

Ellie Thornhill
Kirklees Metropolitan Borough Council
Development Management

Our ref: RA/2023/146273/03-L01
Your ref: 2023/92490

Date: 14 March 2024

By email: dc.admin@kirklees.gov.uk

Dear Ellie

**ERECTION OF 38 DWELLINGS WITH ASSOCIATED ACCESS AND LANDSCAPING
(WITHIN A CONSERVATION AREA) – FORMER DOWKER WORKS, DOWKER
STREET, MILNSBRIDGE, HUDDERSFIELD, HD3 4JX**

Thank you for re-consulting us on this application following submission of additional information, which we received on 30 January 2024.

Flood Risk

The applicant has submitted a "culvert survey" along with a letter report from Alan Johnstone Partnership dated 30th Jan 2024.

The additional submitted information is not enough for us to remove our previous objection. In order for us to remove our objection the FRA/supporting information still needs to address the following:

- Provide full assessment of flood risk to the site during a design event (1%AEP CC) from Node 10.
- Provide full assessment of flood risk to the site during a design event (1%AEP CC) from Node 10 with a culvert blockage.
- Once a full understanding of flood risk to the site is available, the FRA needs to demonstrate that the site and its users will be safe from flooding and off site flood risk will not be increased, for the lifetime of the development.
- Demonstrate, with evidence, that the proposed development will not pose a risk to the structural integrity of the culvert.
- Demonstrate with evidence that the proposed development will not restrict access to the culvert for any future maintenance requirements.
- Provide evidenced verification of the line of the culvert.

The FRA (Pg9) claims flows from node 10 are unlikely to flood the site due to the topography around node 10.

Alan Johnstone's report – 30th Jan 2024 (Pg3) reaffirms the claim that topography would drive water down Market Street.

We can't consider this information to be adequate data driven evidence that flood water originating from Node 10 wouldn't impact the site.

Data presented in the FRA shows flood levels of 95.34mAOD for the 1%AEP flood event and 96.5mAOD for the 0.1%AEP flood event (as no climate change allowance has been presented for the 1%AEP flood event, the 0.1%AEP flood event is the best available proxy to judge risk to the site by).

It is true that water would preferentially flow down Market street, but it appears (based on topographic information available in the submission, that does not include full site topographic survey) that parts of the site are at a lower level than these flood levels. Although water would flow downslope, it isn't demonstrated that water wouldn't pond and inundate the site.

The FRA will need to be updated to show where water would or could go, based on flood levels at Node 10 and full topographic data for the site.

In addition to this, the submitted information doesn't assess the impacts of a blockage scenario at all. If the culvert blocked, levels at node 10 could exceed those in Table 2 of the FRA. The FRA will need to be updated to include an assessment of a reasonable blockage scenario and demonstrate the impacts on the site.

With regard to concerns about the culvert, we need to ensure that both construction phase and complete development won't pose a risk to the structural integrity of the culvert.

Alan Johnstone report states that the culvert will be protected by a concrete cover slab to ensure structural integrity. This is positive, however we expect to see details of the slab to show it's loading capacity and details of the expected loading during site operation, after development is complete.

There is the additional concern that the culvert could be damaged during construction. For this we need to see evidence to demonstrate that the loadings on the culvert won't cause damage. This may need to include details of expected loadings during construction and may also require details of the structural integrity/state of the culvert itself.

The alternative, as suggested in our previous response is to survey the culvert structure before works and again afterwards, with a commitment to making good on any damage caused.

Our final concern is around maintenance access. The proposed development including the concrete slabs over the culvert may reduce future access to the culvert for maintenance in the event of failure. This could increase overall flood risk. The FRA will need to demonstrate how the existing level of maintenance access will not be compromised by the proposal.

Finally, the "culvert survey" information provided indicates the line of the culvert, however there is no actual survey information provided to verify this. We have also, recently received information from Kirklees Council as the Lead Local Flood Authority, who believe that the line of the culvert differs from that presented and that further works should be done to verify the line of the culvert. We support this position. Evidenced verification of the line of the culvert will be needed to fully understand how the proposed development will interact and impact the culvert.

Ecology

Despite new plans submitted acknowledging/showing the line of the culvert there is nothing submitted to demonstrate the culvert has been acknowledged within the BNG metric or BNG assessment. Therefore with no new or updated information our comments relating to Ecology remain unchanged from our initial response to this application.

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 £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](#).

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

Yours sincerely

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