

Nicole Helliwell
Kirklees Metropolitan Borough Council
Development Management

Our ref: RA/2023/146565/04-L01
Your ref: 2023/93388

Date: 06 August 2024

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

Dear Nicole

CHANGE OF USE FROM DOMESTIC TO COMMERCIAL, DEMOLITION OF EXISTING WORKSHOP AND ERECTION OF THREE STOREY OFFICE BUILDING (WITHIN A CONSERVATION AREA) – DENE END FUNERAL HOME, 50 NORTH ROAD, KIRKBURTON, HUDDERSFIELD, HD8 0RW

Thank you for re-consulting us on this application following submission of a revised FRA, which we received on 12 July 2024.

We have reviewed the following document:

- 50 North Road, Kirkburton, Huddersfield, West Yorkshire, HD8 0RW, Flood Risk Assessment, For GoGri Group Ltd., KRS.0785.001.R.001.C, July 2024.

The topographical survey that is now presented in Appendix 2 is consistent with the ground levels shown in Section 2.4 of the main document. This confirms that site levels are above the design flood level which means that the site will stay dry in flood events up to the design flood.

This addresses objection bullet points 1, 3 and 4 from our previous response.

We don't consider that the revised FRA addresses bullet point 2, however.

Section 2.3 of the FRA indicates that it is understood that the proposed development includes the demolition of a workshop/garage building and the construction of a three-storey office building. Part of the existing workshop/garage building is close to and over the Dean Bottom Dike main river.

It is unclear from the FRA whether the buildings over and adjacent to the watercourse are planned to be demolished or rebuilt. If they are, then it is important that the FRA demonstrates that the works can be completed without posing a risk to the structural integrity of the watercourse culvert and bank/river wall structures. Damage to the watercourse could increase flood risk.

If these buildings are only planned to be altered internally and not structurally, then this is not a concern, but needs to be clarified.

Please note that the onus to demonstrate that the proposals will not pose a risk to the watercourse structure and increase flood risk rests with the applicant. They should determine the most suitable way to demonstrate and present it. If the applicant would like to discuss this with us and get further advice, they should use our planning advice service.

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.

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.

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

Bev Lambert
Sustainable Places - Planning Advisor

Telephone 020 3025 7982

Mobile 07833 234623

Direct e-mail bev.lambert@environment-agency.gov.uk

Team e-mail sp-yorkshire@environment-agency.gov.uk