

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

**Our ref:** RA/2016/135227/02-L01  
**Your ref:** 2016/60/92664/E  
**Date:** 10 April 2017

Dear Mrs Thompson

**FRA ADDENDUM – OUTLINE APPLICATION FOR ERECTION OF 19 DWELLINGS – OAK MILL, CLIFF HOLLINS LANE, EAST BIERLEY, BD12 7ER**

Thank you for consulting us on the FRA addendum submitted in support of the above application which we received on 21 March 2017. We are satisfied that sufficient information has now been provided to overcome our objection to this application, subject to the following comments.

**Sequential Test**

The applicant has failed to submit any further Sequential Test evidence with this application. The site lies within Flood Zones 2 and 3, which have a medium and high flood risk. Paragraph 101 of the National Planning Policy Framework (NPPF) requires decision-makers to steer new development to areas at the lowest risk of flooding by applying a Sequential Test.

Avoidance is the most effective flood risk management measure. Even when development can be made 'safe' in flood risk areas, there are always residual risks. In accordance with paragraph 103, consideration should only be given to development in flood risk areas following the Sequential Test.

You should ensure that sufficient evidence is provided by the applicant to allow the Sequential Test to be carried out. Development should not be permitted if there are reasonably available sites, appropriate for the proposed development, in areas with a lower probability of flooding. Evidence to support the sequential test should be added to the planning file for the public record.

**Environment Agency position**

We consider that outline planning permission could be granted to the proposed development if the following planning condition is included as set out below. The proposed development will only meet the requirements of the National Planning Policy Framework if the following measures as detailed in the Flood Risk Assessment submitted with this application are implemented and secured by way of a planning condition on any planning permission.

**Conditions**

Flood mitigation measures are implemented as illustrated in drawing references 116/02/A1, 116/02/A2, 116/02/11/1015 and 116/02/11/1015 all dated February 2017.

Environment Agency  
Coverdale House Aviator Court, York, North Yorkshire, YO30 4GZ.  
Customer services line: 03708 506 506  
[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)

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The mitigation measures 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.

**Flood risk modelling undertaken by a third party has been used in support of this application and the Environment Agency has applied a risk based approach to the assessment of this model. In this instance a basic review has been carried out. The Environment Agency has not undertaken a full assessment of the fitness for purpose of the modelling and can accept no liability for any errors or inadequacies in the model.**

### ADVICE TO APPLICANT/LPA

#### **Flood warning and emergency response**

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 Planning Practice Guidance to the National Planning Policy Framework 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. As such, we recommend you consult with your Emergency Planners and the Emergency Services to determine whether the proposals are safe in accordance with the guiding principles of the Planning Practice Guidance (PPG).

#### **Flood Resilient Construction**

We recommend that consideration be given to use of flood proofing measures to reduce the impact of flooding when it occurs. Flood proofing measures include barriers on ground floor doors, windows and access points and bringing electrical services into the building at a high level so that plugs are located above possible flood levels.

Please refer to the following document for information on flood resilience and resistance techniques to be included: 'Improving Flood Performance of New Buildings - Flood Resilient Construction' (DCLG 2007).

Consultation with your building control department is recommended when determining if flood proofing measures are effective.

Additional guidance can be found in our Flood line Publications. A free copy of these is available by telephoning 0345 988 1188 or can be found on our website <https://www.gov.uk/topic/environmental-management/flooding-coastal-change>.

Reference should also be made to the Department for Communities and Local Government publication 'Prepare your property for flooding' please go to: <https://www.gov.uk/government/publications/prepare-your-property-for-flooding> as well as the communities and local Government publication 'Improving the flood performance of new buildings' which can be viewed at: <https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>.

Yours sincerely

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