

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

**Our ref:** RA/2021/143906/01-L01  
**Your ref:** 2021/94280  
**Date:** 12 January 2022

Dear Nick

**ERECTION OF 67 DWELLINGS WITH ASSOCIATED WORKS – LAND AT LADY ANN ROAD, SOOTHILL, BATLEY, WF17 0PY**

Thank you for consulting us on this application which we received on 6 December 2021.

**Environment Agency position**

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

**Reasons**

The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to:

- Consider how a range of flooding events (including extreme events) will affect people and property taking the impacts of climate change into account
- Provide flood risk mitigation measures to address flood risk for the lifetime of the development
- Consider how people will be kept safe from the identified flood hazards

**Overcoming our objection**

**Redesign of the site/site layout**

We understand that the number of properties with this current submission has reduced by 4, although the property numbering remains the same (ie plots 1-71), omitting plots 55, 56, 68 and 69, as detailed on the 'Proposed Site layout – drawing number 10703-SELF-P-XX-DR-A-002'. Appendix C in the FRA shows the site layout with the omitted properties still in situ. For reasons of clarity, the site layout in the FRA should be updated to reflect the latest position.

It appears that some of the remaining properties are within flood zone 3, again for clarity it would be helpful if the flood zones were overlaid onto the site plan to demonstrate whether this is the case.

The FRA indicates that the site is allocated for housing under reference HS74 and the policy for this site details “*No residential development to take place in flood zone 3*”. We draw this to the attention of the LPA who need to be satisfied that the development fits with this policy.

### **Modelled Flood Level Node point data**

Without further information we are unable to say whether the approach used to calculate the model flood levels for the site is representative of the flood risk. As this determines the finished floor levels, compensatory storage and ensuring no transfer of flood risk to others, we need further evidence that the methodology used robustly represents the flood risk and flooding mechanisms on the site.

It is not clear why different model flood levels have been used to assess flood levels in different parts of the site. We normally expect to see a worst-case approach to flood risk with the upstream modelled node point used to assess the flood risk to the entire site or justification is provided for a more appropriate node for example a mid-point node. The FRA ideally should use a detailed methodology ie modelling work to demonstrate the flood levels across the site. However, an intermediate approach may be satisfactory, but we need further evidence to support the approach taken ie a clear explanation on how the modelled flood levels for each part of the site have been calculated and why.

### **Finished floor levels**

Table L2 shows details of the finished floor levels, however it is not clear what the final finished floor levels will be. The table suggests adjustments for the finished floor level to meet the 1% plus climate change plus 600mm required level but does not indicate that that level will be met and can therefore be conditioned.

We have noticed the redesign of the site now includes lower ground floor and ground floor sleeping. We assume the finished floor levels in table L2 are the lowest finished floor levels ie for any properties with lower ground floor accommodation this is the minimum floor level?

As indicated above, we require further evidence that the flood levels calculated for the site and how the finished floor levels have been calculated on a property-by-property basis, represents the flood risk and flood mechanisms on the site. This clarification is also required for the proposed bridge soffit level.

Our objection does not necessarily mean the approach taken to the assessment of flood risk is incorrect just that we require evidence to support the approach taken in the FRA.

### **Informatives**

#### **Surface water**

We would like to draw to the LLFA's attention that the FRA indicates considerable surface water flood depths on the site. We advise that you need to be satisfied that the finished floor levels for the development account for this and that occupants can be kept safe from this flood hazard for the lifetime of the development.

#### **Further planning advice to overcome our objection**

Please advise the applicant that if they would like to get further specific advice on how to overcome our objection, they can take advantage of our planning advice service. We can offer services including meetings, telecons and reviews of revised information prior

to formal submission. We encourage the applicant to contact us directly to discuss this further.

We currently charge £100 plus VAT per officer per hour. We will provide you with an estimated cost for any further discussions or review of documents. The standard terms for our charged for service are available [here](#).

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

Yours sincerely

**Mrs Bev Lambert**  
**Sustainable Places - Planning Advisor**

Direct e-mail [bev.lambert@environment-agency.gov.uk](mailto:bev.lambert@environment-agency.gov.uk)

Team e-mail [sp-yorkshire@environment-agency.gov.uk](mailto:sp-yorkshire@environment-agency.gov.uk)