

<b>Consultation Response from KC, Lead Local Flood Authority</b>
<b>2025/90517 land off, Forge Lane, Thornhill Lees, Dewsbury, WF12</b>
<b>Outline application, including the consideration of access and layout, for two commercial units (use class B2 and/or B8) and associated works</b>
<b>Date Responded: 24<sup>th</sup> February 2026 Responding Officer: Paul Farndale Responding Ref:</b>

**Kirklees Flood Management & Drainage acting as Lead Local Flood Authority is encouraged by the progress of design for what is a complicated site in terms of flood risk and appropriate mitigation.**

**We advise the planning officer to arrange a further meeting with the applicant and representatives to discuss how best to proceed where information is good and where it is limited and to clarify certain points.**

### **Sequential Test Process**

Although a less vulnerable site (commercial development) does not require an exceptions test to proceed in Flood Zone 2, this matrix should not be used as a way of justifying bypassing sequential test process which is a RISK AVOIDANCE TOOL.

The Local Planning Authority should look at AVOID risk by ensuring sites at least risk (Flood Zone 1) should be developed first. However, where there are allocated sites in flood zone 3 or at greater risk in flood zone 2 that remain undeveloped in the existing local plan, it can be argued that this site could be developed first. This is a matter for Planning Policy to guide the Planning Officer.

If a sequential test is passed the following advice is given.

In a recent change to NPPF, a sequential approach is also encouraged. This means that within a site buildings should be in areas of least risk within the site where practicable. Kirklees has been operating this policy for some time. Subtle changes in wording however would allow for the consideration of raising land (not simply finished floor levels), so continuous safe areas can be developed where remodelling shows that by raising levels that part of the site becomes flood zone 1. Compensatory storage is a must and cannot simply be provided as volume in the form of a pit, but allowing a reduction in flood levels across a contour confining them to over parts of the site and ensuring flood risk is not increased elsewhere.

Although not expanded upon in local policy at the moment, Kirklees would look at flood risk betterment, rather than like for like in this scenario should it be accepted as policy for the local plan. Currently the Environment Agency are more concerned about compensatory storage in flood zone 3. They will comment on this separately, so the above may only be relevant for surface water flood risk.

### **Surface Water Flood Risk (Catchment Flows)**

Where this site is unique, is the risk of deep surface water flooding across the site from the sider catchment. Compensatory storage here can be done by providing volume as inferred in the FRA. This will need to be adjusted at detailed design and clearly demonstrated as actioned. Third generation surface water flood risk maps have been used here with depths for analysis.

We acknowledge that extents for 4<sup>th</sup> generation risk are now published, but updated data for depths have been delayed. It is possible they may be published before detailed design stage and a check and balance will be required potentially via a condition.

A low point or weir point has been identified for escape off site in a blockage scenario for the syphon pipe under the canal. The same reference point affects area surface water flooding with the site being a low spot (basin) in its undeveloped state. Raised ground levels and raised floor levels with a freeboard are discussed in the FRA to mitigate the risk.

Any adjustments to design will require an updated drawing indicating post development levels, the same or greater volumes of surface water run off can be stored within the red/blue line boundary, so as not to make flood risk worse off site. Clear evidence of levels in the surrounding area to demonstrate that water flows away in comparison to the ground levels is required (i.e. we are not simply in a wider basin). This can be conditioned.

### **Watercourses and Sewers in the vicinity of the site.**

We recognise that the history of the site in terms of its industrial past and even the inclusion of cricket pitch in the mid-20<sup>th</sup> century, means that the several feeds from watercourses, surface water sewers and combined sewers into the site and under the canal is confusing and likely to have been altered over the years.

The buildings have been positioned to allow appropriate stand-off distances to Yorkshire Water sewers as indicated on existing databases that could be inaccurate. A condition is needed to ensure that if the location of these sewers is different, an official diversion agreement will be needed separate from the planning application, but the building do not infringe on stipulated stand off distances.

We advise the planning officer that a condition should be made to ensure exact locations are verified before construction work is commenced.

The same will go for watercourses. There are some assumptions around disconnections from the pond area and potentially abandoned sections. Also, for legs coming in from the west of the site (K-M, R-N).

Full surveys will be required for all, including gullies and surface water sewers adjacent to the site at Forge Lane that are show connected to the FRA stated abandoned leg.

To ensure this site can be constructed, and assessment of a potential plan to divert several incoming sections (watercourses, not sewers) should they be found, can be made around the site (see below for historical hypothesis)

Using the word 'around' the site deliberately, please note the 1907 OS Map. This shows railway lines on site. The modern overlay from our database of watercourses and outfalls (blue lines), potentially match what could be open sections of watercourse coming in from the south (twin parallel lines) in two places on the historical map. The lines that continue around the perimeter of the site to the point where we have the syphon sewer.

Another watercourse line shows going straight to 'gravel' pit. This will be the forerunner to the modern pond.

This theory gathers strength with the 1922 map that shows a directional arrow associated with watercourse flows, running around the site in an anticlockwise direction.

The 1955 plan shows the gravel pit to have become a slurry pit. The directional arrow at the southern border has gone, but two notes of 'issues' and 'sinks' confirm the watercourses coming in from the south and turning east, but now in culvert on site. Confusingly, a directional arrow does appear on the northern section but pointing east, not west.

By 1966 the arrow is not there but the OS map indicated a 'drain' which is a surface feature. This could be a field drain dropping into the canal. It is still present in 1970. We recommend an examination of potential outfalls into the canal from the site.

By 1990, the cricket ground has gone, and an open watercourse is shown right across it south to north and then moving west (not around the site).

It is Kirklees' policy to open up watercourses (de-culvert) where reasonably practicable. This needs to be reflected in any submission or reasons given the policy is inappropriate in this instance.

### **Surface Water Disposal**

The LLFA support the disposal of site surface water to watercourse. However, the use of 4.8l/s (3l/s and 1.8l/s) does not follow Kirklees guidance. The minimum restriction of 3l/s or 3.5l/s is present so a 75mm orifice is achieved as an absolute minimum on flow control devices. 100mm is preferred as the risk of blockage is too high and can be argued to be an increase in risk contrary to NPPF.

For the developed area (areas of hardstanding), the LLFA are prepared to sanction 5l/s/ha discharge from this site to be split up proportionately, or close to, with a 3.5l/s minimum for the smaller site. This reflects our current guide. This will reduce the attenuation requirement.

We support the gravity solution and would object to a pumped version in line with guidance on sustainable drainage.

Full details can be conditioned as it has been demonstrated space can be made for water. Please note any box culvert or crate storage must be 2.5m from a building.

The use of open suds as opposed to plastic or concrete storage should be considered for further design, including connecting swales.

### **Construction phase flood and pollution mitigation (Temporary Drainage)**

This aspect can be conditioned.