

## ENVIRONMENTAL PERMITTING: FLOOD RISK ACTIVITIES STANDARD DOCUMENT

Mr John Mitchell  
Ground Floor Riverside West,  
Whitehall Road,  
Leeds,  
LS1 4AW

**Our ref: EPR/QB3693JU**

**Date: 14/06/2023**

Dear Mr Mitchell

### Your new environmental permit

**Permit reference: EPR/QB3693JU**

**Operator: Aldi Stores Ltd**

**Description of Activity: Sheet Piled Retaining Wall, River Calder, Mirfield**

**Site / Location: The permitted work is confined to the former Kenmore Caravans premises, land on the left bank of the river Calder, along Huddersfield Road, Mirfield, WF14 9DA**

Our determination of your application for a permit is complete. We're satisfied that you can carry out your activities in accordance with the enclosed permit, without increasing flood risk, or harming land drainage or the environment. Please keep the permit in a safe place.

This letter contains web links to other documents. If you aren't able to access these please phone me on +447778449178 or email [floodriskpermyorkshire@environment-agency.gov.uk](mailto:floodriskpermyorkshire@environment-agency.gov.uk). Please quote our reference when contacting us.

Please look at the table below and note any of the things that apply to your permit.

If...	then..
you plan to keep your records at a site other than where the activity takes place	you need to let us know within 20 working days of receiving this letter.
your permit includes standard rules	we've enclosed the rules set/s. We may change these in future but will let you know about any changes. You must make sure you're always following the latest rules set.
your permit has a pre-operational condition requiring you to do something before work starts (for example submit a method of work, or have measures in place to reduce sediment mobilisation)	check the deadlines for completing these measures and make sure you carry them out by the times stated.
your permit requires you to notify us before works start	check the deadlines for notifying us and make sure you carry them out by the times stated.
your permit requires you to notify us when any particular work is complete	check the deadlines for notifying us and make sure you carry them out by the times stated.
you need to submit other returns or information	send these to us at the contact details above, unless we advise you otherwise.

Find out more about complying with your permit on our website

<https://www.gov.uk/topic/environmental-management/environmental-permits>

This includes guidance on your management system and how you will be regulated.

There is a subsistence charge for your permit that applies when we carry out compliance checks. For most permits this will happen once and we will invoice you when the charge is due. If the permit continues over a longer period, deals with a number of activities, or has ongoing conditions, we may do compliance checks more than once and will invoice you at the time the compliance work is done.

### **Rights of appeal**

If you're not happy with any permit condition that has been imposed by the permit you may appeal to the Secretary of State. You must make your appeal no later than six months after the permit issue date. Further information about making an appeal and the forms you will need are available from the Planning Inspectorate website or from the contact details below.

**Environment Appeals, Enforcement and Specialist case work division, The Planning Inspectorate, 3/25 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Phone: 0303 444 5584**

**Email: [environment.appeals@planninginspectorate.gov.uk](mailto:environment.appeals@planninginspectorate.gov.uk)**

You must send written notice of the appeal and the documents listed below to the Secretary of State at the Planning Inspectorate address above. At the same time you must send us a copy of the notice and documents to:

**Victoria Douglass, Appeals Coordinator, Environment Agency, National Permitting Service, Richard Fairclough House, Knutsford Road, Latchford, Warrington, WA4 1HT.**

**Phone: 07833 048280 Email: [victoria.douglass@environment-agency.gov.uk](mailto:victoria.douglass@environment-agency.gov.uk)**

The documents are:

- a statement of the grounds of appeal
- a copy of any relevant application
- a copy of any relevant environmental permit
- a copy of any relevant correspondence between the appellant and the regulator
- a copy of any decision or notice which is the subject matter of the appeal
- a statement indicating whether you wish the appeal to be in the form of a hearing or dealt with by way of written representations.

You may withdraw an appeal by notifying the Secretary of State in writing and sending a copy of that notification to us.

### **Informatives:**

- We understand this application is for the permanent works only. Please note further information will be required in future on the temporary works to enable the permanent works to take place. No works can take place until a permit for the permanent and temporary works has been granted
- As the application is solely for the permanent design, our request for information on WFD, BNG and basic ecological considerations (e.g. PEA) still stands. If any of these works impact the riverbank top within 10 m of the river's edge, then River BNG must be included within any BNG report. If no works fall within 10m of the river's edge, evidence to justify the exclusion should be provided. This was flagged within the ongoing planning process too. The above information will be required to be submitted to form as part of the variation application.
- We advise that a maintenance regime for the piles is specified to reduce possible future maintenance or failure issues that may impact the watercourse.
- The river Calder is designated as a Main River for regulation purposes, however any damage to the natural high ground and any privately owned wall proposed as a result of the development is the responsibility of the riparian owner i.e. the landowner who

is responsible for ensuring no transfer of flood risk to others from for example damage to the bank/wall which may result in overland flows.

- Inspecting the river side would be the primary responsibility of the riparian owner (i.e. the land owner) for the maintenance of the watercourse so they need to ensure access can be gained to fulfil their riparian obligations. As this is a privately owned bank/wall you need to agree a maintenance plan for the lifetime of the development with the Flood Risk and Drainage Team at Kirklees Council.

If you have any questions about this permit please phone me on +447778449178 or email [aidan.kilbride1@environment-agency.gov.uk](mailto:aidan.kilbride1@environment-agency.gov.uk). Please quote our reference when contacting us.

Yours sincerely,

Aidan Kilbride

Flood Risk Development, Planning and Permitting Officer - Calderdale - Partnerships and Strategic Overview Strategy & Planning Team