

Kirklees Metropolitan Borough Council
Planning Services

Our ref: RA/2025/148688/01-L01
Your ref: 2025/91665

Emailed:
Planning.ContactCentre@kirklees.gov.uk

Date: 28 August 2025

Dear Sir/Madam,

**RE: CHANGE OF USE AND ALTERATIONS TO VACANT/ COMMERCIAL/
RESIDENTIAL UNIT TO FORM 3 APARTMENTS
AT: MILLSIDE HOUSE, 887, BRADFORD ROAD, BIRSTALL, BATLEY, WF17 8NN**

Environment Agency position

Thank you for your consultation regarding the above proposal which was received on 18/08/2025. We **object** to the planning application, as submitted, because the **risks to groundwater from the development are unknown**. The applicant has not supplied adequate information to demonstrate that the risks posed to groundwater can be satisfactorily managed. We recommend that planning permission should be refused on this basis in line with paragraph 187 of the NPPF.

Reason(s)

Our approach to groundwater protection is set out in [The Environment Agency's approach to groundwater protection](#). In implementing the position statements in this guidance, we will oppose development proposals that may pollute groundwater especially where the risks of pollution are high, and the groundwater asset is of high value.

Groundwater is particularly sensitive in this location because the proposed development site is located upon a secondary aquifer [B].

To ensure development is sustainable, applicants must provide adequate information to demonstrate that the risks posed by development to groundwater can be satisfactorily managed. In this instance the applicant has failed to provide this information and we consider that the proposed development may pose an unacceptable risk of causing a detrimental impact to groundwater quality because no details of **foul sewage** disposal have been submitted.

Overcoming our objection

In accordance with The Environment Agency's approach to groundwater protection we will maintain our objection until we receive further information or a satisfactory risk assessment that demonstrates that the risks to groundwater posed by this development can be satisfactorily managed.

The applicant must submit information about the proposed development's foul sewage disposal plan and demonstrate to the satisfaction of the LPA that the risks to groundwater have been fully understood and can be addressed through appropriate measures.

If the applicant is unable to provide this information, they should submit a Preliminary Risk Assessment (PRA) which includes but is not limited to a desk study, site walkover, conceptual model, initial risk evaluation, details of any uncertainties, data gaps and limitations, conclusions and justification for assumptions.

Informative

Flood risk standing advice applies

The proposed development falls within Flood Zone 2, which is land defined in the planning practice guidance as being at risk of flooding. We have produced a series of standard comments for local planning authorities and planning applicants to refer to on 'lower risk' development proposals. These comments replace direct case-by-case consultation with us. This proposal falls within this category. These standard comments are known as Flood Risk Standing Advice (FRSA). They can be viewed at <https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications#when-to-follow-standing-advice>. We recommend that you view our standing advice in full before making a decision on this application.

Yours faithfully,

Miss Jenny Hart
Planning Advisor

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