

# joc consultants ltd

Chartered Civil & Environmental  
Engineering Consultants

3<sup>rd</sup> February 2022

Your reference: 2021/94280

Our reference: 21/013/JO'C

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

Dear Mr Hirst,

**Land at Lady Ann Road, Soothill, Batley, WF17 0PY  
Erection of 67 dwellings with associated works including new access off Lady Ann Road,  
regrading works and Landscaping**

I refer to the statutory response to the above planning application sent to you in the Environment Agency letter dated 12<sup>th</sup> January 2022 under reference RA/2021/143906/01-L01.

The Environment Agency has once again, by using a 'standard paragraph', falsely asserted that our FRA report does not comply with paragraphs 30 to 32 of the Planning Practice Guidance and I note that, once again, the Environment Agency has provided no evidence to substantiate this assertion.

The Environment Agency asserts that our FRA report 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'* (another standard paragraph);

This assertion is not true. The FRA report provides a detailed assessment of flood risk using modelled flood data provided by the Environment Agency. Section 6.5 considers the risk to the development from fluvial flooding and Table 6.1 compares modelled flood levels in the 1% AEP event and the 0.1% AEP (extreme) event with adjacent ground levels. Table 6.2 identifies the plots in flood zones 2 and 3 based on existing ground levels. Residual risks of a 50% increase in flow rates due to climate change effects and the occurrence of the extreme 0.1% AEP event are considered in section 7.5 of the FRA report. Safe access and egress is discussed in section 7.6 of the report.

*'Provide flood risk mitigation measures to address flood risk for the lifetime of the development'*.

This assertion is not true. Recommendations for flood risk management are provided in section 7 of the FRA report and recommended minimum floor levels are based on the modelled water surface gradient passing the site which is on a hill.

*'Consider how people will be kept safe from flood hazards'*

This assertion is not true as any reading of the FRA report will confirm. The flood risk management recommendations in the FRA report are specifically designed to keep people safe.

It is not sufficient for the Environment Agency to excuse itself by stating that these are standard paragraphs that it routinely uses. These consultation letters are in the public domain and are potentially damaging to our professional reputation.

The Environment Agency also refers to the matters that, in its opinion, need to be addressed in order to overcome its objection:

- The site layout plan in Appendix C needs to be updated. This is in hand and will be included in the updated FRA report.
- The flood zones should be overlaid on the updated site layout plan to check which properties are in flood zone 3. This will be addressed in the updated FRA report.
- Explanation of methodology. This was discussed in detail during the video meeting with the Environment Agency on 14<sup>th</sup> July 2021 and further explanation was provided in the FRA report revision 04. It was my understanding following the meeting that the Environment Agency understood and accepted the approach taken to determine minimum floor levels and floodplain compensation volumes. We should not be asked to go over these points again. It appears that the Environment Agency has either forgotten our discussion or failed to understand the explanations given at the time. However, another reading of the FRA report will provide clarification.
- Finished floor levels. We explained the table at Appendix L during the video meeting on 14<sup>th</sup> July 2021. If attention is paid to the table, it is obvious that it compares the initial proposed floor level with the modelled flood levels and determines whether there is sufficient freeboard. Where there is insufficient freeboard, a required minimum floor level is stated and this is then compared with the 50% CCA flood level and the 0.1% AEP flood level to check that the required floor level is also acceptable in these events. As there is now an updated site layout plan, the proposed floor levels will be checked against the required floor levels in the updated FRA report.

Yours sincerely,

John O'Connor BSc.(Hons) C.Eng C.WEM MICE MCIWEM

Director