

**Consultation Response from KC,  
Lead Local Flood Authority**

**2023/93539 Land adj, Ledgard Bridge Mill, Back Station Road, Mirfield, WF14 8NZ**

**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**

**Date Responded: 7<sup>th</sup> August 2024  
Responding Officer: Paul Farndale  
Responding Ref:**

**Our comments of 4<sup>th</sup> January 2024 remain largely the same.**

**Kirklees Flood Management & Drainage acting as Lead Local Flood Authority STRONGLY OBJECTS to this application on flood risk grounds.**

We understand a sequential test has been carried out. As current allocations within Kirklees' local plan avoid placing residential properties in flood zone 3 (or use a sequential approach within sites), applications like this failed in comparison to those in lower risk zones. We foresee a potential difficulty when windfall sites with associated risk are compared to the local plan allocations as and that of additional land for sale on the commercial market, as it is expected those at least risk should be developed first, otherwise efforts in the local plan are undermined.

Should the planning officer deem that a sequential test is passed, a sequential approach should be considered. The site does contain areas defined as in Flood Zone 2 to consider for the location of domestic properties instead of flood zone 3, but the scale of the proposal is too large and flood zone 3 is therefore impacted. The planning officer needs to consider the whether the scale of the development is appropriate.

Having said that parking areas are located in flood zone 3 and we cannot see any assessment regarding flood risk associated with this aspect of the development. It is not recommended that a flooding in this area is above 300mm, should the sequential test be passed, and sequential approach relaxed for this site.

Should all the above be considered and the planning officer decides to proceed to move from seeking avoidance of flood risk, to considering mitigation of flood risk, the Environment Agency will need to be satisfied with appropriate finished floor levels in relation to the 1 in 100 year return period with an appropriate consideration of climate change. They must also be satisfied that adequate compensatory storage has been provided.

**The Environment Agency currently does NOT comment on safe access and egress.**

**The nature of flooding both within the site and its immediate vicinity means there is no safe access and egress available (evacuation plan) in storm events which will put a reliance on, and as a result, place emergency services at risk.**

**Access is cut off at both ends of Back Station Road on a regular basis. Roads are closed by the Council or on police request at least annually. There is no possible safe egress by foot. The use of raised walkways within the site will provide no benefit in risk reduction given the problems immediately surround the site on all sides.**

**There is no possibility of creating an emergency access routes for vehicles.**

Buildings on the site have flooded in the past and have been in receipt of rate relief from flood grants. Flood events were considered SIGNIFICANT.

We make no further comment on the application at this stage except that we do not envisage any issue with surface water discharge for sites immediately adjacent to a main river.