

Mr Victor Grayson
Kirklees Metropolitan Borough Council
Development Management
PO Box B93
Huddersfield
West Yorkshire
HD1 2JR

Our ref: RA/2019/139647/02-L01
Your ref: 2018/90051
Date: 18 March 2019

Dear Mr Grayson

PART DEMOLITION OF EXISTING BUILDINGS, ERECTION OF NEW BUILDINGS AND RE-USE OF EXISTING BUILDINGS TO FORM B1(C), B2 & B8 USES, AND FORMATION OF NEW PARKING AND VEHICULAR CIRCULATION AREAS (WITHIN A CONSERVATION AREA AND SETTING OF A LISTED BUILDING). COMMUNITY SPIRIT, BRITANNIA MILLS, BRITANNIA ROAD, SLAITHWAITE, HUDDERSFIELD, HD7 5HE.

We refer to the email from Robert Halstead Chartered Surveyors & Town Planners, dated 26 February 2019. This email seeks to address some of our previous concerns about the condition of the existing culvert and any possible impacts on it resulting from the proposed development. It states that:

- “1) There will be no excavation or works on or near the culvert which partially runs beneath the mill.*
- 2) In the vicinity of the culvert, the scheme will remove and replace the roof which is currently in an unsafe state.*
- 3) With regard to the construction of new units, the scheme is to internally divide to create new units within the existing walls and beneath newly roofed areas.*
- 4) With regard to the proposed demolition of existing buildings, this is to take place well away from any existing watercourses.*

As a result therefore, the proposed works on the site will not affect the culvert beneath the mill and as all walls in near proximity of the culvert will not altered, there is no added risk of flooding as there is no opening for flood water ingress.

As responsible owners of the property, the applicants carry out periodic walk throughs of the culvert to assess the condition, risk and safety.”

We consider that the works are unlikely to affect the condition of the culvert and we are able to remove our objection. However, you should consider the following:

Finished Floor Levels

As mentioned in our earlier letter, the FRA has recommended that the floor level of the proposed industrial units are raised by 200mm. We advise that finished floor levels for development should ideally be set no lower than 300mm above the 1% (1 in 100 year) modelled flood level plus climate change. In addition, it should be noted that, in the event that the culvert does become blocked or collapse, depths on the site may increase. This has not been assessed within the FRA, so as a precautionary approach, we suggest that you encourage the applicant to raise their floor levels further and/or request the use of resilient construction methods, to minimise damage and allow use of the building again more quickly. This can be secured via a suitable condition.

Physical barriers, raised electrical fittings and special construction materials are just some of the ways that flood damage can be reduced. Further guidance is available [here](#).

Flood Warning and Emergency Response

We do 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, in determining whether a development is safe, the ability of residents and users to safely access and exit a building during a design flood and to evacuate before an extreme flood needs to be considered. One of the key considerations to ensure that any new development is safe is whether adequate flood warnings would be available to people using the development.

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).

Environmental Permitting Regulations

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place on, over, under or within 8 metres of a main river channel or culvert. The site is bounded by the River Colne to the North and Kitchen Clough to the east of the site, which are both main rivers. Kitchen Clough runs through the site and is partially culverted.

For further guidance, the applicant should visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Access needs to be maintained to existing Environment Agency, local authority and other third party flood defence assets, such as, for example, maintenance purposes and

operational response.

The applicant should be aware that should the culvert collapse now or in the future, the blockage caused could result in an increased risk of flooding upstream and the riparian owner will be responsible for undertaking any repairs.

We trust this advice is useful.

Yours sincerely

Miss Lizzie Griffiths
Sustainable Places - Planning Specialist

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cc Robert Halstead Chartered Surveyor