockwork revetments.

**Area 2: Lower Penwortham**

Area 2 is located on the left (south) bank of the River Ribble, to the south of Preston city centre. This area is approximately 0.8km long, extending from the old railway embankment around Penwortham Methodist Church to Penwortham Old Bridge. It then runs upstream along the left bank of the River Ribble to the WCML. The proposed defences will comprise of concrete walls; concrete walls with glass panels on top (along Riverside Road), blockwork retaining wall and bank stabilisation works; earth embankments; and partial filling of a culvert.

**Area 3: Frenchwood and Walton-le-Dale along the Ribble**

Area 3 is located on the left (south) and right (north) banks of the River Ribble, to the east of Preston city centre, upstream of the confluence with the River Darwen. Defences will extend along the Esplanade and the Boulevard up to London Road Bridge along the right bank, and from the confluence with the Darwen upstream to Kings Croft along the left bank. This area will comprise of three types of defences: earth embankments, concrete walls and concrete walls with glass panels on top.

**Area 4: Walton-le-Dale along the Darwen**

Area 4 is located on the right (east) and left (west) banks of the River Darwen, at Walton-le-Dale to the south of Preston city centre. The defences in this area will comprise of earth embankments, concrete flood walls and road ramps.

**Area 5: Higher Walton**

Area 5 is located on the right (east) and left (west) banks of the River Darwen, at Higher Walton, extending upstream from the M6 motorway. The defences in this area will comprise of a combination of concrete walls, earth embankments and sheet piled walls.



## 3. Options Appraisal

### 3.1 The Need for the Scheme

The River Ribble has a long history of flooding. To manage this risk of tidal and fluvial flooding, an extensive network of linear defences throughout the Preston area have been constructed. The SoP that these defences provide, varies along the course of the River Ribble. Along Riversway and Broadgate (Area 1), the existing defences provide protection against the 1% AEP fluvial flood event, whilst Lower Penwortham (Area 2) the existing defences would be overtopped by fluvial flood events with a magnitude greater than 1.33% AEP. Further upstream, locations within Higher Walton would be at risk during a 2% AEP fluvial flood event.

A key part of the Environment Agency's corporate strategy is to better protect 300,000 homes by 2021. Even though the study area benefits from existing flood defences, the Ribble Catchment Flood Management Plan (2009) and the North West river basin district Flood Risk Management Plan 2015- 2021 identify a significant number of properties at risk of flooding. The EA therefore commissioned a series of studies to develop a business case for a new FRMS.

The Outline Business Case (OBC) identifies 4,778 properties (including 517 businesses) within Preston & South Ribble to be at a "high level of flood risk" with 1,709 considered to be at Significant Flood Risk, which was defined as a 1 in 75 risk in the Environment Agency Appraisal Guidance at the time of the OBC.

Due to the potential increase in peak river flow rates as a result of climate change, further analysis undertaken as part of the OBC confirmed that the SoP of the existing defences will decrease over time. This, coupled with further deterioration in condition, would increase the probability of overtopping and potential failure, increasing the overall risk of flooding to the properties currently benefiting from defences.

### 3.2 Alternative Options

In response to the identified need for the FRMS, a long list of options was developed in accordance with the Flood and Coastal Erosion Risk Management Appraisal Guidance.

The Long List of Options presented a comprehensive review of the various measures for managing flood risk throughout Preston and South Ribble. The following provides a summary of the options considered and the reason for short-listing or rejection of each option. The merits of each were assessed against key criteria. The long list of options was subject to discussions with the Environment Agency's Project Team and partners at the Making Space for Water Group.

#### Long List Options

- Option 1: Do nothing - this option would result in blockages at key structures and failure of defences. It was shortlisted to provide a baseline for all other options to be compared against.
- Option 2: Do Minimum - this option would result in some blockages at key structures and breaches of defences further into the appraisal period. It presents the 'existing situation' and therefore was shortlisted as the baseline against which all new investment options to be compared against.
- Option 3: Linear defences - this option consisted of solid permanent defences along the existing alignments and was shortlisted as the main current response. It was noted that the increase in height of defences would impact visibility of the river.
- Option 4: Linear defences - this option would consist of active management / transparent defences in targeted areas. It was shortlisted for potential supplementary measures. Active management measures could be installed in a short space of time, prior to a flood event (e.g. demountable defences). Operational staff availability was noted as a key issue for demountable defences. The transparent measures would help

retain connectivity with the river corridor, however they do require an increased maintenance regime compared to solid walls.

- Option 5: Flood storage - this option was rejected as it was considered to be unviable based on the lack of suitable candidate areas, high costs of construction, high operation and maintenance demands, the significant risks that would be introduced and the major negative environmental impact.
- Option 6: River conveyance improvements - this option was rejected as the structures along the River Ribble cause little to no flow constriction in the 1% (1 in 100 year) AEP present day event. Two bridges constrain the river flows along the Darwen in extreme storm events, however removal would pass forward flows downstream and therefore increase flood risk to Walton-Le-Dale.
- Option 7: Natural Flood Management - this option was rejected as it was not considered viable along main rivers such as the Ribble and the Darwen due to the significant widths and flows.
- Option 8: Urban redevelopment / renaturalisation of the river - this option was rejected as the majority of the riverside areas are predominantly urban and residential and therefore such a measure would come at significant cost.
- Option 9: Property level protection / Property flood resilience such as airbrick covers, flood doors, etc - this option was shortlisted to reduce flood risk to outlying or isolated properties, however it was not considered an effective option for large areas at flood risk with high depths of flooding.

### Short List Options

The following short-listed options were identified for detailed analysis, with the 'do nothing' and 'do minimum' options providing baselines by which the 'do something' options could be compared:

- Option 3: Linear defences - Sustain current standard of protection (maintain existing defence heights);
- Option 4: Linear defences - Improve the SoP (1.33% AEP based on 2050's climate change levels);
- Option 5: Linear defences - improve SoP (1.33% AEP based on 2080's climate change levels); and
- Option 6: Linear defences and flood storage - improve SoP.

### 3.3 Preferred Option

Following hydraulic modelling of the options and subsequent economic analysis and early stakeholder engagement, the preferred solution was Option 5 which provides the highest level of protection. It comprises the raising and/or modification of existing defences, combined with the utilisation of glass panels to reduce the impact on views over the river corridor.



## 4. Proposed Scheme

### 4.1 Site and Surroundings

This planning application seeks to obtain planning consent for the new and improved flood defences associated with Areas 1 and 2 of the FRMS. The proposed Scheme will deliver on the requirements of the Preferred Option selected through the optioneering process outlined in Section 3. The application site area for the proposed Scheme is defined by the red line boundary shown on the Site Location Plan (ENV0000009C-JAC-ZZ-ZZ-DR-PL-0002) and in Figure 5 below. The application site covers a total area of 85,996m<sup>2</sup> (8.6ha), which is inclusive of both areas of works and temporary compounds and access requirements.

In summary, Areas 1 and 2 cover the following extents:

- Area 1: covers Riversway and Broadgate and is located on the right (north) bank of the River Ribble, to the south of the city centre. This area is approximately 1.3km long and extends from Liverpool Road Bridge (also known as Penwortham New Bridge) upstream to the WCML.
- Area 2: covers Lower Penwortham and is located on the left (south) bank of the River Ribble, to the south of the city centre. This area is approximately 0.8km long, extending from Penwortham Old Bridge upstream to the WCML and also turns inland to tie into the old railway embankment to the south of Penwortham Methodist Church.

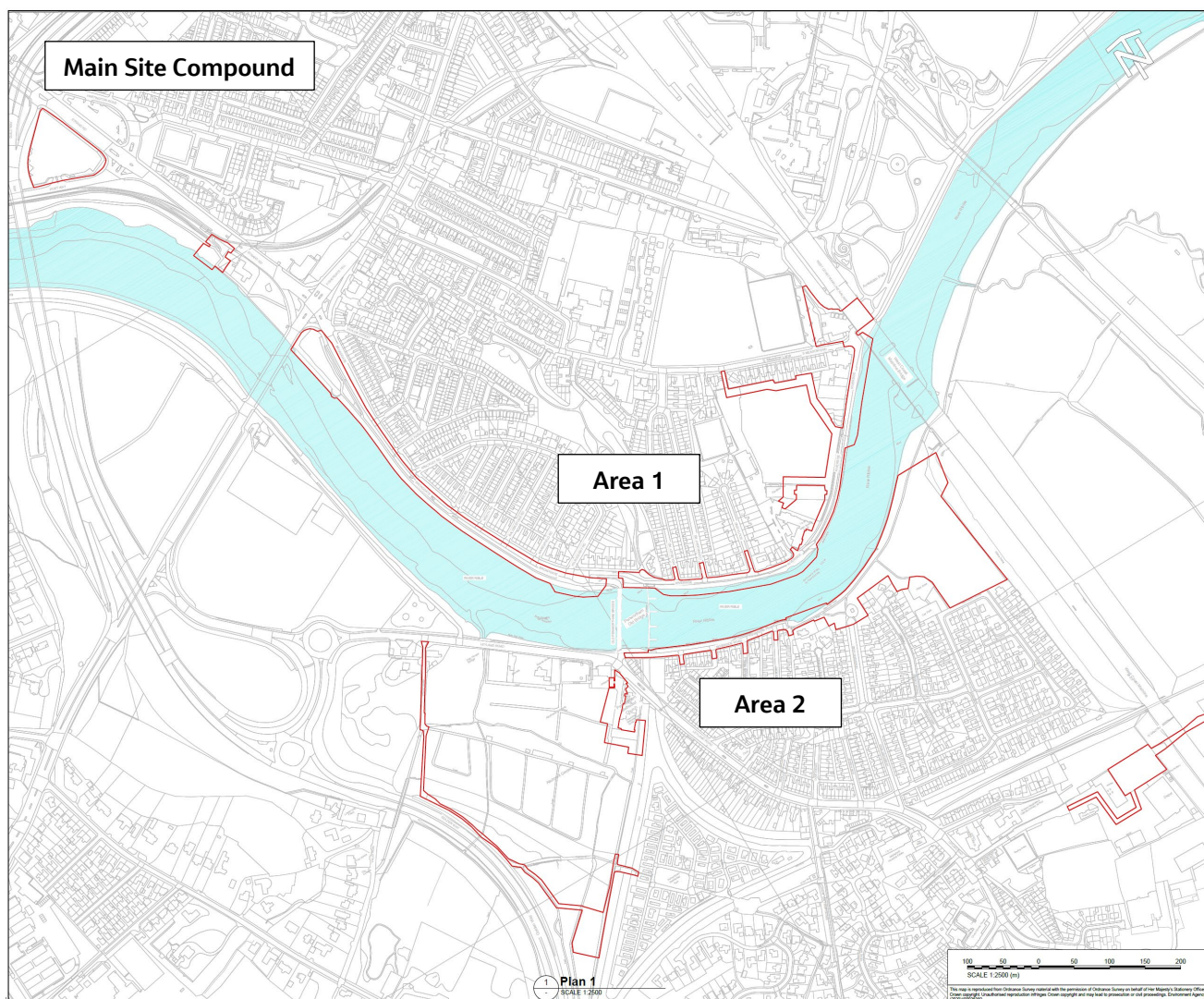


Figure 5: Application Site Location

The proposed Scheme is located to the south of Preston city centre and extends eastwards along the River Ribble corridor from north of the A59 Liverpool Road bridge at Sea Cadets to the railway viaduct carrying the WCML. The main site compound will be located at Portway Park and Ride to the north west of Area 1. The river defines the southern edge of Preston. The area is predominantly urban with housing, offices, commercial units, carparks some recreational areas, parks and allotments adjacent to the riverside. The areas of Broadgate and Lower Penwortham extend to the north and south of the river corridor respectively. These well-defined residential neighbourhoods have a similar density and built character.

To the east of Broadgate, on the north bank of the river, the area is more open in character, there are playing fields, open space and Miller and Avenham Park. To the east of Lower Penwortham, on the south bank of the river, open fields are bisected north to south by a number of old railway lines. Mature trees and woodland define the railway embankments and field boundaries. To the west of Lower Penwortham, there are large areas of allotments, recreation areas and transport corridors lined by mature trees and hedgerows adjacent to the river. These areas provide a green urban network of spaces along the river corridor.

The River Ribble and adjacent mature trees and recreational areas are important historically, ecologically and recreationally and include features such as the Ribble Way long-distance footpath, The Preston Guild Wheel (National Cycle Route 622) cycle/footpath, National Cycle Route (NCR) 55 and 62, and local footpath and trails. The railway and river corridors, recreation areas, allotments and some fields contain many mature trees and shrubs which provide a predominantly green setting to the river corridor and adjacent urban areas.

An existing concrete flood wall extends eastwards along both sides of the river, changing to a grass embankment between Miller Gardens Apartments and Ribble Cottage on the north bank, and to the east of Riverside Road on the south bank through Ribble Sidings.

The WCML extends north to south along the eastern edge of the proposed Scheme. Main accesses to and through the site are via the major transport routes of A59 Liverpool Road, A582 Golden Way and the B5254 Leyland Road. More locally a network of minor roads link existing residential neighbourhoods and Preston city centre.

Landmarks within the vicinity of the site include the Penwortham Old Bridge (Scheduled Monument, Grade II listed), a pedestrian bridge connecting Broadgate on the north bank to Riverside Road on the south bank; Liverpool Road bridge, the railway viaduct (Grade II Listed) carrying the WCML; and mature trees and ornamental features within Miller Park and Avenham Park which are both Grade II\* listed and form part of Avenham Conservation Area.

## **4.2 Proposed Works**

The site for the proposed Scheme has been subdivided into Areas 1A, 1B, 1C and 1D along the north bank of the River Ribble and Areas 2A, 2B, and 2C along the south bank.

The following section and Figure 6 present a general summary of the works proposed within each sub area as defined on the Site Layout Plan (ENV0000009C-JAC-ZZ-ZZ-DR-PL-0001). A detailed description of the proposals is provided within the accompanying DAS and presented on the full package of submitted drawings.



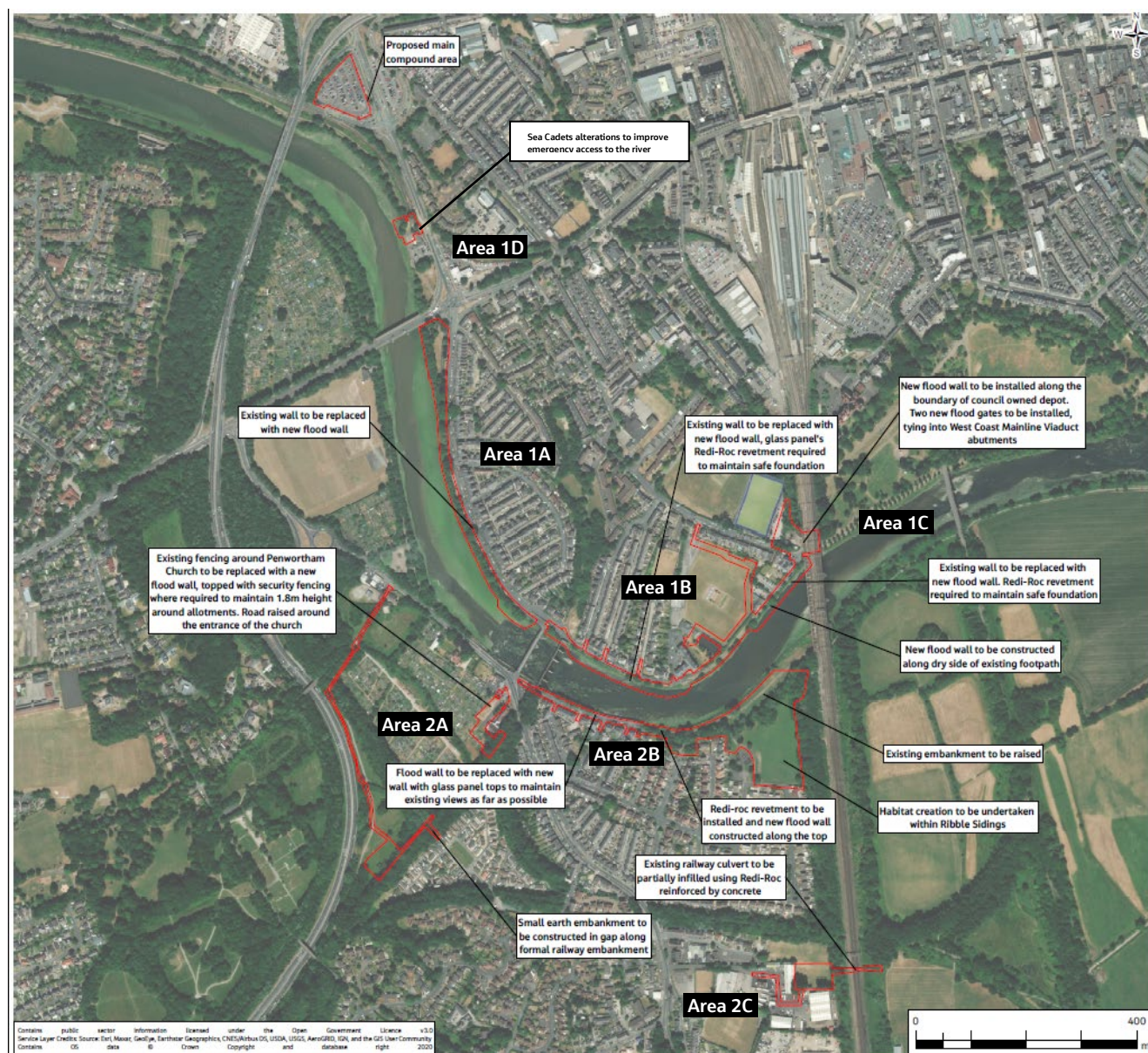


Figure 6: Scheme Overview

### Area 1

The proposed works in Area 1 are located on the north bank of the River Ribble, to the south of the city centre. This area is approximately 1.2km long, extending from Liverpool Road Bridge upstream to the WCML. The proposed works in this area will consist of:

#### Area 1A

- Replacement of the existing concrete wall, with a new concrete wall, between Liverpool Road bridge and Penwortham Old Bridge.

#### Area 1B

- Replacement of the existing concrete wall, with a new concrete wall with glass panels on top, along Riverside between Penwortham Old Bridge and Miller Gardens Apartments;
- A new flood gate located in front of Miller Gardens Apartments;

- A new concrete wall along the boundary of the BAC/EE Preston Social and Sports Association cricket pitch between Miller Gardens Apartments and Ribble Cottage;
- A new flood gate located adjacent to Ribble Cottage;
- Replacement of the existing concrete wall, with a new concrete wall with glass panels on top, running on the river side of the road between Ribble Cottage and the railway viaduct; and
- In addition, 3 lengths of the existing river bank from just downstream of Old Penwortham Bridge to the WCML will be stabilised with a blockwork revetment. From the Penwortham Old Bridge to the WCML these lengths are approximately 68m, 230m, and 150m respectively.

**Area 1C**

- A concrete wall and two flood gates adjacent to the western end of the WCML railway bridge.

**Area 1D**

- New access gates, slipway, resurfacing works and footpath/cycleway realignment at Sea Cadets.

**Area 2**

The proposed works in Area 2 are located on the south bank of the River Ribble, to the south of the city centre. This area is approximately 0.8km long, extending from Penwortham Methodist Church to Penwortham Old Bridge and along Riverside Road upstream to the WCML. Proposed defences comprise:

**Area 2A**

- A new concrete wall to the west and south of the Penwortham Methodist Church running along the allotment boundary, tying into the old railway embankment;
- Road raising at the entrance to Penwortham Methodist Church; and
- Ground raising along the footpath that cuts through the disused railway embankment into Penwortham Residential Park.

**Area 2B**

- Replacement of the existing concrete wall, with a new concrete wall with glass panels on top, along Riverside Road extending upstream from the Cadent Gas Pipe Bridge;
- New concrete wall along the river front linking Riverside Road to Ribble Sidings. A Redi-Rock retaining wall and inclined embankment will be constructed to stabilise the existing bank; and
- An earth embankment along the river front of Ribble Sidings, replacing the existing embankment.

**Area 2C**

- Filling in a culvert under the WCML, approximately 500m inland from the River Ribble.

**Landscape Proposals**

Mitigation measures will be required in order to avoid, reduce, remedy or compensate for any adverse landscape or visual effects of the proposed Scheme in accordance with planning and environmental policy. This will consist of both primary mitigation and secondary mitigation. Primary mitigation aims to prevent negative impacts and

maximise positive impacts through integral design, whilst secondary mitigation will address unavoidable negative impacts that cannot be mitigated by primary mitigation. These are detailed further in Section 7 of the DAS.

Existing vegetation will be retained wherever practicable and the alignments of the defences throughout the proposed Scheme have been adjusted in order to achieve this. Vegetation protection measures will be put in place prior to the commencement of the construction works and will be informed by a Tree Protection and Arboricultural Method Statement. An Environmental Clerk of Works will monitor implementation and compliance with these measures. Trees and other vegetation located very close to the working area or impacted by the unavoidable incursion of plant and machinery within the root zones will be retained where safe to do so and will be monitored during the five-year establishment period. Precautionary measures will be taken in these circumstances to help protect root zones during the works. For the Ribble Sidings habitat creation area, it has been agreed that SRBC will take on the long-term maintenance after an initial one year establishment period.

Opportunities to deliver a range of environmental improvements have been explored during the development of the proposed Scheme. Discussions regarding several enhancement measures have been held with PCC and SRBC.

The enhancement proposals identified include, but are not limited to, the following:

- Enhancements within Broadgate Gardens open space to include new footpath route to seating areas and pollinator friendly planting, and incorporation of the existing viewing platform into the new flood wall design;
- Ecological and landscape enhancements at Ribble Sidings;
- Enhancements within open space at the end of Hawkhurst Road to include new footpath routes, tree and shrub planting;
- Interpretation boards located along the river banks relating to heritage features such as the old railway line and the Penwortham ferry crossing;
- Tree planters and seating along Riverside and near Penwortham Old Bridge to enhance the streetscene and Preston Guild Wheel route; and
- Signage and route demarcations to the Preston Guild Wheel route.

The proposed mitigation and enhancement measures are presented on the Environmental Masterplans (ENV0000009C-JAC-ZZ-42X-DR-L-0001; and ENV0000009C-JAC-ZZ-ZZ-00-DR-L-0002 to ENV0000009C-JAC-ZZ-ZZ-00-DR-L-0009).

### **Construction Compounds**

Temporary construction compounds will be required for the duration of the construction period. The main works compound is proposed to be located at Portway Park and Ride Car Park, with smaller satellite compounds located at Broadgate Gardens and Preston Sports Club Car Park for the Area 1 works. For Area 2, lay down areas for the outlying works will include an area to the north west of the Golden Way adjacent to the footpath, amenity grassland of Ribble Sidings, and within the St Mary Magdalene Primary School adjacent to the WCML underpass.



## 5. Consents

### 5.1 Environmental Impact Assessment

A formal screening request was made by the Environment Agency under Part 2 Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) (EIA) Regulations 2017 (the EIA Regulations) to LCC, as the relevant planning authority, to adopt an opinion of whether the proposed Preston and South Ribble FRMS constituted EIA development. The Preston and South Ribble FRMS does not fall under the description of a Schedule 1 development as defined by the EIA Regulations, which would automatically require a statutory EIA to be undertaken. However, in view of the overall working area of the site (over 1 hectare) and the nature of the works, the Preston and South Ribble FRMS falls under the description of a Schedule 2 development, namely Category 10(h) Flood-relief works where the area of works exceeds 1 hectare.

The submitted screening opinion request presented an overview of the baseline environmental information, possible opportunities and known constraints, and the findings of the screening assessment undertaken as part of the EIA process for the proposed works. A response was obtained from LCC on 11 March 2020, which confirmed that the overarching Preston and South Ribble FRMS did not constitute EIA development.

The Council's response to the screening opinion request confirmed that:

*"It is the County Council's screening opinion that the proposal would not be Environmental Impact Assessment development."*

A copy of the Council's response to the Screening Opinion request is attached in Appendix 1.

A formal Screening Opinion has also been requested from the Marine Management Organisation on the 30 October 2020 as the statutory authority of the intertidal area of the River Ribble. A response is expected by the end of December in line with the 8 week determination period.

Whilst a statutory Environmental Statement is therefore not required, preparation of a non-statutory ER has been progressed to collate, assess and present the findings of supporting surveys and investigations. It has been used to determine the impacts of the proposed works and the measures required to mitigate these impacts. The environmental implications considered in the ER and supporting assessments have also been a key consideration in the assessment of the proposed works' compliance with planning policy detailed in Section 6.

### 5.2 Planning Consent

The proposed Scheme consists of works requiring planning consent, under the Town and Country Planning Act 1990, and works that could be undertaken as permitted development under the Town and Country Planning General Permitted Development Order 2015. However, it has been agreed with LCC, PCC and SRBC that planning consent will be sought for all required works for full transparency and to enable statutory consultees, stakeholders and local residents the opportunity to provide comment on all aspects of the proposed Scheme.

### 5.3 Listed Building Consent

Consideration has been given to the impact on a number of designated heritage assets within the site or within the influence of the proposed works. These include: Avenham Conservation Area, Penwortham Old Bridge; Miller Park Registered Park and Garden (RPG); Avenham Park RPG; nine individually Grade II Listed Buildings within Miller Park and two further Grade II Listed Buildings associated with the railway embankment between Miller Park and Avenham Park. Of these assets, Listed Building Consent is being sought, under the Planning (Listed Buildings and Conservation Areas) Act 1990, in respect of Penwortham Old Bridge and the Railway Viaduct over River Ribble due to the physical interaction of the proposed works on these assets.

The accompanying Heritage Statement details the impact of the proposed Scheme on these designated Listed Buildings. Penwortham Old Bridge is designated as a Grade II Listed building (NHLE ID: 1210865 and 1279848).

The Heritage Statement identifies that the bridge's riverside setting makes an integral positive contribution to its significance as a heritage asset, contributing to the way the asset is understood, experienced and appreciated. It notes that due to the heritage interests associated with the bridge and its status as a Listed Building and Scheduled Monument, it has been assessed to be of high value. With regards to the Railway Viaduct over River Ribble (1218908), the Heritage Statement identifies that the viaduct is one of three railway bridges, which when considered as a group, it gains additional interest due to the mutual association and the visual impact their close proximity to one another creates. It notes that the open setting created by the surrounding park land combined with the open scape created by the course of the river affords interesting views across this river side area of Preston. These views allow the scale and design of the railway infrastructure to be appreciated, experienced and understood from a number of vantage points and therefore the setting of these assets contributes to their value as heritage assets.

The proposed Scheme in the vicinity of Penwortham Old Bridge will feature works on both the north and south banks of the River Ribble. In consideration of the proposed works, the Heritage Statement assesses that the works in Area 1 would result in the following impacts:

- A minor permanent physical impact on Penwortham Old Bridge (as Scheduled Monument and a Grade II Listed Building) from the way the new higher flood wall will tie into the historic fabric of the bridge and its stone parapets. This impact is assessed to be minor as the Scheme will only affect a small portion of the original fabric of the bridge.
- Permanent change in the setting of the asset through the changed appearance of the river bank due to the introduction of the Redi-Rock revetments, as well as the new flood walls which will be visible from (and from the vicinity of) the bridge. This impact is assessed as negligible.
- Higher and more extensive flood walling will create a permanent change in the asset's setting, affecting views and the way this asset is understood, experienced and appreciated (via a change in its setting). This impact is assessed as negligible.
- Temporary changes in the setting of this asset during the construction period due to the presence of construction machinery, compounds and fencing and associated noise and activity in its immediate setting. This temporary change to the way this asset is going to be understood, experienced and appreciated is assessed as having a minor impact on its heritage significance.
- Removal of vegetation will create a change in the setting of this asset, but it is intended that the new revetments will blend in to the existing environment with time, gaining a more natural appearance. Negligible impact is predicted on the asset via this change in its setting.

Along the south bank, the proposed Scheme in Area 2 is assessed to result in the following:

- Permanent change in the setting of the asset through the changed appearance of the river bank due to the introduction of a new Redi-rock revetment, as well as the new flood wall which will be visible from, and from the vicinity of, the bridge. This change to the way the asset is going to be understood, experienced and appreciated is assessed as having a minor impact on its heritage significance.
- Temporary impact through changes in the setting of this asset during the construction period due to the presence of construction machinery, compounds and fencing and associated noise and activity in its immediate setting. This temporary change to the way this asset is going to be understood, experienced and appreciated is assessed as having a minor impact on its heritage significance.
- Removal of vegetation will create a change, but it is intended that the new revetment will blend in to the existing environment with time, gaining a more natural appearance. Negligible impact is predicted on the asset via this change in its setting.

The Heritage Statement therefore concludes that negligible to minor temporary and negligible to minor permanent impacts on this high value heritage asset are predicted. Therefore, the proposed Scheme, once completed, is considered to have a slight adverse significance of effect on the cultural heritage value (significance) of this asset both temporarily and permanently. Following the DMRB guidance (Highways Agency, 2007) this is not considered a significant effect and is therefore not considered to result in a significant impact or substantial harm in respect to Paragraphs 193 to 197 of the NPPF.

With regards to the Viaduct over River Ribble, the Heritage Statement identifies that the proposed works in Area 1 would result in following impacts:

- Direct physical impact on this Listed Building. This impact would arise from the introduction of the proposed flood gates tying into either side of the northernmost viaduct arch. This impact would be permanent in nature. However due to the character and substantial scale of this asset, the scale of change introduced by the Scheme is assessed to have at most negligible impact on the heritage significance of this asset.
- Higher and more extensive flood walling adjacent to the asset will create a permanent change in the asset's setting affecting views to and from the Railway Viaduct. However, due to the character and substantial scale of this asset, the scale of change introduced by the Scheme is assessed to have at most negligible impact on the heritage significance of this asset.
- Temporary impact through changes in the setting of this asset during the construction period. This impact would arise from the presence of construction machinery, compounds and fencing and associated noise and activity (including movement of plant and machinery) on its wider setting (Avenham Conservation Area; RPG1). This temporary impact on the way this asset is understood, experienced and appreciated is assessed as negligible.
- Removal of vegetation – temporary negligible impact on the way this asset is understood, experienced and appreciated (via a change in its setting).

It therefore concludes that negligible temporary and slight permanent impacts are predicted on this medium value heritage asset and as such the proposed Scheme is considered to not cause a significant effect or substantial harm on the cultural heritage value (significance) of this asset, in accordance with Paragraphs 193 to 197 of the NPPF.

Specific details showing how the flood defences will tie into the listed buildings is presented on drawings DW-41X-DR-PL-0002 to 0004.

## **5.4 Scheduled Monument Consent**

Penwortham Old Bridge is designated as a Scheduled Monument (ID: 1005092) and therefore Scheduled Monument Consent may be required due to the physical interaction of the proposed works on the bridge in Area 1. The impacts and significance of the effect on the designation resulting from the proposed works are summarised above in Section 5.3 and detailed within the accompanying Heritage Statement. Discussions with Historic England are therefore being undertaken to determine the requirement for this.

## **5.5 Temporary Traffic Regulation Orders**

It may be necessary to temporarily stop or limit vehicular and/or pedestrian traffic along the highway as a means to maintain public safety during certain construction activities. Consent will be sought from and in consultation with the Local Highways Authority via applications for Temporary Traffic Regulation Orders (TTRO). Potential requirements for TTROs include: at Riverside Road in the vicinity of the flood wall construction; at Riverside between Ribble Cottage and the WCML; and at Riverside from Miller Garden Apartments to the Cadent Gas Pipe Bridge.

## **5.6 Landownership**

The proposed works are predominantly located on land owned by LCC, PCC and SRBC. The Councils, along with other private landowners, have been consulted and notified of the proposed works as required under the Town and Country Planning (Development Management Procedure) (England) Order 2015.

## 6. Planning Policy Framework

### 6.1 Introduction

This section describes the planning policy framework relevant to the proposed works and provides an appraisal of the statutory development plan and key relevant planning policies and guidance at a national and local level.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a requirement upon authorities when determining planning applications to do so in accordance with the adopted development plan unless material considerations indicate otherwise.

A summary of the planning policy documents that comprise the development plan and any other material considerations of relevance to the proposed works are detailed in the following sections. An appraisal of the policy and a consideration of the proposed works' compliance has also been carried out and is detailed in the grey boxes accompanying the associated policy text.

### 6.2 National Planning Policy Framework

#### 6.2.1 National Planning Policy Framework (February 2019)

The revised NPPF was published on 24 July 2018 and updated 19 February 2019. It sets out the government's planning policies for England and how these are expected to be applied. This revised Framework replaces the previous NPPF published in March 2012, however it retains its emphasis on place-making, bringing together design, land use, landscaping, social uses and open spaces. There is a re-emphasis that applications which can show genuine engagement with the local community will be considered more favourably.

Specific components of the NPPF considered of relevance to the proposed works are discussed below.

#### Section 2: Achieving sustainable development

Section 2 of the NPPF identifies that the overarching aim of the revised NPPF is still the achievement of sustainable development with the planning system expected to contribute towards this goal. Paragraph 8 establishes three overarching objectives to achieve sustainable development covering economic, social and environmental objectives. Within this context, the NPPF places an emphasis on protecting and enhancing the natural, built and historic environment and consequently seeks to improve biodiversity, the prudent use of natural resources, minimise waste and pollution, and mitigate and adapt to climate change.

Paragraph 11 advises that at the heart of the Framework there is a presumption in favour of sustainable development. It states that,

*"For decision-taking this means:*

*c) approving development proposals that accord with an up-to-date development plan without delay"; or*

*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole".*

This statement presents the case that a presumption in favour of sustainable development exists for the proposed works. This section details the proposed works compliance with the NPPF and development plan policies, whilst



Section 9 provides further detailed consideration of the supporting environmental assessments undertaken along with other construction impacts. Mitigation and enhancement measures that will be implemented have also been detailed to confirm that any consequential adverse impacts resulting from the proposed works will be appropriately addressed. As such it is considered that criteria c) of Paragraph 11 has been satisfied.

#### **Section 6: Building a strong, competitive economy**

This section affirms Government's commitment to the delivery of sustainable economic growth and Paragraph 81 requires that the planning system should operate to encourage and not act as an impediment to sustainable growth and should seek to address potential barriers to investment, including any lack of infrastructure provision.

Through the provision of new and improved flood defence infrastructure, the proposed works will increase the standard of protection to local residential and commercial properties as well as communities across Preston and South Ribble that otherwise could be negatively financially impacted as a consequence of flooding. In particular, the proposed works will improve flood protection to key business areas including the Capital Centre beyond Areas 1 and 2, whilst ERDF funding has been secured for Areas 1 and 2, which is directly linked to reducing flood risk to businesses along Strand Road. In addition, improved flood protection will be provided to key transport routes into the City for commuters, businesses, freight and tourists, ensuring the economic and commercial function of Preston and South Ribble is maintained and prospers. The proposed works therefore supports the aspirations and requirements of this section of the NPPF.

#### **Section 8: Promoting healthy and safe communities**

This section relates to providing healthy, inclusive and safe places. It provides a number of ways in which a development can help to promote healthy environments. Paragraph 95(a) advises that decisions should promote public safety and take into account wider security and defence requirements by anticipating and addressing possible natural hazards. The section highlights the importance of providing access to opportunities for walking and physical activity. In particular, Paragraph 98 states that: *"planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails."*

Through the provision of new and improved flood defence infrastructure, the proposed works will increase the standard of protection directly to the local community and communities across Preston and South Ribble, thereby helping to maintain and enhance a safe environment, whilst addressing the 'natural hazard' that flooding represents. This section of the NPPF also highlights the importance of providing access to opportunities for walking and physical activity, which is reflected in the proposed works and the proposals for maintaining and enhancing existing PRoWs routes through the site and public open spaces. The proposed works therefore supports the aspirations and requirements of this section of the NPPF.

#### **Section 9: Promoting sustainable transport**

This section and in particular Paragraphs 102 and 104 support development that reduces greenhouse gases and reduces congestion, facilitates the use of sustainable modes of transport and develops strategies for the provision of viable infrastructure. Local planning authorities are required to identify and protect sites and routes which could be critical in developing infrastructure to widen transport choice. There is also a requirement to ensure that, during the decision-making process, consideration has been given to maximising the use of sustainable modes of transport.

The proposed works include proposals to maintain and enhance both formal PRoW and permissive routes through the site, which support walking and cycling, facilitating travel by an alternative means to the private car and providing an important recreational and leisure function. Such proposals include a new layout along Riverside, which will create a safer route for both pedestrians and cyclists. The proposed works will seek to minimise impacts on these routes during construction and reinstate any affected routes on completion of the works thereby supporting the aspirations of this section of the NPPF to maintain and widen transport choice.

## Section 14: Meeting the challenge of climate change, flooding and coastal change

This section provides more detailed guidance with regard to meeting the challenge of climate change, flooding and coastal change. Paragraph 155 details the required consideration to be given in relation to development and flood risk. It states, *"Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere"*.

The NPPF advocates local planning authorities to adopt the sequential test to ensure that development is focused away from flood risk areas. Paragraphs 157 and 158 of the NPPF outline this approach along with the exception test in Paragraph 159, should a location outside of a flood risk area not be feasible. Subsequently, Paragraph 163 of the NPPF goes on to state that, *"When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment"*. Development should only be allowed in areas at risk of flooding where the following criteria can be demonstrated:

*"a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;*

*b) the development is appropriately flood resistant and resilient;*

*c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;*

*d) any residual risk can be safely managed; and*

*e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan"*.

This section is directly relevant to the proposed works as it takes full account of flood risk and climate change. Whilst the NPPF advocates utilising the sequential test to ensure development is focused away from areas at the highest risk of flooding, it acknowledges that where development is necessary, the development should not increase flood risk elsewhere. Given the nature of the proposed works and their function as part of the Preston and South Ribble FRMS, it is considered to be compliant with this section of the NPPF with a specific requirement for its proposed location. The EA have concluded that the location and nature of the proposed works are the most technically and economically preferable. By their very nature, the proposed measures have to be located along the riverbank and critical flood flow pathways to be technically effective. The options appraisal process confirmed that there are no other locations or group of measures that are more cost effective. Although the proposed Scheme is within predicted flood extents for tidal, fluvial and surface water flooding, the Scheme is specifically designed to resist flooding and therefore, the flood risk to the Scheme is considered to be low.

In terms of vulnerability to flooding, the vulnerability classification of the proposed development is "water-compatible" development as it constitutes flood control infrastructure and therefore, is considered appropriate development within Flood Zone 3b in accordance with the NPPF. With regards to the sequential test, the proposed flood defences require locating in an area of high flood risk to enable them to perform their function of reducing flood risk to people, homes and businesses. This is supported by Table 3 of the Planning Practice Guidance on Flood Risk and Coastal Change, which confirms that it is appropriate to construct flood defences which are water-compatible development in any flood zone.

In accordance with Paragraph 163, a Flood Risk Assessment (FRA) accompanies this application to confirm that the proposed works will improve the integrity, function and standard of protection afforded by existing flood defences. It identifies that initially a SoP of 0.5% AEP will be achieved which will reduce over time to a 1.33% AEP SoP by the end of the 2080's epoch due to the impact of climate change. The structure of the FRA is based on the site-specific FRA checklist contained within the PPG. The FRA accompanies this application which confirms that the proposed works will improve the integrity, function and standard of protection afforded by existing flood defences. It notes that there is a risk of short-term increase to risk of flooding upstream of the proposed Scheme extents during high magnitude events, however this increase would only be a risk until the full construction of the

Preston and South Ribble FRMS has been completed. It also identifies that there are some remote properties beyond the current scheme extents that have been identified as being subjected to minor long-term, adverse impacts to flood risk in high magnitude flood events as a result of the Preston and South Ribble FRMS. Therefore, property level protection and resilience measures will be implemented in consultation with individual property owners. Consequently, although the proposed Scheme would have some minimal adverse impacts, it is expected that these would be mitigated effectively and would be significantly outweighed by the benefits the proposed Scheme would bring to large areas of Preston and South Ribble. Therefore, the proposed works support the aspirations and requirements of this section of the NPPF.

### **Section 15: Conserving and enhancing the natural environment**

This section sets out the principles and requirements to protect and enhance the natural and local environment. In particular, Paragraph 170 seeks to conserve and enhance valued landscapes, minimise the impacts on biodiversity, including providing net gains in biodiversity where possible; and remediating and mitigating unstable land.

Paragraph 175 identifies that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying a number of principles. These principles include refusing permission where:

- significant harm would result from a development that cannot be avoided, adequately mitigated, or compensated for;
- development is on land within or outside a SSSI and is likely to have an adverse effect on it, with the exception of where the benefits of the development clearly outweigh both its likely impact on the features of the site and any broader impacts; and
- development would result in the loss or deterioration of irreplaceable habitats, unless there are wholly exceptional reasons and a suitable compensation strategy exists.

Development whose primary objective is to conserve or enhance biodiversity should be supported.

In addition, Paragraph 176 highlights that designated Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar sites will be given the same protection as habitats sites.

Paragraph 178 details how planning policies and decisions should also ensure that a site is suitable for its new use taking account of ground conditions and land instability.

The proposed Scheme encompasses habitats associated with the urban location along the River Ribble, which includes amenity grassland, planted and self-seeded trees, roads, bridges, and pedestrianised areas. The proposed Scheme is located within the Ribble Estuary Marine Conservation Zone (MCZ) and approximately 6.5km upstream from the Ribble and Alt Estuary SPA, and Ribble and Alt Estuary Ramsar site. In order to ensure that the proposed works comply with this section of the NPPF, a number of assessments and ecological surveys have been undertaken and submitted to support this planning application as detailed in Section 9.4. The surveys undertaken include: a Preliminary Ecological Appraisal; Verification Survey; Otter Survey; Bat roost potential and activity surveys; MCZ Assessment; Stage 1 HRA; WFD compliance assessment; and Biodiversity Net Gain (BNG) Assessment.

The Ribble Estuary MCZ is designated for smelt and the supporting assessment concluded that there was no risk to the MCZ conservation objectives. In addition, the Stage 1 HRA assessment concluded that there was no significant effect to the qualifying features of the Ribble and Alt Estuary Ramsar or the Ribble and Alt Estuary SPA due to the significant distance of the designated sites from the proposed Scheme. The Bat activity surveys have confirmed low level bat activity in both Areas 1 and 2, likely due to the nature and location of the site within an urban area. However, in order to minimise disturbance during construction, night time works are to be avoided and any lighting will be directed away from the watercourse. Otter surveys have been carried out which confirmed the

presence of commuting otter, however no active couches or holts, or resting features were identified on either the north or south banks of the river within the proposed Scheme extents. A precautionary pre-construction survey for otter has been recommended six weeks prior to the start of the works. Trees and scrub vegetation have the potential to support breeding birds between March and August inclusive. Where it is not possible to avoid vegetation clearance during the breeding bird season, planned removal of vegetation will require a pre-clearance nest check by the Environmental Clerk of Works (ECOW) 24 hours in advance of clearance. Consequently, the accompanying ER confirms that there will be no significant harm or adverse effect on the natural environment that cannot be appropriately mitigated.

The proposed Scheme includes habitat creation works at Fishwick Bottoms and Ribble Sidings to compensate for trees loss and in order to fulfil BNG requirements. Further details regarding the impacts on trees is detailed in the accompanying Arboricultural Impact Assessment Report and on the Preliminary Tree Removal Plans. Proposals for replacement and compensatory planting, landscaping and BNG requirements are detailed on the Environmental Masterplans and in the BNG Report.

Best environmental working practice will be employed for all works and in-channel works will be restricted to the 16 June to 31 January to avoid impacts to migratory Smelt and course fish present in the River Ribble. A programme of pre-construction surveys to check for otter and nesting birds is also planned to be undertaken prior to the commencement of works. Therefore, taking into account existing planned mitigation detailed in the surveys, the undertaking of pre-construction surveys and the presence of an ECOW throughout the construction phase, no significant residual impacts are anticipated to result from the proposed Scheme that would result in significant environmental harm or the deterioration of irreplaceable habitat. It is therefore considered that the proposed works are compliant with this section of the NPPF.

## Section 16: Conserving and enhancing the historic environment

This section and specifically Paragraph 189 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate but as a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise. Where a site includes, or has the potential to include, heritage assets with archaeological interest, an appropriate desk-based assessment and field evaluation, where necessary, will be required.

Paragraph 192 identifies when determining applications, account should be given to the desirability of sustaining and enhancing the significance of heritage assets; the positive contribution that conservation can make; and the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 193 confirms that when considering a development proposals impact on the significance of a designated heritage asset, great weight should be given to the asset's conservation irrespective of whether harm amounts to 'substantial harm, total loss or less than substantial harm' to its significance. Consequently, Paragraph 194 stipulates that any harm or loss to the significance of a designated heritage asset will require clear justification.

Should a proposed development lead to substantial harm to or total loss of significance of a designated heritage asset, Paragraph 195 states that local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is outweighed by substantial public benefits that the proposed development would deliver. This is reinforced in Paragraph 197, which recommends taking a balanced judgement to the scale of any harm or loss and the significance of the heritage asset.

The proposed works are located within proximity to fifteen heritage assets, including Avenham Conservation Area; Penwortham Old Bridge (Scheduled monument and Grade II Listed Building); Miller Park ((RPG 1) Grade II\* RPG)); Avenham Park ((RPG 2) Grade II\* RPG); nine individually Grade II Listed Buildings within Miller Park; and two further Grade II Listed Buildings associated with the railway embankment between Miller Park and Avenham Park. A Heritage Statement accompanies this application and assesses the proposed Scheme's impact on these heritage assets. It confirms that Listed Building Consent will be required for works associated with the Railway Viaduct over River Ribble; and Penwortham Old Bridge, which is also a Scheduled Monument and as such will also require Scheduled Monument Consent, due to the requirement for physical interaction with both structures.

In summarising the overall impact of the proposed Scheme on the identified heritage assets, the Heritage Statement concludes that negligible to minor temporary and negligible to minor permanent impacts are assessed on two medium value assets; Avenham Conservation Area and the Viaduct over River Ribble and on two high value assets; Miller Park (RPG 1) and Penwortham Old Bridge. The significance of effect of these impacts (both temporary and permanent) is assessed to be slight to neutral. As such, these are not considered significant (moderate or above effects) and equate to less than substantial harm as defined in Paragraphs 193 to 197.

Once the proposed Scheme is completed, no significant (moderate to very large) permanent adverse effects on the special architectural and historical interest of any of the designated assets discussed in the Heritage Statement are predicted. It notes that mitigation in the form of Level 2 building recording is proposed for Penwortham Old Bridge in line with national and local historic environment policy and guidance and established best professional practice.

Further, it is noted that the proposed Scheme would deliver benefits to the Conservation Area; the Scheduled Monument of Penwortham Old Bridge; and Listed Buildings identified, through the provision of enhanced flood protection. Therefore, it is considered that the proposed works are fully compliant with this section of the NPPF.

### 6.2.2 Planning Practice Guidance (October 2019)

On 6th March 2014, the Ministry of Housing, Communities and Local Government's (formerly the Department for Communities and Local Government) launched a Planning Practice Guidance (PPG) web-based resource. It was accompanied by a full list of previous planning guidance documents that were revoked. The PPG allows planning guidance for the first time to be available online in a usable and accessible way, previously only published in separate documents. It provides clear linkages to the NPPF and is intended to be updated as needed. The latest update was carried out in October 2019.

#### Flood Risk and Coastal Change

The PPG is split into thematic categories with 'Flood Risk and Coastal Change' being of particular relevance to the proposed works. This section outlines the strict tests that the NPPF sets in relation to protecting people and property from flooding. Where these tests are not met, national policy is clear that new development should not be allowed. As such, it states that in assessing flood risk in areas at risk of flooding, or for sites of 1 hectare or more, developers must undertake a site-specific FRA to accompany applications for planning permission.

Guidance also states, in relation to managing and mitigating flood risk where developments need to be in locations where there is a risk of flooding as alternative sites are not available, that local planning authorities and developers should ensure development is appropriately flood resilient and resistant, and safe for its users for the development's lifetime. The proposed Scheme falls within Flood Zone 2 and 3, and therefore accordingly a FRA has been submitted as part of the planning application.

#### Historic Environment

PPG states that heritage assets may be affected by direct physical change or by change in their setting. Paragraph 9 confirms that being able to properly assess the nature, extent and value of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals.

Paragraph 18 goes on to state that whether a proposal causes substantial harm will be a judgment for the decision-taker, having regard to the circumstances of the case and the policy in the NPPF. As substantial harm is a high test, the PPG states it may not arise in many cases and it is the degree of harm to the asset's value rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting. While the impact of total destruction is obviously substantial harm, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or even not harmful at all. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all although even some minor works have the potential to cause substantial harm.



Paragraph 20 states that public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the NPPF. Any public benefits should flow directly from the proposed development and they should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.

Paragraph 40 states that local planning authorities may identify non-designated heritage assets and, in some areas, these heritage assets may be identified as 'locally listed'. These identified heritage assets may include buildings, monuments, sites, places, areas or landscapes which have a degree of value meriting consideration in planning decisions, but which are not formally designated heritage assets.

### **Green Belt**

PPG provides further guidance as to what factors can be taken into account when considering the potential impact of development on the openness of the Green Belt. Paragraph 1 identifies a number of matters which courts have considered may need to be taken into account in making an assessment. These include, but are not limited to:

- *openness is capable of having both spatial and visual aspects;*
- *the duration of the development, and its remediability; and*
- *the degree of activity likely to be generated, such as traffic generation.*

## **6.3 Local Planning Framework Overview**

The local planning framework comprises of several key adopted documents which form the statutory development plan for the application area, against which proposals seeking planning permission are assessed. These policy documents comprise extant Local Plans as well as other relevant policy documents and guidance.

## **6.4 The Development Plan and Other Material Policy Considerations**

The statutory development plan covering the Preston and South Ribble FRMS Area 1 and 2 comprises of the following documents:

- Central Lancashire Local Development Framework Adopted Core Strategy (July 2012)
- Preston Local Plan 2012-26 Site Allocations & Development Management Policies (July 2015)
- South Ribble Local Plan (July 2015)

Other planning policy documents covering the authorities include:

- Joint Lancashire Minerals and Waste Development Framework Core Strategy (February 2009)
- Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies (September 2013)
- Preston City Centre Plan - an Area Action Plan to 2026 (June 2016)

However, it is considered that these plans are not pertinent to the scope and nature of this application and the development proposed and therefore they have not been considered further.

Other material considerations include the respective Policies Maps, which presents the designations and allocations that relate to specific policies in the development plan, Supplementary Planning Documents (SPDs) and Neighbourhood Development Plans (NDPs). Of these documents, the Central Lancashire Biodiversity and

Nature Conservation SPD (2015) is considered to be relevant to this application and as such has been considered in further detail in Section 6.4.4:

In addition, there are a number of other plans, policies and strategies that also form a material consideration and as such have been reviewed in this statement (refer to Section 6.4.5). These include the following:

- National Flood and Coastal Erosion Risk Management Strategy for England (September 2020)
- Ribble Valley Revised Level 1 Strategic Flood Risk Assessment (April 2017)
- North West River Basin District Flood Risk Management Plan 2015- 2021 (March 2016)
- Ribble: Catchment Flood Management Plan – Summary Report (December 2009)
- Central Lancashire Strategic Flood Risk Assessment Level 1 Final Report (December 2007)

#### **6.4.1 Central Lancashire Local Development Framework Adopted Core Strategy (July 2012)**

The Core Strategy was approved for development management purposes in July 2012. It provides an overarching spatial strategy, strategic objectives and detailed policies and proposals to guide development across Central Lancashire authorities' covering the combined area of Preston, South Ribble and Chorley. A key remit of the plan is to establish support for sustainable development and to detail where major development and investment should be located. The policies contained in the Core Strategy will be used to determine planning applications in Central Lancashire and should be read in conjunction with each authority's respective Site Allocation Plans.

Those policies and Strategic Objectives within the adopted Core Strategy of particular relevance to the proposed development are as follows:

##### **Strategic Objective: SO 23**

One of the Strategy's key Strategic Objectives is SO 23 relating to water management. This objective identifies the key aim, *"To manage flood risk and the impacts of flooding especially adjoining the river Ribble and at Croston"*.

The proposed development subject to this planning application will deliver new and improved flood defence infrastructure along the River Ribble and as such is clearly aligned with supporting the delivery of this Strategic Objective.

##### **Policy: MP**

Policy MP establishes a policy which reflects the presumption in favour of sustainable development contained in the NPPF. It identifies that proposals which accord with the policies in the Local Plan will be approved without delay, unless material considerations indicate otherwise. It also details that in circumstances where there are no policies relevant to the application, or they are out of date, the Council will grant permission unless the proposal conflicts with policies in the NPPF and adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.

The primary purpose of the proposed works is to improve the integrity, function and standard of protection afforded by existing flood defences to reduce flood risk to communities in Preston and South Ribble. The accompanying FRA confirms that the proposed works will improve the integrity, function and standard of protection afforded by existing flood defences. The proposed Scheme is classified as "water-compatible" and therefore, is considered appropriate development within Flood Zone 3b in accordance with the NPPF. The EA have concluded that the location and nature of the proposed works are the most technically and economically preferable. By their very nature, the proposed measures have to be located along the riverbank and critical flood flow pathways to be technically effective. The options appraisal process confirmed that there are no other locations or group of measures that are more cost effective. Although the proposed Scheme is within predicted flood extents

for tidal, fluvial and surface water flooding, the Scheme is specifically designed to resist flooding and therefore, the flood risk to the Scheme is considered to be low.

The FRA notes that there is a risk of short-term increase to risk of flooding upstream of the proposed Scheme extents during high magnitude events, however this increase would only be a risk until the full construction of the Preston and South Ribble FRMS has been completed. It also identifies that there are some remote properties beyond the current scheme extents that have been identified as being subjected to minor long-term, adverse impacts to flood risk in high magnitude flood events as a result of the Preston and South Ribble FRMS. Therefore, property level protection and resilience measures will be implemented in consultation with individual property owners. Consequently, although the proposed Scheme would have some minimal adverse impacts, it is expected that these would be mitigated effectively and would be significantly outweighed by the benefits the proposed Scheme would bring to large areas of Preston and South Ribble. Therefore, the proposed works are considered to constitute sustainable development and therefore support the aspirations and requirements of this policy.

### **Policy 16: Heritage Assets**

Policy 16 establishes the role and strategic approach the Council will take to protecting and enhancing the local character, heritage assets and their settings. This includes safeguarding heritage assets from inappropriate development and establishing a local list of heritage assets for each Authority.

The proposed works are located within proximity to 15 heritage assets, including Avenham Conservation Area; Penwortham Old Bridge (Scheduled monument and Grade II Listed Building); Miller Park ((RPG 1) Grade II\* RPG)); Avenham Park ((RPG 2) Grade II\* RPG); nine individually Grade II Listed Buildings within Miller Park; and two further Grade II Listed Buildings associated with the railway embankment between Miller Park and Avenham Park. A Heritage Statement accompanies this application and assesses the proposed Scheme's impact on these heritage assets. It identifies that negligible to minor temporary and negligible to minor permanent impacts are assessed on two medium value assets; Avenham Conservation Area and the Viaduct over River Ribble and on two high value assets; Miller Park (RPG 1) and Penwortham Old Bridge. The significance of effect of these impacts (both temporary and permanent) is assessed to be slight to neutral. As such, these are not considered significant (moderate or above effects) and equate to less than substantial harm as defined in Paragraphs 193 to 197. It is further considered that once the proposed Scheme is completed, no significant (moderate to very large) permanent adverse effects on the special architectural and historical interest of any of the designated assets discussed in the Heritage Statement are predicted.

In conclusion, it highlights that the proposed Scheme would deliver benefits to the Conservation Area; the Scheduled Monument of Penwortham Old Bridge; and Listed Buildings identified, through the provision of enhanced flood protection. It confirms that mitigation in the form of Level 2 building recording is proposed for Penwortham Old Bridge in line with national and local historic environment policy and guidance and established best professional practice., and that Listed Building Consent is required for works associated with the Railway Viaduct over River Ribble; and Penwortham Old Bridge, which will also require Scheduled Monument Consent, due to the requirement for physical interaction with both structures. On this basis, it is considered that the proposed Scheme will meet the policy's aims of protecting and enhancing the local character, heritage assets and their settings; and safeguarding heritage assets from inappropriate development.

### **Policy 18: Green Infrastructure**

Policy 18 sets out how green infrastructure will be managed and improved through the protection and enhancement of the natural environment. In particular, it identifies the green infrastructure that will be a priority for investment and improvement of its natural environment, and this includes the river valley network of the River Ribble at Penwortham and south to Lostock Hall and Bamber Bridge, to create a 'central park' area incorporating footpaths, cycleways and a Local Nature Reserve. The policy further states that mitigation and/or compensatory measures will be secured where development would lead to the loss of, or damage to, part of the Green Infrastructure network.

The proposed Scheme has been developed having given consideration to minimising the impact on green and blue infrastructure assets, to ensure that the public and ecological benefits provided by these assets are not compromised. The design of the defences has gone through a robust optioneering process, as outlined in Section 3 to perfect the alignment, height and type of defence required including utilising materials that are in keeping with the immediate setting and surrounding area. Mitigation measures also are proposed to minimise the physical and visual impacts on the natural environment. These include, replacement and compensatory planting along with a variety of environmental enhancement measures as outlined in Section 4.2 and detailed in the accompanying Landscape and Visual Impact Assessment (LVIA) and presented on the Environmental Masterplans. In addition, the achievement of BNG is an important requirement for the proposed Scheme and this is detailed further in the accompanying BNG Report. It is therefore considered that the proposed Scheme is compliant with the requirements of this policy.

#### **Policy 21: Landscape Character Areas**

Policy 21 identifies a requirement for all new development to be well integrated into existing settlement patterns, and to be appropriate to the landscape character type and designation it is located in. Further, development proposals should contribute positively to the conservation, enhancement or the restoration or creation of new features appropriate to the landscape character area.

The accompanying LVIA assesses the impact of the Scheme on the landscape and certain sensitive receptors, giving consideration to the criteria presented within the Landscape Strategy for Lancashire – Landscape Character Assessment. The policy requires development proposals to enhance or restore landscape where appropriate and this is reflected in the proposals detailed in the LVIA and presented on the Environmental Masterplans. The LVIA identifies that the likely landscape impacts will include the removal of mature vegetation, and trees throughout Areas 1 and 2 and the introduction of new or altered flood defence infrastructure. The flood defences have been carefully designed to minimise impacts on existing landscape and visual resources and to integrate the proposed Scheme as sensitively as possible into the receiving landscape. For example, the need for works along the old railway embankment have been designed out which avoids the need for significant tree removal, and the proposed layout around Miller Park has been redesigned avoiding the need for works along the riverside walkway. Existing vegetation will be retained wherever practicable and the alignment of the defences throughout the Scheme have been adjusted in order to achieve this. Mitigation and enhancement measures will be implemented in order to avoid, reduce, remedy or compensate for any adverse landscape or visual effects of the proposed Scheme on the landscape character area. These are detailed further in the LVIA and presented on the Environmental Masterplans. In addition, the achievement of BNG is an important requirement for the proposed Scheme and this is detailed further in the accompanying BNG Report. It is therefore considered that the proposed Scheme is compliant with this policy.

#### **Policy 22: Biodiversity and Geodiversity**

Policy 22 seeks to conserve, protect and enhance biological and geological assets within the Plan area, through the conservation and enhancement of biological diversity, giving regard to the restoration and re-establishment of priority habitats and species populations. Development proposals should also seek opportunities to conserve and enhance ecological networks and safeguard geological assets of both strategic and local importance.

The proposed Scheme encompasses habitats associated with the urban location along the River Ribble, which includes amenity grassland, planted and self-seeded trees, roads, bridges, and pedestrianised areas. The proposed Scheme is located within the Ribble Estuary MCZ and approximately 6.5km upstream from the Ribble and Alt Estuary SPA, and Ribble and Alt Estuary Ramsar site. To support the objectives of this policy, ecological surveys have been undertaken to support the proposed Scheme and identify the potential impacts of the works on habitats and species and the need for any mitigation. The surveys undertaken include: a Preliminary Ecological Appraisal; Verification Survey; Otter Survey; Bat roost potential and activity surveys; MCZ Assessment; Stage 1 HRA; WFD compliance assessment; and BNG Assessment.

The Ribble Estuary MCZ is designated for smelt and the supporting assessment concluded that there was no risk to the MCZ conservation objectives. In addition, the Stage 1 HRA assessment concluded that there was no



significant effect to the qualifying features of the Ribble and Alt Estuary Ramsar or the Ribble and Alt Estuary SPA due to significant distance of the proposed Scheme from the designated sites. The Bat activity surveys conclude that there is a low level of bat activity in both Areas 1 and 2, likely due to the nature and location of the site within an urban area. Notwithstanding this, in order to minimise disturbance during construction, night time works are to be avoided and any lighting will be directed away from the watercourse. Otter surveys have confirmed the presence of commuting otter, however no active couches or holts, or resting features were identified on either the north or south banks of the river within the proposed Scheme extents. A precautionary pre-construction survey for otter has been recommended six weeks prior to the start of the works. Trees and scrub vegetation have the potential to support breeding birds between March and August inclusive. Where it is not possible to avoid vegetation clearance during the breeding bird season, planned removal of vegetation will require a pre-clearance nest check by the ECoW 24 hours in advance of clearance. Consequently, the accompanying ER confirms that there will be no adverse effect on biodiversity and geodiversity that cannot be appropriately mitigated.

The proposed Scheme seeks to deliver ecological enhancements through habitat creation works at Fishwick Bottoms and Ribble Sidings to compensate for trees loss and to fulfil BNG requirements. Further details regarding the impacts on trees is detailed in the accompanying Arboricultural Impact Assessment Report and on the Preliminary Tree Removal Plans. Proposals for replacement and compensatory planting, landscaping and BNG requirements are detailed on the Environmental Masterplans and in the BNG Report.

Best environmental working practice will be employed for all works and in-channel works will be restricted to the 16 June to 31 January to avoid impacts to course fish, smelt and eels present in the River Ribble. A programme of pre-construction surveys to check for otter and nesting birds is also planned to be undertaken prior to the commencement of works. Therefore, taking into account existing planned mitigation detailed in the surveys, the undertaking of pre-construction surveys and the presence of an ECoW throughout the construction phase, no significant residual impacts are anticipated to result from the proposed Scheme that would result in significant environmental harm or the deterioration of irreplaceable habitat. It is therefore considered that the proposed works are compliant with this policy.

### **Policy 29: Water Management**

Policy 29 seeks to improve water quality, water management and reduce the risk of flooding. Of particular relevance to the proposed Scheme, the policy identifies the need to appraise, manage and reduce flood risk for all new development proposals and avoid inappropriate development in flood risk areas. The policy encourages the implementation of Sustainable Drainage Systems and maximising the use of Green Infrastructure to contribute to flood relief.

This policy seeks to ensure that new development will manage and reduce flood risk and will not be inappropriately located in flood risk areas. Due to the nature of the works to deliver the proposed Scheme and their function as part of the wider Preston and South Ribble FRMS, it is considered to be compliant with this policy and has a specific requirement for the proposed location. A FRA has been prepared to support the proposed Scheme, which gives consideration to the local and national planning policy requirements. It advises that in terms of vulnerability to flooding, the classification of the proposed development is water-compatible development as it constitutes flood control infrastructure. With regards to the sequential test, the proposed flood defences require locating in an area of high flood risk to enable them to perform their function of reducing flood risk to people, homes and businesses. This is supported by Table 3 of the PPG on Flood Risk and Coastal Change, which confirms that it is appropriate to construct flood defences which are water-compatible development in any flood zone.

A FRA accompanies this application which confirms that the proposed works will improve the integrity, function and standard of protection afforded by existing flood defences. It identifies that initially a SoP of 0.5% AEP will be achieved which will reduce over time to a 1.33% AEP SoP by the end of the 2080's epoch due to the impact of climate change. It notes that there is a risk of short-term increase to risk of flooding upstream of the proposed Scheme extents during high magnitude events, however this increase would only be a risk until the full construction of the Preston and South Ribble FRMS has been completed. It also identifies that there are some remote properties beyond the current scheme extents that have been identified as being subjected to minor long-term, adverse impacts to flood risk in high magnitude flood events as a result of the Preston and South Ribble

FRMS. Therefore, property level protection and resilience measures will be implemented in consultation with individual property owners. Therefore, although the proposed Scheme would have some minimal adverse impacts, it is expected that these would be mitigated effectively and would be significantly outweighed by the benefits the proposed Scheme would bring to large areas of Preston and South Ribble. Therefore, the proposed works therefore support the aspirations and requirements of this policy.

#### **6.4.2 Preston Local Plan 2012-26 Site Allocations & Development Management Policies (July 2015)**

The Preston Local Plan was adopted in July 2017 and forms part of the statutory development plan for Preston. The purpose of the Plan is to identify the scale and location of development through the allocation of sites to meet the development needs outlined in the Central Lancashire Core Strategy. It is intended to provide a level of certainty as to where land will be supported for future development or protected from inappropriate development. The Plan establishes a series of development management policies to control development and to address key local issues which are used in the determination of planning applications.

The following policies within the adopted Local Plan are considered of relevance to the proposed Scheme:

##### **Policy V1: Model Policy**

Policy V1 states that the Council will take a positive approach when considering new development which reflects the presumption in favour of sustainable development contained in the NPPF. It identifies that proposals which accord with the policies in the Local Plan will be approved without delay, unless material considerations indicate otherwise. It also details that in circumstances where there are no policies relevant to the application, or they are out of date, the Council will grant permission unless the proposal conflicts with policies in the NPPF and adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.

The primary purpose of the proposed works is to improve the integrity, function and standard of protection afforded by existing flood defences to reduce flood risk to communities in Preston and South Ribble and achieve an initial SoP of 0.5% AEP. The accompanying FRA confirms that the proposed works will improve the integrity, function and standard of protection afforded by existing flood defences. The proposed Scheme is classified as "water-compatible" and therefore, is considered appropriate development within Flood Zone 3b in accordance with the NPPF. The EA have concluded that the location and nature of the proposed works are the most technically and economically preferable. By their very nature, the proposed measures have to be located along the riverbank and critical flood flow pathways to be technically effective. The options appraisal process confirmed that there are no other locations or group of measures that are more cost effective. Although the proposed Scheme is within predicted flood extents for fluvial and surface water flooding, the Scheme is specifically designed to resist flooding and therefore, the flood risk to the Scheme is considered to be low.

The FRA notes that there is a risk of short-term increase to risk of flooding upstream of the proposed Scheme extents during high magnitude events, however this increase would only be a risk until the full construction of the Preston and South Ribble FRMS has been completed. It also identifies that there are some properties that may be subject to long-term, adverse impacts to flood risk and therefore property level protection and resilience measures will be used to mitigate this. Therefore, although the proposed Scheme would have some minimal adverse impacts, it is expected that these would be mitigated effectively and would be significantly outweighed by the benefits the proposed Scheme would bring to large areas of Preston and South Ribble. Therefore, the proposed works are considered to constitute sustainable development and therefore support the aspirations and requirements of this policy.

##### **Policy AD1(a): Development within (or in close proximity to) the Existing Residential Area**

Policy AD1(a) states that development within or in close proximity to existing residential areas will be supported where it conforms with a series of criterion. These include, development being of a design and scale that is in keeping with the character of the area; that would result in no adverse impact on residential amenity; that would not lead to an over-concentration or over-intensification of development.

The LVIA identifies that the flood defences have been carefully designed to minimise impacts on existing landscape and visual resources and to integrate the proposed Scheme as sensitively as possible into the receiving landscape. Existing vegetation will be retained wherever practicable and the alignment of the defences throughout the Scheme have been adjusted in order to achieve this. Mitigation and enhancement measures will be implemented in order to avoid, reduce, remedy or compensate for any adverse landscape or visual effects of the proposed Scheme.

The Scheme has been designed giving consideration to the replacement flood walls' colour and design to integrate it effectively into the surrounding area so that it complements adjacent housing materials. Replacement street furniture and hard landscaping have been designed to complement existing provisions and the existing viewing platform within Broadgate Gardens is to be retained and incorporated as part of the Scheme's proposed enhancements. The design has also given consideration to pathway connections to effectively integrate the new embankment and replacement flood walls with the existing footpath network. Where tree planting is proposed tree species have been selected to be sensitive to their location, for example ornamental species will complement pathways and native species will be selected for woodland blocks and river banks. There will also be areas of species rich grassland to improve local biodiversity. It is therefore considered that the proposed Scheme is fully compliant with this policy.

### **Policy ST2: General Transport Considerations**

Policy ST2 identifies the general transport considerations that all development proposals will be subject to. In particular, development proposals will be required to show that road safety and the efficient movement of all highway users is not be prejudiced, including cyclists and pedestrians. Measures should be included in proposals to facilitate access on cycle or foot and where possible, ensure existing pedestrian and cycle routes are protected and extended. In addition, corridors which could be developed as future transport routes, such as disused railway lines, should not be prejudiced.

The DAS, LVIA and Environmental Masterplans detail how the proposed Scheme will respond to the policy requirements to protect and enhance access to well-designed cycleways and footpaths. Section 4.2 of this statement provides a summary of the key enhancements proposed to maintain and improve the desirability of pedestrian and cycle routes, such as new footpath routes within Broadgate Gardens open space; new footpath routes with tree and shrub planting at Hawkhurst Road; improved footpath and cycleway along Riverside upstream of the Cadent Gas Pipe Bridge; and signage and route demarcations to the Preston Guild Wheel route.

A detailed Construction Traffic Management Plan (CTMP) will be prepared by the Contractor in advance of construction commencing and will include arrangements for traffic management, delivery of materials and equipment to the working area and temporary compounds. It is anticipated that the majority of deliveries and collections from site will be from the main compound proposed within the Portway Park and Ride Car Park. The proposed routes will be agreed with the Local Highways Authority and detailed in the CTMP prior to the commencement of works. Traffic generated (including the movement of material on the road network and on site) will be managed in accordance with the approved CTMP. It is anticipated that there will be a requirement to temporarily close some roads in the local area, as shown in Figure 26 in the DAS, to facilitate the construction works, however pedestrian access to residential properties will be maintained for the duration of the road closures. Where necessary alternative access to businesses will be implemented. The appropriate consents will be sought for all temporary closures and diversions from the Local Highways Authority. It is therefore considered that the proposed Scheme is compliant with this Policy.

### **Policy EN2: Protection and Enhancement of Green Infrastructure**

Policy EN2 seeks to protect existing green infrastructure from inappropriate development and enhance existing provisions where appropriate. It states that proposals which would involve the loss of green infrastructure will only be supported where such sites are surplus to requirements or any loss is replaced by equivalent or better provision in a suitable location. Proposals that seek to deliver alternative green infrastructure provision will also be supported provided the needs clearly outweigh the loss. All proposals affecting green infrastructure should have regard to Policy EN10 where the site is also part of an ecological network.

The ER and the LVIA assess the impact of the Scheme on the landscape and certain sensitive receptors, giving consideration to the criteria presented within the Lancashire Landscape Character Guidance. The policy requires development proposals to enhance or restore landscape where appropriate and this is reflected in the mitigation and enhancement proposals outlined in the LVIA and the delivery of BNG detailed in the BNG Report and presented on the Environmental Masterplans. This includes proposals for habitat creation and replacement tree planting at a 5:1 ratio. Initial flood and buildability assessments and proposed alignments have been chosen to reduce environmental impacts by avoiding sensitive areas and features of landscape and ecological value. For example, applying sensitive design around Miller Park to avoid significant impact on the historic setting including loss of mature trees and designing out the need for works along old railway embankment to avoid the need for significant tree removal. A secondary form of mitigation will be the utilisation of good construction practices to ensure that all environmental risks to green infrastructure and specific assets such as trees, hedgerows and shrubs have been identified and that all protection measures are implemented during the construction period. Again, proposals for mitigation and enhancements have been identified in the accompanying LVIA and Environmental Masterplans, whilst tree protection measures and tree removal requirements are presented in the Arboricultural Impact Assessment Report and on the Preliminary Tree Removal Plans. In addition, BNG forms a critical component of the proposed Scheme, which is detailed further in the BNG Report and it is therefore considered that the proposed Scheme is compliant with this Policy.

### **Policy EN3: Future Provision of Green Infrastructure**

Policy EN3 establishes a requirement for all development proposals to provide appropriate landscape enhancements; conserve and enhance important environmental assets, natural resources and biodiversity; make provision for the long-term use and management of these areas; and provide access to well designed cycleways, bridleways and footpaths to help link local services and facilities.

The LVIA and Environmental Masterplans detail how the proposed Scheme will respond to the policy requirements for landscape, natural resource and biodiversity enhancements, and access to well-designed cycleways, bridleways and footpaths. Section 4.2 of this statement provides a summary of the key enhancements proposed, which will include amongst other proposals: new footpath route to seating areas and pollinator friendly planting within Broadgate Gardens; ecological and landscape enhancements at Ribble Sidings; new footpath routes, tree and shrub planting at Hawkhurst Road; tree planters and seating along Riverside and near Penwortham Old Bridge to enhance the streetscene and Preston Guild Wheel route; and signage and route demarcations to the Preston Guild Wheel route. It is therefore considered that the proposed Scheme is compliant with this Policy.

### **Policy EN7: Land Quality**

Policy EN7 requires new development proposals to demonstrate that any existing contaminated land will be appropriately mitigated to ensure that there is no unacceptable risk of pollution within the site or the surrounding area; and will not cause the land or surrounding area to become contaminated.

Ground Investigations and a Geoenvironmental Assessment have been carried out to support the proposed Scheme and are detailed further in the accompanying ER. The assessment has identified that there is an elevated concentration of contaminants within made ground throughout Areas 1 and 2. These contaminants are primarily polycyclic aromatic hydrocarbons (PAH), as well as barium, lead, and asbestos fibres, and these were found diffuse throughout the made ground and not associated with any one point source. A Preliminary Conceptual Model, summarised in Section 4 of the Geoenvironmental Assessment, identified potential localised risks associated with the reuse and retention of the made ground as a result of this contamination. No unacceptable risks to future site users or controlled waters have been identified based on the recommendations that soils in Broadgate Gardens are left in situ due to elevated PAH levels and that soils adjacent to Penwortham Methodist Church are retained beneath any imported fill for the proposed raising of ground levels, due to elevated PAH concentrations. A Materials Management Plan (MMP) will therefore be prepared to document the reuse of materials within the proposed Scheme and a Site Waste Management Plan (SWMP) would be considered if excavated materials are to be disposed off-site. Consequently, it is considered that the proposed Scheme is compliant with this policy.

### **Policy EN8: Development and Heritage Assets**



Policy EN8 details the requirements for development proposals that would affect heritage assets. It identifies that such proposals would be supported where they accord with national policy on the historic environment, relevant Historic England guidance; and other applicable policy guidance on the historic environment, including the Council's Conservation Area Appraisals and Management Plans. Proposals are required to make a positive contribution to the character and local distinctiveness through the design, which should respect the scale, layout, and appearance of heritage assets and their setting. Proposals should sustain, conserve and, where appropriate, enhance the significance, appearance, character and setting of heritage assets and the surrounding historic environment. In particular, consideration should be given to the use, scale, layout, and appearance to the heritage asset and its setting.

The policy further stipulates that proposals involving the total or substantial loss of a heritage asset or the loss of the elements that contribute to its significance will be refused planning consent. Further, proposals will only be granted in exceptional circumstances where they can be justified in accordance with national planning guidance on heritage assets. Where the loss of the whole or part of a heritage asset is approved this will be subject to an appropriate condition or planning obligation.

A Heritage Statement should be submitted to fully explain the impact of the proposal on the significance of the heritage asset.

The proposed works are located within proximity to fifteen heritage assets, including Avenham Conservation Area; Penwortham Old Bridge (Scheduled monument and Grade II Listed Building); Miller Park ((RPG 1) Grade II\* RPG)); Avenham Park ((RPG 2) Grade II\* RPG); nine individually Grade II Listed Buildings within Miller Park; and two further Grade II Listed Buildings associated with the railway embankment between Miller Park and Avenham Park. A Heritage Statement accompanies this application and assesses the proposed Scheme's impact on these heritage assets. It identifies that negligible to minor temporary and negligible to minor permanent impacts are assessed on two medium value assets; Avenham Conservation Area and the Viaduct over River Ribble and on two high value assets; Miller Park (RPG 1) and Penwortham Old Bridge. The significance of effect of these impacts (both temporary and permanent) is assessed to be slight to neutral. As such, these are not considered significant (moderate or above effects) and equate to less than substantial harm as defined in Paragraphs 193 to 197. It is further considered that once the proposed Scheme is completed, no significant (moderate to very large) permanent adverse effects on the special architectural and historical interest of any of the designated assets discussed in the Heritage Statement are predicted.

In conclusion, the Heritage Statement highlights that the proposed Scheme would deliver benefits to the Conservation Area; the Scheduled Monument of Penwortham Old Bridge; and Listed Buildings identified, through the provision of enhanced flood protection. It confirms that mitigation in the form of Level 2 building recording is proposed for Penwortham Old Bridge, in line with national and local historic environment policy and guidance and established best professional practice, and that Listed Building Consent is required for works associated with the Railway Viaduct over River Ribble and Penwortham Old Bridge, which will also require Scheduled Monument Consent, due to the requirement for physical interaction with both structures. On this basis, it is considered that the proposed Scheme will meet the policy's aims of conserving and, where appropriate, enhancing the significance, appearance, character and setting of heritage assets and the surrounding historic environment.

#### **Policy EN9: Design of New Development**

Policy EN9 requires all new development proposals to be designed with regard to the principles detailed in the Central Lancashire Design Guide SPD. It states that applications will be approved where they accord with the Design SPDs principles and guidance, the relevant policies in the Core Strategy, national policy on the historic environment and the relevant Design Council CABE guidance. Proposals are required to make a positive contribution to the character and local distinctiveness of the area and should be accompanied by a DAS that explains and justifies the design approach for the scheme.

The LVIA identifies that the flood defences have been carefully designed to minimise impacts on existing landscape and visual resources and to integrate the proposed Scheme as sensitively as possible into the receiving landscape. Existing vegetation will be retained wherever practicable and the alignment of the defences throughout

the Scheme have been adjusted in order to achieve this. Mitigation and enhancement measures will be implemented in order to avoid, reduce, remedy or compensate for any adverse landscape or visual effects of the proposed Scheme.

The Scheme has been designed giving consideration to the replacement flood walls' colour and design to integrate it effectively into the surrounding area so that it complements adjacent building materials. Replacement street furniture and hard landscaping has been designed to complement existing provisions and the existing viewing platform within Broadgate Gardens is to be retained and incorporated as part of the Scheme's proposed enhancements. The design has also given consideration to pathway connections to effectively integrate the new embankment and replacement flood walls with the existing footpath network. Where tree planting is proposed tree species have been selected to be sensitive to their location, for example ornamental species will complement pathways and native species will be selected for woodland blocks and river banks. There will also be areas of species rich grassland to improve local biodiversity. It is therefore considered that the proposed Scheme is fully compliant with this policy.

### **Policy EN10: Wildlife Corridor**

Policy EN10 states that the Biodiversity and Ecological Network resources will be protected, restored and enhanced, with priority given to all designated sites of international, national, regional, county and local level importance including all Ramsar sites, Special Protection Areas, Special Areas of Conservation, national nature reserves, sites of special scientific interest and biological heritage sites, S41 Habitats of Principal Importance, geological heritage sites, local nature reserves and wildlife corridors together with any ecological network approved by the Council. The policy also seeks to protect, safeguard and enhance habitats for European, nationally and locally important species, including the ecology of the site and the surrounding area. As such, development proposals will need to include measures to protect, conserve, restore and enhance Preston's ecological network as required and provide links to the network from and/or through the proposed site.

In addition, the policy includes a series of requirements the development proposals must adhere to. These include delivering BNG where possible by ensuring that any adverse impacts are avoided or appropriately mitigated and/or compensated; deliver enhancements which contribute to habitat restoration; carry out all necessary surveys assessing the presence of such habitats/species to support planning applications and in exceptional cases, where the need for development significantly outweighs the impact on the natural environment, appropriate and proportionate mitigation measures and/or compensatory habitat creation and/or restoration of at least equal area, quality and diversity will be required through planning conditions and/or planning obligations.

The policy further defines what constitutes damage to the natural environment that will be used to assess new development proposals, and includes:

- "1. Loss of the undeveloped open character of a part, parts or all of the ecological network;*
- 2. Reducing the width or causing direct or indirect severance of the ecological network or any part of it;*
- 3. Restricting the potential for lateral movement of wildlife;*
- 4. Causing the degradation of the ecological functions of the ecological network or any part of it;*
- 5. Directly or indirectly damaging or severing links between green spaces, wildlife corridors and the open countryside; and*
- 6. Impeding links to ecological networks recognised by neighbouring planning authorities."*

The proposed Scheme encompasses habitats associated with the urban location along the River Ribble, which includes amenity grassland, planted and self-seeded trees, roads, bridges, and pedestrianised areas. The proposed Scheme is located within the Ribble Estuary MCZ and approximately 6.5km upstream from the Ribble and Alt Estuary SPA, and Ribble and Alt Estuary Ramsar site. In accordance with this policy, a number of ecological surveys

have been undertaken to support the proposed Scheme and identify the potential impacts of the works on habitats and species and the need for any mitigation. The surveys undertaken include: a Preliminary Ecological Appraisal; Verification Survey; Otter Survey; Bat roost potential and activity surveys; MCZ Assessment; Stage 1 HRA; WFD compliance assessment; and BNG Assessment.

The Ribble Estuary MCZ is designated for smelt and the supporting assessment concluded that there was no risk to the MCZ conservation objectives. In addition, the Stage 1 HRA assessment concluded that there was no significant effect to the qualifying features of the Ribble and Alt Estuary Ramsar or the Ribble and Alt Estuary SPA due to significant distance from the proposed Scheme. The Bat activity surveys conclude that there is a low level of bat activity in both Areas 1 and 2, likely due to the nature and location of the site within an urban area. Therefore, no impacts on bats are anticipated. Notwithstanding this, in order to minimise disturbance during construction, night time works are to be avoided and any lighting will be directed away from the watercourse. Otter surveys have confirmed the presence of commuting otter, however no active couches or holts, or resting features were identified on either the north or south banks of the river within the proposed Scheme extents. A precautionary pre-construction survey for otter has been recommended six weeks prior to the start of the works. Trees and scrub vegetation have the potential to support breeding birds between March and August inclusive. Where it is not possible to avoid vegetation clearance during the breeding bird season, planned removal of vegetation will require a pre-clearance nest check by the ECoW 24 hours in advance of clearance. Consequently, the accompanying ER confirms that there will be no adverse effect on wildlife corridors that cannot be appropriately mitigated.

The proposed Scheme seeks to deliver ecological enhancements through habitat creation works at Fishwick Bottoms and Ribble Sidings. Further details regarding the impacts on trees is detailed in the accompanying Arboricultural Impact Assessment Report and on the Preliminary Tree Removal Plans. Proposals for replacement and compensatory planting, landscaping and BNG requirements are detailed on the Environmental Masterplans and in the BNG Report.

Best environmental working practice will be employed for all works and in-channel works will be restricted to the 16 June to 31 January to avoid impacts on course fish, smelt and eels present in the River Ribble. A programme of pre-construction surveys to check for otter and nesting birds is also planned to be undertaken prior to the commencement of works. Therefore, taking into account existing planned mitigation detailed in the surveys, the undertaking of pre-construction surveys and the presence of an ECoW throughout the construction phase, no significant residual impacts are anticipated to result from the proposed Scheme that would result in significant environmental harm or the deterioration of irreplaceable habitat. It is therefore considered that the proposed works are compliant with this policy.

### **Policy EN11: Species Protection**

Policy EN11 seeks to provide protection to protected species from inappropriate development that would have an adverse effect on a species. Where the benefits of a development would outweighed the need to maintain the population of the species in situ, planning conditions or agreements will be used to reduce disturbance, support the survival of the species and provide appropriate alternative habitat.

To support the aims of this policy and the protection of species, a number of ecological surveys have been undertaken to support the proposed Scheme and identify the potential impacts of the works on habitats and species and the need for any mitigation. The surveys undertaken include: a Preliminary Ecological Appraisal; Verification Survey; Otter Survey; Bat roost potential and activity surveys; MCZ Assessment; Stage 1 HRA; WFD compliance assessment; and BNG Assessment.

The Ribble Estuary MCZ is designated for smelt and the supporting assessment concluded that there was no risk to the MCZ conservation objectives. In addition, the Stage 1 HRA assessment concluded that there was no significant effect to the qualifying features of the Ribble and Alt Estuary Ramsar or the Ribble and Alt Estuary SPA due to significant distance from the proposed Scheme. The proposed Scheme encompasses habitats associated with the urban location along the River Ribble, which includes amenity grassland, planted and self-seeded trees, roads, bridges, and pedestrianised areas. The surveys conclude that there is a low level of bat activity in both Areas 1 and 2, likely due to the nature and location of the site within an urban area. Therefore, no impacts on bat are

anticipated. Notwithstanding this, in order to minimise disturbance during construction, night time works are to be avoided and any lighting will be directed away from the watercourse. Otter surveys have confirmed the presence of commuting otter, however no active couches or holts, or resting features were identified on either the north or south banks of the river within the proposed Scheme extents. A precautionary pre-construction survey for otter has been recommended six weeks prior to the start of the works. Trees and scrub vegetation have the potential to support breeding birds between March and August inclusive. Where it is not possible to avoid vegetation clearance during the breeding bird season, planned removal of vegetation will require a pre-clearance nest check by the ECoW 24 hours in advance of clearance.

In addition, the proposed Scheme seeks to deliver ecological enhancements through habitat creation works at Fishwick Bottoms and Ribble Sidings. Proposals for replacement and compensatory planting, landscaping and BNG requirements are detailed on the Environmental Masterplans and in the BNG Report.

Best environmental working practice will also be employed for all works. In-channel works will be restricted to the 16 June to 31 January to avoid impacts on course fish, smelt and eels potentially present in the River Ribble. A programme of pre-construction surveys to check for otter and nesting birds is also planned to be undertaken prior to the commencement of works. Therefore, taking into account existing planned mitigation detailed in the surveys, the undertaking of pre-construction surveys and the presence of an ECoW throughout the construction phase, no significant residual impacts are anticipated to result from the proposed Scheme that would result in an adverse effect on a species. It is therefore considered that the proposed works are compliant with this policy.

#### **6.4.3 South Ribble Local Plan (July 2015)**

The Local Plan was adopted in July 2015 and forms part of the statutory development plan for South Ribble to be used for development management purposes to guide decisions on planning applications. It identifies and allocates the land required over the 15-year period plan period to achieve the level of growth outlined in the Central Lancashire Core Strategy. It is intended to provide a level of certainty as to where land will be supported for future development or protected from inappropriate development. The Plan includes development management policies to control development, address local issues and requirements and to guide the determination of planning applications.

The following policies within the adopted Local Plan are considered of relevance to the proposed Scheme:

##### **Policy G1: Green Belt**

Policy G1 confirms that the area covered by Green Belt is shown on the Policies Map. The policy reiterates NPPF provisions relating to the Green Belt and confirms that planning permission will not be given for the construction of new buildings unless very special circumstances exist unless it meets one of the referenced exceptions, which includes limited infilling or the partial or complete redevelopment of previously developed sites that would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

The majority of the works proposed in Area 2 are located within the Green Belt as defined by the South Ribble Local Plan Policies Map. Whilst most development constitutes inappropriate development when located within the Green Belt unless special circumstances exist, the proposed Scheme constitutes an engineering operation, which Paragraph 146 of the NPPF identifies as a form of development that is not considered to be inappropriate development within a Green Belt location, provided that the proposal preserves the Green Belts openness and does not conflict with the purposes of including land within it. It is considered that the proposed Scheme complies with Paragraph 146, and also that 'very special circumstances' exist that justify the need for the proposed Scheme, should the decision maker not agree with this assessment. Further detail assessment can be found in the Green Belt analysis provided in Section 9.3. On the basis of this assessment, it is therefore considered that the proposed Scheme is compliant with the requirements of this policy.



### Policy G5: Areas of Separation

Policy G5 confirms that there are three Areas of Separation shown on the Policies Map and includes AS2 Walton-le-Dale and Penwortham – including part of Central Park. It states that this land will be protected from inappropriate development in line with Policy G1 and the NPPF. The Core Strategy identifies a proposed Central Park for South Ribble, between Bamber Bridge and Lostock Hall and Walton-le-Dale and Penwortham. The Central Park boundary is incorporated within the boundaries of the areas of separation between Bamber Bridge and Lostock Hall; and Walton-le-Dale and Penwortham.

The majority of the works proposed in Area 2C are located within the Area of Separation as defined by the South Ribble Local Plan Policies Map. It is recognised that these areas are protected from inappropriate development in line with the provisions in Policy G1 and the NPPF. As stated in response to Policy G1, whilst most development constitutes inappropriate development when located within the Green Belt unless special circumstances exist, the proposed Scheme constitutes an engineering operation, which Paragraph 146 of the NPPF identifies as a form of development that is not considered to be inappropriate development within a Green Belt location, provided that the proposal preserves the Green Belts openness and does not conflict with the purposes of including land within it. It is considered that the proposed Scheme complies with Paragraph 146, and also that 'very special circumstances' exist that justify the need for the proposed Scheme, should the decision maker not agree with this assessment. Further detail assessment can be found in the Green Belt analysis provided in Section 9.3. On the basis of this assessment, it is therefore considered that the proposed Scheme is compliant with the requirements of this policy.

### Policy G7: Green Infrastructure – Existing Provision

Policy G7 states that development proposals should seek to protect and enhance the existing Green Infrastructure and states that any loss will not be permitted unless alternative provision of similar and/or better standard is provided, the retention of the site is not required, and the development would not detrimentally affect the amenity value and the nature conservation value of the site.

The LVIA, BNG Report and Environmental Masterplans detail how the proposed Scheme will respond to the policy requirements to protect and enhance existing Green Infrastructure. The proposed Scheme encompasses habitats associated with urban riparian land along a river corridor, which includes amenity grassland, planted and self-seeded trees, footpaths, roads, bridges, and other pedestrianised areas. The proposed Scheme will not compromise or result in the loss of existing Green Infrastructure provisions. Therefore, it is considered that the proposed Scheme is compliant with this policy.

### Policy G8 – Green Infrastructure and Networks – Future Provision

Policy G8 states that all developments should provide appropriate landscape enhancements, conserve environmental assets, natural resources, biodiversity and geodiversity; and access to well-designed cycleways, bridleways and footways that connect local services and facilities.

The LVIA, BNG Report and Environmental Masterplans detail how the proposed Scheme will respond to the policy requirements to enhancements to Green Infrastructure. The proposed Scheme encompasses habitats associated with urban riparian land along a river corridor, which includes amenity grassland, planted and self-seeded trees, footpaths, roads, bridges, and other pedestrianised areas. Section 4.2 of this statement provides a summary of the key enhancements proposed, which will include amongst other proposals: ecological and landscape enhancements at Ribble Sidings; new footpath routes, tree and shrub planting at Hawkhurst Road. It is therefore considered that the proposed Scheme is compliant with this policy.

### Policy G12: Green Corridors/Green Wedges

Policy G8 states that development will not be permitted in areas designated as green corridors where their open character, visual amenity and purpose would be prejudiced. However, development may be permitted, in very exceptional circumstances, where a proposal would have significant community and environmental benefits and measures can be provided to compensate for any loss of area within the green corridor. The policy also stipulates that new development should provide new green corridors which can be in the form of linear areas of Green

Infrastructure, such as footpaths and cycleways, with appropriate landscaping features including trees, hedges and woodland.

The LVIA, BNG Report and Environmental Masterplans detail how the proposed Scheme will respond to the policy requirements to ensure that green corridors are not prejudiced in terms of their open character, visual amenity and purpose and that the proposed Scheme will include amongst other proposals: ecological and landscape enhancements at Ribble Sidings; new footpath routes, tree and shrub planting at Hawkhurst Road. It is therefore considered that the proposed Scheme is compliant with this policy.

#### **Policy G13: Trees, Woodlands and Development**

Policy G13 states that planning permission will not be permitted where development proposals would adversely affect trees, woodlands and hedgerows which are protected by a Tree Preservation Order (TPO); within an Ancient Woodland, within a Conservation Area or Nature Conservation Site. It states that there will be a presumption in favour of the retention and enhancement of existing tree, woodland and hedgerow cover, but where there is an unavoidable loss, replacement tree planting will be required at a rate of 2:1. The policy requires tree survey information to be submitted with all planning applications, where trees are present on site and should include protection, mitigation and management measures.

The proposed Scheme will affect a number of trees across the site, including a small number along the old railway embankment which are protected by a TPO. Where any trees require removal as part of the proposed Scheme or to facilitate construction activities, these have been identified within the accompanying Arboricultural Impact Assessment Report and on the Preliminary Tree Removal Plans, which identifies those trees within proximity to the works to be removed or protected and retained. Whilst all measures have been taken to minimise the impact on trees and hedgerows as part of the design process, where these are unavoidable, the proposed Scheme has included for replacement planting at a ratio of 5:1 rather than the 2:1 ratio required by the policy, which is indicatively shown on the Environmental Masterplans to compensate and mitigate for unavoidable losses. In addition, the achievement of BNG is an important requirement for the proposed Scheme and this is detailed further in the accompanying BNG Report. Therefore, the proposed Scheme is considered to be compliant with this policy.

#### **Policy G14: Unstable or Contaminated Land**

Policy G14 identifies that there will be a presumption in favour of the redevelopment of previously developed land. Should such land be unstable or contaminated, applicants will be required to provide evidence of a site investigation and detail any proposed remedial works. Development should not result in an adverse impact on the stability of the land or surrounding areas and should be capable of resisting any adverse effects of instability on the development itself or adjoining land.

Ground Investigations and a Geoenvironmental Assessment have been carried out to support the proposed Scheme and are detailed further in the accompanying ER. The assessment has identified that there is an elevated concentration of contaminants within made ground throughout Areas 1 and 2. These contaminants are primarily polycyclic aromatic hydrocarbons (PAH), as well as barium, lead, and asbestos fibres, and these were found diffuse throughout the made ground and not associated with any one point source. A Preliminary Conceptual Model, summarised in Section 4 of the Geoenvironmental Assessment, identified potential localised risks associated with the reuse and retention of the made ground as a result of this contamination. No unacceptable risks to future site users or controlled waters have been identified based on the recommendations that soils in Broadgate Gardens are left in situ due to elevated PAH levels and that soils adjacent to Penwortham Methodist Church are retained beneath any imported fill for the proposed raising of ground levels, due to elevated PAH concentrations. A MMP will therefore be prepared to document the reuse of materials within the proposed Scheme and a SWMP would be considered if excavated materials are to be disposed off-site. Consequently, it is considered that the proposed Scheme is compliant with this policy.

#### **Policy G16: Biodiversity and Nature Conservation**

Policy G16 states that the Biodiversity and Ecological Network resources will be protected, restored and enhanced, with priority given to all designated sites of international, national, regional, county and local level importance

including all Ramsar sites, Special Protection Areas, Special Areas of Conservation, national nature reserves, sites of special scientific interest and biological heritage sites, geological heritage sites, local nature reserves and wildlife corridors together with any ecological network approved by the Council. The policy also seeks to protect, safeguard and enhance habitats for European, nationally and locally important species, including the ecology of the site and the surrounding area. As such, development proposals will need to include measures to protect, conserve, restore and enhance Preston's ecological network as required and provide links to the network from and/or through the proposed site.

The proposed Scheme encompasses habitats associated with the urban location along the River Ribble, which includes amenity grassland, planted and self-seeded trees, roads, bridges, and pedestrianised areas. It is also located within the Ribble Estuary MCZ and approximately 6.5km upstream from the Ribble and Alt Estuary SPA, and Ribble and Alt Estuary Ramsar site. To support the objectives of this policy, ecological surveys have been undertaken to support the proposed Scheme and identify the potential impacts of the works on habitats and species and the need for any mitigation. The surveys undertaken include: a Preliminary Ecological Appraisal; Verification Survey; Otter Survey; Bat roost potential and activity surveys; MCZ Assessment; Stage 1 HRA; WFD compliance assessment; and BNG Assessment.

The Ribble Estuary MCZ is designated for smelt and the supporting assessment concluded that there was no risk to the MCZ conservation objectives. In addition, the Stage 1 HRA assessment concluded that there was no significant effect to the qualifying features of the Ribble and Alt Estuary Ramsar or the Ribble and Alt Estuary SPA due to significant distance from the proposed Scheme. The Bat activity surveys concluded that there is a low level of bat activity in both Areas 1 and 2, likely due to the nature and location of the site within an urban area. Therefore, no impacts on bat are anticipated. Notwithstanding this, in order to minimise disturbance during construction, night time works are to be avoided and any lighting will be directed away from the watercourse. Otter surveys have confirmed the presence of commuting otter, however no active couches or holts, or resting features were identified on either the north or south banks of the river within the proposed Scheme extents. A precautionary pre-construction survey for otter has been recommended six weeks prior to the start of the works. Trees and scrub vegetation have the potential to support breeding birds between March and August inclusive. Where it is not possible to avoid vegetation clearance during the breeding bird season, planned removal of vegetation will require a pre-clearance nest check by the ECoW 24 hours in advance of clearance. Consequently, the accompanying ER confirms that there will be no adverse effect on biodiversity and geodiversity that cannot be appropriately mitigated.

The proposed Scheme seeks to deliver ecological enhancements through habitat creation works at Fishwick Bottoms and Ribble Sidings. Further details regarding the impacts on trees is detailed in the accompanying Arboricultural Impact Assessment Report and on the Preliminary Tree Removal Plans. Proposals for replacement and compensatory planting, landscaping and BNG requirements are detailed on the Environmental Masterplans and in the BNG Report.

Best environmental working practice will be employed for all works and in-channel works will be restricted to the 16 June to 31 January to avoid impacts to course fish, smelt and eels present in the River Ribble. A programme of pre-construction surveys to check for otter and nesting birds is also planned to be undertaken prior to the commencement of works. Therefore, taking into account existing planned mitigation detailed in the surveys, the undertaking of pre-construction surveys and the presence of an ECoW throughout the construction phase, no significant residual impacts are anticipated to result from the proposed Scheme that would result in significant environmental harm or the deterioration of irreplaceable habitat. It is therefore considered that the proposed works are compliant with this policy.

#### **Policy G17 – Design Criteria for New Development**

Policy G17 states that planning permission will be granted for new development, including free standing structures, provided that, where relevant to the development the proposal is appropriate to its setting in terms of design, height, scale, orientation, massing, proximity, or use of materials. Development should not result in harm to neighbouring properties resulting from overlooking, overshadowing or an overbearing effect. The policy requires the layout, design and landscaping of all elements of proposals, including footpaths and open spaces, to

be of a high quality that respects the character of the site and local area. It states that development should not prejudice highway or pedestrian safety, or flow of movement and it should be constructed to an adoptable standard. In a heritage setting, development proposals should also sustain, conserve and where appropriate enhance the heritage assets or their setting and should not result in substantial harm or loss of significance of an asset, unless it can be demonstrated that substantial public benefits exist which outweigh the harm or loss to the asset. The policy also stipulates that new development should not have a detrimental impact on landscape features such as mature trees, hedgerows, ponds and watercourses. However, where this cannot be avoided and it is considered acceptable to do so, then appropriate mitigation measures to replace any losses will be required either on or off-site.

The LVIA identifies that the flood defences have been carefully designed to minimise impacts on existing landscape and visual resources and to integrate the proposed Scheme as sensitively as possible into the receiving landscape. Existing vegetation will be retained wherever practicable and the alignment of the defences throughout the Scheme have been adjusted in order to achieve this. Mitigation and enhancement measures will be implemented in order to avoid, reduce, remedy or compensate for any adverse landscape or visual effects of the proposed Scheme.

The Scheme has been designed giving consideration to the replacement flood walls' colour and design to integrate it effectively into the surrounding area so that it complements adjacent housing materials. Replacement street furniture and hard landscaping has been designed to complement existing provisions and the existing viewing platform within Broadgate Gardens is to be retained and incorporated as part of the Scheme's proposed enhancements. The design has also given consideration to pathway connections to effectively integrate the new embankment and replacement flood walls with the existing footpath network. Where tree planting is proposed tree species have been selected to be sensitive to their location, for example ornamental species will complement pathways and native species will be selected for woodland blocks and river banks. There will also be wild flower species improvement to selected areas of reinstated grass. It is therefore considered that the proposed Scheme is fully compliant with this policy.

#### **6.4.4 Central Lancashire Biodiversity and Nature Conservation SPD 2015**

Central Lancashire Biodiversity and Nature Conservation SPD provide further detail and guidance in relation to policies and proposals within the development plan and should be considered alongside policy in the Central Lancashire Core Strategy and the site allocations and development management policies within each authorities respective Local Plans. The guidance presented within the SPD should be taken into consideration at the earliest stages of the development process for any site and will be a material consideration in the determination of planning applications.

The primary purpose of the SPD is to ensure that there is no net loss of nature conservation assets, and that opportunities are taken to improve them where appropriate. It provides further interpretation of planning policy towards conserving, protecting and enhancing biodiversity and ecological networks to guide applicants as to what is required throughout the planning application process.

Section B of the SPD details the key legislation in relation to biodiversity and nature conservation of relevance to the SPD, which includes: The Conservation of Species and Habitat Regulations 2010; The Natural Environment and Rural Communities Act 2006; Wildlife and Countryside Act 1981; The Water Framework Directive; The Bathing Water Directive 2006; and The Hedgerows Regulations (1997), and cross references to further guidance relating to protected species.

Section C of the SPD reiterates the relevant national and local planning policy relating to biodiversity and nature conservation, whilst Section D lists the various statutory designations and legislation.

Section E provides further detailed explanation of the Lancashire Ecological Network and how planning policy relating to the network has been guided by the 'Making Space for Nature' (2010) report, which recommended that *"ecological connections which exist between high quality sites are maintained, and developed, to allow species populations, or at least their genes, to move between them to establish a coherent and resilient network"*. The SPD



confirms that Core Strategy Policy 22 and the individual authority Local Plans all include provisions relating to ecological networks. The SPD goes on to detail how ecological networks have been mapped.

Section F of the SPD details how biodiversity and nature conservation can be integrated into the planning application process. It incorporates a flowchart to guide applicants through the steps that should be taken to ensure development proposals appropriately address biodiversity and details when surveys and assessments will be required for designated sites, priority habitats, Ecological Networks and protected and priority species. For designated sites and priority habitats Paragraph 46 states that, *"Where an application is likely to affect designated sites or priority habitats, as listed in Table 1 in Appendix 2, a survey and assessment for the relevant feature must be submitted with the application. This also includes applications for developments that are adjacent to such a site, but which might have an impact upon it"*. With regards to Ecological Networks, Paragraph 48 states, *"If an application is likely to affect a Key Feature of the Ecological Network, a survey and assessment of the impact of the proposal on the function of the Network must be submitted with the application. Designated sites, priority habitats and biodiversity features will often also form components of the Ecological Network. Therefore, if development is likely to affect them, a survey and assessment will already be required. The survey and assessment should be expanded to also assess the function of these areas as part of the Ecological Network and the impact of the development upon the Network"*. With regards to protected and priority species Paragraph 50 identifies that where a planning application involves any development proposals shown in Appendix 3, Table 2 of the SPD, a protected species survey and assessment must be submitted with the application, subject to certain exceptions detailed in the paragraph. Section F continues with the provision of further guidance on the methodology for undertaking appropriate surveys and assessments, including the requirements for mitigating and compensating for the loss of biodiversity and the enhancement of sites to achieve a net gain in biodiversity where possible.

Paragraph 90 provides further guidance on the determination of planning applications that impact on biodiversity. It confirms that, *"the necessary surveys and assessments will need to be supplied, to ensure that the impacts of proposals can be properly assessed, and the requirements of all policies addressed"*. It also identifies that in the determination of applications, standing advice from authorities such as Lancashire County Council and Natural England will be utilised, as well as advice from relevant authorities, including the above and the Environment Agency, as appropriate. It confirms that decisions will be made based upon the evidence supplied and advice received and that ecological conditions will be attached to planning decisions and where appropriate, obligations will be sought under a legal agreement.

The proposed Scheme encompasses habitats associated with the urban location along the River Ribble, which includes amenity grassland, planted and self-seeded trees, roads, bridges, and pedestrianised areas. The proposed Scheme is located within the Ribble Estuary MCZ and approximately 6.5km upstream from the Ribble and Alt Estuary SPA, and Ribble and Alt Estuary Ramsar site. In response to the guidance and recommendations within this SPD, ecological surveys have been undertaken to support the proposed Scheme and identify the potential impacts of the works on habitats and species and the need for any mitigation. The surveys undertaken include: a Preliminary Ecological Appraisal; Verification Survey; Otter Survey; Bat roost potential and activity surveys; MCZ Assessment; Stage 1 HRA; WFD compliance assessment; and BNG Assessment. .

The Ribble Estuary MCZ is designated for smelt and the supporting assessment concluded that there was no risk to the Ribble MCZ conservation objectives. In addition, the Stage 1 HRA assessment concluded that there was no significant effect to the qualifying features of the Ribble and Alt Estuary Ramsar or the Ribble and Alt Estuary SPA due to significant distance from the proposed Scheme. The Bat activity surveys conclude that there is a low level of bat activity in both Areas 1 and 2, likely due to the nature and location of the site within an urban area. Therefore, no impacts on bat are anticipated. Notwithstanding this, in order to minimise disturbance during construction, night time works are to be avoided and any lighting will be directed away from the watercourse. Otter surveys have confirmed the presence of commuting otter, however no active couches or holts, or resting features were identified on either the north or south banks of the river within the proposed Scheme extents. A precautionary pre-construction survey for otter has been recommended six weeks prior to the start of the works. Trees and scrub vegetation have the potential to support breeding birds between March and August inclusive. Where it is not possible to avoid vegetation clearance during the breeding bird season, planned removal of vegetation will require a pre-clearance nest check by the ECoW 24 hours in advance of clearance. Consequently, the accompanying ER

confirms that there will be no adverse effect on biodiversity and geodiversity that cannot be appropriately mitigated.

The proposed Scheme seeks to deliver ecological enhancements through habitat creation works at Fishwick Bottoms and within Ribble Sidings. Further details regarding the impacts on trees is detailed in the accompanying Arboricultural Impact Assessment Report and on the Preliminary Tree Removal Plans. Proposals for replacement and compensatory planting, landscaping and BNG requirements are detailed on the Environmental Masterplans and in the BNG Report.

Best environmental working practice will be employed for all works and in-channel works will be restricted to the 16 June to 31 January to avoid impacts to coarse fish, smelt and eels potentially present in the River Ribble. A programme of pre-construction surveys to check for otter and nesting birds is also planned to be undertaken prior to the commencement of works. Therefore, taking into account existing planned mitigation detailed in the surveys, the undertaking of pre-construction surveys and the presence of an ECoW throughout the construction phase, no significant residual impacts are anticipated to result from the proposed Scheme that would result in significant environmental harm or the deterioration of irreplaceable habitat. It is therefore considered that the proposed works are compliant with the guidance and requirements set out within this SPD and that there will be no net loss of nature conservation assets, and that opportunities have been taken to improve assets where possible.

#### **6.4.5 Other plans, policies and strategies**

The proposed Scheme has also been developed to meet the objectives of the following strategies and plans:

##### **National Flood and Coastal Erosion Risk Management Strategy for England (September 2020)**

The National Flood and Coastal Erosion Risk Management Strategy was updated in September 2020. This updated strategy has 3 long-term ambitions, underpinned by evidence about future risk and investment needs. They are:

- Climate resilient places: working with partners to bolster resilience to flooding and coastal change across the nation, both now and in the face of climate change;
- Today's growth and infrastructure resilient in tomorrow's climate: making the right investment and planning decisions to secure sustainable growth and environmental improvements, as well as infrastructure resilient to flooding and coastal change; and
- A nation ready to respond and adapt to flooding and coastal change: ensuring local people understand their risk to flooding and coastal change, and know their responsibilities and how to take action.

The proposed Scheme aligns with the aims of the national strategy through improvements to the standard of protection to the local communities, investigating options which provide climate change resilience and identification of opportunities to work with partners.

##### **Ribble Valley Revised Level 1 Strategic Flood Risk Assessment (April 2017)**

The SFRA for the Ribble Valley summarises the current situation regarding national, regional, sub-regional and local flood-risk as it relates to Ribble Valley. It describes the current state of various flood related strategies, reports and policy documents produced by a variety of bodies, including significantly the Environment Agency, Lancashire County Council and United Utilities, that will affect the Borough in the near, medium and long terms.

The SFRA is intended to apply specific flood related planning tests, including the Sequential and Exception Tests, to help the planning authority to assess the suitability of potential development sites for a variety of different kinds of development. It also enables the local planning authority to understand how current and future climate change will influence flood risks from all sources within its area, and also the risks to and from surrounding areas within the same river catchments and it can help determine the acceptability of flood risk in relation to emergency planning capability and specify the level of detail required for site-specific FRAs for development proposals in particular flood risk areas.

It notes that the SFRA has been produced in close consultation with a variety of relevant consultation organisations, including the Environment Agency and Lancashire County Council as the Leas Local Flood Authority, and their comments have been incorporated in this final document. After discussion with the Environment Agency, it was originally considered that a Level 1 SFRA was appropriate for Ribble Valley in 2010. This updated version of the Level 1 SFRA has been produced to consider any changes that have subsequently been made. Following consultation with the Environment Agency and Lancashire County Council it was considered that, given the specific locations of the allocations proposed within the Housing and Economic Development DPD, a Level 2 SFRA was not required.

#### **North West River Basin District Flood Risk Management Plan 2015- 2021 (March 2016)**

Flood Risk Management Plans (FRMPs) explain the risk of flooding from rivers, the sea, surface water, groundwater and reservoirs and set out how organisations, stakeholders and communities will work together to manage flood risk, detailing the aims and actions required to manage this risk.

The FRMP identifies that the North West river basin district covers 13,160km<sup>2</sup> from Cumbria in the north to Cheshire in the south, with Lancashire in between. The river basin district comprises 12 river catchments and 2 flood risk areas. Of the 7 million people living in the river basin district, there are over 51,000 people at high risk of surface water flooding (more than a 1 in 30 chance of being flooded in any year (3.3%)); and 31,000 people at high risk of flooding from rivers and the sea (more than a 1 in 30 chance of being flooded in any year (3.3%)).

The proposed Scheme falls within the Centre of the river basin district, which identifies that, *"the River Ribble has a largely low-lying flood plain with slower responding river flow, except for in the West Pennine Moors where run-off can cause downstream river levels to rise very quickly"*. It notes that the majority of people at risk of flooding are located in east Lancashire and Preston and of particular note identifies that over 32,000 people and 5500 non-residential properties are at risk of flooding from rivers and the sea in the Ribble Catchment, representing approximately 4% of the total population within the catchment.

In response it is noted that risk management authorities have agreed social, economic and environmental objectives for 2015 to 2021 building on the aims and objectives in the National flood and coastal erosion strategy for England.

The FRMP identifies that significant flooding occurred in December 2015 in the Ribble catchment caused by storms Desmond and Eva. Consequently, a programme of recovery is in place which includes a review of the options for the communities affected, including the review and repair of assets and partnership working to look at options for future working. In particular, planned and current flood risk schemes are being reviewed to revise the priorities within the 6 year investment programme.

Across the Ribble Catchment the FRMP identifies that there are a total of 41 measures from earlier plans to manage flood risk. Of particular relevance to the proposed Scheme, measures include the following action as a high priority: *"Develop strategy, subject to prioritisation and funding, to address flood risk within Preston, Fulwood, Cadley, and Walton-le-Dale. The strategy should include modelling of flood risk scenarios in and around Preston to identify the major areas at risk and a cost-benefit analysis for the installation of defences in the future"*.

#### **Ribble: Catchment Flood Management Plan – Summary Report (December 2009)**

CFMPs assess inland flood risk across England and Wales considering all types of inland flooding, from rivers, groundwater, surface water and tidal flooding, whilst flooding coastal flooding is captured by Shoreline Management Plans. The CFMP seeks to establish flood risk management policies which will deliver sustainable flood risk management for the long term to enable investment to be targeted and to help prepare effectively for the impact of climate change. The CFMP is intended to be used to help focus resources where the risks are greatest and to identify flood risk management policies to assist decision makers.

In the Ribble catchment the main sources of flood risk are identified as resulting from rivers, surface water flooding, and sewer flooding from the drainage system. It is noted that the lower reaches of the catchment which includes parts of Preston are also at risk of tidal flooding. The CFMP identifies an estimated 6400 properties in the

catchment that have a 1% annual probability of flooding from rivers or a 0.5% annual probability of flooding from the tide and that by 2100 approximately 12,400 properties will be at risk of flooding, representing a 94% increase of flood risk across the catchment.

To respond to this, CFMP details the future direction for flood risk management. It has subdivided the catchment into ten sub-areas to identify the most sustainable approach to managing flood risk in each sub area based on the key issues in the area; the vision and preferred policy and proposed actions to implement the policy. The CFMP sets out specific policies for managing flood risk within each sub-area utilising one of six standard policy options. The proposed Scheme is located within Sub-Area 9 – Preston and Walton-le-Dale.

In this sub-area it is identified that: *“there is a very high risk of flooding, with 2,300 properties currently at risk as well as five schools, five health care facilities and one community centre. This rises to 5,300 properties in the future due to the effects of climate change, with two more schools and five more community centres also at risk”*. It notes that the sources of flood risk vary, but include the direct risk of flooding from the River Ribble in areas of Preston and Walton-le-Dale. The River Ribble can also be affected by ‘backing up’ during high tide conditions, which can increase flood risk.

To respond to these issues the preferred policy is identified as Policy 5: Areas of moderate to high flood risk where we can generally take further action to reduce flood risk.

Policy 5 states:

*“This policy will tend to be applied to those areas where the case for further action to reduce flood risk is most compelling, for example where there are many people at high risk, or where changes in the environment have already increased risk. Taking further action to reduce risk will require additional appraisal to assess whether there are socially and environmentally sustainable, technically viable and economically justified options”*.

The CFMP identifies that due to the very high flood risk both now and in the future means that significant work is required to reduce flood risk. It states that investigations into areas of flood risk will be undertaken and it will be identified where areas of major works are economically justifiable. Amongst other measures it notes that maintenance of existing defences is critical to ensuring they remain fit for purpose.

It goes on to identify the essential actions required to achieve the aim of the policy, which includes:

- Investigate flood risk within Preston and Walton-le-Dale, identifying those areas most at risk and highlighting major works and other measures that are economically viable.
- Promote the application of rigorous planning control for any new development in Preston using the principles in PPS25 and encourage the implementation of SUDS.
- Investigate the causes of surface water flooding and sewer flooding in the sub-area to understand their theoretical risk and carry out remedial actions.
- Identify structures such as culverts that cause flow restrictions and prioritise structures for replacement/redesigning/removal according to their flood risk.

### **Central Lancashire Strategic Flood Risk Assessment Level 1 Final Report (December 2007)**

Strategic Flood Risk Assessments (SFRAs) are one of the documents to be used as the evidence base for planning decisions. The Level 1 SFRA enables application of the Sequential Test, and the Level 2 SFRA increases the scope of an SFRA for development sites where the Exception Test is required. The Level 1 SFRA identifies that the main source of flood risk policy and strategy within the sub-region are Catchment Flood Management Plans (CFMPs), which shape flood risk management, guidance and strategy covering Central Lancashire. This includes the River Ribble CFMP.

The SFRA identifies that from historical flood records, and using other sources of flood risk information, six main sources of flood risk were identified: fluvial flooding, tidal flooding, sewer flooding, surface water flooding,

groundwater flooding and flooding from artificial sources. The catchment of the River Ribble defines the main hydrological influences of the study area.

In order to present the best available flood information, SFRA Flood Zones were derived and culminated in a single map for each flood zone using a variety of data. All SFRA Flood Zones are based on information provided by the Environment Agency and prescribed methodologies in former PPS25. In general, the SFRA identifies that the fluvial and tidal flood risk across the study area is low. The SFRA Flood Zones show that locations within the SFRA study area that are particularly affected by flooding include: Penwortham, Walton-le-Dale and southwest Preston.

The SFRA identifies that due to the history of flooding in the study area, there are numerous structures and embankments (either purpose built or natural) that contribute to flood risk management. It notes that the Environment Agency maintain and keep records of many of the defences in the sub-region, however there are a significantly more “private” or “non-maintained” structures and embankments that provide a level of protection to areas. As such the standard of protection for defences within the SFRA study area varies markedly.

A number of studies in addition to the CFMPs have identified an increased level of flood risk to the sub-region over the next 25 to 100 years as a result of climate change. Firstly, as a result of wetter and warmer winters, an increase in large fluvial flood events is likely to affect the larger rivers and watercourses in the sub-region. Secondly, extreme rainfall events are likely to become more frequent leading to a greater storm intensity and duration. This is likely to lead to a great deal more runoff causing surface water flooding and overwhelming of the urban sewer networks in particular.



## 7. Statement of Consultation

### 7.1 Introduction

This section outlines the consultation that has taken place to date to support the development of the proposed Scheme.

The following illustrates the continued commitment to engaging the public, the three planning authorities and stakeholders across the whole Preston to South Ribble FRMS. This commitment ensures there is a clear cycle of engagement, conversations, consultation and feedback between the project team and partners and the local community. Our engagement and consultation have aimed to reflect the community voice in decisions taken during the detailed design process and will continue throughout the remainder of the proposed Scheme and subsequent phases of the FRMS. Multiple methodologies have been undertaken to engage the community, based on need, opportunity, accessibility and resource to provide multiple opportunities for engagement and feedback at all stages.

A Stakeholder Engagement Plan has been prepared for the proposed Scheme to help co-ordinate the stakeholder engagement required to deliver the works and to record the engagement and consultation undertaken to date. This is discussed further in Section 7.2.

As the planning application spans across both PCC and SRBC, and LCC will be the determining authority, consideration has been given to each authorities' respective Statement of Community Involvement (SCI), which comprise of the: Lancashire Statement of Community Involvement (January 2017); Preston City Council Statement of Community Involvement (December 2018); and South Ribble Local Development Framework Statement of Community Involvement (December 2013).

Each SCI outlines the Council's community involvement principles for planning applications and advise that depending on the nature and potential impact of a development proposal on the local community, developers may need to carry out their own pre-application public consultation, which should be evidenced in their own SCI.

This section of the Planning Statement therefore represents our SCI for the proposed Scheme.

The SRBC SCI recommends that as a minimum, the consultation statement submitted with an application should include the following:

- *The techniques they employed to gain stakeholder comments, including correspondence, public notices, a record of persons attending exhibitions & meetings, etc.*
- *A summary of the responses received;*
- *A list of the main objections that have been raised;*
- *Any other matters raised;*
- *The developer's comments on the responses; and*
- *The amendments made to the proposals as a result of the comments*

This SCI also advises to:

- *Make detailed proposals available for public view at the site e.g. Draft layout plans, drawings, photo montages, visuals, street scenes & sketches mounted on the site boundary, including 3-D representations where possible;*
- *Public exhibitions / community engagement events / Interactive Workshops;*
- *Circulate a leaflet or letter outlining the proposals within the vicinity to both residents and ward Councillors; and*

- *Arrange a meeting with groups in the community (e.g. Parish Council, residents associations, interested parties, ward Councillors, neighbours), giving sufficient advance notice.*

## 7.2 Stakeholder Engagement Plan

A Stakeholder Engagement Plan has been prepared for the Scheme to help co-ordinate the stakeholder engagement required to deliver the works.

The objectives of the plan are to:

- Provide a framework for the appropriate level of engagement with stakeholders throughout the proposed Schemes progress;
- Ensure opportunities are identified and provided for residents to provide feedback on the proposed Scheme during the design phase;
- Allow stakeholders to understand the process of funding allocation, and manage expectations about what work the funding will, and won't, cover;
- Provide simple, high quality and understandable information to our stakeholders throughout the proposed Schemes life cycle through the use of plain English text, multimedia channels, the provision of translation services and clear visuals;
- Provide information on how flooding may be affected by climate change, and how we have incorporated this information into our plans for the area;
- Develop stakeholders understanding of flood risk in their area, and how it affects them now and in the future;
- Ensure that the vision and core objectives for the project include, where possible, the aspirations of stakeholders and partners; and
- Empower communities by helping them develop their ability to make a consultation response through effective and accessible communication of scheme information.

The following table identifies external consultees and both the Environment Agency's and stakeholder's interests.

**Table 1: Stakeholders and Stakeholder Interests**

Stakeholder Interests/ Stakeholder Group	What is this stakeholder's interest?	What do we want from them?
City Council Departments	Interested in development proposals and flood risk within their area. Provide update on scheme	Support for the preferred option. Minimise objections. Advice and collaborate with regarding planning issues
County Council Departments	Interested in development proposals and flood risk within their area. Provide update on scheme	Support for the preferred option. Minimise objections. Advice and collaborate with regarding planning issues
Natural England	Interested in development proposals affecting ecological and habitat interests especially in relation to impacts on nearby designated sites	Support for the preferred option. Minimise objections. Advise and collaborate with regarding planning issues
Historic England	Interested in development proposals affecting historical assets	Support for the preferred option. Minimise objections. Advice and collaborate with regarding planning issues
Local MP and Councillors	To understand flood risk issues with 'No public surprises' from the process or preferred option. Interested in the appearance or quality of the detailed design, access arrangements.	Support for the preferred option. Minimise objections.
Parish Councils	Interested in developments and flood risk within their area. Possible emergency	Support for the preferred option. Minimise objections.

	groups in the Parish area would need to be kept up to date.	
Preston and South Ribble business interests	Commercial interest in the impact to their assets and business.	Support for the preferred option. Minimise objections.
Landowners	Interested in modifying/removing flood risk to their land and its impacts downstream.	Information regarding current operation and opinion on the works. Support for the preferred option. Minimise objections.
Adjacent business landowners/tenants	Commercial interest in the impact to their assets and business.	Support for the preferred option. Minimise objections.
Other land interests e.g. riparian owners/right holders	Maintaining the value and amenity of their assets. Generally, if peak river levels were lower, they would benefit.	Support for the outline design. Minimise objections.
Local residents – Adjacent residents	Maintaining the value and amenity of their home property. Minimise construction, use and maintenance issues with respect to the proposed detailed design. Many residents have an interest in the water levels and the effect they have on flooding,	Support for the preferred option. Possible collaboration. Minimise objections.
Local residents – Other residents	Maintaining the value and amenity of their home property. Minimise construction, use and maintenance issues with respect to the proposed detailed design.	Support for the preferred option. Minimise objections.
General public Recreational users of surrounding area	Minimise construction, use and maintenance issues with respect to the preferred option.	Support for the preferred option. Minimise objections.
Guild Wheel	Interested in development proposals affecting use of the cycle way and potential impacts	Support for the preferred option. Minimise objections.
Allotments	No adverse effect on their activities	Support for the preferred option. Minimise objections.
Sea cadets	No adverse effect on their activities	Support for the preferred option. Minimise objections.
Sport England	Interested in development proposals and flood risk within their area. Provide update on scheme	Support for the preferred option. Minimise objections.

### 7.3 Internal Consultation

Internal consultation with Environment Agency consultees has taken place including with the following departments:

- National Environmental Assessment & Sustainability including Landscape & Heritage;
- Fisheries, Biodiversity & Geomorphology;
- Sustainable Places (Planning);
- Estates; and
- Contaminated land.

### 7.4 Stakeholder Consultation

Consultation has been carried out with statutory consultees, non-statutory stakeholders, local organisations and members of the general public during the scoping and detailed design stages of the proposed Scheme. Prior to this, the project team also made concerted efforts to ensure that all interested parties were engaged, and their views considered throughout the pre-planning stages.

The project team has utilised a number of approaches to engaging the community, local businesses and stakeholders. The following table provides a summary of this activity from 2018 onwards.

**Table 2: Engagement Activities**

Engagement Activity	Description of activity	Notes
Community Based Events	Community based events within the scheme areas to share outline designs, discuss options on the scheme, share information on possible scheme designs and collate feedback from local residents and businesses	12 separate events held across the scheme areas and a variety of settings, taking into account attendees requirements including parking, accessibility, and timings Information presented at the events can be found on the proposed Scheme's webpage here: <a href="https://thefloodhub.co.uk/psr/#section-3">https://thefloodhub.co.uk/psr/#section-3</a>  A summary of our 2018/19 events and feedback was circulated in March 2020 to the general public, elected members and stakeholders: <a href="https://thefloodhub.co.uk/psr/#section-10">https://thefloodhub.co.uk/psr/#section-10</a>
Stakeholder Formal Meetings	This category encompasses Partner Engagement Meetings, MP and Local Councillor meetings, Meetings with additional stakeholders such as Natural England, Network Rail	40 Formal meetings held with stakeholders
Partner Scheme Walkovers	Providing opportunities for key partners of the scheme to understand the impact and proposals contextually, such as County Council members, Local council and Parish Council members.	3 walkovers with partners
Community Newsletters	Community newsletters delivered in paper format to households, local community settings and available digitally on the Schemes webpage ( <a href="http://www.thefloodhub.co.uk/psr">www.thefloodhub.co.uk/psr</a> )  Promoted on the webpage, via Environment Agency Social Media feeds and partner council social media pages.  Newsletters included information on scheme progress, visuals and opportunities for residents to engage	6 Newsletters distributed in paper and digital format. Additional language formats offered. Copies of newsletters are available on our scheme webpage: <a href="https://thefloodhub.co.uk/psr/#section-10">https://thefloodhub.co.uk/psr/#section-10</a>
Bespoke Engagement	Bespoke engagement covers individual business and properties that require individual conversations about the scheme, potential impacts from the scheme or where specific information is required to be shared	10 bespoke engagement meetings with identified stakeholders held face to face, via teleconference or digitally where appropriate.
Resident Letters	Specific letters to householders informing of scheme events, updates and information on scheme progress	6 separate newsletter drops, 4 relating to Areas 1 and 2 of the scheme inviting residents to attend events (either digital or community based)

Digital engagement outreach	Digital engagement was expanded in 2020 beyond our scheme web page in response to the impact of COVID-19 restrictions on community-based engagement activity. The expansion has allowed us to continue the dialogue with our community on the proposed scheme, share visuals and detailed design and host surveys and other feedback tools to understand any concerns local residents may have.	Scheme webpage launched November 2018 to provide information hub on the scheme. Page updated monthly (or when appropriate) with scheme information and events.  Engagement platform launched September 2020 provides scheme information overview, specific scheme area pages, opportunities to view scheme proposals in map settings, feedback survey, video and imaging content to support scheme information sharing and multilingual translation facilities.
Partnership engagement	This outlines opportunities taken by the scheme to promote the profile or provide information on the proposed Scheme via partnership opportunities. This includes publication in BRAG newsletter, attending partner events to cross promote scheme etc.	5 separate opportunities, including community events and meetings attended.
Press releases/ Social media	Scheme update press releases to local media (Lancashire Evening Post, Blog Preston etc.)  Scheme press release to partner organisations  Updates to the FloodHub.co.uk	Press releases issued periodically to support progress points within the scheme and to advertise engagement events/ groundworks approx. 6 released to date

The table above outlines 89 separate engagement and consultation activities from 2018-2020 to engage and consult local communities, businesses and key stakeholders within the proposed Scheme area. It outlines the wide and innovative variety of methodology used to engage, including digital, community, and printed mediums, in addition to recording how the project team have worked at a granular level with bespoke engagement through to a high-level overview with local MPs and Parish Councils and local Councillors.

Using the metrics from the authorities' published SCIs, the Environment Agency consider that they have provided a comprehensive schedule of engagement and opportunities for local input to date and will continue to provide this moving through the life cycle of the proposed Scheme.

## 7.5 Engagement outcomes

The aim of the public engagement events held in 2018- 2020 were to:

- Inform the public on the proposed scheme
- Gain feedback on the proposed scheme
- Raise awareness of flood risk in the scheme area
- Gain public preference on wall finish and design
- Provide information on personal level flood defences available to residents
- Understand public attitudes towards increased wall heights and scheme design

Feedback was collated in a number of ways:

- Capturing informal conversation themes with project team



- Feedback surveys on the scheme proposals
- Visual choices for wall finish
- Email provided for feedback post event
- Postal address for feedback post event

Over the course of the engagement activities, the following has been achieved:

- 4,600 households local to the whole scheme have been informed of the schemes progress and signposted to where they can access further information.
- The project team have engaged with over 500 people in community settings.
- There have been 348 unique visits to our engagement platform, with 258 visitors accessing one or more documents or surveys on the site.
- 20+ Individual business have been engaged or informed of the project

All feedback comments were recorded and made available to the project team for consideration and awareness.

Updates to the FAQ section on [www.thefloodhub.co.uk/psr](http://www.thefloodhub.co.uk/psr) were updated to reflect commonly asked questions by the community.

Following the launch of the engagement platform in September 2020, two engagement events have been held virtually for residents in Areas 1 and 2 of the scheme to specifically update this cohort on the detailed design proposed for the scheme. Recordings of these have been made available post project for residents to watch retrospectively.

Comments and questions from the public were welcomed and encouraged during the online engagement session and feedback to the team.

A separate survey has been made available for Areas 1 and 2 to collate feedback on this part of the proposed Scheme, alongside a wider survey for interested parties covering the proposals for the whole of the Preston and South Ribble FRMS. Feedback via email and post has additionally been encouraged.

There is a 'questions' function available on the platform and the FAQ section is updated to reflect the queries raised.

The project team have also made a project specific email address available for queries to be addressed, to take into account the fact that office-based work had been reduced in line with COVID-19 workplace restrictions.

## 7.6 Summary of comments received

The table below sets out some of the more common queries raised during the engagement and consultation activities to date and the response by topic:

**Table 3: Common Consultation Comments and Response**

Comments made	Project response
Scheme proposals	

<p><i>'It is very hard to visualise without pictures or diagrams showing existing wall heights and proposed wall heights.'</i></p> <p><i>'Good to see other completed projects for comparison'</i></p> <p><i>'plans, photos and schematics made it easy'</i></p>	<p>We recognise at earlier design stages the level of detail asked for was not always available or design was not finalised to a degree of confidence where it could be shared with the public, however, high level design proposals and examples of completed flood defence schemes in local areas were shared at drop in events and available on TheFloodhub.co.uk.</p> <p>Once detailed design was completed, before and after visuals and scheme designs for Areas 1 and 2 were also made available through a paper copy in the newsletter, the Flood hub and engagement site</p>
<b>Wall height</b>	
<p><i>'The proposed max wall height on the Broadgate side has come as a surprise to me - we will lose our lovely view of the river and will only have a wall to look at instead'</i></p>	<p>As this defence runs directly opposite residential property, the use of glass panels is being considered as an area where high solid wall defences would be totally unacceptable to either the public or planning authorities.</p>
<p><i>'Height of the wall /glass panels: There have to be found solutions enabling everybody to see the river'</i></p> <p><i>'Discussion needed regarding the height of the wall'</i></p> <p><i>'I think a wall needs to happen, I also think it would make it easier to 'sell' if it were made of glass'</i></p> <p><i>'I understand the need for this but are very concerned about the height and what we will see of the river'</i></p>	<p>The proposed concrete wall defences range in height. Glass panels are to be added on top of certain sections of wall to allow residents to enjoy uninterrupted views of the river.</p>
<b>Glass panels</b>	
<p><i>The glass panels at the top of the wall will get dirty in time, who will be responsible for cleaning them?</i></p>	<p>The glass panels will be made of self-cleaning glass. We have not had many issues with the glass getting dirty with panels that have been installed elsewhere around the country.</p>
<b>Environment</b>	
<p><i>I have been reading your flood risk scheme update and am concerned about land being taken.</i></p> <p><i>I walk my dog along the river and have over the years seen various pieces being taken illegally by house owners to extend their gardens.</i></p> <p><i>This has meant the wildlife habitat has been ruined as the vegetation and trees have been taken down.</i></p>	<p>The proposed Scheme includes proposals for Ribble Sidings, which will include restoration and redesigned to allow new flood defences to be constructed and to enable wildlife habitat, vegetation, and tree planting. Existing trees and vegetation will be protected where possible or will be compensated for where retention is not feasible. The proposed Scheme will provide for replacement planting at a ratio of 5:1 to mitigate for the loss of larger trees, as well as the proposals for habitat creation to deliver BNG.</p> <p>The new habitat creation area is being designed in close collaboration with South Ribble Borough Council.</p>
<p><i>Replacement Trees in specific street trees for Broadgate and Hartington Area: May I please ask you to insist in replacing the trees within the direct area?</i></p>	<p>It should be noted that under the proposed Scheme, the Environment Agency intends to plant 5 new trees for each tree removed. In principle, the proposed Scheme aims to retain as many trees as possible and only the absolute minimum will be removed where this is not feasible. Where replacement is not possible at the location of removal, other planting solutions and mitigation has been considered, such as tree and ornamental shrub planting, which responds to the limited space presented by the defences, existing underground and over-the-ground services, footpaths, roads and area topology.</p>

Scheme design	
<p><i>The illustrations of the proposed flood defences for Riverside, between Penwortham Old Bridge and Miller Gardens Apartments and also by The Continental pub, where existing concrete wall is set to be replaced with a new concrete wall with glass panels on top, demonstrate the introduction of a footpath beneath the flood wall where there is not currently a footpath. Is this correct?</i></p> <p><i>The area gets significant throughput from both walkers and pedal cyclists due to the location on the guild wheel. A path would need to be designed to facilitate this traffic, with possible signage +/- cycling lanes. I would like to know that this traffic has been considered when designing the path, and whether or not the path could be raised to facilitate views of the river without impeding on the benefits of raising the flood wall.</i></p>	<p>That is correct. The proposed Scheme will introduce a new footpath and separate cycle lane to these locations. This will be achieved by offsetting the new wall towards the river and thus allowing more space to the dry side. The location of Guild Wheel is well known and the new design has taken this under consideration.</p> <p>Due to the combined concrete/glass wall construction, no significant river view obstructions are expected. The concrete portion of walls is expected to be raised by only a few centimeters according to the current design. Therefore, the footpath will not require raising at this stage.</p>

## 7.7 Response and changes made

Since the consultation exercise the following amendments have been made to the plans now submitted for planning:

- Revision of flood defence wall heights in some areas, where appropriate and where flood protection can still be meaningfully achieved;
- Introduction of glass panels into the scheme design, where appropriate; and
- Colour and finish of flood defence walls.

## 7.8 Future Consultation

During the construction of Areas 1 and 2 of the scheme, engagement with local residents, stakeholders and interested organisations will continue to ensure that they are kept fully up-to-date on progress. Regular updates relating to the construction works will also be communicated to the local community. Close liaison with PCC, SRBC, LCC and other statutory stakeholders will also be maintained to fulfil the necessary planning and other legislative requirements. Liaison will take place with landowners and the Environment Agency's internal team on the proposed method statements for the works and details of the proposed Scheme, such as the timing of works and access along public rights of ways. The intention will be to have specific locations on site where the public can attend a staffed drop in centre which will be open several days a week.

## 7.9 Summary

Consultation with statutory consultees, local residents and other relevant bodies has been paramount to the Scheme's design development. Involvement has taken place at key points in the design phases to inform the public and stakeholders.

Wherever possible, the project team have invited comment and feedback from local residents on the proposed Scheme's design and decisions to ensure the proposals are acceptable. The input of landowners, local residents and other stakeholders has therefore been invaluable throughout the design process and has helped shape the final design.

Following submission of the planning application, engagement with local residents, stakeholders and interested organisations will continue to ensure that they are kept fully up-to-date on progress. Options, such as a continued

digital engagement, displays in local community areas, newsletters and community drop-in events may be used to maintain the ongoing dialogue with the local community and relevant stakeholders.

During the construction of the proposed Scheme, engagement with local residents, stakeholders and interested organisations will continue to ensure that they are kept fully up-to-date on progress and close liaison with our partners in PCC, SRBC, LCC, and other statutory stakeholders will also be maintained to fulfil the necessary planning and other legislative requirements.

## **7.10 Conclusion**

This Consultation Statement demonstrates when and how the Environment Agency have sought to positively engage with local residents and key stakeholders on the proposed Scheme in conformity with the guidance presented in each authorities SCI.

It confirms that, where possible, opportunities have been taken to refine the design to reflect the comments received from residents, statutory consultees and other key stakeholders, and explains how such amendments have been incorporated into the final detailed design for the proposed Scheme. This is particularly pertinent to the implementation of glass panels on the flood walls that are now proposed across certain areas of the proposed Scheme.

The statement confirms that engagement activities will continue following the submission of the planning application and once planning consent has been obtained, up-to-date progress will be provided throughout the construction period to keep all affected residents and other stakeholders informed, in addition to meeting any other legislative requirements.

## 8. Construction & Programme

### 8.1 Introduction

The following provides initial construction details and an indicative construction programme, which are subject to obtaining all the necessary consents to enable works on site to commence.

### 8.2 Indicative Construction Programme

Construction activities relating to the flood defences is anticipated to commence in September 2021 following preconstruction mobilisation and the application for site specific consents and licences. It is anticipated that construction will be completed by March 2023, including all planned reinstatement works.

The initial works will involve the Contractor setting up facilities, including temporary site compounds and construction access routes. For the purposes of the construction programme, the proposed Scheme has been divided into seven components, starting at the downstream extent and moving upstream. A breakdown of the anticipated construction programme is as follows:

#### Area 1 – Downstream to Upstream

- Seacadets - September 2021 to April 2022
- Liverpool Road Bridge to Penwortham Old Bridge - September 2021 to August 2022
- Penwortham Old Bridge to Cadent Gas Pipe Bridge - February 2022 to May 2022
- Cadent Gas Pipe Bridge to Miller Gardens Apartments - June 2022 to January 2023
- Miller Gardens Apartments to Mini Centre - February 2022 to May 2022
- Mini Centre to WCML Viaduct - October 2022 to February 2023
- WCML Western Arch - June 2022 to July 2022

#### Area 2 – Downstream to Upstream

- Penwortham Methodist Church - March 2022 to May 2022
- Embankment across the footpath into Penwortham Residential Park - April 2022
- Cadent Gas Pipe Bridge - March 2022
- Riverside Road - June 2022 to March 2023
- Hawkhurst Road frontage - August 2022 to March 2023
- Ribble Sidings Embankment - July 2022 to August 2022
- WCML Culvert Infill - March 2022

Working hours are anticipated to be from 07:30 - 18:00, with the first 30 minutes, being used for morning briefings. Site works will be restricted to 08:00 - 18:00 Monday to Friday and up to midday on Saturdays. Sundays and Bank Holidays are to be avoided, except in emergencies or as otherwise agreed with LCC.

### 8.3 Construction Compounds

There are three compounds proposed for the Scheme. The main compound is proposed within the Portway Park and Ride car park to the northern extent of the proposed Scheme, accessible via Port Way. This will be used as a base for the Contractors offices, lay-down area, plant and storage. The Park and Ride will be closed to the public. There will be two satellite compounds along Area 1, one within Broadgate Gardens, and one within the car park of Preston Sports Club, off South Meadow Lane. The satellite compounds will have welfare facilities and plant storage with most materials being delivered direct to the works.



In addition, lay down areas are proposed within Area 2 which consist of an area north west of the Golden Way adjacent to the footpath, amenity grassland in Ribble Sidings, and within the St Mary Magdalene Primary School adjacent to the WCML underpass.

All land affected by the temporary compounds will be reinstated on completion of the works.

## **8.4 Construction Activities, Plant and Equipment**

The construction of the proposed Scheme can be divided into several distinct types of intervention, including: precast concrete flood walls; precast concrete flood defence walls topped with glass panels; flood gates; revetment works; flood embankment; land raising and infilling of railway culvert.

Key activities, plant and equipment associated with each intervention are detailed below:

### **Flood walls along existing alignment**

- A temporary flood defence will be erected along the working area boundary prior to demolition of the existing wall and foundation using a breaker. Where necessary some sections of footpath will require demolition as well;
- Trial holes and wall coring will be used to verify the existing surface water drainage outfalls and to ensure that these do not clash with existing piles;
- Installation of piling matt and auger boring of 450mm along the wall foundation. Piles will be installed into bedrock, with the piling rig operating in a linear manner along the alignment;
- Construction of shear key to prevent seepage and shearing, and installation of reinforcement for the wall foundation;
- Temporary working platforms will be installed in the river to allow access to the wet side of the defence during construction and to allow the precast wall units to be supported until concrete foundation is poured;
- Pre-cast concrete wall and pillar units will be lifted into position by 50T crane and the concrete will be poured in sections up to 15m long;
- Glass panel support posts, where proposed, will be fixed to the top of the pre-cast concrete wall using a drill and fix mechanism and the 3m long glass panels will be installed between the support posts;
- Where no glass panels are proposed, a pre-cast concrete coping will be installed along the top of the pre-cast concrete wall by crane with a dowel connection between units;
- Where a tie-in to an existing structure will be required, a reinforced concrete wall with dowel bars will be used to form a watertight seal against the existing structure; and
- Riverside footpaths and highways will be reinstated following completion using an excavator and compacted by a roller. Tarmac surfacing will be installed in accordance with Lancashire County Council Highway standards.

### **Revetment works**

- Stabilisation works will be undertaken where necessary by installing sheet piles into the riverbed to act as a coffer dam;
- Excavation will be undertaken behind the sheet pile to create space for the foundation of the Redi-Rock blocks;
- A mass concrete causeway will be constructed to the rear of the sheet pile forming the foundation on which the Redi-Rock will be installed in layers, with a backfill of cohesive material to form a seepage barrier; and

- The flood defence wall will be constructed as per the above.

#### **Flood gates**

- Arrive to site in pre-fabricated sections and constructed on site
- Fabricated on site: sub-frame cast into bases
- Gate brought to site and hung on the sub-frame

#### **Embankment works**

- The existing flood defence will be deconstructed with material stored and reused on site where possible subject to suitability testing;
- A seepage cut off trench will be excavated to a depth of 1.5m using an excavator along the alignment of the embankment;
- Imported clay material will be installed within the excavation;
- The embankment will be constructed using clay material installed in well compacted layers approximately 250mm thick; and
- Upon completion of the embankment, public footpaths will be reinstated, and soft landscaping will be undertaken. This includes planting and habitat creation within Ribble Sidings.

#### **Penwortham Methodist Church flood wall**

- Demolition and site clearance including the removal of topsoil, surfacing, brickwork stub wall and security fencing around the perimeter of the church will be undertaken by an excavator. Topsoil and subsoil from each individual allotment to be stored separately from each other to ensure reinstatement to its original location;
- Construction of shear key and installation of reinforcement for the wall foundation;
- Pre-cast concrete wall and pillar units will be lifted into position by crane and the concrete foundation will be poured in sections up to 15m long;
- Pre-cast concrete copings will be installed onto the top of the pre-cast concrete wall by crane with a dowel connection between units, and then iron railings will be fixed to the top of the coping to give a 1800mm high security perimeter; and
- Allotment security fencing will be reinstated. Allotments and soft landscaping of Penwortham Church will be reinstated. Topsoil will be reinstated where possible with supplementary import of suitable growing subsoil required within the allotments. A minimum growing depth of 450mm will be established over the foundations. Any sheds and / or allotment furniture will be reinstated to its previous condition. Allotment soil to be reinstated to the same state as it was removed.

#### **Ramp Raising (Penwortham Methodist Church and pedestrian access to Penwortham Residential Park)**

- Clay will be imported to site and installed in 250mm layers using a mini-dumper, mini-excavator, and roller to create 2 ramps around the church, one at the entrance road, and one along the footpath adjacent to the old railway embankment;
- Appropriate surfacing will be installed following the raising of the ramp on the entrance road, the Golden Way footpath, and Penwortham Church car park; and
- New 1400mm high timber post and rail fencing to be installed along ramps.

**Railway culvert infill**

- A trench drain and a concrete slab will be constructed on the east side of the WCML;
- Redi-Rock retaining walls will be constructed on the east and west ends of the underpass up to 2m in height, and then concrete will be used to infill between the two walls.

**8.5 Construction access and traffic management**

A detailed CTMP will be prepared by the Contractor in advance of construction and will include arrangements for traffic management, delivery of materials and equipment to the working area and temporary compounds. It is anticipated that the majority of deliveries and collections from site will be from the main compound proposed within the Portway Park and Ride Car Park.

The proposed routes will be agreed with the Local Highways Authority and detailed in the CTMP prior to the commencement of works. Traffic generated (including the movement of material on the road network and on site) will be managed in accordance with the approved CTMP.

There will be a requirement to temporarily close some minor roads in the local area to facilitate the construction works. Indicatively, these are likely to include:

- Rolling single lane closure of Broadgate between September 2021 to June 2022;
- Riverside between Penwortham Old Bridge and Miller Gardens Apartments between June and December 2022;
- Riverside between the Continental Pub to the Mini Centre between September 2022 and February 2023; and
- Riverside Road between May 2022 and March 2023.

Pedestrian access to residential properties will be maintained for the duration of the road closures. Where necessary alternate access to businesses will be implemented.

There will be a requirement for a temporary closure of the entrance to Miller Park underneath the WCML which is currently anticipated between May 2022 and June 2022. There will also be a requirement for restricted access to Penwortham Methodist Church's car park and to the allotments, which is currently anticipated between March 2022 and June 2022. Close liaison with the Local Highways Authority, park managers, the church and allotment holders will be maintained throughout these periods.

**8.6 Footpath and cycle route diversions and access**

During construction, there will be multiple temporary footpath and cycle route diversions required, including to:

- National Cycle Route (NCR) 55;
- NCR 62;
- The Preston Guild Wheel along Broadgate and Riverside;
- The Ribble Way long distance path along Broadgate and Riverside;
- 7-9-FP20, that meets the Golden Way footpath at the entrance to Penwortham Residential Park;
- 7-9-FP21 which forms a part of the Golden Way footpath;

- 7-9-FP22 which forms a part of the Golden Way footpath; and
- 7-9-BW34 that runs along the river front through Ribble Sidings.

The route of these footpaths and the temporary closures and diversions required are detailed further in the DAS.

## **8.7 Trees within Working Areas**

A tree survey of the working area has been undertaken to record the trees that may be affected by the proposed Scheme. This includes the methodology of the survey and provides plans showing tree locations, canopy sizes, indicative Root Protection Areas and classification with an accompanying tree schedule. An Arboricultural Impact Assessment, incorporating an Arboricultural Method Statement and Preliminary Tree Removal Plans has been prepared and is detailed further in Section 9.5.7. Trees to be protected or removed will be agreed with the relevant local authority prior to construction. All lost ornamental and screening vegetation will be replanted and trees lost will be replaced at a 5:1 ratio.

It will not always be possible to replant trees back in the same location due to site constraints, including the new defences, underground services, and extensive hardstanding that is to be reinstated. Trees will be replanted in local areas such as Ribble Sidings and the green space adjacent to the Golden Way footpath. In addition sites for tree planting have been identified along Fishwick Bottoms to help deliver the five to one tree replacement target.

## **8.8 Invasive plant species**

Invasive species including Himalayan Balsam and Japanese Knotweed have been identified in both Areas 1 and 2. These are detailed further in the accompanying Verification Report, Jacobs 2020 (ENV0000009-JAC-ZZ-00-MO-BD-0001). A Biosecurity Mitigation Plan will be implemented through the construction phase to manage these species and prevent their spread. A Construction Environment Management Plan (CEMP) will also be developed and will incorporate actions to manage biosecurity of the site.

## **8.9 Management of environmental impacts during construction**

All site activities with the potential to cause disturbance and measures required to protect and enhance the environment will be managed in accordance with an Environmental Action Plan (EAP). The EAP is a tool which is used to manage the environmental impacts and improvements that are set out in this report. The objectives, actions and targets set out in the EAP will be binding on relevant parties and monitoring will be undertaken throughout the mobilisation, construction, and post-construction stages of the proposed Scheme to ensure that the required mitigation measures are fully implemented. The EAP does not detail objectives and actions that are considered to be construction best practice which are automatically applied to Environment Agency schemes. The CEMP will be implemented to address the standard working practices.

## **8.10 Reinstatement**

Prior to the commencement of works all areas to be used, including access routes, compound and storage areas will be subject to condition surveys. On completion of the works, areas will be resurveyed and remedial works undertaken where necessary. Reinstatement details will be discussed and agreed with landowners before starting construction.

All reinstatement works, landscape mitigation and enhancement measures, including grass seeding, native tree planting and shrub planting, will be carried out upon completion of the main engineering works. Reinstatement works will predominantly comprise the remedial works to alleviate compaction, topsoiling, cultivation and grass seeding. These works will have a 12 month defects period to ensure the successful establishment of the grass sward on the embankment and reinstated areas affected by the works. This includes provision of temporary protective fencing should it be required.

During reinstatement, newly constructed embankments will be seeded with native wildflower species, whilst footpaths and cycle ways will be reinstated. Disturbed ground not identified for habitat creation will be reinstated to pre-construction condition.

Mitigation planting measures would be subject to the establishment of a maintenance and management agreement for a period of 5 years following implementation (subject to landowner agreement where located on private land) and would then be handed back to the landowner for future management.

The management responsibility for the habitat creation areas required for BNG will be taken on by the relevant local authority.

### **8.11 Operation and maintenance**

The majority of the new defences will be passive defences requiring no manual operation. The exception being the 4 new floodgates that will be manually closed when there is a flood warning, and manually reopened once it has been deemed safe to do so. Maintenance will involve regular inspections of the passive assets and tests undertaken of the floodgates to ensure continued operation.

### **8.12 Decommissioning**

There are currently no plans for the decommissioning of flood defence assets.



## **9. Analysis of Planning Issues and Other Material Considerations**

### **9.1 Introduction**

The following provides an analysis of the key planning issues and development plan considerations of particular relevance to the proposed Scheme, along with other material considerations, including environmental impacts and mitigation.

### **9.2 Principle of Development**

The proposed Scheme and the associated works that are subject to this planning application will contribute towards a reduction in the probability and impacts of flooding to communities within Preston and South Ribble, through the proposed works in Areas 1 and 2 contributing to the overarching Preston and South Ribble FRMS. The construction of a well-designed solution will contribute towards the protection of local communities at risk of flooding from the River Ribble. This will therefore ensure long term sustainability benefits for the city centre and local communities in accordance with the principles set out in the NPPF.

The NPPF provides detailed guidance with regards to meeting the challenge of climate change, flooding and coastal change. In particular, it establishes tests to avoid inappropriate development in areas of flood risk and identifies that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where it is informed by site-specific FRAs.

This is directly relevant to the proposed work's objective to improve the integrity, function and standard of protection afforded by existing flood defences and reduce flood risk to communities in Preston and South Ribble. The accompanying FRA confirms that the proposed works will deliver an increase in the standard of protection afforded by existing flood defences to an initial (SoP) of 0.5% AEP, which will reduce over time due to the impact of climate change to a 1.33% AEP SoP by the end of the 2080's epoch. Consequently, the FRMS will better protect properties, business and infrastructure as outlined in the FRA. Where there is the potential for long term increased risk, mitigation has been identified to address this.

The proposed Scheme will be located within Flood Zone 3b, however the proposed works are classified as "water-compatible" development as defined in the NPPF and PPG, and as such constitutes appropriate development within this Flood Zone. By their very nature, the proposed works have to be located along the riverbank and critical flood flow pathways to be technically effective. The location and nature of the proposed works have been identified as the most technically and economically preferable following an extensive optioneering process, which also confirmed that there are no other locations or group of measures that would be more costs effective. Although the proposed Scheme is within predicted flood extents for fluvial and surface water flooding, the Scheme is specifically designed to resist flooding and therefore, the flood risk to the Scheme is considered to be low.

The FRA notes that there is a risk of short-term increase to risk of flooding upstream of the proposed Scheme extents during high magnitude events, however this increase would only be a risk until the full Preston and South Ribble FRMS has been constructed. It also identifies that there are some properties that may be subject to long-term, adverse impacts to flood risk and therefore property level protection and resilience measures will be used to mitigate this. Therefore, although the proposed Scheme would have some minimal adverse impacts, it is expected that these would be mitigated effectively and would be significantly outweighed by the benefits the proposed Scheme would bring to large areas of Preston and South Ribble. As such, the proposed works are considered to constitute sustainable development.

This principle of development has also been reflected within the development plan through policies that seek to improve water quality, water management and reduce the risk of flooding. These aims are specifically relevant to the proposed works which will contribute towards the delivery of flood management and the reduction of flood risk required by development plan policy.

In addition, the proposed Scheme supports many of the aims and objectives of other key plans and strategies that seek to reduce flood risk, including the National Flood and Coastal Erosion Risk Management Strategy for England, Central Lancashire SFRA, Ribble Valley Revised SFRA, Ribble CFMP, and North West River Basin District FRMP.

In summary, the principle of development is clearly justified within planning policy and therefore the proposed Scheme is considered to be fully compliant with the development plan, NPPF, PPG and other relevant plans policies and strategies that represent a material consideration.

### **9.3 Green Belt Assessment**

The majority of the works proposed in Area 2 are located on the periphery of the Green Belt as defined by SRBC's Local Plan Policies Map. Paragraph 133 advises that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

The five purposes which the Green Belt serves are stated in Paragraph 134:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Each of these purposes are considered in turn as follows:

The first and second purposes are, 'to check the unrestricted sprawl of large built-up areas' and 'to prevent neighbouring towns merging into one another'. The proposed development does not conflict with either of these purposes. The development consists of improvements to existing flood defences that will reduce the flood risk in South Ribble, directly protecting existing residential and commercial properties within the local community and providing a wider contribution to the overarching Preston and South Ribble FRMS.

The third purpose is, 'to assist in safeguarding the countryside from encroachment'. The proposed development will to some extent conflict with this purpose through the construction of the new flood defence structures. However, it is considered that through careful design, minimising the footprint of the development and selecting suitable material and landscaping, this conflict has been minimised. In addition, the new flood walls will predominantly follow the existing wall alignments and as such will not encroach further into the Green Belt.

The fourth purpose seeks, 'to preserve the setting and special character of historic towns'. Due to the location and nature of the works, the proposed development will not conflict with this purpose.

The final purpose is, 'to assist in urban regeneration, by encouraging the recycling of derelict and other urban land'. The proposed development does not conflict with this purpose. The development consists of new and improved flood defences that will predominantly follow the existing alignment and again will increase the standard of protection and resilience of existing flood defence infrastructure, thereby reducing the flood risk to local communities and providing a wider contribution to the benefits delivered by the overarching Preston and South Ribble FRMS.

It is considered that the proposed Scheme complies with four of the purposes of including land within the Green Belt, however, some encroachment will take place as a result of the construction of the new earth embankment at Ribble Sidings, and as such this is where the development has a minor conflict in terms of encroachment and openness within the Green Belt.

Paragraphs 143 to 146 of the NPPF set out the approach for dealing with development proposals in the Green Belt. Paragraph 143 states that, *"Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances"*, whilst Paragraph 144 states that, *"When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations"*.

### **Impact on Openness and the Purposes of the Green Belt**

In relation to openness of the Green Belt, the main characteristic of openness is the lack of built development. However, it is considered that through careful design, which has been integral to the development of the preferred option, and by minimising the footprint of the development and selecting suitable material and landscaping this conflict has been minimised. However, notwithstanding this, it is for the decision maker to come to a planning judgement as to whether an acceptable design for the engineering operation has been achieved and can constitute appropriate development in relation to Green Belt policy.

Paragraph 145 identifies that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, apart from certain exceptions listed in Paragraph 145 and 146. Of particular pertinence to the proposed Scheme is Paragraph 146 (b), which identifies that 'engineering operations' are a form of development that is not considered to be inappropriate development within a Green Belt location. This is subject to the caveat that the proposal preserves the Green Belts openness and does not conflict with the purposes of including land within it. The proposed Scheme consists of works that constitute an engineering operation and therefore the following provides consideration of the proposed works in the context of preserving the purposed and openness of the Green Belt.

The new earth embankment will result in a minor adverse impact on openness due to its increase in footprint and mass compared to the existing embankment. The other new and improved flood defences within the Green Belt will generally follow the alignment of existing defences and therefore with the exception of a modest increase in height will have a minimal visual impact and impact on openness.

Should the decision maker conclude that the proposed development does not comply with Paragraph 146 of the NPPF then it is required that very special circumstances must exist where potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The harm to the Green Belt to be considered in this respect would therefore be upon openness and encroachment into the countryside.

### **Case for Very Special Circumstances**

As identified, Paragraph 144 states that for very special circumstances to exist any potential harm to the Green Belt by reason of inappropriateness is clearly outweighed by other considerations. In this regard, the impact of the proposed Scheme on the Green Belt should be weighed against the principle of the development and other policy considerations which inform the planning balance put forward in this Statement.

As noted, the harm resulting from the proposals would primarily result from the construction of the new earth embankment.

The very special circumstances that exist which clearly outweigh the minimal harm to the Green Belt are as follows:

A priority of national policy regarding flood risk, as set out in Section 14 of the NPPF is to mitigate and adapt to climate change and avoid increased vulnerability to flood risk. This is also reinforced in local planning policy across both authorities. The need for the Preston and South Ribble FRMS is therefore an important and relevant consideration which should be attributed significant weight. The rationale and need for the proposed Scheme is summarised in Section 3 of this statement. The works proposed for Areas 1 and 2 of the FRMS is the culmination of extensive assessment and is a priority for infrastructure investment for the Government as detailed in the other plans, policies and strategies referenced in Section 6.4.5, which includes the National Flood and Coastal Erosion Risk Management Strategy for England, Central Lancashire SFRA, Ribble Valley Revised SFRA, Ribble CFMP, and

North West River Basin District FRMP. These documents provide extensive support for the delivery of improved flood defences across Preston and South Ribble. These plans and strategies reinforce the need for the proposed Scheme and confirm the overwhelming public benefit that the new flood defences would deliver, notably the delivery of enhanced flood protection to a substantial area of Preston and South Ribble and the achievement of an initial SoP of 0.5% AEP to properties, businesses and infrastructure across the wider FRMS area.

Consequently, it is considered that the potential harm to the Green Belt will be minimal and is clearly outweighed by the other important and relevant considerations in relation to the need for the proposed Scheme to increase the standard of flood protection to the local community and its contribution to the wider FRMS. It should be noted that the assessment carried out in the LVIA has identified that whilst the proposed Scheme will introduce new engineered features and require vegetation removal that will impact on visual amenity within a localised area of the Green Belt the overall impact and effect has been assessed as being slight adverse with mitigation provided through replacement tree planting and compensatory habitat creation to reduce this impact.

In summary, it is considered that the key benefits of the proposed Scheme and the overriding public interest in its delivery, clearly outweigh any perceived harm to the Green Belt that may result by reason of inappropriateness, when considered against the impact on openness and the purpose of including land within the Green Belt to prevent encroachment into the countryside.

As such very special circumstances do exist should the decision maker consider that the proposed development does not constitute appropriate development in the Green Belt.

## **9.4 Environmental Considerations and Mitigation**

As noted in Section 5.1, a Screening Opinion was received from LCC, which confirmed that the works did not constitute EIA development. However, the objectives of EIA are to identify the likely consequences for the natural and built environment and for human beings from the development, and to consider these issues within the planning and design process. As such, it is considered that these issues remain important considerations. Therefore, to affectively report on the implications of the proposed works on a number of environmental considerations, the non-statutory Environmental Report has been prepared to collate and report on a variety of environmental assessments and surveys that have been carried out to support the proposed Scheme.

## **9.5 Environmental Report**

The following section provides a summary of the pertinent environmental issues, specific to the proposed works covering: Ecology; Habitats Regulations Assessment; Landscape and Visual Impact; Heritage; Flood Risk; Water Framework Directive Compliance; Arboricultural Implications; Noise and Vibration; and Geoenvironmental issues. Cross reference is made to all relevant environmental assessments and surveys that have been undertaken to determine the impacts of the proposed works and the corresponding measures that will be implemented to mitigate such impacts.

### **9.5.1 Ecology**

A range of ecological surveys have been undertaken to inform and support the proposed Scheme. These surveys comprise of the following:

- Preliminary Ecological Appraisal, Mott MacDonald 2019 (ENV0000009C-MMD-DZ-00-RP-EN-0303001);
- Verification Survey, Jacobs 2020 (ENV0000009-JAC-ZZ-00-MO-BD-0001);
- Otter Survey, Jacobs 2020 (ENV0000009C-JAC-ZZ-00-BD-0002);
- Marine Conservation Zone Assessment (ENV0000009C-JAC-XX-00-RP-EN-0002);
- Stage 1 Habitats Regulations Assessment (ENV0000009C-JAC-ZZ-00-RP-EN-0004); and

- Biodiversity Net Gain Assessment (ENV0000009C-JAC-ZZ-ZZ-RP-BD-0002).

The proposed Scheme encompasses habitats associated with the urban location along the River Ribble, i.e. amenity grassland, planted trees, treelines (planted and self-seeded), roads, bridges, and pedestrianised areas. The proposed Scheme is located within the Ribble Estuary MCZ, which is designated for smelt (*Osmerus eperlanus*) and approximately 6.5km upstream from the Ribble and Alt Estuary SPA, and Ribble and Alt Estuary Ramsar site. Stands of Japanese knotweed (*Fallopia japonica*), Himalayan balsam (*Impatiens glanduiflora*), and giant hogweed (*Heracleum mantegazzianum*) have been identified throughout the area and therefore an Invasive Species Management Plan will be prepared and implemented to manage these invasive species.

Bat activity surveys have confirmed low level bat activity in Areas 1 and 2. The majority of bat species were common and soprano pipistrelle, very low numbers of other species were recorded. Bats require freshwater habitats to rehydrate. The brackish water conditions at site could be a possible factor in terms of the low levels of bat activity. The urban nature of the site and the noise and light pollution could also be another factor influencing the levels of bat activity and the species recorded. No impacts on bat roosts are anticipated. In order to minimise disturbance during construction, it is recommended that night time works are avoided, and any lighting is directed away from the watercourse.

Otter are known to be present within the river channel within the area of the proposed Scheme. Otter surveys carried out confirmed presence of commuting otter, however no active couches or holts, or resting features were identified on either the right or left embankments within the proposed Scheme. A precautionary pre-construction survey for otter should be completed six weeks prior to start of proposed works, to ensure availability of up-to-date information and confirm the baseline results.

Best environmental working practice will be employed for all works. In-channel works will be restricted to the **16 June to 31 January** to avoid impacts to course fish, smelt and eels present in the River Ribble. Although a salmonid river, the constraints only apply to spawning sites and this far down the system these species will not be spawning, therefore no in-river working constraints for salmonids.

Trees and scrub vegetation have the potential to support breeding birds between March and August inclusive. It is the intention that all vegetation clearance will be undertaken outside of the breeding season but if this is not possible then a pre-works survey will be conducted by the ECoW 24 hours in advance of clearance.

Habitat creation works are proposed at Fishwick Bottoms and Ribble Sidings to compensate for tree loss as a result of the proposed Scheme and in order to fulfil BNG requirements. The proposed Scheme represents a BNG of 23.47% (7.24 Biodiversity Units). The works will result in the loss of moderate value riparian vegetation including woodland, scrub and marginal vegetation. Small areas of mudflat habitat will also be lost due to the revetment works along the edge of the tidal river channel. In Area 1 no opportunities have been identified to reinstate these habitats in-situ and therefore compensatory habitat creation will be provided at Ribble Sidings. In Area 2 the main area of habitat loss is the band of woodland along the existing embankment through Ribble Sidings. The habitats lost at Ribble Sidings will be replaced with new species rich grassland, tree/woodland planting and wetland/pond areas as well as works along the river frontage to create new mudflat habitat.

Notwithstanding this, there will still be an overall loss in tree cover so additional sites are required to compensate for this habitat loss. Two sites have been identified and agreements in principle have been made between the Environment Agency, PCC and SRBC for new woodland planting in these locations, with the detailed design and management still to be agreed.

The first site is located adjacent to Golden Way. This area is approximately 1.25ha and currently supports a species poor grassland. This will expand an existing area of woodland to the east, providing buffer habitat protecting the existing more mature woodland and improve woodland connectivity. This area is identified in Natural England's Habitat Networks Maps as Network Enhancement Zone 1 and priority for new woodland creation.

The second site is located at Fishwick Bottoms. This is approximately 2.2km of riverbank and currently supports agricultural grasslands. The river bank is currently heavily poached by cattle. This represents an opportunity to



restore the river bank potentially benefitting otter, bats and fish populations. All of which are impacted by the current scheme. The new woodland will improve woodland connectivity along the river at a landscape scale and has been identified on Lancashire Ecological Network as "Corridor Areas" where new woodland creation should be targeted to improve woodland connectivity.

In order to achieve the desired habitats (distinctiveness and condition), further surveys will be undertaken to determine the feasibility of species rich grassland creation. Detailed information on soils is necessary to help determine whether a site is suitable, and, if it is, the most appropriate target community to aim for. Further assessment may be required to ensure the ground water conditions are suitable for wetland creation or to inform what additional works will be required to make the site suitable.

To ensure the success of all habitats at both sites, a detailed management and monitoring plan will be produced in partnership with key stakeholders to make sure the habitats reach the target condition.

Consequently, taking into context existing planned mitigation, pre-construction surveys, the presence of an ECoW throughout the construction phase and the implementation of habitat creation to deliver BNG, no significant residual impacts are anticipated to result from the proposed Scheme.

### **9.5.2 Habitat Regulations Assessment**

A Stage 1 HRA screening has concluded that, given the characteristics, scale, location and temporary nature of any impacts, there will be no likely significant effects during construction or operation of the proposed Scheme that could compromise the Conservation Objectives for the Ribble and Alt Estuaries SPA. The Stage 1 Screening for the proposed Scheme is presented in Volume Two of the ER.

### **9.5.3 Landscape and Visual Impact**

A Landscape and Visual Impact Assessment (ENV0000009C-JAC-ZZ-ZZ-DR-L-0001) has been completed in accordance with the Guidelines for Landscape and Visual Impact Assessment, Third Edition (Landscape Institute / IEMA 2013) and considers potential effects on the landscape character and visual receptors that may arise as a result of the proposed Scheme.

The LVIA identifies that the likely landscape impacts will include the removal of mature vegetation, and trees throughout Areas 1 and 2 as well as an established hedgerow within Area 1; removal of ornamental tree and shrub planting within the grounds of Penwortham Methodist Church; temporary closures / diversions to both formal and informal PRoW; temporary loss of amenity grassland areas along the lengths of the new replacement flood wall; loss of allotment vegetation and sheds within the required working area along the northern and western boundaries of Penwortham Methodist Church. In the long term (15 years post-construction), mitigation planting, habitat creation, and reinstatement measures will have established, therefore the residual impact of the proposed Scheme is expected to be minor.

Notwithstanding this, it notes that the likely visual impacts will include the following:

- Replacement of the existing flood embankment, replacement pre-cast concrete flood walls, and replacement pre-cast concrete flood walls with glass panels;
- Introduction of a Redi-Rock blockwork revetment to stabilize the existing riverbank;
- Clearance of trees, scrub, ornamental shrubs, hedgerows, species rich grassland and amenity grass;
- Planting of trees, shrubs and other plants as mitigation for lost vegetation or for visual and landscape purposes. The removal of trees and other vegetation during construction will be mitigated by new planting but it will potentially take many years for new planting to establish, and then to grow to similar maturity, particularly with regard to trees. In certain locations there may be a medium to longer term visual impact as a result. However, in some areas it is not possible to replace lost vegetation due to location of underground services and/or proximity to the flood walls; and

- Introduction of new grassland and wetland areas.

Mitigation measures will be required in order to avoid, reduce, remedy or compensate for any adverse landscape or visual effects of the proposed Scheme. Consequently, the flood defences have been carefully designed to minimise impacts on existing landscape and visual resources and to integrate the proposed Scheme as sensitively as possible into the receiving landscape. The proposed works have been developed so as to:

- minimise direct impacts on vegetation of landscape value, in particular specimen trees;
- minimise land-take from and maximise integration into publicly accessible amenity areas;
- restrict works as far as is practicable to areas in which the proposed change will fit the receiving landscape;
- minimise the height of the replacement flood defences and use construction materials to integrate the proposed scheme into its surrounding context; and
- use of glazed panels and earth embankments where appropriate.

Existing vegetation will be retained wherever practicable and the alignments of the defences throughout the Scheme have been adjusted in order to achieve this. Vegetation protection measures will be put in place prior to the commencement of the construction works and will be informed by the Arboricultural Impact Assessment Report (ENV0000009C-JAC-XX-00-RP-EN-0004) and Preliminary Tree Removal Plans (Sheets 1 to 8). An ECoW will monitor implementation and compliance with these measures. Trees and other vegetation located very close to the working area or impacted by the unavoidable incursion of plant and machinery within the root zones will be retained where safe to do so and will be monitored during the five-year establishment period. Precautionary measures will be taken in these circumstances to help protect root zones during the works as far as is practicable

In addition to the primary landscape mitigation measures outlined above, the following secondary mitigation measures are also identified for implementation:

- flood wall colour and design to integrate with surrounding areas and complement adjacent building materials;
- existing viewing platform within Broadgate Gardens to be retained and incorporated as part of the proposed layout;
- Cadent Gas Pipe Bridge infill to complement existing stonework and new flood wall;
- new street furniture and hard landscaping to complement existing;
- tree species will be sensitive to their location, for example ornamental species will complement pathways; native species for woodland blocks and river banks;
- well considered pathway connections to integrate the new embankment and flood walls with the existing path network; and
- the use of wildflower species to improve local biodiversity.

During construction, all trees to be retained along the alignment of the defences will be protected. The predominant type of protection barrier proposed will be 2 metre high welded mesh fence panels as recommended in BS5837:2012 or as otherwise agreed with the local authority's Tree Officers.

Where tree and vegetation removal is required, the preference will be to mitigate losses on site. However, where this is not possible, such as due to existing underground services or proximity to flood walls, alternative locations, such as Fishwick Bottoms, have been identified through discussions with the local authorities, where trees will be planted at a 5:1 ratio.

The proposed mitigation measures are shown on the Environmental Masterplan drawings (ENV0000009C-JAC-ZZ-ZZ-DR-L-0002 to 0009)

The Environment Agency has also discussed and agreed several enhancement measures with the local authorities, which are also shown on the Environmental Masterplans and include:

- Enhancements within Broadgate Gardens to include new footpath to seating areas and pollinator friendly planting, and incorporation of the existing viewing platform into the replacement flood wall design;
- Ecological and landscape enhancements at Ribble Sidings;
- Enhancements within open space at the end of Hawkhurst Road to include new footpath routes, tree and shrub planting;
- Interpretation boards relating to the heritage feature such as Penwortham ferry crossing;
- Tree planters and seating along Riverside and near Penwortham Old Bridge to enhance the streetscene and Preston Guild Wheel route; and
- Signage and route demarcations to the Preston Guild Wheel route.

The LVIA concludes that the most apparent changes to the character and the views during construction will arise as a result of the temporary presence of construction plant, the removal of existing landscape elements such as trees and other vegetation, the construction of the flood embankment, and the construction and replacement of existing flood walls. As identified, mitigation by design has been undertaken throughout the design process to address site constraints and stakeholder requirements. Some examples of this include the incorporation of glass panels along the top of the new flood walls to maintain views over the river, and the realignment of proposed flood defences around the entrance to Miller Park to avoid construction works within the park. Other measures are proposed in order to avoid, mitigate or compensate for any adverse landscape or visual effects of the proposed Scheme, along with a variety of environmental enhancements, in order to reduce the residual visual impact.

#### **9.5.4 Heritage**

There are a number of designated assets within proximity to the proposed Scheme. A Heritage Statement (ENV0000009C-JAC-XX00-RP-EN-0003) has been prepared to assess the potential impacts of the proposed Scheme on these assets and on previously unknown archaeological remains. This Heritage Statement focuses on the designated built heritage assets in the vicinity of the Scheme. This approach and study area is considered appropriate due to the nature of the proposed works and anticipated sensitivity of the receiving environment.

The Heritage Statement notes that the study area encompasses all or part of the following heritage assets: Avenham Conservation Area; Penwortham Old Bridge (Scheduled monument; also designated as a Grade II Listed building); Railway Viaduct over River Ribble (Grade II Listed Building); Miller Park (RPG 1; Grade II\* Registered Park and Garden); Avenham Park (RPG 2; Grade II\* Registered Park and Garden); nine individually Grade II Listed Buildings within Miller Park; and two further Grade II Listed Buildings associated with the railway embankment between RPG1 and RPG2

The Heritage Statement concludes that the proposed Scheme would benefit these heritage assets through the provision of enhanced flood protection, including the Conservation Area. It notes that during the construction period a number of temporary impacts would arise from construction activities and vegetation removal in Areas 1 and 2 but these would be short-term in nature. However, due to the nature of the proposed Scheme some permanent physical impacts are also predicted as well as permanent changes in the setting of some of the assets. In particular, it identifies that the proposed Scheme would physically impact on two Listed Buildings, the Viaduct over River Ribble and Penwortham Old Bridge, which will require Scheduled Monument Consent and Listed Building Consent. Mitigation in the form of Level 2 building recording is proposed for Penwortham Old Bridge in

line with national and local historic environment policy and guidance and established best professional practice. It is therefore assessed that impacts on the remaining heritage assets would only be negligible or minor.

Where the proposed Scheme impacts upon the designated heritage assets identified within the Heritage Statement the appropriate consents will be sought in consultation with the relevant heritage stakeholders, including Historic England.

#### **9.5.5 Flood Risk**

A Flood Risk Assessment (ENV0000009-JAC-ZZ-00-RP-EN-0002) has been undertaken for the proposed Scheme. The structure of the FRA is based on the site-specific FRA checklist contained within the PPG on Flood Risk and Coastal Change published in support of the NPPF. These documents are published by the Ministry of Housing, Communities & Local Government.

The FRA identifies that the proposed Scheme is classified as “water-compatible” and therefore, is considered appropriate development within Flood Zone 3b in accordance with the NPPF. Although the proposed Scheme is within the predicted flood extents, the proposed Scheme is designated to flood and so the flood risk to the Scheme is considered to be low.

There is a risk of short-term increase to risk of flooding upstream of the proposed Scheme extents during high magnitude events, however this increase would only be a temporary risk until the construction of the full Preston and South Ribble FRMS has been completed. Any works that would reduce the effectiveness of the existing defences would require the installation of temporary defences. This would ensure that the standard of protection to properties that benefit from the existing defences would not reduce as a result of the construction works themselves. Full details of the temporary works would be provided within an Environmental Permit Application.

There are some remote properties beyond the current scheme that have been identified as being subjected to minor long-term, adverse impacts to flood risk in high magnitude flood events as a result of the Preston and South Ribble FRMS. Further details of these locations are provided in the FRA and are detailed on Drawings ENV0000009C-JAC-XX-00-DR-HY-0001 to 0005 in Appendix A of the FRA.

Consequently, the long-term increase to flood risk to these vulnerable receptors is not consistent with the requirement of NPPF with respect to new development not increasing flood risk elsewhere. Therefore, additional mitigation is required. This will take the form of property level protection and resilience measures. The precise nature of these measures is currently subject to a consultation process with the property owners and tenants that would be affected. However, it is assumed that a satisfactory range of measures will be agreed at each location impacted and that the residual impact following this mitigation would be negligible.

The FRA concludes by noting that although the proposed Scheme would have some adverse impacts, these would be mitigated effectively through temporary flood defences implemented through the construction phase. The adverse impacts would be significantly outweighed by the benefits the proposed Scheme would bring to large areas of Preston and South Ribble. Therefore, the proposed Scheme is considered to be in accordance with local and national planning policy.

#### **9.5.6 Water Framework Directive Assessment**

A Water Framework Directive Compliance Assessment (ENV0000009C-JAC-XX-00-RP-EN-0001) has been undertaken to assess the potential impacts of the proposed Scheme on the WFD status of the River Ribble. The assessment comprises a ‘Clearing the Waters for All’ assessment, which only applies to transitional and coastal water bodies.

The assessment concluded that, taking into consideration the impacts of the proposed Scheme on the biological, physio-chemical and hydromorphological quality elements, it is unlikely to compromise progress towards achieving good ecological potential or cause a deterioration of the overall ecological potential of the waterbodies.

### 9.5.7 Arboricultural Implications

A tree survey of the working area has been undertaken to record the trees that may be affected by the proposed Scheme. This has been reported in the accompanying Arboricultural Impact Assessment Report (ENV0000009C-JAC-XX-00-RP-EN-0004), which includes the methodology of the survey, details of tree grading and arboricultural features included in the survey. Section 3 of the report identifies the trees and tree groups that are considered likely to be affected by the proposed Scheme, including the number of trees that will be impacted by removal and encroachment. The following summarises the tree removal required across Areas 1 and 2 to facilitate construction of the proposed Scheme:

#### Area 1

- Sea Cadets – 3 young trees are to be removed adjacent to roadside footpath;
- Broadgate Gardens – 10 mature trees along the landward side of the flood wall are to be removed;
- Broadgate, between Liverpool Road Bridge and Penwortham Old Bridge – 540m of self-seeded trees are to be removed from riverward side of flood wall;
- Riverside, between Penwortham Old Bridge and the Cadent Gas Pipe Bridge – 28m of self-seeded trees are to be removed from riverward side of flood wall;
- Riverside, between the Cadent Gas Pipe Bridge and Miller Gardens apartments – approximately 10 trees are to be removed from riverward side of flood wall;
- Riverside, along the boundary of the cricket ground – 150m of hedgerow is to be removed; and
- Riverside, between Ribble Cottage and WCML Viaduct – approximately 10 trees are to be removed from riverward side of flood wall.

#### Area 2

- Ribble Sidings – approximately 170 trees including 34 mature trees are to be removed along the existing flood embankment;
- Ribble Sidings – trees along the riverfront are to be retained;
- Ribble Sidings, Hawkhurst Road frontage – approximately 40 trees including 20 mature trees are to be removed;
- Riverside Road – approximately 13 trees are to be removed from the riverward side of flood wall.
- Penwortham Methodist Church – 1 mature tree protected by a TPO and vegetation within the grounds;
- Tie-in to old railway embankment – the footpath raising is likely to require some tree works along the toe of the embankment. All these trees are protected by a woodland TPO;
- Penwortham Residential Park – trees works required along the old railway embankment, which fall under the same TPO; and
- WCML underpass – some minor clearance of scrub required.

The report confirms that approximately 70% of the individual trees surveyed should be retained with the implementation of appropriate protection measures, such as ground protection and supervised excavations. Tree loss has been minimised through the detailed design phase of the proposed Scheme. This includes alteration of the proposals to avoid tree loss along the old railway embankment, which are protected by a TPO; revising the



design around the entrance to Miller Park to avoid tree loss within the Registered Park and Garden; and working with the Contractor to retain street trees along Broadgate.

The Arboricultural Impact Assessment Report includes a Preliminary Generic Arboricultural Method Statement and Preliminary Tree Removal Plans, which identify the trees to be protected or removed. As summarised in Section 9.5.3, the LVIA provides further details of the impacts on trees and proposals for mitigation and enhancement. It confirms that where tree and vegetation removal is required, the preference will be to mitigate losses on site. However, where this is not possible, such as due to existing underground services or proximity to flood walls, alternative locations, such as at Fishwick Bottoms have been identified, where trees will be planted at a 5:1 ratio.

The proposed mitigation measures are presented on the Environmental Masterplans (ENV0000009C-JAC-ZZ-ZZ-DR-L-0002 to 0009).

#### **9.5.8 Noise and Vibration**

A Noise and Vibration Assessment (ENV0000009C-JAC-ZZ-ZZ-TN-EN-0001) for the construction of the proposed Scheme has been carried out.

The assessment has defined the existing baseline noise levels and estimated the noise and vibration levels from each of the proposed construction activities at the nearest noise sensitive receptors. The main focus of the assessment was on residential receptors.

The findings show that there is potential for construction noise levels to exceed what is required to trigger the installation of Noise Insulation or Temporary Re-Housing measures. In order to mitigate this, restrictions on the timings of the noisiest works will be implemented. Construction works will not exceed:

- A period of ten or more days within any fifteen consecutive days; or
- A total number of days exceeding forty in any six consecutive months.

In accordance with good site practice, the following measures should be implemented:

- Noise and vibration control at source: e.g. selection of quiet and low vibration equipment, location of equipment on site, control of working hours and the provision of acoustic enclosures; and,
- Screening: e.g. local screening of equipment or perimeter hoarding.

Further measures to reduce the noise and vibration impacts are outlined in Section 5 of the Construction Noise Report. These will be incorporated into the Contractor's CEMP.

Where there remains the potential that some of the proposed activities will still result in noise levels above the, accepted trigger proactive community relations are key to let residents know when works are taking place, that they might be noisier than they would expect, the duration of those works, and the benefit to them once the works are complete.

In the event of complaints being received, noise and/or vibration monitoring will be undertaken to ensure that the complaint is thoroughly investigated, and remedial actions are implemented as required. Noise monitoring will be undertaken whilst site operations are active during the stated working hours and will be recorded. All results from noise and vibration monitoring undertaken in response to complaints will be shared with the complainant and the Local Authority if requested but will remain on file for the duration of the project.

#### **9.5.9 Geo-environmental**

A Ground Investigation (GI) was carried out for the proposed Scheme, on which a Geoenvironmental Assessment (ENV0000009C-JAC-ZZ-00-AS-EN-0001) has been undertaken.

An elevated concentration of contaminants was identified within made ground throughout Areas 1 and 2. These contaminants were primarily polycyclic aromatic hydrocarbons (PAH), as well as barium and lead, and asbestos fibres, and these were found diffuse throughout the made ground and not associated with any one point source.

A Preliminary Conceptual Model has been prepared and is summarised in the assessment. It identified potential localised risks associated with the reuse and retention of the made ground as a result of asbestos, barium, lead, and PAH. However, it notes that no unacceptable risks to future site users or controlled waters have been identified. This is based on a recommendation that the soils in Broadgate Gardens are left in situ, due to elevated PAH levels and that the soils adjacent to Penwortham Methodist Church are retained beneath any imported fill for the proposed raising of ground level, due to elevated PAH concentrations.

The assessment recommends that a MMP should be prepared to document the reuse of materials within the proposed Scheme and that a SWMP should be prepared in the event that excavated materials require disposal off-site.

#### **9.5.10 Planning History and Cumulative Impacts**

A desk-based search of LCC, PCC and SRBC planning records has been undertaken to identify the planning history of the site, any adjacent development proposals and any relevant major developments within 2 km of the proposed Scheme, and flood risk management schemes within 5 km upstream and downstream of Areas 1 and 2.

No relevant planning history for the site was identified.

Section 6 of the ER provides an assessment of the cumulative impacts that could arise when combined impacts of multiple developments, including impacts that could arise from incremental changes caused by past, present, or reasonably foreseeable activities, developments or plans together with the proposed Scheme. The assessment identifies that, with the exception of the future phases of the Preston and South Ribble FRMS, there are no other known proposed projects in the area likely to cause cumulative effects. It is therefore concluded there are no likely inter-project cumulative effects.

## 10. Summary & Conclusions

This Planning Statement has been prepared to present the case for planning and Listed Building Consent for works associated with Areas 1 and 2 of the Preston and South Ribble FRMS and to assess and conclude on the acceptability of the proposals in terms of compliance with relevant planning policy and any other material considerations.

The proposed Scheme seeks to deliver raised flood defences along the north and south banks of the River Ribble along with some wider associated works, to improve the SoP and resilience of existing flood defences and ensure that enhanced flood protection is provided to local communities within Preston and South Ribble. The FRMS will achieve an initial SoP of 0.5% AEP, which is predicted to reduce over time to a 1.33% AEP by the end of the 2080's epoch due to the impact of climate change.

Whilst certain elements of the works required to deliver the proposed Scheme constitute permitted development and could be carried out without the need to obtain planning permission, the Environment Agency has agreed to seek planning consent for all the proposed works required to deliver the FRMS.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a statutory requirement upon persons determining applications for planning permission to determine such applications in accordance with the adopted development plan unless material considerations indicate otherwise. Paragraph 11 of the NPPF also states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay. As detailed in Sections 6 and 9, in relation to planning policy, it is considered that the principle of the development and the proposed works are compliant with the relevant policies, provisions and guidance of each authority's statutory development plan, the NPPF and PPG, as well as the other plans, policies and strategies that form material considerations. All applicable policies have been fully assessed and the proposed Scheme's compliance identified accordingly. As such, it is considered that the proposed Scheme constitutes sustainable development and that the presumption in favour of sustainable development therefore applies.

The construction activities and programme detailed in Section 8 and other material considerations detailed in Section 9 highlight the key issues and the range of environmental considerations that have been comprehensively assessed during the development of the proposed Scheme. The environmental assessment undertaken by the Environment Agency that has been summarised within this Planning Statement and detailed within the accompanying non-statutory ER, demonstrates that the proposed works would have no significant effects on the environment. The proposed works have been developed to incorporate measures to minimise potential adverse impacts and, where possible to deliver enhancements to the local landscape. This includes the achievement of BNG, the implementation of environmental mitigation and enhancement, including habitat creation within Ribble Sidings and at Fishwick Bottoms, and tree planting adjacent to the Golden Way.

As identified in Section 8, an EAP will be prepared, which summarises the project specific actions required to implement the proposed Scheme to ensure environmental risk is managed and environmental outcomes are delivered. Potential adverse environmental impacts during construction of the proposed works will be controlled through good construction practice measures implemented through the Contractor's CEMP. Traffic generated by the proposed works, including any movement of material on the road network and on site, will be managed in accordance with a CTMP and in consultation with LCC, whilst any waste arisings will be managed in accordance with a MMP and SWMP.

Consequently, it is concluded that the proposed works subject to this planning application represent sustainable development; are compliant with the development plan, the NPPF and all other material considerations; and there are no conflicts or issues that cannot be appropriately mitigated or that should prevent planning consent from being granted.

## **Appendix A. EIA Screening Opinion Response**

Connor McIlwrath  
National Environmental Assessment & Sustainability  
Environment Agency

Sent via email

Phone: 01772 534159  
Email: DevCon@lancashire.gov.uk  
Your ref:  
Our ref: SCR/2020/0001  
Date: 11 March 2020

Dear Connor

**APPLICATION: SCR/2020/0001**

**SCREENING OPINION REQUEST FOR A FLOOD RISK MANAGEMENT SCHEME  
ON LAND ALONG THE RIVER RIBBLE AND RIVER DARWEN, AT BROADGATE  
AND RIVERSWAY (RIBBLE) LOWER PENWORTHAM (RIBBLE) FRENCHWOOD  
AND WALTON-LE-DALE (RIBBLE) WALTON-LE-DALE (DARWEN) AND HIGHER  
WALTON (RIBBLE)**

I refer to your request for screening opinion on the above proposal under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

It is the County Council's screening opinion that the proposal would not be Environmental Impact Assessment development. I have attached the accompanying screening opinion report for your information.

Yours sincerely

*A Mullaney*

Andrew Mullaney  
Head of Planning and Environment