

Mrs Emma Thompson  
Kirklees Metropolitan Borough Council  
Development Management  
PO Box B93  
Huddersfield  
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HD1 2JR

**Our ref:** RA/2016/134485/03-L01  
**Your ref:** 2016/62/91055/E  
**Date:** 03 January 2017

Dear Mrs Thompson

**PART DEMOLITION, CONVERSION AND EXTENSION OF EXISTING BUILDINGS TO 9 RESIDENTIAL UNITS WITH ASSOCIATED CAR PARKING. DENE BOTTOM, KIRKBURTON, HUDDERSFIELD, HD8 0PP**

Further to my previous response, and subsequent clarification of finished floor levels relating to this development as confirmed by Dave Newton of Nuton Architecture, we wish to revise our previous condition as detailed below.

**Environment Agency position**

The proposed development will only meet the requirements of the National Planning Policy Framework if the following measure as detailed in the Flood Risk Assessment submitted with this application is implemented and secured by way of a planning condition on any planning permission.

**Condition**

The development permitted by this planning permission shall be carried out in accordance with the approved flood risk assessment (FRA) dated July 2016, reference E13/5884/FRA002 by David Storrie Planning, and appended information from Nuton Architecture dated 20 December 2016, and the following mitigation measure detailed within the FRA:

- Finished floor levels are set no lower than 96.4m above Ordnance Datum (AOD).

The mitigation measure shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

**Reason**

To reduce the risk of flooding to the proposed development and future occupants.

**Advice to applicant and LPA – Flood Warning and Evacuation Plan**

The Planning Authority need to be content with the use of a Flood Warning and Evacuation Plan to assist in making the development and to ensure its future users are safe from the harmful effects of flooding.

The Environment Agency does not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network.

The National Planning Practice Guidance states that those proposing developments should take advice from the emergency services when producing an evacuation plan for the development as part of the flood risk assessment. In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

We would recommend that the future operator(s)/occupants of the site fully sign up to Floodline Warnings Direct.

### **Environmental Permit**

This development will require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the top of the bank of the River Colne, designated a 'main river'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

Yours sincerely

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