

Nicole Helliwell
Kirklees Metropolitan Borough Council
Development Management

Our ref: RA/2023/146565/05-L01
Your ref: 2023/93388

Date: 04 October 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 additional information which we received on 20 September 2024.

We have reviewed the submitted FRA prepared by KRS Environmental Ltd titled:

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

We have also considered the email from Nicole Helliwell to Bev Lambert received at 08:42 on 20 September 2024.

The applicant's agent has confirmed that none of the buildings over the culvert will be demolished as part of the application. This is enough for us to be able to remove our outstanding objection and recommend approval of the planning application. The proposed development, including temporary construction works will require a Flood Risk Activity Permit, as explained below. As the proposed works are close to a culverted main river, as part of the permit application, it will need to be demonstrated how the construction phase works will not compromise the structural integrity of the culvert. The applicant will need to determine if any works to the culvert are needed to achieve this and complete those works, as necessary.

Environment Agency position

The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if the following planning condition is included.

Condition

The development shall be carried out in accordance with the submitted flood risk assessment: 50 North Road, Kirkburton, Huddersfield, West Yorkshire, HD8 0RW, Flood Risk Assessment, For GoGri Group Ltd. KRS.0785.001.R.001.C, July 2024 and the following mitigation measure it details:

- Finished floor levels shall be set no lower than the existing ground levels as shown in the topographical survey in Appendix 2 of the submitted FRA.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason

To ensure that the development and its users remain safe from flooding up to and including a 1%AEP flood event, taking the impacts of climate change into account.

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.

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

Yours sincerely

Bev Lambert

Sustainable Places - Planning Advisor

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

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