

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

Our ref: RA/2020/141125/01-L01
Your ref: 2019/94094
Date: 03 February 2020

Dear Neil

PROPOSAL: ERECTION OF 2 TEMPORARY STORAGE CONTAINERS AND
ERECTION OF GREENHOUSE AND PERGOLA DEVOUR

LOCATION: WOODLANDS MILL, LUKE LANE, THONGSBRIDGE,
HOLMFIRTH, HD9 7TB

Thank you for consulting the Environment Agency regarding the proposed erection of two temporary storage containers at Woodlands Mill, Luke Lane in Thongsbridge.

Environment Agency Position

In the absence of a flood risk assessment (FRA), we object to this application and recommend that planning permission is refused.

No FRA has been submitted with this application. Although the Planning Statement indicates the FRA applies from the 2017 application 91888 this was for a different development on the site and is now out of date. We expect to see an up to date FRA provided for the application now submitted for the site.

Reason(s)

The application site lies within flood zone 3 and 2 which is land defined by the planning practice guidance as having a high and medium probability of flooding. The National Planning Policy Framework (paragraph 163, footnote 50) states that an FRA must be submitted when development is proposed in such locations.

An FRA is vital to making informed planning decisions. In its absence, the proposed development's flood risk is unknown. This is sufficient reason for refusing planning permission.

Further guidance on completing an FRA is available in the online [Planning Practice Guidance](#) and on our [website](#). Any FRA will need to use the latest [climate change allowances](#).

Flood Risk

Environment Agency
Kings Pool Peasholme Green, York, North Yorkshire, YO1 7PX.
Customer services line: 03708 506 506
www.gov.uk/environment-agency
Cont/d..

We have recently reviewed the draft River Holme updated Flood Risk Mapping Study which will be the most up to date modelled flood risk information for this area. We suggest you submit a data request for the modelling information we hold for this area

We do not prepare or provide FRAs. However, our Customers and Engagement teams can provide any relevant flooding information that we have available. Please email neyorkshire@environment-agency.gov.uk. Your local planning authority should have undertaken a Strategic Flood Risk Assessment (SFRA) which will also include local flood risk information to inform your FRA. Please contact your local planning authority to determine what information is available. Further advice on what to include in an FRA can be found at <https://www.gov.uk/guidance/flood-risk-and-coastal-change#site-specific-flood-risk-assessment-all>

Finished floor levels

The FRA needs to demonstrate that the storage containers are above the 1% (or 1 in 100 year modelled flood level) taking into account climate change as a minimum

It also needs to assess the flood risk to the site and provide details on the finished floor level and topographic levels in mAOD.

The parts of the development located in flood zone 3 need to be shown. It may help to overlay the proposed development over the flood zone outlines to clarify this. We suggest that any proposed development on the site is located in the lowest flood risk areas, for example flood zone 2 areas of the site rather than flood zone 3.

Any development within flood zone 3 would need to provide compensatory storage for any loss of floodplain. Unless water could be allowed to flow in an unrestricted manor beneath the building ensuring no loss of storage up to the modelled 1% plus climate change level, see further details below on compensatory storage

Transfer of flood risk to others

The FRA needs to demonstrate any of the development on site such as the storage containers and the gabion wall will not alter existing flood flow routes or transfer flood risk to others or be allowed to overspill into nearby watercourses

Distance of the proposed development to the River Holme

Due to the close proximity of the development to the River Holme Environment Agency main river the FRA needs to indicate how close the storage containers are to the Main River.

We note the proposed site plan indicates a gabion wall located alongside the river with a metal fence on top of it. The FRA needs to indicate whether this has already been constructed under this retrospective planning application. The FRA needs to indicate how close this gabion wall/fence is to the watercourse.

Please see details below on the Environmental permit required for the developments on site

Environmental Permit

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.

Anchoring

We normally advise that any portable containers, other similar structures or machinery that may become mobilised in floodwater during a flood are anchored to the ground.

Informatives

Compensatory Storage

Where a development is likely to increase flood risk by taking up flood plain storage, it may be necessary to provide compensatory storage to mitigate this risk. Compensation works are divided into direct and indirect. These terms come from CIRIA report C624 "Development and flood risk – guidance for the construction industry (2004)".

Direct or 'level for level' methods as they are also known re-grade the land at the same level as that taken up by the development. Direct schemes therefore provide a direct replacement for the lost storage volume.

Indirect methods rely on water entering a storage area which then releases water at a slower rate, akin to a surface water attenuation scheme. The storage area can be remote from the flood plain or even a tank. Indirect schemes are complicated to design and construct and require a more intensive maintenance regime, which must be continued indefinitely. For these reasons we are generally opposed to indirect schemes unless a planning decision has already been made and they are the only remaining option.

If you have any questions please contact me

Yours sincerely

Mr Tim Crawshaw

Sustainable Places - Planning Advisor

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