

Danielle Cooper
Kirklees Council
Planning and Development Service
PO Box 1720
Huddersfield
HD1 9EL

Our ref: RA/2025/148092/01-L01
Your ref: 2024/93366
Date: 24 March 2025

Dear Danielle

**CHANGE OF USE FROM B2 TO MIXED USED SITE CONSISTING OF B2 (GENERAL INDUSTRY), B8 (STORAGE AND DISTRIBUTION), CLASS E (OFFICES), CLASS F (LEARNING AND NON-RESIDENTIAL INSTITUTIONS), EXHIBITION / VENUE SPACE.
WILLOW LANE, BIRKBY, HUDDERSFIELD, HD1 5EB**

Thank you for consulting us on the above application, which we received on 28 February 2025.

Environment Agency position

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

Reasons

The application site lies partly within Flood Zone 3 & 2, which is land defined by the planning practice guidance as having a high to medium probability of flooding. The National Planning Policy Framework (paragraph 181, footnote 63) states that an FRA must be submitted when development is proposed in such locations.

An FRA is vital to making informed planning decisions. In its absence, the flood risks posed by the development are unknown. This is sufficient reason for refusing planning permission.

Overcoming our objection

To overcome our objection, the applicant should submit an FRA which demonstrates that the development is safe without increasing risk elsewhere. Where possible, it should reduce flood risk overall.

The proposed development introduces a new use to the basement of the existing building. The applicant must demonstrate that the proposals will not increase flood

risk to the site and its users. The applicant will need to clarify and evidence what vulnerability classification they consider the live music venue to be. For instance, if alcohol is consumed within the establishment this would be considered a More Vulnerable use.

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. Guidance on how to prepare a flood risk assessment can be found at <https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications>.

FRA sources of information - Advice to Applicant

We do not prepare or provide FRAs. However, our Customers and Engagement teams can provide any relevant flood risk information that we have available. Please contact the Yorkshire Customers and Engagement Team by emailing: neyorkshire@environment-agency.gov.uk. Your local planning authority should have undertaken a Strategic Flood Risk Assessment (SFRA) which will also include local flood risk information to inform your FRA.

Please contact your local planning authority to determine what information is available. Further advice on what to include in an FRA can be found in the planning practice guidance including a checklist: <https://www.gov.uk/guidance/flood-risk-and-coastal-change#para80>.

Please do not hesitate to contact me if you have any questions regarding the advice in this letter.

Yours sincerely,

Cameron Chandler
Planning Advisor

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