

Edward Cheseldine  
Kirklees Metropolitan Borough Council  
Development Management

**Our ref:** RA/2025/148031/01-L01  
**Your ref:** 2024/93189

**Date:** 27 February 2025

By email: [dc.admin@kirklees.gov.uk](mailto:dc.admin@kirklees.gov.uk)

Dear Edward

**ERECTION OF SINGLE STOREY EXTENSION, EXTERNAL ALTERATIONS TO SHOPFRONT TO FRONT AND SIDE ELEVATION, CHANGE OF USE OF PART VACANT AREA INTO CLASS E CAFE AND FORMATION OF CAR PARK ACCESS – UNIT 19-20, HEADFIELD MILLS, SAVILE ROAD, SAVILE TOWN, DEWSBURY, WF12 9LQ**

Thank you for consulting us on this application which we received on 10 February 2025.

**Flood Risk**

Our Flood Map for Planning shows the site lies partly within Flood Zone 3, with a high probability of flooding from rivers and/or the sea. The application is for retail/café and car park, which are considered to be 'less vulnerable' land uses in [Annex 3](#) of the National Planning Policy Framework. It is therefore necessary for the application to pass the Sequential Test and to be supported by a site-specific flood risk assessment (FRA), which can demonstrate that the 'development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall'.

**Flood Risk Assessment**

An FRA by FPS Environmental Ltd, dated 1 November 2024, has been submitted in support of the application.

**Environment Agency position**

We have reviewed this application and whilst the submitted FRA falls below the standard we typically find acceptable for a planning application, we have no objections to the proposal.

The proposal is for the extension of an existing building. We agree with the FRA that this extension falls within Flood Zone 1. The formation of car the park access and external alterations also fall within flood zone 1.

Whilst the site is within 20 metres of a main river, we consider that the proposal doesn't constitute an activity that would require a flood risk activity permit.

Additionally, the proposal is for the use of a vacant area of an existing building which falls marginally within flood zone 3. The changes proposed are internal and as the use and vulnerability classification of this development remains the same as the current use and vulnerability, we assess the flood risk resulting from the proposal to be no greater than the existing situation. Please re-consult us should the proposals change.

## INFORMATIVE

### **Sequential test - advice to LPA**

#### **What is the sequential test and does it apply to this application?**

In accordance with the National Planning Policy Framework (paragraphs 175), development in flood risk areas should not be permitted if there are reasonably available alternative sites, appropriate for the proposed development, in areas with a lower risk of flooding. The sequential test establishes if this is the case.

Development is in a flood risk area if it is in Flood Zone 2 or 3, or it is within Flood Zone 1 and your strategic flood risk assessment shows it to be at future flood risk or at risk from other sources of flooding such as surface water or groundwater.

The only developments exempt from the sequential test in flood risk areas are:

- Householder developments such as residential extensions, conservatories or loft conversions
- Small non-residential extensions with a footprint of less than 250sqm
- Changes of use (except changes of use to a caravan, camping or chalet site, or to a mobile home or park home site)
- Applications for development on sites allocated in the development plan through the sequential test and:
  - the proposed development is consistent with the use for which the site was allocated; and
  - there have been no significant changes to the known level of flood risk to the site, now or in the future, which would have affected the outcome of the test.
  - Developments where no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future.

Avoiding flood risk through the sequential test is the most effective way of addressing flood risk because it places the least reliance on measures such as flood defences, flood warnings and property level resilience.

#### **Who undertakes the sequential test?**

It is for you, as the local planning authority, to determine an appropriate area of search and to decide whether the sequential test has been passed, with reference to the information you hold on land availability. You may also ask the applicant to identify any other 'reasonably available' sites which are on the open market and to check on the current status of identified sites to determine if they can be considered 'reasonably available'. Further guidance on the area of search can be found in paragraphs 027-030 of the planning practice guidance [here](#).

**What is our role in the sequential test?**

We can advise on the relative flood risk between the proposed site and any alternative sites identified - although your strategic flood risk assessment should allow you to do this yourself in most cases. We won't advise on whether alternative sites are reasonably available or whether they would be suitable for the proposed development. We also won't advise on whether there are sustainable development objectives that mean steering the development to any alternative sites would be inappropriate. Further guidance on how to apply the sequential test to site specific applications can be found in the planning practice guidance: [Flood risk and coastal change - GOV.UK \(www.gov.uk\)](http://www.gov.uk/guidance/flood-risk-and-coastal-change).

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

Yours sincerely

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