

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

**Our ref:** RA/2023/145899/06-L01  
**Your ref:** 2023/91441  
**Date:** 17 July 2025

Dear Mr Simcock

**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).31 CHAPEL HILL, LINTHWAITE, HUDDERSFIELD, HD7 5NJ.**

Thank you for your re-consultation, received on 30 June 2025. We have reviewed the amended plans and are maintaining our objection.

We maintain our objection to this application as it involves building over a culverted watercourse. As submitted, it is unlikely that we would grant a flood risk activity permit for this application.

**Reason(s)**

- 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**

Demonstrating the proposals will not compromise the culvert structure

Whilst the new supporting drawing, referenced '23345-XX-XX-XX-DR-103 Foundations Plan', now clearly shows where foundations are proposed in relation to the culvert position it has not been demonstrated that all foundations within close proximity of the culvert will not impose additional loading on the structure. The applicant must provide evidence that the proposal will not impose additional loading on the culvert structure for us to find the proposals acceptable. The applicant should produce further section

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drawings clarifying where loading from foundations either side of the culvert position may impact the culvert in addition to the sections already provided.

It does not appear that the site sections drawings, and plan view layout correspond in representation of size and scale of the proposal. The applicant will need to ensure that the cross sections and plans clearly correspond to each other.

#### Maintaining unrestricted access to the culvert

The recent information submitted doesn't address our previous objection relating to access to the culvert for maintenance. 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.

#### **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.

NB: It is likely that, in order to be granted a permit for these works, the applicant will be required to commit to a post development culvert survey. The applicant will also need to commit to rectifying any structural damage to the culvert that is found to be caused by the works.

We trust this advice is useful.

Yours sincerely

**Miss Lizzie Griffiths**  
**Planning Specialist**

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