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Kirklees Metropolitan Borough Council
Development Management

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

Our ref: RA/2023/146640/04-L01
Your ref: 2023/93539

Date: 12 July 2024

Dear Nick

OUTLINE APPLICATION, INCLUDING THE CONSIDERATIONS OF ACCESS APPEARANCE, LAYOUT, AND SCALE, FOR THE ERECTION OF A SIX-STOREY BUILDING TO HOST 76 RESIDENTIAL APARTMENTS (C3 USE) AND ANCILLARY WORKS COMPRISING DEMOLITION OF VACANT BUILDING, FORMATION OF NEW ACCESS, PARKING AREAS, OPEN SPACE AND LANDSCAPING; ERECTION OF CYCLE AND BIN REFUSE STORAGE STRUCTURES – LAND ADJ, LEDGARD BRIDGE MILL, BACK STATION ROAD, MIRFIELD, WF14 8NZ

We have reviewed:

- Technical Note - JBA Project Code 2024s0643, Ledgard Mill, 27 June 2024 - Building on void - Technical parameters

We have also revisited:

- 2018s0597-A-N001-10_APP 'Hydraulic Modelling at Ledgards Mill, Mirfield' September 2019
- Binks Vertical, Proposed Residential Scheme, Ledgard Bridge, Mirfield – Flood Risk Assessment, Final Report RevE November 2023, Reference: 2017/2153

Based on our review of these documents, our comments are below:

2.1 - Point 1 - Design Flood Level
The design flood level is confirmed as 45.38mAOD (%AEP 30%CC). This is based on the approved 2019 JBA model. It is important that all parts of the planning submission are amended to reflect this consistent design flood level.

2.2 - Point 2 - Proposed Void Solution
The void soffit is given as 45.68mAOD. This is above the design flood level so considered appropriate.

There will be vertical bars – 10mm diameter with 100mm spacing. This stops people getting in but also is bad for debris collection. Because of this, maintenance of the void entrances is critical.

Figure 1 shows a sketch of the proposed void solution. It says that it is recommended that Architectural Drawings on planning portal should be updated to reflect these design parameters. This will need to be done in order for us to be able to recommend

approval.

2.3 – Point 3 – Combined Solid Footprint
The technical note confirms the following:

- Calculated total footprint area of ~254m^2
- Ground level 44.55mAOD
- Design flood 45.38mAOD
- 0.83m flood water depth.

This equates to 210m^3 of lost storage.

2.4 – Point 4 - Impact on flood flows
2018s0597-A-N001-10_APP 'Hydraulic Modelling at Ledgards Mill, Mirfield' September 2019 report summarises approved model outputs. 100% blockage shows 0.035m increase in depth in some gardens to the east of the site, during design event. Given a higher than necessary CC allowance was used, this is considered conservative. In the context of this proposal, this level of increase can be considered negligible.

2.5 – Point 5 - Soffit Level of the Void Space
The soffit levels are appropriate as they are a suitable amount above the design flood level.

2.6 – Point 6 - Impact on Flood Extent
2019 and 2024 model appear to show no significant impact on flood extent in design flood.

The 2019 model showed no significant impact on flood levels and 2024 model shows no significant difference compared to 2019 model. As such we have no concern over impact on flood extent or depth.

2.7 - Point 7 - Blockage Risk Analysis
The 2019 100% blockage model (from 2018s0597-A-N001-10_APP 'Hydraulic Modelling at Ledgards Mill, Mirfield' September 2019) indicates a small increase in depth offsite of 0.035m.

Considering that a conservative CC Allowance has been used the overall impact on offsite properties during baseline and with development is likely to be lower. The impact of 100% blockage indicated by the approved 2019 model is not considered to be unacceptable.

Also, a 50% blockage has been modelled using new methodology. It is reasonable that 50% blockage is more likely than 100%. Because the assessment based on the older model is not unacceptable it isn't considered necessary to review the 2024 model, but the new model gives weight to the view that there are no unacceptable offsite impacts.

2.8 – Point 8 – Inspection and Maintenance Regime
It is positive that an inspection and maintenance regime has been provided. This will need to be reviewed for approval by the Kirklees Council in their roles as the Lead Local Flood Authority, Emergency Planners and Local Planning Authority.

It is important that there is a mechanism to ensure the maintenance continues for as long as the building is in place, even if ownership changes hands. We would require the LPA to confirm that they can secure the maintenance through a suitable legal mechanism before recommending approval.

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Conclusion
Based on our review of this technical note, in conjunction with previous information submitted in support of this application, we are now in a position to consider that the proposals will not pose an unacceptable increase in flood risk and would be able to recommend approval subject to the following:

- This technical note and any documents referred to within it are submitted to the LPA in support of the application.
- The planning application is updated so that all details are consistent with the information provided in the Technical Note (consistent finished floor levels/design details etc.)
- Kirklees Council can confirm that they are satisfied with the proposed maintenance regime.
- The LPA can confirm that they are willing and able to secure the maintenance regime through a suitable legally binding mechanism.

Additional Notes
Binks Vertical, Proposed Residential Scheme, Ledgard Bridge, Mirfield – Flood Risk Assessment, Final Report RevE November 2023, Reference: 2017/2153 contains proposals for emergency evacuation in anticipation of a flood event. We are not able to comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network. As such, LPA/Lead Local Flood Authority will need to review your emergency response proposals.

This proposal goes against our standard policy of objecting to proposals that use stilts and voids as a means of compensating for loss of floodplain storage. In principle, a new building with stilts and voids can never completely replicate the flooding characteristics of a site with nothing on it. Our position on this proposal is only possible because of the level of assessment and modelling that has been done to support the proposal and the level of risk the assessment has shown. Our position should not be interpreted as setting a precedent for future proposals using stilt and void solutions for floodplain compensation.

Yours sincerely

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