

**Consultation Response from KC,
Lead Local Flood Authority**

2021/91506 Shop Lane, Kirkheaton, Huddersfield, HD5 0DB

Reserved matters application pursuant to outline permission 2014/92535 for erection of 48 dwellings, formation of access and associated infrastructure

Date Responded: 7th November 2022

Responding Officer: Paul Farndale

Responding Ref:

Consultation Summary

Kirklees Flood Management & Drainage acting as Lead Local Flood Authority requires FURTHER INFORMATION in order to recommend approval to a submitted layout.

This response should be read in conjunction with responses to a linked site names Cockley Hill Lane, refs 2021/90507 and 2021/92527.

Additional Information

To demonstrate that space has been made for water, a shaded drawing showing flooded areas from a total blockage scenario on the watercourse is required, assuming weep holes in the southern boundary wall are also blocked.

We expect a dam effect against this wall with water building up to a weir point close to the entrance to the site and the existing property within the old mill grounds. Finished floor levels of the existing and new properties should be provided along with road contours, back garden levels. This should demonstrate there is enough freeboard on new properties (closest being plot 42) to avoid flooding and also a demonstration that the development will not increase risk to the existing property.

We note from examining Google Earth that the flow route that may occur if the watercourse were to flow through holes made in the boundary wall would not be contained on the footpath which only has walls on both sides for part of its length. Although there is a fall to Shop Lane there is also a fall across the rear of nos.2-12 Shop Lane. Please demonstrate more clearly with measure levels. Note that the existing properties risk should not increase.

In the Cockley Hill responses we have recommended a land drainage solution that brings a separate pipe into the Shop Lane site and connects to the converged watercourse. Please label the watercourse with dimensions. This land drainage route with should be shown to ensure space is allowed for its construction with a 3 metre stand off distance from its centre line to any proposed buildings.

Microdrainage calculations supporting the attenuation tank size are required.

Information required on a discharge of conditions application but not reserved matters.

The watercourse diversion is agreed in principle for layout. Detail on levels and pipe sizes should be submitted with a discharge of condition application linked to flood routing (condition 17). Any discharge of the condition advised by the LLFA can be treated as consent to work on the watercourse, Land Drainage Act 1991, Floods and Water Management Act 2010.

A discharge rate of 7.2l/s is shown on notes on drainage layout. After a re-examination of our pre-application advice and the presence of the existing mill pond despite demolition of the mill over a decade ago, I can allow an increase of surface water discharge rate of 11l/s. We also do not demand a 10% allowance for urban creep as the 1 in 100-year critical event with a 30% allowance for climate change will be stored underground.

Attenuation requirements will reduce which should help with stand-off distances and the inclusion of the land drainage system serving the Cockley Hill Development outfalling within the Shop Lane site.

As the land drainage system entering this watercourse is requested to reduce flood risk to Shop Lane and the highway drainage linked to the trough identified in reports, we will look to ensure a single gully around the former garage site that forms part of this application does still connect to the trough to ensure a flow is maintained.

A detailed design of bespoke manholes on the 2 watercourses and connections to them from site surface water drainage from Shop Lane and Cockley Hill and Land Drainage from Cockley Hill will be required.

Management Company Requirements

The original 2014 outline application was made before there was a requirement under House of Commons Written Statement 161 obligating the LPA to ensure the maintenance and management of SUDS systems for the life of the development.

However, the above is still recommended established through a unilateral undertaking under Section 106 Town and Country Planning Act 1990.

A management company is required to carry out responsibilities for the 2 watercourses within the site boundaries and the land drainage system serving Cockley Hill application which will need to pass under the existing public highway. These should not therefore come under riparian ownership leaving the Council or individual house purchasers liable. A detailed itinerary and schedule of maintenance tasks should be agreed.

Suggested Conditions

DR10 Construction Phase (Temporary) Drainage

Development shall not commence until a scheme, detailing temporary surface water drainage for the construction phase (after soil and vegetation strip) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail:

- phasing of the development and phasing of temporary drainage provision.
- include methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and how flooding of adjacent land is prevented.
- cater for a 1 in 2-year storm event.

The temporary works shall be implemented in accordance with the approved scheme and phasing. No phase of the development shall be commenced until the temporary works approved for that phase have been completed. The approved temporary drainage scheme shall be retained until the approved permanent surface water drainage system is in place and functioning in accordance with written notification to the Local Planning Authority.

DR02 Watercourse Piping and Land Drainage (adapted) (to be examined by the planning officer with legal advice on wording where necessary).

Development shall not commence until a scheme detailing the piping of the watercourses within the site, and land drainage serving this or other applications crossing areas within and between red line boundaries, as demonstrated on submitted locations plans. The scheme will include a detailed maintenance and management regime (itinerary and schedule) for the piped watercourse and piped land drainage for the lifetime of the site and attached to a unilateral undertaking under section 106 of the Town and Country Planning Act 1990, to create a management company to carry out the

maintenance regime. The scheme shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until the watercourse piping works and land drainage works have been completed. The maintenance and management regimes shall be implemented thereafter.