

William Simcock  
Kirklees Metropolitan Borough Council  
Development Management

**Our ref:** RA/2023/145899/05-L01  
**Your ref:** 2023/91441

**Date:** 18 June 2025

By email: [dc.admin@kirklees.gov.uk](mailto:dc.admin@kirklees.gov.uk)

Dear William

**CHANGE OF USE AND ALTERATIONS TO FORMER CHURCH (B8-STORAGE) TO 9 RESIDENTIAL UNITS (C3) AND FORMATION OF CAR PARK (LISTED BUILDING WITHIN A CONSERVATION AREA) (AMENDED PLANS SUBMITTED). 31 CHAPEL HILL, LINTHWAITE, HUDDERSFIELD, HD7 5NJ**

Thank you for re-consulting us on this application following submission of amended plans, which we received on 28 May 2025.

**Environment Agency position**

The information submitted is insufficient to address our concerns and we maintain our objection to this application. As submitted, it is unlikely that we would grant a flood risk activity permit for this application.

**Reasons**

- The proposed development would restrict essential maintenance and emergency access to the culverted watercourse. The permanent retention of a continuous unobstructed area is an essential requirement for future maintenance and improvement works.
- The proposed development may adversely affect the construction and structural integrity of the culverted watercourse which may compromise its function. The proposal may therefore increase the risk of flooding to surrounding communities, including Linthwaite.

**Overcoming our objection – Advice to applicant**

We note that the 'Elevated car park deck sections Rev P03' drawing (dated 28/05/25) appears to conflict with the 'Elevated car park deck plan Rev P02' drawing (dated 28/05/25). The former suggests the structure will not impose loadings on the culvert however the latter fails to make clear whether foundations are proposed directly on top of the culvert position. The applicant must provide evidence that the proposal will not impose additional loading on the culvert structure for us to find the proposal acceptable. As things stand, the information provided is unclear and potentially contradictory.

The applicant should clarify on the plan drawing where the foundations for the structure will be located and what these are. This needs to be clearly demonstrated through the submitted drawings, so we can fully understand where loading from the structure may impact the culvert.

Environment Agency  
Kings Pool Peasholme Green, York, North Yorkshire, YO1 7PX.  
Customer services line: 03708 506 506  
[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)

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The applicant must demonstrate that unrestricted access to the culvert will be maintained despite the proposals. This is necessary to ensure any required maintenance works to the structure can be carried out.

The applicant may potentially consider whether it is possible to provide car parking at existing ground level without the need for a deck. The applicant will still be required to show that unrestricted access to the culvert can be maintained, and that the structural integrity of the culvert will not be compromised by the proposals.

### **Planning Advice Service**

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 £115 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](#).

### **Environmental permit - advice to applicant**

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk).

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.

If you need any clarification or further information, please contact me.

Yours sincerely

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

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