

Mr Christopher Carroll
Kirklees Metropolitan Borough Council
Development Management
PO Box B93
Huddersfield
West Yorkshire
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Our ref: RA/2019/140868/01-L01
Your ref: 2019/93423
Date: 25 November 2019

Dear Christopher

PROPOSAL: ERECTION OF 15 DWELLINGS AND 6 APARTMENTS WITH ASSOCIATED WORKS

LOCATION: LAND EAST OF, LONG LANE, EARLSHEATON, DEWSBURY

Thank you for consulting the Environment Agency regarding the proposed erection of 15 dwellings and 6 apartments at land east of Long Lane in Earlsheaton, Dewsbury

Environment Agency Position

We have reviewed the FRA by AVIE Consulting dated December 2016. The email dated 3 October 2016 from the EA within the FRA indicates the most up to date information we held at that time for this area was a 2004 EA Model, however we were updating our detailed modelling for Chickenley Beck.

We can confirm this modelling study for Chickenley Beck is now complete and we will be updating the Flood Map on the Gov.UK website early in the New Year 2020. We recommend you contact us to request this data with a view to updating your FRA by contacting our Customers and Engagement teams who can provide this updated information and any other relevant flooding information that we have available. To request this please email neyorkshire@environment-agency.gov.uk.

The revised 2018 Chickenley Beck model shows the site is within FZ1 with FZ2 and 3 only at the edge of the site boundary where it adjoins the Chickenley Beck Main River and bank top. As this is showing less risk than the flood zones used for the 2016 FRA we recommend the FRA is reassessed.

The existing site levels have been used to define the areas of flood zone 1, 2 & 3. We note the FRA does not propose to alter these levels therefore will not affect the flood zone outlines or surface water risk to the site.

Any proposed alteration of site levels would need to demonstrate they do not alter the flood risk within the site, alter existing and proposed flood routes through the site,

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Kings Pool Peasholme Green, York, North Yorkshire, YO1 7PX.
Customer services line: 03708 506 506
www.gov.uk/environment-agency
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transfer flood risk to others or be allowed to spill into nearby watercourses.

Environmental Permit

You will require a permit for any works in relation to the site that is within 8 meters of the Chickenley Beck Main River such as for example the proposed fence or any structure to discharge Surface Water to Main River.

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river
- on or within 8 metres of a flood defence structure or culvert
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert

For further guidance please 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.

Surface Water Discharge

Our Asset Performance Team are concerned about the surface water discharge into the beck and possible increase in discharge. There is a debris screen on an inlet to a long length of culvert downstream of the site which is operated and maintained by Yorkshire Water. The beck at the screen and culvert inlet regularly surcharge and flood the local access road. We would not wish to see surface water discharge from the development of this site exacerbate this existing issue.

We note that the site is currently Greenfield and therefore we would expect the discharge rate to be limited to the greenfield runoff rate of 5 l/s/ha.

The development of the site must not alter existing fluvial or surface water flood flow routes through the site and does not increase the flood risk within the site, transfer flood risk to others or be allowed to spill into nearby watercourses

We ask that these issues are discussed as part of the detailed surface water design between the applicant, the Drainage Team at Kirklees Council as the LLFA and Yorkshire Water

The plans do not indicate the location of the proposed surface water discharge location. As indicated above you will require an Environmental Permit from us for any works within 8 meters of the EA Main River Chickenley Beck such as for example any outfall structure for surface water discharge into Main River and for any works within 16 meters of the Chickenley Beck Culvert to the south of the site.

Surface Water Drainage now the responsibility of the LLFA.

Changes to the Planning Practice Guidance (Flood Risk) and the new DMPO which took effect on 15 April 2015. These support the use of SuDS solutions for surface water management from new development, and explain that the expert advice on surface water proposals should come from the LLFA.

The LLFA is now the Statutory Consultee on these matters for major applications, and manage the regulation of works affecting all watercourses except for those designated 'main river' (this remains with the Environment Agency).

The Environment Agency still has a Strategic Overview role on flood risk and continues to be a statutory consultee in areas of flood zone 2 and 3. We will fulfil this role by advising on the interaction of drainage with flooding from rivers and sea, and continue to make comments as appropriate on local flooding issues from other sources. We will no longer provide detailed comments on the drainage proposals.

Safe Access /Egress

We note the development includes some ground floor sleeping in the self-contained apartments. We do not normally recommend ground floor sleeping preferring to see this duplex with the first floor. However as the site is within flood zone 1 the ground floor accommodation is at a lower flood risk but subject to the detailed surface water design to be agreed with the applicant, Drainage Team at the LLFA and Yorkshire Water. The development needs to demonstrate that the occupants can remain safe for the development lifetime incorporating allowances for climate change for all sources of flood risk with sufficient flood risk mitigation up to the design flood level and specified arrangements for safe access and egress.

The development needs to include access/egress proposals and demonstrate 'dry' or 'wet' safe access/egress. You need to consider the likely duration, depth, velocities and UK flood hazard rating (FD2320) of floodwater and the LPA should consult the emergency planners/emergency services about whether 'safe' access/ egress can be achieved through the FWEP

We note the plans appear to indicate a first floor place of safety is available from the ground floor via the staircase to an upper level. We consider these access/egress issues are an Emergency Planning issue and the Flood Risk and Emergency Planning Teams at Kirklees Council need to be satisfied that the development and particularly the ground floor uses are appropriate given the flood risk and that there is a place of safety on an upper floor accessible from the ground floor and for all users of the buildings

If you have any questions please contact me

Yours sincerely

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