



Mr Nick Hirst (via email)  
Kirklees Metropolitan Borough Council  
Development Management  
PO Box B93  
Huddersfield  
West Yorkshire  
HD1 2JR

**Our ref:** RA/2023/146640/07-L01  
**Your ref:** 2023/93539

**Date:** 18 November 2025

Dear Nick

**(AMENDED PLANS/DOCUMENTS SUBMITTED) 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**

**AT LAND ADJACENT TO LEDGARD BRIDGE MILL, BACK STATION ROAD, MIRFIELD, KIRKLEES, WEST YORKSHIRE WF14 8NZ**

Thank you for your re-consultation with us on the above application that we received by email on 29 October 2025.

Documents reviewed:

- Comments from the Lead Local Flood Authority;
- An objection drawing attention to recent flooding, and an attached photograph showing flooding of the site.

### **Environment Agency position – Storm Ciara**

We have reviewed our data for Storm Ciara in 2020 and note that our gauge data doesn't seem to contradict what the model has estimated. From this we conclude

Environment Agency  
Lateral 8 City Walk, LEEDS, LS11 9AT.  
Customer services line: 03708 506 506  
[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)  
Cont/d..

that our historical records don't suggest that flood risk to the site is greater than what was represented in the model. Please note, it isn't possible for us to directly attribute return periods or AEP to flood events.

Our comments are based on the best available data at time of review. The Environment Agency holds model data, but this is not site-specific. The applicant has produced a site-specific model which has been reviewed and is considered fit for planning, this is therefore considered to be the best available data at this site. We have based our assessment of this application on the outputs of this model.

This model indicates that the 1% AEP plus 30% climate change flood event flood level is 45.38mAOD. The modelling has considered the new building as well as the walkway and has demonstrated that, even with the voids blocked, there is no increase in flood risk to others.

The proposed finished floor levels of 45.68mAOD are 300mm above the 1% AEP plus 30% climate change flood event flood level, which is considered appropriate in line with our published guidance and meets the requirement of an FRA as set out in the NPPF. We note that the FRA also indicates that the FFLs might be 46.78mAOD, this would also be acceptable in line with our proposed conditions.

### **Environment Agency position – Flood Risk**

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 (titled "Bunks Vertical – Proposed Residential Scheme, Ledgar's Bridge, Mirfield, West Yorkshire – Flood Risk Assessment", revision 1, dated 22/09/2025, compiled by EWE Associates Ltd) and the following mitigation measures it details:

- Finished floor levels shall be no lower than 45.68 metres Above Ordnance Datum (AOD)
- The proposed buildings shall be built on voids. The soffit of the void should be set to a minimum elevation of 45.68mAOD
- An elevated walkway shall be constructed from the proposed building to the bridge abutment.

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.

#### **Reasons**

- To reduce the risk of flooding to the proposed development and future occupants
- To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided
- To ensure safe access and egress

Cont/d..

## **Informative(s)**

### **Use of stilts and voids – note to applicant and LPA**

Please note, the proposed development is in contradiction to paragraph 049 (reference ID 7-049-20220825) of the Planning Practice Guidance as it includes the use of voids as a method of providing compensatory storage. However, we note that the applicant has provided modelling, which has been approved as fit for planning purposes, which demonstrates that, in the event of a complete blockage of the proposed voids, the proposed development will not increase flood risk to others. Our position should not be interpreted as setting a precedent for future proposals using stilt and void solutions for floodplain compensation.

The LPA should review and confirm that they are satisfied with the proposed maintenance regime, and ensure that they are able to secure the maintenance regime through a suitable legally binding mechanism.

### **Environmental permit - advice to applicant**

The Environmental Permitting (England and Wales) Regulations 2016 require a permit 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. 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.

### **Flood resistance and resilience - advice to LPA/applicant**

We strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

To find out which measures will be effective for this development, please contact your building control department. In the meantime, if you'd like to find out more about reducing flood damage, visit the flood risk and coastal change pages of the planning practice guidance. The following documents may also be useful:

*Government guidance on flood resilient construction*

<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

*CIRIA Code of Practice for property flood resilience*

[https://www.ciria.org/CIRIA/Resources/Free\\_publications/CoP\\_for\\_PFR\\_resource.aspx](https://www.ciria.org/CIRIA/Resources/Free_publications/CoP_for_PFR_resource.aspx)

*British Standard 85500 – Flood resistant and resilient construction*

Cont/d..

<https://shop.bsigroup.com/ProductDetail/?pid=00000000030299686>

### **Flood warning and emergency response - advice to LPA**

We do not normally 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.

Planning practice guidance (PPG) to the National Planning Policy Framework (NPPF) states that, in determining whether a development is safe, the ability of residents and users to safely access and exit a building during a [design flood](#) and to evacuate before an extreme flood needs to be considered. One of the key considerations to ensure that any new development is safe is whether adequate flood warnings would be available to people using the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions. As such, we recommend you refer to '[Flood risk emergency plans for new development](#)' and undertake appropriate consultation with your emergency planners and the emergency services to determine whether the proposals are safe in accordance with paragraph 173 of the NPPF and the guiding principles of the PPG.

This does not mean we consider that the access is safe, or the proposals acceptable in this regard. We remind you to consult with your emergency planners and the emergency services to confirm the adequacy of the evacuation proposals.

### **Signing up for flood warnings - advice to applicant**

The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>.

To get help during a flood, visit <https://www.gov.uk/help-during-flood>.

For advice on what do after a flood, visit <https://www.gov.uk/after-flood>.

Please contact me if you need clarification or require any further details.

Cont/d..

Yours sincerely

**Mr Neil Wallace**  
**Planning Specialist**

Direct e-mail: [Neil.Wallace@environment-agency.gov.uk](mailto:Neil.Wallace@environment-agency.gov.uk)

Direct team email: [sp-yorkshire@environment-agency.gov.uk](mailto:sp-yorkshire@environment-agency.gov.uk)

End