

Farzana Tabasum
Kirklees Metropolitan Borough Council
Development Management

Our ref: RA/2024/147529/04-L01
Your ref: 2024/92236

Date: 23 January 2026

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

Dear Farzana

DEMOLITION OF EXISTING INDUSTRIAL BUILDING AND ERECTION OF STORAGE AND DISTRIBUTION BUILDING WITH CAR PARK AND ASSOCIATED ENGINEERING WORKS – WOOD STREET MILLS, WAKEFIELD ROAD, SCISSETT, HUDDERSFIELD, HD8 9JS

Thank you for re-consulting us on this application following submission of a revised FRA and amended plans, which we received on 18 December 2025.

FLOOD RISK

We have reviewed the following revised FRA prepared by Weetwood Services Ltd:

- 'Phoenix Textiles, Wood Street, Wakefield Road, Scissett, HD8 9JS', Flood Risk and Drainage Assessment, Final Report v1.2, dated 8 December 2025 (6074/FRDA/Final/v1.2/2025-12-08).

Environment Agency position

The proposed development will only meet the NPPF'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 prepared by Weetwood Services Ltd, Final Report v1.2, 8 December 2025, and the following mitigation measures it details:

- Finished floor levels shall be set at a minimum of 114.8mAOD (Above Ordnance Datum)
- The soffit level and flow area of the proposed build over opening shall be set as per the existing situation
- The proposed building shall be designed to withstand the associated forces from surcharging (0.07 m) during the 1.0% AEP event plus 28% climate change
- Any remedial works to the existing channel walls/banks shall maintain existing channel conveyance capacity so as not to increase flood risk elsewhere
- The soffit level of the proposed grated bridge shall be set at a minimum of 600 mm above the 1.0% AEP event plus 28% climate change estimated flood level (resulting in a soffit level of at least 114.61mAOD)
- The replacement industrial unit(s) shall have a building footprint no larger than the existing unit, at 2327m²

Reasons

- To minimise flood risk to the development and its users.
- To ensure that the proposed development does not increase off site flood risk.

Environmental permit – Flood risk activities - advice to applicant

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any of the following activities:

- erecting any temporary or permanent structure in, over or under a main river, such as a culvert, outfall, weir, dam, pipe crossing, erosion protection, scaffolding or bridge
- altering, repairing or maintaining any temporary or permanent structure in, over or under a main river, where the work could affect the flow of water in the river or affect any drainage work
- building or altering any permanent or temporary structure designed to contain or divert flood waters from a main river
- dredging, raising or removing any material from a main river, including when you are intending to improve flow in the river or use the materials removed
- diverting or impounding the flow of water or changing the level of water in a main river
- quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- any activity within 8 metres of the bank of a main river, or 16 metres if it is a tidal main river
- any activity within 8 metres of any flood defence structure or culvert on a main river, or 16 metres on a tidal river
- any activity within 16 metres of a sea defence structure
- activities carried out on the floodplain of a main river, more than 8 metres from the river bank, culvert or flood defence structure (or 16 metres if it is a tidal main river), if you do not have planning permission (you do not need permission to build agricultural hay stacks, straw stacks or manure clamps in these places)

For further guidance please visit [Flood risk activities: environmental permits - GOV.UK](#) 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.

BIODIVERSITY AND WATER FRAMEWORK DIRECTIVE

We have reviewed the following documents and plans:

- Water Framework Directive Assessment prepared by KRS Enviro referenced KRS.0890.001.R.001.B, dated December 2025
- REVISED Proposed Elevations, 0008_S2_P3, Received 12/12/25
- REVISED- Proposed Floor Plan 0007_S2_P2, Received 12/12/25
- REVISED- Proposed Site Plan (Roof) 0006_S2_P4, Received 12/12/25
- REVISED- Proposed Site Plan (Floor Plan) 0005_S2_P4, Received 12/12/25
- Existing Site Plan PTWR-MWA-XX-XX-DR-A-0002_S2_P2, Received 08/08/2024

We note the development includes de-culverting of the River Dearne. This will have significant environmental benefits for the river and ecology. We are supportive of the application, and able to remove our objection dated 14/04/25, subject to the conditions below.

Environment Agency position

The proposed development will only be acceptable if the following planning conditions are included.

Condition

No development shall take place until a scheme for the provision and management of compensatory habitat creation (de-culverting) has been submitted to, and agreed in writing by, the LPA and implemented as approved. Thereafter, the development shall be implemented in accordance with the approved scheme.

The scheme should include, but not be limited to, detailed designs for the proposed culvert removal including:

- Method statement for how the applicant proposes to remove the culvert
- Plans showing the river section with the culvert removed (including general arrangement and cross sections)
- Any additional plans for restoration of the channel bed
- Any additional plans for restoration of morphological features (e.g. riffles)
- Details for the channel banks

Reason

Development that impacts on the River Dearne may severely affect its ecological value. The NPPF (paragraph 193) states that if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. This condition is also supported by Section 40 of the NERC Act 2006 as amended by section 102 Environment Act 2021, which establishes a general duty on public authorities, to conserve and enhance biodiversity through the exercise of its functions.

Note to LPA

We wish to be consulted on the ecological reports and plans requested above, on any design changes, additional mitigation, compensation, or enhancement measures relating to our comments that might subsequently be proposed.

Condition

The development shall be carried out in accordance with the submitted Water Framework Directive Assessment [Water Framework Directive Assessment - KRS.0890.001.R.001.B-Dated December 2025- received 12/12/202] which outlines the following mitigation measures:

- 25.50m of the River Dearne is to be de-culverted
- An Environmental Management Plan (EMP) (or equivalent) to be produced.
- A site Pollution Prevention and Incident Plan (PPIP) to be produced and implemented.

Reason

To ensure any harm to the River Dearne is minimised as far as possible and to ensure the environmental mitigation and enhancements are conducted in line with the commitments outlined in the Applicant's WFD Assessment.

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

Yours sincerely

Bev Lambert
Sustainable Places - Planning Advisor

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