

October 2024



Flood Risk Sequential Assessment

Proposed development of industrial / warehousing use on land off Forge Lane, Dewsbury

On behalf of

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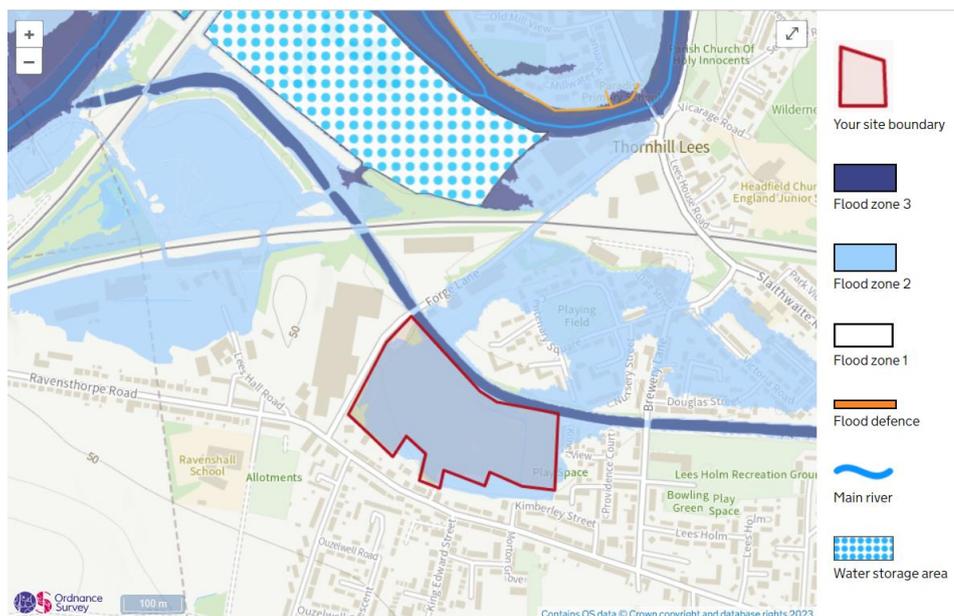
- 1.6 The site is bounded by Forge Lane to the west, to the north is the Calder and Hebble Navigation, whilst the eastern boundary comprises of residential development and a playground completed recently by Miller Homes (Ref: 2007/60/90402/E2). The southern boundary is formed by modern residential development fronting onto Lees Hall Road to the western boundary of the site and Kimberly Street at the eastern end of the street.
- 1.7 The site is previously developed and includes remnants of a former steel making site with large concrete substructures visible at surface level. The site also contains a significant number of trees which in part, restricts the availability of land available for development.
- 1.8 Development proposals are still at early stages but the site would be looking to deliver either 1 large commercial unit of circa 80,000sq.ft. or a mix of smaller commercial units each with a minimum floorspace of 15,000sq.ft. The development of the site would support economic development and employment creation in Kirklees on previously developed land.
- 1.9 The proposed development site has a lapsed permission to be developed for residential use under Outline Consent (Ref: 2004/60/94709/E2) approved on the 13th December 2006 with Reserved Matters (Ref: 2009/61/93489/E2) approved on the 21st October 2011. The residential development proposed sought to deliver 169 units comprising of 113 dwellinghouses and 56 apartments. The permission was never implemented and has since lapsed.
- 1.10 Hebble Homes Ltd have undertaken pre-application discussions with Planning Officers at Kirklees Council to explore options for developing the site based on the lapsed permissions. During pre-application discussions it was advised that any development of the site for residential or employment use would require a flood risk sequential assessment to be submitted and the sequential test passed.
- 1.11 It is understood the Applicant suggested that the sequential test requirements may be easier to meet through developing the site for employment use rather than residential use as there would likely be less sites reasonably available for employment use in the Kirklees Authority Area. As such, Hebble Homes Ltd are now looking at developing the site for an employment / warehousing use.

Sequential Assessment

- 1.12 This Sequential Assessment investigates available sites in the search area and addresses three criteria that must be met:
- 1) whether there are any “reasonably available” sites;
 - 2) that are “appropriate for the proposed development”; and
 - 3) in areas at “lower risk of flooding”

- 1.13 The proposed development site is located in Flood Zones 1 and 2 of the Environment Agency's Flood Map for Planning with a risk of flooding being 0.1 - 1% (1 in 1,000 to 1 in 100) chance of occurring annually. The site is at higher risk from flooding from floodwater overtopping the Calder and Hebble Navigation in the event of heavy rainfall which runs immediately to the north.
- 1.14 The proposed development site and subsequent extent of the flood zone is shown at Figure 2 below:

Figure 2: Environment Agency Flood Map for Planning



- 1.15 Section 2 of this Statement sets out the search area and assessment methodology, Section 3 provides a sequential assessment of potential sites and Section 4 sets out the conclusions.

2.0 Search Area and Assessment Methodology

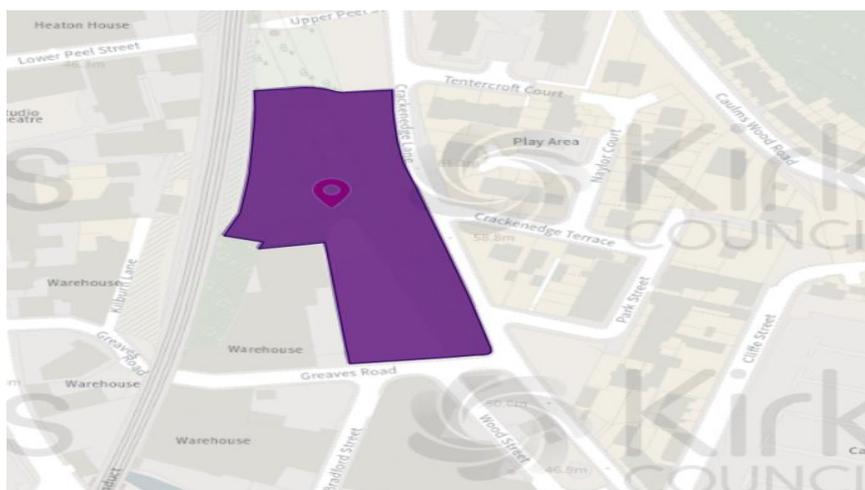
- 2.1 The Applicant has taken commercial advice and also sought advice from Kirklees Council Planning Officers ahead of undertaking the sequential assessment to agree the requirements for development parameters and the extent of the search area.
- 2.2 The proposed development site covers a large area of 6.1 hectares. Development proposals for the site are still at early stages but it has been assessed that the site could deliver either 1 large commercial unit of circa 80,000sq.ft. (7,432m²) or a mix of smaller commercial units with a minimum floorspace of 15,000sq.ft (1,394m²) required for each unit.
- 2.3 National Planning Policy Guidance (NPPG) at Paragraph 028 Reference ID: 7-028-20220825 states that “‘Reasonably available sites’ are defined as those in a suitable location for the type of development with a reasonable prospect that the site is available to be developed at the point in time envisaged for the development. These could include a series of smaller sites and/or part of a larger site if these would be capable of accommodating the proposed development. Such lower-risk sites do not need to be owned by the Applicant to be considered ‘reasonably available’.
- 2.4 On this basis, the sequential assessment assumes that 3,500m² of commercial floor space can be accommodated per 1 hectare of land. Suitable sites therefore need to be over 0.3 hectares in size, including sites that could be partially developed to accommodate new commercial units of a size range of no less than 15,000sq.ft (1,394m²) and up to 80,000sq.ft (7,432m²).
- 2.5 The search area for the sequential assessment has been agreed with Kirklees Planning Officers during pre-application discussions. The search area is focussed on any available and suitable sites at lower risk from flooding in the North Kirklees area covering the Wards of:
- 1) Mirfield
 - 2) Dewsbury East
 - 3) South and West
 - 4) Liversedge and Gomersal
 - 5) Heckmondwike
 - 6) Batley West and East
 - 7) Cleckheaton; and
 - 8) Birstall and Birkenshaw.
- 2.6 The identified search area is shown shaded yellow at Figure 3 below:

3.0 Sequential Assessment

1. Kirklees Local Plan (2019) Employment Allocations

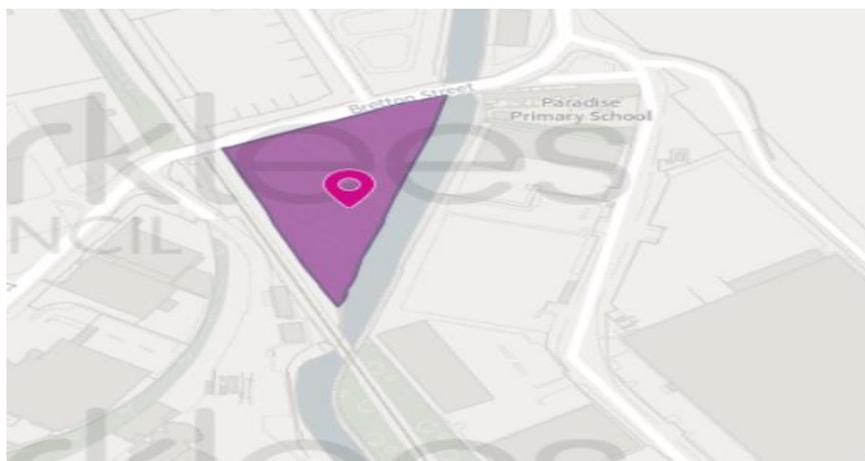
- 3.1 Policy LP64 of the Kirklees Local Plan (2019) sets out the employment allocations in Kirklees. The following 7 employment allocations are assessed in the search area.

Allocation Site Ref: ES3, Land to the north and east of 1-3 Greaves Road, Dewsbury



- 3.2 The site has a net site area of 0.68ha and an indicative capacity of 1,639m² employment floorspace. Planning permission was granted in December 2015 to build an industrial unit of 484m² on the southern part of the site under permission Ref: 2015/62/91564/E. This leaves an indicative capacity in the northern part of the site to accommodate a further 1,155m² of commercial floorspace. This is below the minimum threshold of 1,394 sq. m required as detailed in the search parameters. The site is therefore not appropriate to accommodate the proposed development as it is too small an area and so is discounted.

Allocation Site Ref: ES4, Land south of Tilcon Coal Yard, Bretton Street, Dewsbury



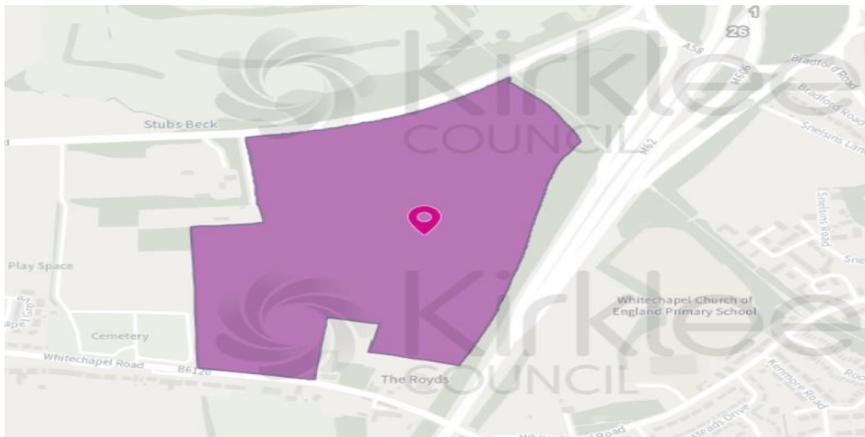
- 3.3 The site has a net developable area of 0.83ha and an indicative capacity of 2,904m² employment floorspace. The far eastern part of site is in Flood Zone 2/3 nearest the Calder and Hebble Navigation. The site could reasonably accommodate two smaller commercial units of 1,394m² each. No recorded planning applications have been submitted to develop the site on Kirklees Council's Planning Website and the site is not being marketed as being available for development. Given the Local Plan has been adopted since 2019 and no works have been progressed to develop the site or advertise it for development potential, it can be concluded the site is not 'reasonably available' to accommodate the proposed development. On this basis, the site is discounted.

Allocation Site ES5: Land to the north of Crossroad Commercials Ltd, Pheasant Drive, Birstall, Batley



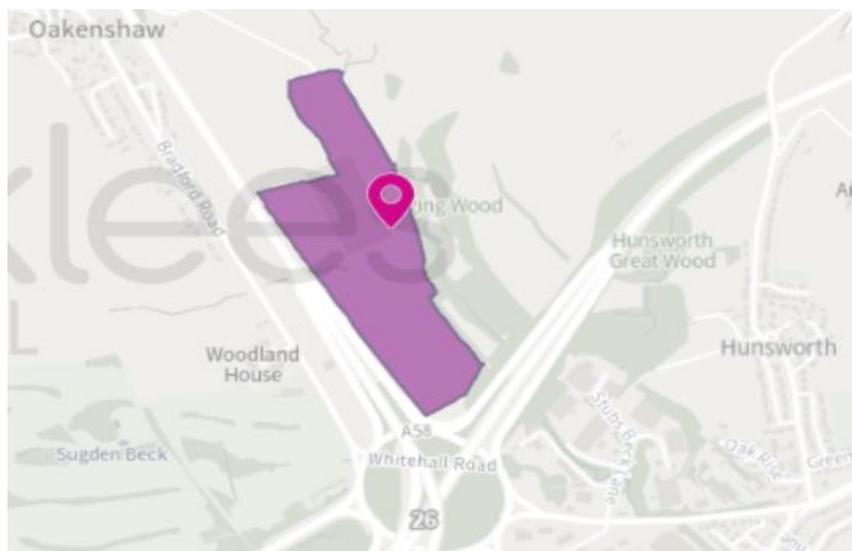
- 3.4 The site has a net developable site area of 1.82ha and an indicative capacity of 6,371m² employment floorspace. The site could reasonably accommodate circa four smaller commercial units of 1,394m² each. No recorded planning applications have been submitted to develop the site on Kirklees Council's Planning Website and the site is not being marketed as being available for development. Given the Local Plan has been adopted since 2019 and no works have been progressed to develop the site or advertise it for development potential, it can be concluded the site is not 'reasonably available' to accommodate the proposed development. On this basis, the site is discounted.

Allocation Site ES6. Land to the north and west of The Royds, Whitechapel Road, Cleckheaton



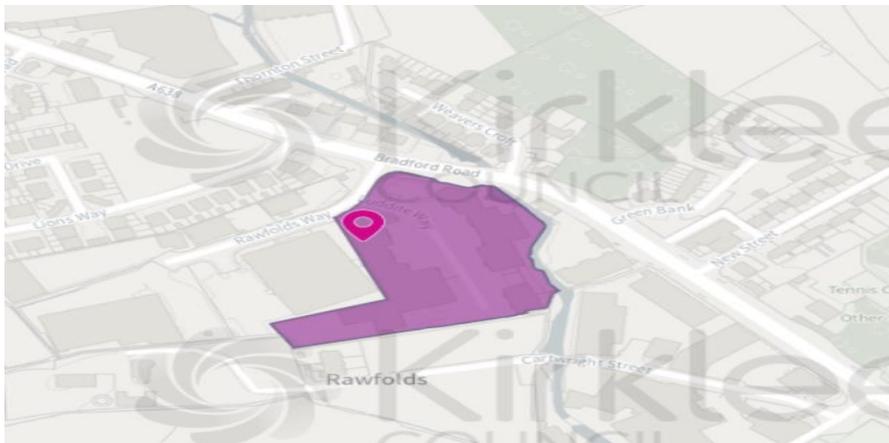
- 3.5 The site has a net site area of 10.68ha and an indicative capacity of 37,380m² employment floorspace. A Planning Application was submitted in 2021 (Ref: 2021/62/92603/E) for the erection of storage and distribution unit (Use Class B8) with ancillary offices, car parking, servicing, landscaping and access. The Application was refused on the 31st March 2023 as the proposals did not accord fully with the requirements of the site allocation in the Local Plan.
- 3.6 The Agent for the Application has confirmed that the Applicant is considering options to either Appeal the Decision with the Inspectorate or alternatively submit a new Application for an alternative development on the site. In this regard the site is not reasonably available and so is discounted.

Allocation Site ES7: Former North Bierley Waste Water Treatment Works, Cliff Hollins Lane, Cleckheaton



- 3.7 The site has a net site area of 7.61ha and an indicative capacity of 35,284m2 employment floorspace. Planning permission was granted in 2016 to develop the site for 3 commercial units (Ref: 2016/92298) with Reserved Matters approved in 2021 (Ref: 2021/91932). The site is under construction currently as 'Interchange 26'.
- 3.8 The site is not reasonably available due to it being privately owned by a company already who are letting out the units. There are no units available for sale. Additionally, undeveloped land to the east of the site is in flood zones 2 and 3 so is not at lower risk from flooding than the proposed development site. For these reasons, the site is discounted.

Allocation Site ES8, Land south east of Spen Valley Industrial Park, Bradford Road/ Rawfolds Way, Cleckheaton



- 3.9 The site has a net site area of 1.52ha and an indicative capacity of 6,291m2 employment floorspace. The site is partially in Flood Zone 3. The site has been fully developed out under planning permission (Ref 2015/62/92093/E) for 13 commercial units and there is no additional land available for development. The site is not reasonably available and therefore discounted.

Allocation Site ES9, Former Cooper Bridge Waste Water Treatment Works, Leeds Road, Mirfield



- 3.10 The site has a net site area of 4.26ha and an indicative capacity of 14,910m² employment floorspace. The site has a current undetermined planning application lodged under (Ref: 2023/92448) for outline consent to be developed for B8 industrial use for 27,500m². The Application covers the majority of the site with the remainder of the allocation netted off due to it being in Flood Zone 3. Given the undetermined application to develop the site, the site is not reasonably available and so is discounted.

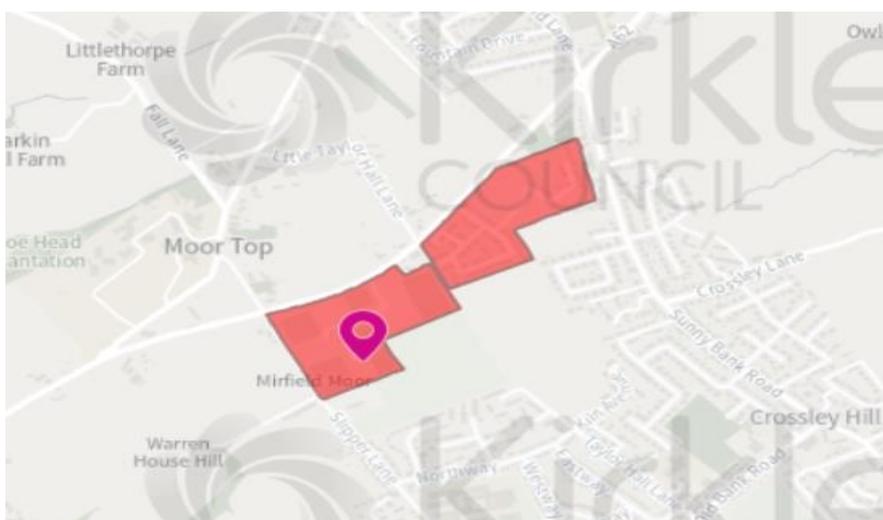
Summary and Conclusions

- 3.11 A total of 7 sites allocated for employment use in the Kirklees Local Plan (Sites ES3 – ES9) within the identified search area have been assessed to see if they are sequentially preferable.
- 3.12 Sites ES3, ES4, ES5, ES6, ES7 ES8 and ES9 have been discounted.

2. Kirklees Local Plan (2019) Mixed-Use Allocations

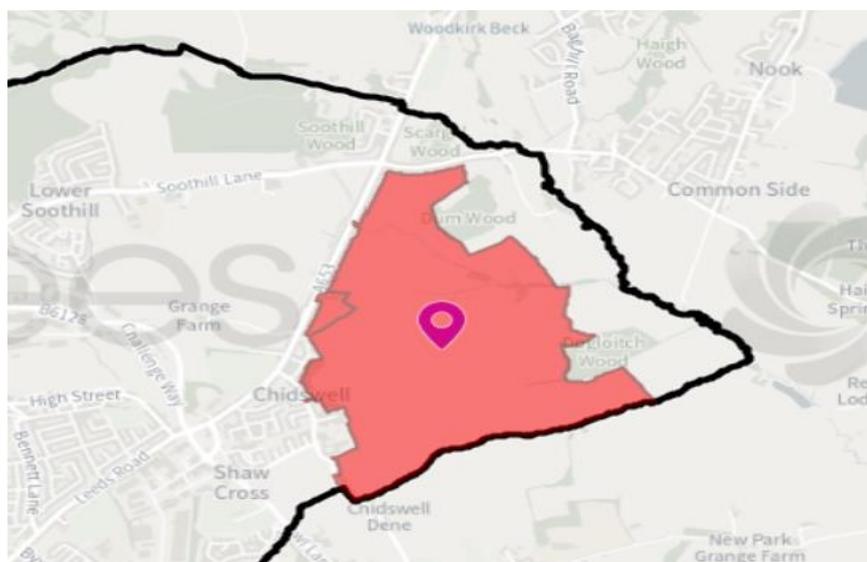
- 3.13 Policy LP67 of the Kirklees Local Plan (2019) sets out the mixed-use allocations in Kirklees which includes sites allocated for both employment and housing. The following 5 mixed-use allocations are assessed in the search area.

Mixed-use Allocation Site MXS6, Land at Slipper Lane, Leeds Road, Mirfield



- 3.14 The site has an indicative capacity of 17,234m² of employment floorspace. The site is not reasonably available though as it is fully developed and occupied for employment use following approval of planning permission (Ref: 2018/90802) in 2018. Therefore, the site is discounted.

Mixed Use Allocation Sites MXS5 and MXS7, Land at Lees House Farm and east of 932-1110 Leeds Road, Shaw Cross / Woodkirk, Dewsbury



- 3.15 These two mixed use sites are adjoining to create a larger allocation. Site MXS5 has an indicative capacity for 3,816m² of employment floorspace and Site MXS6 has an indicative capacity of 122,500m² of employment floorspace.
- 3.16 The majority of both allocation sites are covered by a current application (Ref: 2020/60/92331/E) for Outline planning consent for demolition of existing dwellings and development of phased, mixed use scheme comprising residential development (up to 1,354 dwellings), employment development (up to 35 hectares of B1(part a and c), B2, B8 uses), residential institution (C2) development (up to 1 hectare), a local centre (comprising A1/A2/A3/A4/A5/D1 uses), a 2 form entry primary school including early years provision, green space, access and other associated infrastructure (amended and further information received). The Application was validated in July 2020 and is still under consideration with the Council.
- 3.17 The undetermined Outline Application covers the entirety of the allocation site(s) and includes circa 35 hectares of employment uses with a maximum floor area capacity of 122,500 sq. m
- 3.18 Given that the current undetermined Application has been with the Council for 3 years and is still ongoing with a number of outstanding objections, the timely delivery of the site is questioned and it is considered that it would not be reasonable to consider the site as 'reasonably available' due to the ongoing delays with delivery. The Application seeks Outline consent only so it would take a further significant time period to achieve Reserved Matters permission for the employment allocation aspect of the development. In this regard we have assessed the site as not being reasonably available and such, it is discounted.
- 3.19 There are two further Mixed-use Site Allocations in the search area – MXS8 Moorlands Business Centre, Balme Road, Cleckheaton and MXS9 - Land Adjacent, Westgate, Cleckheaton.
- 3.20 Both of these sites both have existing employment floorspace in full occupation with no opportunity for further employment floorspace to be developed. On this basis they are not reasonably available and have been discounted.

Summary and Conclusions

- 3.21 A total of 5 mixed-use employment sites in the identified search area have been assessed.
- 3.22 Sites MXS5, MXS6 and MXS7, MXS8 and MXS9 are all discounted.

3. Unallocated sites with planning permission (ELSR)

- 3.23 The following 17 sites are unallocated in the Kirklees Local Plan (2019) but have been identified within the Kirklees Council's Employment Land Supply Review (ELSR) as having planning permission to be developed for the same or similar use to the proposed development.
- 3.24 The data for the thirty sites has been filtered using the search parameters of being over 0.3 hectares in size and within the identified search area.

Site Ref 10958 - 403 Hick Lane Mills, Walker and Smith, Bradford Road, Batley



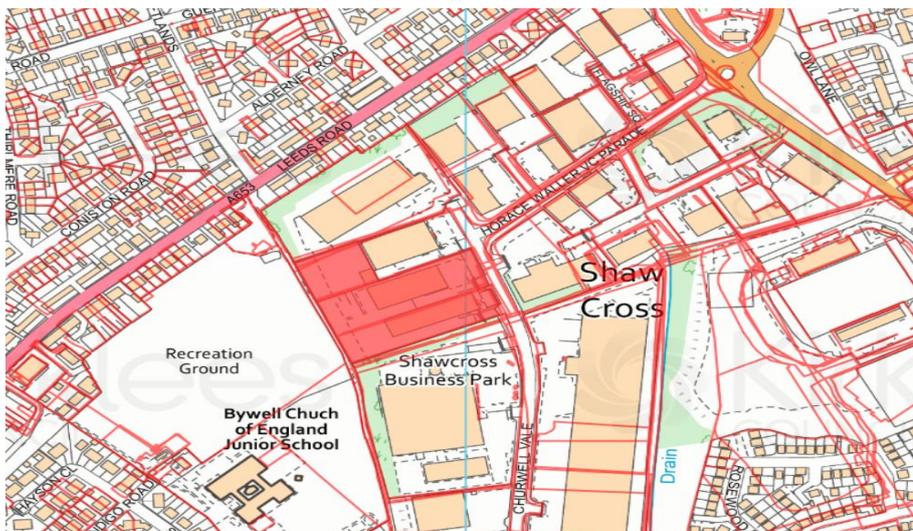
- 3.25 Permission has been approved for the erection of an extension to the existing building to form a warehouse building (2022/92427 approved 15-Dec-22). The permission is current and the site area measures 0.48ha. The Officer Report for the Application confirms the site is entirely within Flood Zones 2 and 3 so is not at lesser risk from flooding than the proposed development site. Additionally, associated condition discharge Applications have been submitted to progress the development as approved. The site is therefore discounted.

Site Ref 10560 - Castle Mills, Bradford Road, Cleckheaton



- 3.26 Permission has been approved for part demolition of industrial building and formation of vehicle loading bays (2021/93659 approved 28-Jan-22). The site covers an area of 0.32ha which includes the access road. When the access road is removed from the overall site area, this reduces the available floorspace to below 0.3ha which is the minimum required to accommodate the proposed development. The Officer Report for the Application also confirms the site is entirely within Flood Zone 3 so is not at lesser risk from flooding. For these two reasons, the site is discounted.

Site Ref 9468 - Richard Allen Engineering Ltd, Shaw Cross Business Park, Churwell Vale, Dewsbury



- 3.27 Permission approved for the Erection of extension to existing industrial unit (2021/91012 approved 14-Jul-21). The site covers an area of 1.41ha. The site area includes the existing built development on site, the remaining land within the site area is used for car parking, HGV turning and servicing which is required to service the existing industrial buildings. There is not enough space in excess of 0.3ha which is the minimum space required to accommodate the proposed development, the site is therefore discounted.

Site Ref 9506 - Former Calder Works, Thornhill Road, Dewsbury



- 3.28 Permission has been approved for the erection of 2 x B2 industrial units (2021/91719 approved 13-Jul-22). The site area covers 1.68ha. The site is entirely within Flood Zone 2 so is not at lesser risk from flooding than the proposed development site. The site is therefore discounted.

Site Ref 10964 - Land adjacent 60 Northgate, Cleckheaton



- 3.29 Permission has been approved for the demolition of former dairy/snooker centre/storage and erection of 9 small light industrial units (2022/91730 approved 17-Mar-23). The total site area covers 0.46ha with the permitted units being small at circa 203m² each. The minimum size of unit required by the proposed development is 1,394m². The proposed site is therefore not appropriate to accommodate the proposed development and therefore discounted.

Site Ref 10972 - Duvalay, Station Lane, Heckmondwike



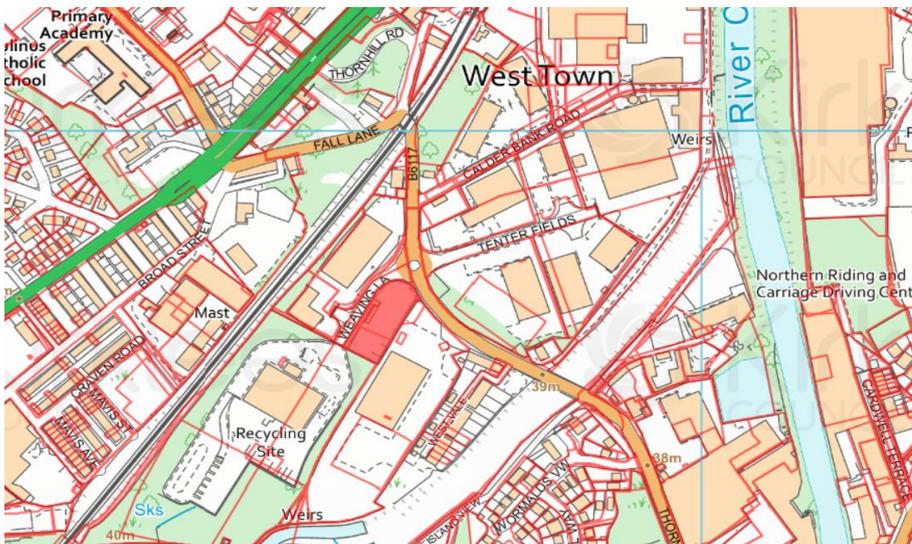
- 3.30 Permission was approved for the erection of warehouse extension with mezzanine floor (2022/94053 approved 01-Mar-23). The total site area measures 0.38ha which includes the existing building. The permission is for an extension to an existing warehouse which is occupied and operational. There is no available land within the site that could accommodate new commercial development. The site is therefore not appropriate and discounted.

Site Ref 10953 - Unit 6, Shaw Cross Court, Dewsbury



- 3.31 Permission has been approved for the erection of an extension to an industrial unit (2022/92988 approved 25-Nov-22). The total site area measures 0.48ha which includes the existing building. The permission is for an extension to an existing warehouse which is fully occupied. There is no available land within the site that could accommodate new commercial development. The site is therefore not appropriate and discounted.

Site Ref 10544 - Land at Weaving Lane, Thornhill, Dewsbury



- 3.32 Permission has been approved for the erection of two B2 industrial units (2021/91719 approved 30-Jul-21). The total site area covers 0.3ha. The site is entirely in Flood Zone 2 so is not at lesser risk of flooding than the proposed development site. The site is therefore discounted.

Site Ref 9761 - Six Lane Ends Public House, Six Lane Ends, Heckmondwike



- 3.33 Planning permission has been approved for the partial change of use of building from Sui Generis (drinking establishment) to B8 (storage and distribution), partial demolition of existing building and erection of two storey extension to comprise ground floor B8 Use (storage and distribution) and first floor C2 Use (residential dwelling) and other associated works (2021/93329 approved 07-Feb-22). The total site area covers 0.3ha. The part of the site permitted for B8 or commercial use falls below the minimum 0.3ha site area threshold required for the proposed development. The site is therefore too small and discounted.

Site Ref 10973 - Holme Bank Mills, Station Road, Mirfield



- 3.34 Planning permission has been approved for the partial demolition and increase in roof height to existing industrial units and exterior alterations (2022/90414 approved 20-Dec-22). The total site area is 0.5ha which includes the existing industrial unit. The permission facilitated an increase in height and minor exterior alterations to an existing industrial building which is currently operational. There is no other available space on the site to accommodate the proposed development. The site is also entirely within flood zone 3 so is at greater risk of flooding than the proposed development site. The site is therefore discounted.

Site Ref 9911 - Unit 1, Station Business Park, Back Station Road, Mirfield



- 3.35 Planning permission was approved for the change of use of an existing building to include D2 (indoor sports, yoga or dance classes) (2020/90911 approved 02-Sep-20). The total site area is 0.38ha. The building is occupied and in use as Mirfield Martial Arts Club. The site is also entirely within flood zone 3 so is at greater flood risk than the proposed development site. The site is therefore discounted.

Site Ref 9798 - West 26 Industrial Estate, Unit E1, Stubs Beck Lane, Hunsworth, Cleckheaton



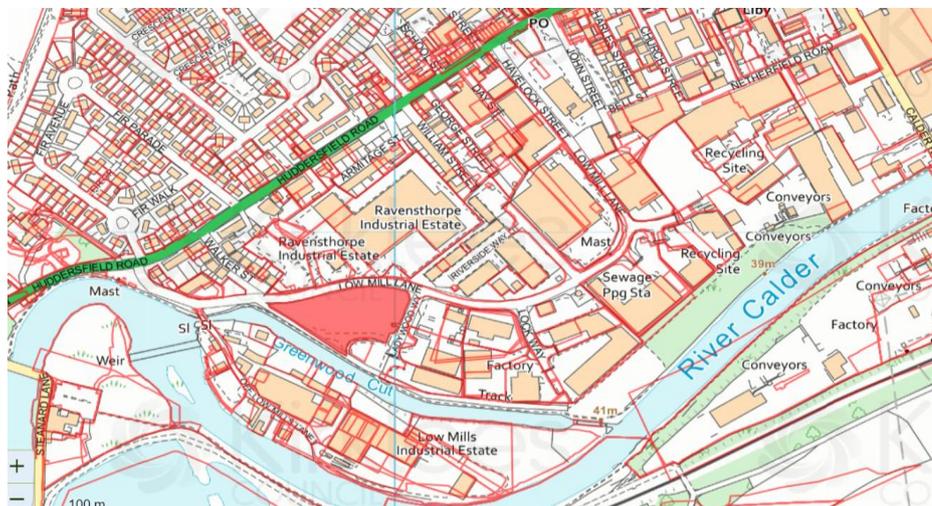
- 3.36 Planning permission was approved for the erection of three storey extension to existing building (2021/90726 approved 14-May-21). The total site area covers 0.35ha including the existing building. The building is currently occupied and operational. There is no further space within the site to develop new commercial development, The site is not reasonably available so is therefore discounted.

Site Ref 9522 - HB Food Services, Vulcan Works, Vulcan Road, Eightlands, Dewsbury



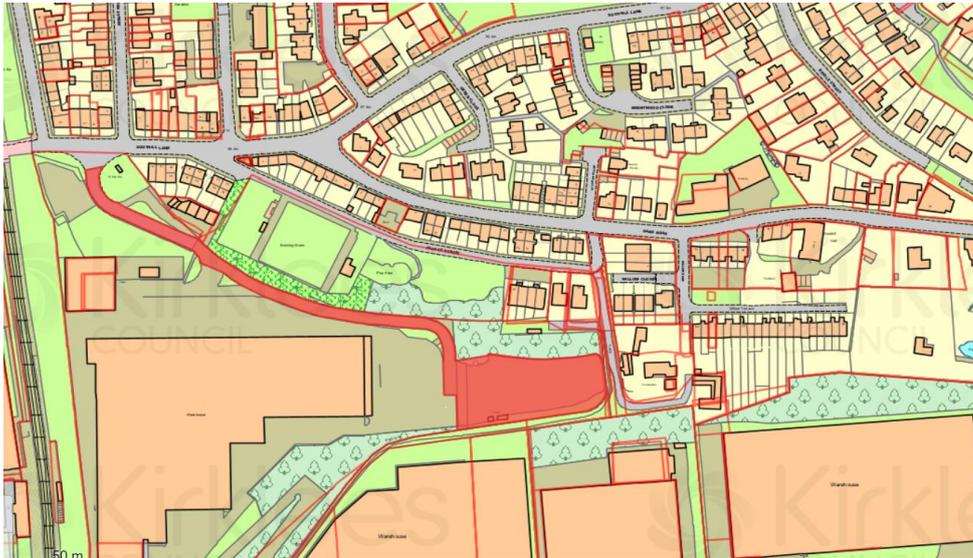
- 3.37 Planning permission has been approved for the erection of a warehouse (2020/92385 approved 22-Dec-20). The total site area covers 0.53ha. The warehouse is required to expand the existing business on the site and provide additional storage for products. The unit is occupied with a food supplier who caters to establishments such as restaurants and takeaways. The site is not reasonably available and so is discounted.

Site Ref: 9688 - Chem Waste Ltd, Land West of Low Mill Lane, Ravensthorpe, Dewsbury



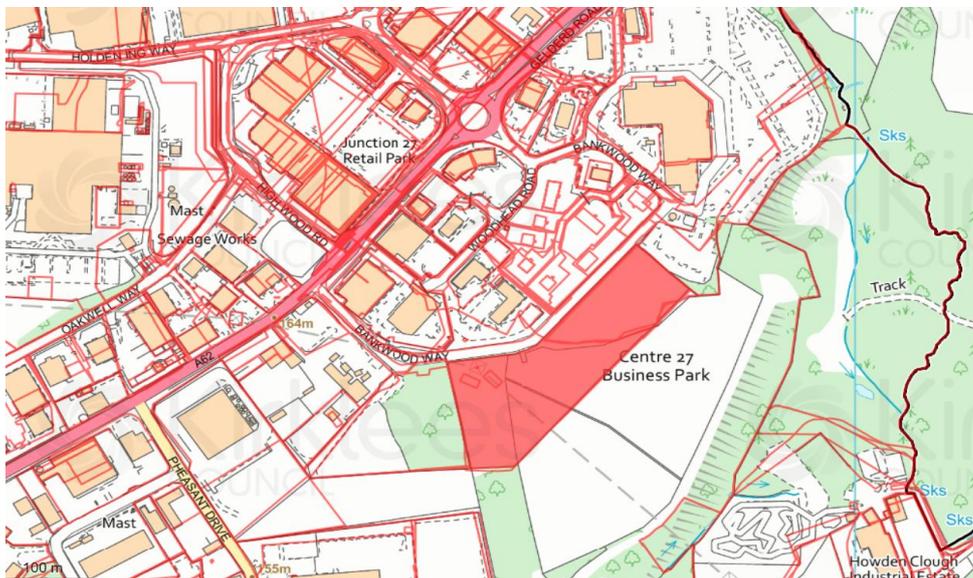
- 3.38 Permission has been approved for the change of use of vacant land to a container and vehicle storage area and erection of fence (Ref: 2018/93529 approved 03-Oct-19). The total site area covers 0.79ha. The site is located within Flood Zone 2 and adjacent to Flood Zone 3. The site is not at lesser risk of flooding than the proposed development site and so is discounted.

Site Ref 9258 - Soothill Business Park, East of Soothill Lane, Batley



- 3.39 Permission has been approved for use of the land for storage of small plant and materials and siting of modular unit (in association with railway infrastructure (Ref: 2015/93779 approved 19-May-16). The total site area covers 0.28ha as stated on the Application Forms which includes the site access. The site is below the 0.3ha minimum threshold required to accommodate the proposed development and also is in current operational use by Network Rail for storage of materials relating to rail repair and maintenance works so the site is not available. For these reasons, the site is discounted.

Site Ref 9081 Centre 27, Gelderd Rd, Birstall



- 3.40 Permission was approved for outline consent to develop the wider site for business units (B1) catering facilities, hotel, leisure facilities and associated car parking (99/90990 approved 10-May-00). The total site area covers 0.92ha.
- 3.41 The development was permitted in 2000 and the wider site has been developed out over time as the Centre 27 Retail Park. Recent outline permission has been further approved for 45,000 sq. ft of additional retail floorspace. The site is fully occupied and operational for a mix of uses and the latest permission is for a retail rather than commercial use. The site is therefore not reasonably available and so is discounted.

Site Ref 9173 - Rest Assured, Grange Rd (North), Batley



- 3.42 Permission was approved to develop the site for a bed manufacturing facility in B1, B2 and B8 uses (94/93403 approved 23-Nov-94). The total site covers an area of 0.62ha. The permission was approved a significant time ago in 1994 and the development is fully implemented and operational. The site is therefore not available and so is discounted.

Summary and Conclusions

- 3.43 A total of 17 unallocated sites with planning permission identified in the ELSR and in the identified search area have been assessed.
- 3.44 Sites 10958, 10560, 9468, 9506, 10964, 10972, 10953, 10544, 9761, 10973, 9911, 9798, 9506, 9522, 9688, 9258 and 9081 are all discounted.

4. Unallocated Sites with Lapsed Planning Permission (ELSR) (2019)

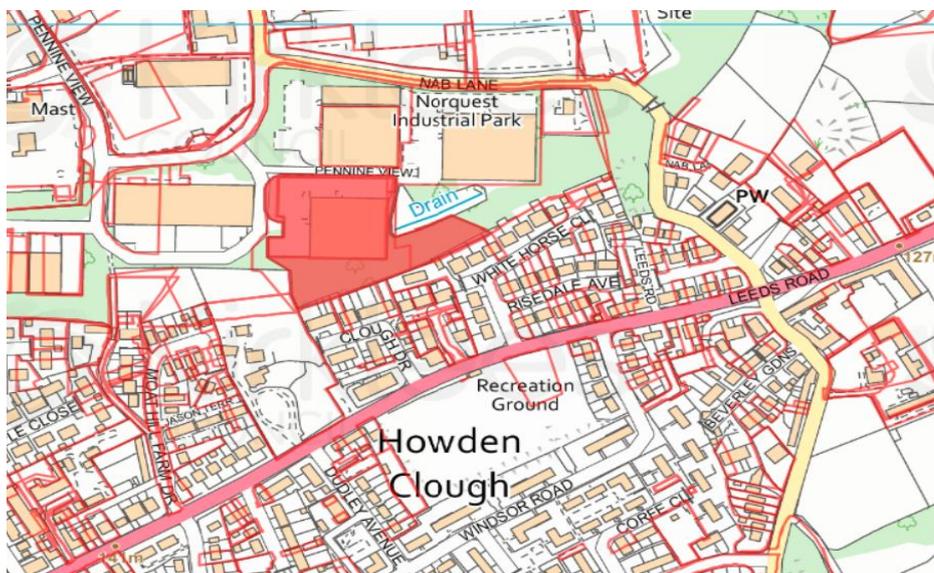
- 3.45 The following 4 sites are unallocated in the Kirklees Local Plan (2019) but have been identified on Kirklees Council's Employment Land Supply Review (ELSR) as having lapsed planning permission to be developed for the same or similar use to the proposed development.

Site Ref 9246 - Heaton Green Dust Control LTD, Atlas Quarry, Howard Street, Batley



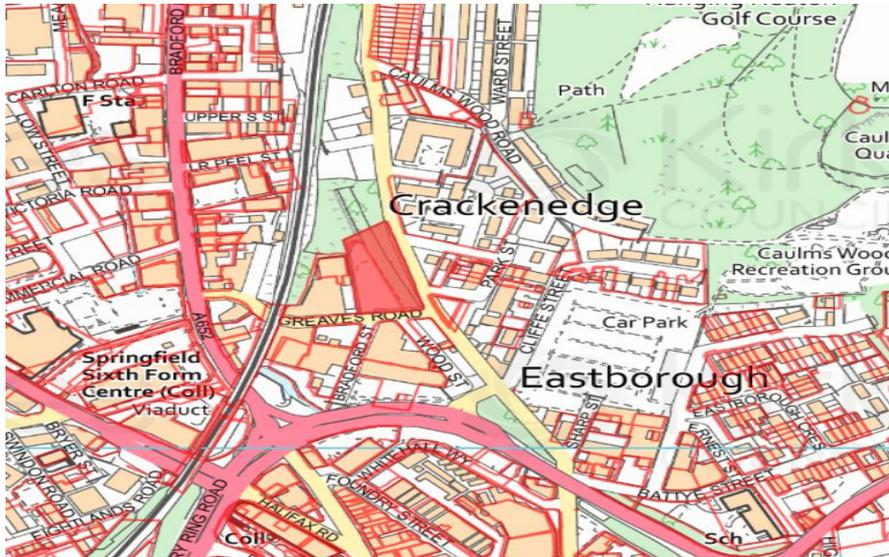
- 3.46 Permission approved for erection of a storage building (2016/91841 approved 27-Jul-16) and since lapsed. The site covers an area of 0.47ha. The far eastern side of the site is in flood zone 3. The site is not being marketed for development so is not reasonably available and so is discounted.

Site Ref 9151 - Unit 18, Norquest Industrial Estate Pennine View Birstall Batley



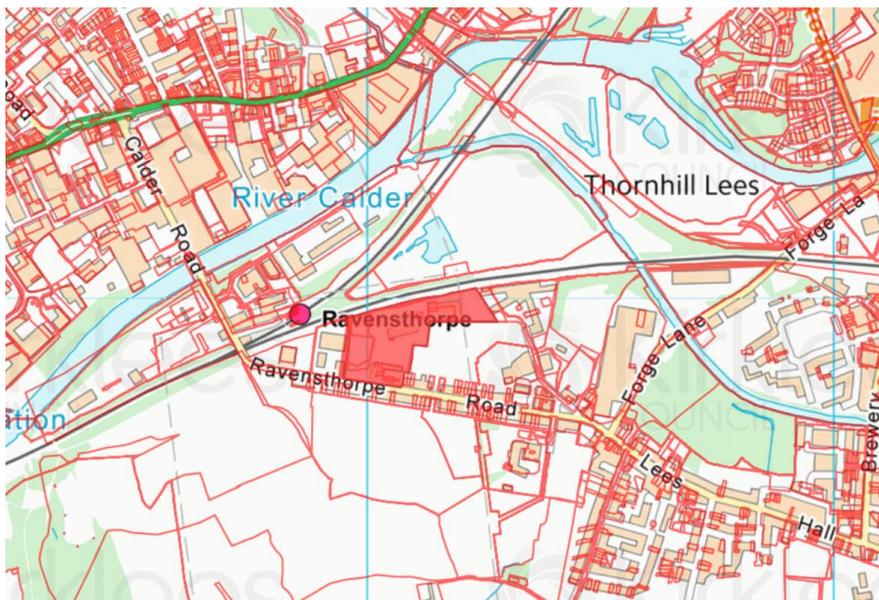
- 3.47 Permission approved for the erection of a warehouse (2016/91122 approved 26-Aug-16) and since lapsed. The site covers an area of 1.16ha and is in Flood Zone 1 so is at lesser risk from flooding. The site is privately owned and not being marketed for development so is not reasonably available. The site is therefore discounted.

Site Ref 9370, - Land West of, Crackenedge Lane, Dewsbury



- 3.48 Permission approved for a single storey warehouse unit (2015/91564) approved 23-Dec-15 and since lapsed. The site covers an area of 0.35ha. The whole site is within Flood Zone 3 so is not at lesser risk of flooding than the proposed development site. The site is therefore discounted.

Site Ref 9614 - Longley Concrete Ltd, Ravensthorpe Road, Ravensthorpe, Dewsbury



- 3.49 Permission approved for the erection of precast concrete production unit, demolition of existing casting shed and ancillary buildings, associated site works to modify external storage areas and installation of gantry cranes (2017/94080 approved 19-Jul-18. The site area covers 3.37ha. The entire site is in Flood Zone 2 so not at lesser risk of flooding than the proposed development site. The site is therefore discounted.

Summary and Conclusions

- 3.50 A total of 4 unallocated sites with lapsed planning permission identified in the ELSR and in the identified search area have been assessed.
- 3.51 Sites 9246, 9151, 9370 and 9614 are all discounted.

5. Priority Employment Areas

- 3.52 The Kirklees Local Plan (2019) identifies and allocates a total Of 48 hectares across the District as Priority Employment Areas (PEAs) which are established areas of business / commercial / industrial; development. The majority of these sites are by nature already fully developed, occupied and operational, however limited opportunities exist for some small parcels of land within that may be available for further commercial development that could potentially accommodate the proposed development.
- 3.53 The general location of the PEAs in the Search Area is shown on the Local Plan Policies Maps. The following 9 PEA sites have been identified within the Search Area:
- Site Ref: 9802 - Land East of Stubs Beck Lane, Cleckheaton – 0.74ha
 - Site Ref 9621 - Land East of Bretfield Court and North of Bretton Street, Bretfield Court, Dewsbury 0.62 ha
 - Site Ref 9561 - Land North of Cardwell Terrace, Saville Town, Dewsbury. 0.92ha
 - Site Ref 9518 - Land West of Centurion House, Thornhill Road, Dewsbury 0.51ha
 - Site Ref 9367 - Thomas Chadwick & Sons, Sands Lane, Dewsbury 0.39ha
 - Site Ref 9376 -Calder Bank Mills, West of Calder Bank Road, Dewsbury 0.31ha
 - Site Ref 9118 - Centre 27 Business Park, Phase III Bankwood Road, Birstall 0.83ha
 - Site Ref 9094 - Mars Complimentary Petcare Europe, Oakwell Way, Birstall 4.36ha
 - Site Ref: 9803 - Land East of Interchange, Whitehall Road. Cleckheaton 1.21 ha
- 3.54 Of the 9 sites identified, a search has been undertaken online to see if any land within the PEAs is actively being marketed for sale or rent for development.
- 3.55 One site within PEA32 is currently marketed for sale - https://www.rightmove.co.uk/properties/152334884#/?channel=COM_BUY . Whilst the site is acknowledged as being within the PEA it hosts a current 48,245sqft building. The site is within Flood Zone 1. However, given the site hosts an existing building the development, if on this alternative site, would not be sequentially preferable as it would not provide additional employment floorspace for Kirklees and would not achieve Economic Growth.

- 3.56 The reasonable conclusion from this assessment is that there are no reasonably available sites that accommodate the proposed development within the PEAs that would achieve economic growth and so these have also been discounted.

Summary and Conclusions

- 3.57 A total of 9 sites in the PEA have been assessed and none have been found to be reasonably available. Sites 9802, 9621, 9561, 9518, 9367, 9376, 9118, 9094 and 9803 are discounted.

6. Unallocated Windfall sites marketed for development

- 3.58 An online search has been undertaken to see if there are any available windfall sites in the search area that meet the criteria of being reasonably available, appropriate and in a lower flood risk zone to accommodate the proposed development. A total of 3 comparable sites been identified and assessed below.

Site 1 – Land at Foxroyd Lane, Dewsbury



- 3.59 This site is reasonably available but is not appropriate as it is too small an area for the proposed development being 0.2ha and as it has a recent planning permission to be developed for residential use for 2 houses (Application 2022/62/92380/E). The site is therefore discounted.

Site 2 - Springfield Farm, Birkenshaw



- 3.60 This site is reasonably available but is not appropriate as it comprises of a 6 acres site with a farmhouse and associated farm outbuildings with planning permission for conversion / new build as residential development (2015/62/93432/E). The surrounding land use is residential so it would not be appropriate to place commercial development in this location. The site is therefore discounted.

Site 3 Land at 33 Lee Road, Ravensthorpe, Dewsbury



- 3.61 This site is former care home situated on a plot of approximately 0.58 acres (0.23 hectares). The site is not of 0.3Ha area and is within a wholly residential area so is discounted.

Summary and Conclusions

- 3.62 A total of 3 comparable sites have been identified in the search area that are available as unallocated windfall sites with potential for commercial development.

Each site has been assessed for their suitability to accommodate the proposed development. All of the sites have been discounted.

4.0 Conclusions

- 4.1 Section 14, Paragraph 165 of The National Planning Policy Framework (2023) requires that *“Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.”*
- 4.2 The Applicant is looking at options to develop a 6.1-hectare site located off Forge Lane, Dewsbury following pre-application discussions with the Local Planning Authority.
- 4.3 This Report provides a flood risk sequential assessment to determine whether there are any sequentially preferable sites at lower risk from flooding that could accommodate the proposed development in an identified search area agreed with Kirklees Council Officers.
- 4.4 The Sequential Assessment has been undertaken and an assessment provided within the identified search area as to whether there are any:
- Reasonably available sites – land available for sale or allocated for development that is available to accommodate the proposed development;
 - Appropriate for the proposed development – of a suitable size and location including surrounding characteristics to deliver the development as detailed above; and
 - In areas with a “lower risk of flooding” – in Flood Zone 1
- 4.5 Available sites in the search area that have been assessed are identified through the following six categories. A total of 53 sites have been assessed:
- Kirklees Local Plan (2019) employment allocations (7 sites)
 - Kirklees Local Plan (2019) mixed-use allocations (5 sites)
 - Unallocated sites with planning permission (ELSR) (17 sites)
 - Unallocated sites with lapsed planning permission (ELSR) (4 sites)
 - Unallocated Sites without planning permission in Priority Employment Areas (9 sites)
 - Windfall sites marketed for development (3 sites)
- 4.6 The Assessment has concluded that out of the 45 assessed sites, there are none that are sequentially preferable as they do not accord with all the three criteria required by the sequential test.
- 4.7 Therefore, it is concluded that there are no sequentially preferable sites that are ‘reasonably available’, ‘appropriate for the proposed development’ and at ‘lower risk of flooding’ than the proposed development site at Forge Lane, Dewsbury. The flood risk sequential test is therefore passed.