

Nina Sayers ([via email](#))
Kirklees Metropolitan Borough Council
Development Management
PO Box B93
Huddersfield
West Yorkshire
HD1 2JR

Our ref: RA/2024/147049/03-L01
Your ref: 2024/90792
Date: 18 December 2024

Dear Nina

(AMENDED PLANS SUBMITTED – REVISED FLOOD RISK ASSESSMENT) USE OF LAND FOR ASSEMBLY AND STORAGE AND FIT-OUT OF ACOUSTIC CONTAINERS OF CONTAINER-BASED GENERATOR UNITS WITH REINSTATEMENT OF ACCESS, ERECTION OF SECURITY FENCE AND SITING OF CABINS FORMER WHITELEY ENGINEERING WORKS SITE, ST. PEG LANE, CLECKHEATON, BD19 3SH

Thank you for reconsulting the Environment Agency on the above submission that we received on 10 October 2024. We acknowledge that our reply has been delayed and we subsequently agreed on an extended date to which we could reply.

We have reviewed the revised Flood Risk Assessment (Ref 182623-F02, Rev B, dated 27/9/2024) submitted in support of this application and maintain our previous objection. Please see our updated response below. I would also draw to your attention that I have signposted to the applicant our planning advice service as, from a flood risk perspective, we consider issues related to this development proposal could be addressed.

Environment Agency position

In the absence of an acceptable Flood Risk Assessment (FRA) we object to this application and recommend that planning permission is refused.

Reasons

The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 20 to 21 of the Flood Risk and Coastal Change planning practice guidance and its site-specific flood risk assessment checklist.

The updated FRA submitted does not therefore adequately assess the flood risks posed by the development. In particular, the FRA:

- Does not provide sufficient evidence to the extent of on-site flooding
- Does not satisfactorily demonstrate that the development wouldn't flood during the design flood event
- Isn't conclusive to show that the site wouldn't flood using the "Modelled Flood Outlines from the 2009 Study (JBA Consulting)" drawing provided in the updated FRA as this drawing is covered up by other layers. This is also not sufficiently detailed or site specific
- Fails to satisfy previous objections

Overcoming our objection

To overcome our objection, the applicant should submit a revised FRA which addresses the points highlighted above.

The revised FRA should present what the design flood level is and should compare this to the site-specific topographical survey; this should clearly demonstrate what would be the design flood extent.

The applicant will also need to do a site-specific assessment and show where the development will be in relation to the design flood extent to ensure any increases in risk are adequately mitigated.

If assessments show that the site would be protected by the defence in the design flood they should address residual risk.

If this cannot be achieved, we are likely to maintain our objection. Please consult us on any revised FRA submitted and we will respond within 21 days of receiving it.

Note to applicant

I would strongly encourage you to consider our planning advice service.

Should you wish us to review any technical documents or want further advice to address our objections, we may do this as part of our *charged for planning advice service*.

Further engagement will provide you with the opportunity to discuss and gain our views on potential options to overcome our objection with us, before formally submitting further information as part of your planning application. It should also result in a better quality and more environmentally sensitive development.

As part of our usual charged for service, we provide a dedicated project manager to act as a single point of contact to help resolve any problems. We would usually charge £100 per hour, plus VAT. The standard terms of our charged for service are available [here](#).

We recognise that there have been some delays in our response to the local planning authority. Importantly, the Environment Agency may consider waving the full charge, should you decide this service would be useful. If you would like more information on our planning advice service, including a cost estimate, please contact me using the details below.

Note to the LPA

I trust this reply is satisfactory for the local planning authority and provides you with adequate detail to make the necessary decision.

Yours sincerely

Mr. Neil Wallace
Planning Specialist

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