

DC Admin

From: Victor Grayson
Sent: 21 February 2025 08:47
To: DC Admin
Subject: FW: Formal Objection to Case Reference 2024/92394.

Morning, BST. Please could you log this representation re: application 2024/92394?

Thanks,

Victor Grayson
Development Management Masterplanner
Majors and Minerals Team
01484 221000 x77803

From:
Sent: 20 February 2025 22:39
To: Victor Grayson <Victor.Grayson@kirklees.gov.uk>; Mathias Franklin <Mathias.Franklin@kirklees.gov.uk>
Subject: Formal Objection to Case Reference 2024/92394.

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Dear Mr Grayson, please can this objection statement be included on the case file for 2024/92394. You did advise me previously that you will accept such statements up until 27th February 2025, and I appreciate your co-operation in this respect.

Other residents have submitted objections - now on the case file - and that includes a statement from Councillor Kath Pinnock who has requested that this application should go back to the planning committee. I agree but for different reasons. The depth of the proposed feature 5 feet 5 and a half inches (1.65 metres) does indeed present a safety hazard, given that it is completely open and when containing water poses a risk to children or indeed anyone else, so there is a design issue. However one of my objections in this respect is more fundamental.

The elevation and location of the proposed feature is problematic and would give rise to inundation from Mazebrook (Nan Hall Beck) at periods of peak rainfall. As we know this results in a raised river level, which has caused flooding on Brookfield View and Cliffe Lane over many years. This is the situation that exists now. In short the proposed feature would fail to achieve its stated aim of attenuation of surface water run-off from the proposed development as it would be overwhelmed by a flooding problem that exists now, at periods of peak flow. Let me explain:

The proposed new feature is shown on the design plan at an elevation of between 279 feet and 271 feet 7 inches above sea level (85 metres and 82.73 metres respectively). However Mazebrook (Nan Hall Beck) enters and flows along the bottom of the site at an elevation of 268 feet above sea level at periods of normal flow, that is to say not under flood conditions. At periods of peak and intense rainfall we are looking at a very different scenario, where the river level can easily be up by 8 or 10 feet above normal level. You see my point, hence the flooding. Photographic evidence of this can be provided to the committee.

The reason for this is not difficult to determine Mazebrook (Nan Hall Beck) rises to the surface at East Bierley at an elevation of 591 feet above sea level and falls to 268 feet above sea level where it flows along the bottom of the Merchant Fields site falling a further 8 feet just before it reaches the Balme Road Bridge and culvert at 260 feet above sea level. It should be noted from this however that Mazebrook has a greater elevational drop (331 feet) than Niagra Falls which has an elevational drop of 188 feet. Although not on the same scale and not a vertical cascade the downward force is considerable and has resulted in a number of flooding occurrences. It is perhaps for this reason that the Lead Local Flood Authority, as part of their own objection statement have requested amongst other things an assessment of exceedance events, clearly in line with the scenario outlined by me in my preceding comments.

I should also advise that two applications for large scale development on this site were rejected previously on grounds of aggravation of flooding in the Spen valley and traffic intensification. Kilroyd Drive in particular was considered not suitable either for the increase in traffic envisaged as a result of such development or as cut through from the A58 Whitehall Road to Hunsworth Lane. These judgements made by the local authority previously have been ignored and were not advised to the Planning Committee by Kirklees Planning at any time during the current scenario.

Given the very real risk of inundation of the proposed attenuation feature, that I have referred to above, we also need to consider the demands by Kirklees Planning which I will quote directly. 'The drainage scheme shall be designed to attenuate flows generated by the critical 1 in 100 year storm event with a 30% allowance for climate change'.

I should say that what is currently proposed doesn't even come close to achieving that. There have been eight major weather events since 2007 leading to localised flooding, so we currently have a 1 in 2 year situation. Again quoting Kirklees Planning directly they say this: 'Prior to the commencement of development (including ground works) a detailed design of surface water attenuation shall be submitted to and approved in writing by the Local Planning Authority. The design shall include flow control devices restricting the rate of surface water discharge from the site to a maximum of 17.5 litres per second to Nan Hall Beck and 3.5 litres per second to Yorkshire Water infrastructure leading to the River Spen.

Again let me reiterate; what is proposed now would not cope with peak flow from Nan Hall Beck now as it would be inundated by river flooding. Surface water discharge from the proposed development would merely serve to exacerbate overflow, a perceived 30% increase due to climate change over time would make matters worse and residents on Brookfield View and Cliffe Lane would cop for the lot.

It is abundantly clear to me that the previous underground water attenuation tanks due to be situated on that side of the site could not meet the surface water attenuation requirements either, hence the current application. This is explained by comments from the Lead Local Flood Authority and Yorkshire Water on the case file for 'Discharge of Conditions' Case Reference 2022/92560 which deal

with Condition 16 (Surface Water Attenuation) and Condition 18 (Sewer Protection) . Both of these conditions are still on the case file as 'Undischarged', following objection comments from the parties referred to above. What is proposed now is no better given the very real risk of river inundation. I must contend that what is currently proposed would achieve nothing except a big hole in the ground posing a Health and Safety issue. Additionally there is nothing on the case file for 2024/92394 to show that Yorkshire Water have agreed to adoption of this 'Water Attenuation Feature' anyway.

I would like to add that given the depth of the 'Water Attenuation Feature' which is over 5 feet deep, at least 2 feet of that are below the river level of Nan Hall Beck at periods of normal flow, what consideration has been given to aquifer flooding, that is to say subterranean flooding from below. We know that the three abandoned mine entrances only a matter of yards behind proposed location have had to be periodically pumped out to prevent this, and we also know that there are eleven abandoned mine workings around or near the site (not all of them for coal) and that there has been aquifer flooding in the past.

Additionally the amount of surface water runoff from non permeable surfaces on that side of the site into the 'Water Attenuation Feature' has to be accurately assessed in terms of the proposed discharge into Nan Hall Beck. We know that there should be a discharge rate of 17.5 Litres per second into Nan Hall Beck from this feature but that is only 3.850 Gallons (30.795694 Pints) per second; at periods of high rainfall we would have a hard surface area of 297,622.00 square feet discharging into it out of a developed area on that side of the site of 470,050 square feet. Not only would the inflow far exceed the outflow - and this is what must be accurately assessed - but if the 'Water Attenuation Feature' is already inundated by river water en route to flood Brookfield View, then it would merely contribute to an existing major flooding problem.

I have referred to the existing flooding problem in previous statements, and the big issue in respect of localised flooding is insufficient capacity in the culvert under the Balme Road Bridge. This serves as a clear example of public infrastructure demonstrably requiring upgrade and yet not even considered in the hierarchy of need for such matters, and will continue to impose unacceptable impact on residents through periodic flooding unless resolved. This is an unacceptable imposition that should have been addressed through a planning condition, yet has never ever been considered. It's a bit pointless promoting a cosmetic measure such as the 'Water Attenuation Feature' which is unlikely to resolve anything unless the really big issues - and this is one of them - have been addressed. The current flooding problem will only act to disguise additional flooding from the proposed development, and local residents will continue to bear the brunt of it.

Torrential rain was forecast for 31/12/24 / 01/01/25, the photograph at the beginning of this statement was of a pallet of sandbags delivered for the whole of Brookfield View on 31st December 2024, in anticipation of major flooding. Luckily the worst of the rainfall bypassed this corner of West Yorkshire, or there would have been a ninth major weather event causing local flooding. Brookfield View has 56 houses on it although luckily not all are at risk of flooding. I don't seriously believe the sandbags delivered would have achieved much, but such a gesture serves as a metaphor for a major issue that needs addressing in far more serious terms than has hitherto been the case.

The application for the 'Water Attenuation Feature' should either be rejected or go to the planning committee for a serious re-appraisal of the whole flooding issue. Naturally when that happens I will attend in person along with other residents to present serious recommendations to the planning committee so would like to know at the earliest convenience when that is likely to happen, if that is possible please.

One final point I and other residents have raised the issue of 42 houses as part of this application. The relevant statement from VertaseFLI on behalf of Harron Homes is on the case file for 2024/92394 in 'Superseded Documents' against id 1055613. Why this is 'Superseded isn't plain, for example do they intend to apply for a greater or lesser number of houses or has someone realised that Brookfield View **is** an area of high flood risk and has been mistakenly left off the flood plan.

Clearly someone jumped the gun as it were and gave the game away in respect of what we can expect next if not part of this application. However given that surface water attenuation proposals are very definitely sub par, there can be no development without serious flood prevention measures, and currently these are not proposed.

I look forward to hearing further as to when the committee will meet to discuss this, but naturally would appreciate as much notice as possible as I intend to address them if at all possible. In the meantime can my comments above go on the case file as soon as possible please.

Regards



CP 1
11/17/06