

Victor Grayson
Kirklees Metropolitan Borough Council
Development Management

Our ref: RA/2024/147506/02-L01
Your ref: 2024/92283

Date: 11 December 2024

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

Dear Victor

**REDEVELOPMENT OF MARKET WITH ADDITION OF MEZZANINE FLOOR –
DEWSBURY MARKET, 32 CLOTH HALL STREET, DEWSBURY, WF13 1QE**

Thank you for re-consulting us on this application following submission of a revised FRA by BDP Civil and Structural Engineering Group, referenced P3001350 Revision P03 and dated 25 November 2024, which we received on 25 November 2024.

Environment Agency position (1)

In the absence of an acceptable flood risk assessment (FRA) we object to this application and recommend that planning permission is refused.

Reason(s)

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 FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to:

- take the impacts of climate change into account
- Flood risk mitigation measures to address flood risk for the lifetime of the development included in the design are inadequate because they may not make the development resilient to the flood levels for the 1% AEP plus climate change event. Consequently, the development may propose inadequate:
 - o Flood storage compensation
 - o Resistance and resilience measures
 - o Safe access and egress routes

Overcoming our objection

Flood Storage Compensation - Note to the applicant:

The FRA bases its compensatory storage assessment and calculations on flood zone 3a. Flood zone 3a does not consider climate change. Instead, you should use the 1% AEP plus climate change event to inform your assessment.

Additionally, it is not clear how you arrived at 22m³ increase. Furthermore, it is not clear looking at the Surface Level Data key exactly where volume is reduced and gained at different intervals of the events in metres Above Ordnance Datum (mAOD).

To overcome this, you should use contour plans of the existing and proposed topographical differences. This will enable you to display exactly where volume is reduced and gained through horizontal slices taken at vertical intervals of a flood event level (mAOD). Please present details showing where volume is reduced or gained at vertical intervals of a flood event in mAOD, as demonstrated in the examples in Figure 1 (Pre-development) & Figure 2 (Post-development) below:

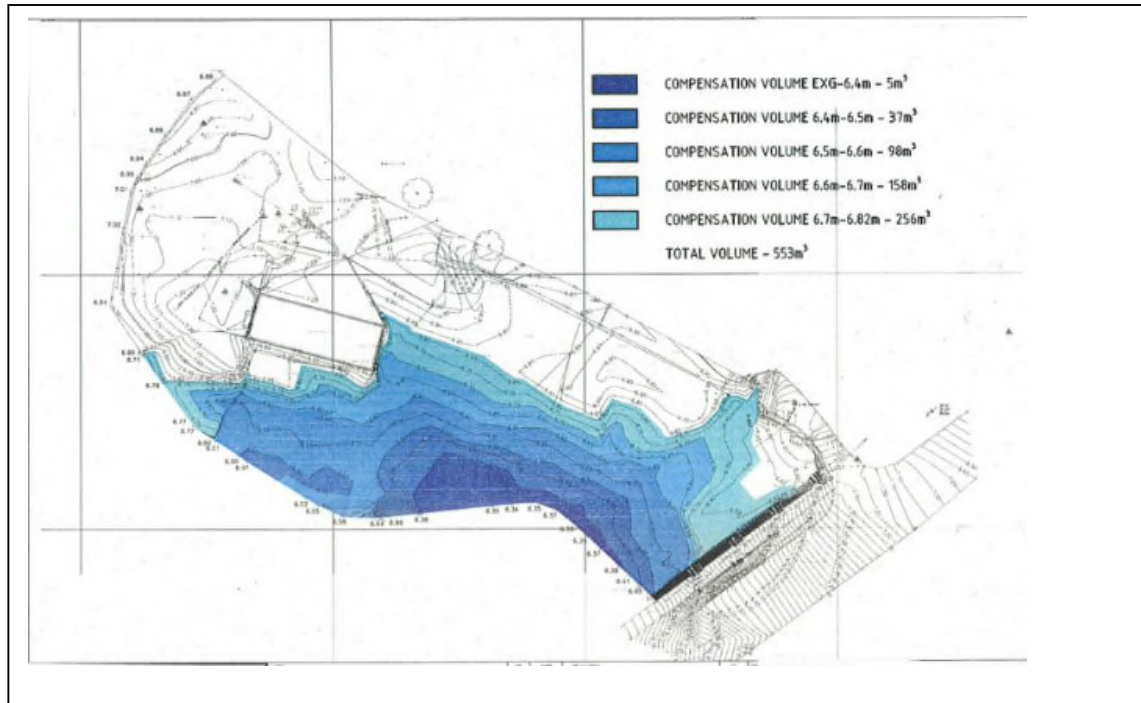


Figure 1 - pre-development

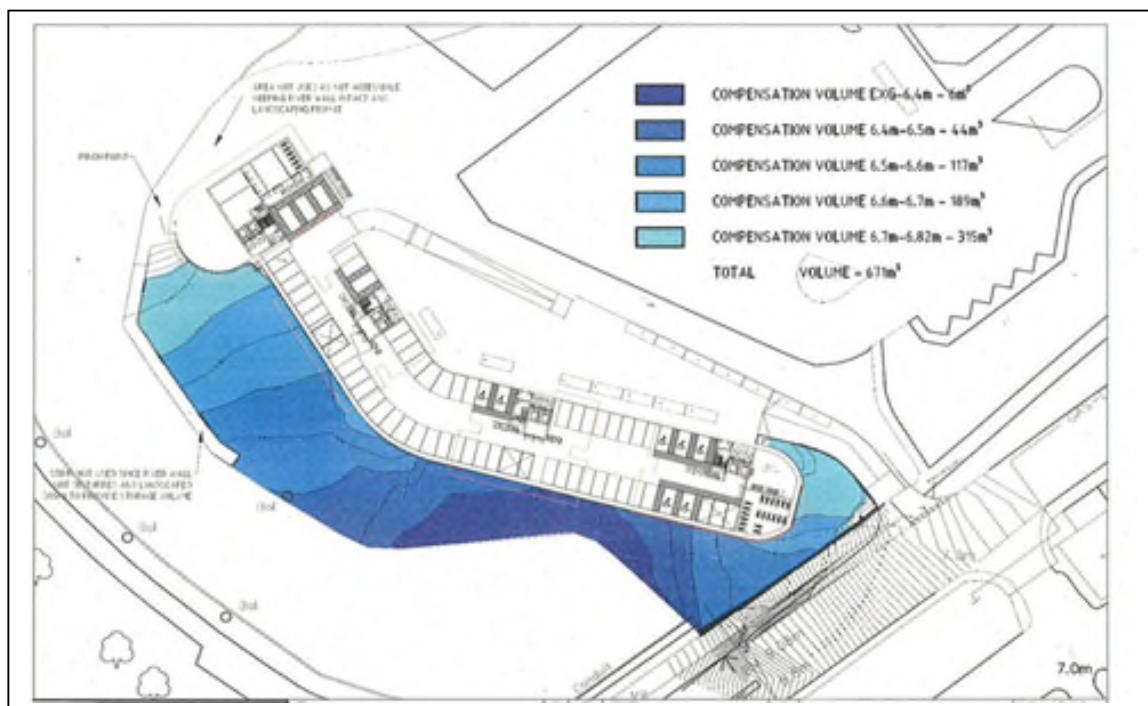


Figure 2 - post-development

Please note the example above uses 0.1 m vertical intervals. However, you may wish to use 0.2 m vertical intervals depending on the range.

Volume Calculations – Note to the applicant:

Do your volume calculations consider every element of the proposed development? For example, the new substation, play equipment (stilts) and anything else.

Please provide additional details. It may be useful if you presented your calculations in a table format, so it is clear how you arrived at your value.

Safe Access & Egress Plan – Note to the applicant:

The Appendix L: Access Egress Market Plan is based on flood zone 3a. As above, this must also consider climate change. Please reassess the plan using the use the 1% AEP plus climate change event levels.

Environment Agency position (2)

We object to this application as it involves building close to a culvert. As submitted, it is unlikely that we would grant a flood risk activity permit for this application.

Reasons

The proposed development may adversely affect the construction and stability of the culvert during construction, which may compromise its function. The proposal may therefore increase the risk of flooding nearby.

Overcoming our objection**Impact during construction – note to the applicant:**

Please assess the impact of the proposal on the culvert during construction and detail any mitigation measures. For example, vibration monitoring equipment.

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

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

Planning Advice Service

Please advise the applicant that if they would like to get further specific advice on how to overcome our objection, they can take advantage of our planning advice service. We can offer services including meetings, telecons and reviews of revised information prior to formal submission. We encourage the applicant to contact us directly to discuss this further.

We currently charge £100 plus VAT per officer per hour. We will provide you with an estimated cost for any further discussions or review of documents. The standard terms for our charged for service are available [here](#).

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

Yours sincerely

Bev Lambert

Sustainable Places - Planning Advisor

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