

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

Our ref: RA/2021/143135/03-L01
Your ref: 2021/92003
Date: 14 June 2022

Dear Victor

ERECTION OF 61 AGE-RESTRICTED APARTMENTS, ANCILLARY ACCOMMODATION AND ASSOCIATED EXTERNAL WORKS (WITHIN A CONSERVATION AREA) – PRICKLEDEN MILLS, WOODHEAD ROAD, HOLMFIRTH, HD9 2JU

Further to my previous response to the above application dated 24 June 2021, we have been in discussion with the applicant and they have submitted additional information. As a result, we have the following comments to make.

FLOOD RISK

We have reviewed the following information submitted to us by the applicant:

- Flood Risk Assessment – Addendum, Project: Prickleden Mills, Holmfirth, Client: Eliston Homes Ltd. Reference: B24120-JNP-XX-XX-RP-C-1005 P03, Rev P03, 16/12/2021.
- Letter report from JPN Group to Eliston Homes Ltd, Ref: B24120-JNP-XX-XX-CO-C-0001 P01/SLL, 25th May 2022.

We have also recently completed a model review and have found the modelling work to be fit for the purpose of supporting a Flood Risk Assessment for a planning application.

Based on the above, we can remove our previous objection relating to flood risk, subject to the inclusion of the following planning conditions.

Environment Agency Position

The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if the following planning conditions are included.

Condition 1

The development shall be carried out in accordance with the Flood Risk Assessment – Addendum, Project: Prickleden Mills, Holmfirth, Client: Eliston Homes Ltd. Reference: B24120-JNP-XX-XX-RP-C-1005 P03, Rev P03, 16/12/2021, and the following mitigation measures it details:

- Finished floor levels for the residential accommodation blocks shall be set no lower than 150.23 metres above Ordnance Datum (AOD), as per Paragraph 5.1.5 of the approved Flood Risk Assessment -Addendum.

- Finished floor levels for the residents' lounge shall be set no lower than 150.53 metres above Ordnance Datum (AOD), as per Paragraph 5.1.5 of the approved Flood Risk Assessment -Addendum.
- Soffit levels for the proposed bridges shall be set in accordance with and no lower than the levels shown in Table 6.1, Paragraph 6.1.3 of the approved Flood Risk Assessment – Addendum.
- Compensatory storage shall be provided in line with Section 4 of the approved Flood Risk Assessment – Addendum. This shall include:
 - Reducing the Mill Pond outlet level and therefore baseline water level to 149.0mAOD, resulting in 1,113m³ of compensatory storage volume.
 - Increasing the height of the embankment between the lake and the river to 149.93mAOD, resulting in an additional 474m³ of storage volume.
 - Increasing the height of the northern and eastern banks of the Mill Pond to 150.51mAOD.
- In line with Paragraph 4.1.19 of the approved Flood Risk Assessment – Addendum, the development shall be constructed so that the basement carpark does not flood during a 1%AEP CC flood event.

Reasons

- To ensure that the proposed development and its users are kept safe from flooding.
- To ensure that the proposed development does not increase flood risk off site.

Condition 2

Apart from draining of the mill pond, the development hereby permitted must not be commenced until the following have been completed, submitted to and approved by the local planning authority:

- Results of an intrusive investigation to establish the existing maintenance requirements of the mill pond embankment to ensure that it will be structurally sound enough to allow the mill pond to fulfil its intended role as flood water storage
- Details of any works required to make the existing embankment sufficiently structurally sound.
- Information to demonstrate that the new raised element of the Mill Pond embankment will be structurally sound enough to fulfil its intended purpose.
- An ongoing inspection and maintenance plan for the mill pond embankment.

The development shall be subsequently maintained, in accordance with the inspection and maintenance plan to be approved.

Reasons

- To ensure that the structural integrity of the Mill Pond Embankment is maintained for the duration of the lifetime of the development.
- To manage the residual risk of flooding associated with failure of the Mill Pond embankment.

Note to LPA

The proposed development, and possibly additional properties, would be at an unacceptable risk of flooding if the Mill Pond Embankment were to fail. We believe that structural details of the proposed embankment, along with an ongoing inspection and maintenance plan should be submitted and approved up front, before planning permission is granted. The applicant has stated that this is not possible for logistical reasons. For this reason, we have recommended Condition 2 above.

In making your decision, you should decide whether you are happy to accept the risk of approving planning permission with this information outstanding. If you aren't then we recommend that you refuse planning permission.

Any inspection and maintenance plan submitted, should be reviewed, and approved as appropriate, by yourselves as the LPA, possibly in conjunction with the LLFA. The Environment Agency do not need to be consulted on this. Our investment in this condition will be satisfied at the point where the LPA/LLFA has approved an inspection and maintenance plan.

BIODIVERSITY/WATER FRAMEWORK DIRECTIVE

In our letter dated 24 June 2021, we also raised concerns relating to biodiversity net gain and the Water Framework Directive. Whilst these matters were discussed in a meeting on 21 December 2021, to date we have not received any further information to address these concerns, therefore our objections remain in place.

Should you require any further information or clarification, please contact me.

Yours sincerely

Mrs Bev Lambert
Sustainable Places - Planning Advisor

Direct dial 020 302 57982

Direct e-mail bev.lambert@environment-agency.gov.uk

Team e-mail sp-yorkshire@environment-agency.gov.uk