

Elenya Jackson
Kirklees Metropolitan Borough Council
Development Management
PO Box B93
Huddersfield
West Yorkshire
HD1 2JR

Our ref: RA/2025/149024/01-L01
Your ref: 2025/92728
Date: 17 December 2025

Dear Elenya Jackson

**ERECTION OF 33 DWELLINGS WITH ASSOCIATED CAR PARKING AND
LANDSCAPING
LAND AT, DOWKER STREET, MILNSBRIDGE, HUDDERSFIELD, HD3 4JU**

Thank you for consulting us on this application.

Environment Agency position

We object to this application as it involves building over and works within 8 metres of a watercourse. As submitted, it is unlikely that we would grant a flood risk activity permit for this application.

Reason(s)

The proposed development would restrict maintenance and emergency access to the watercourse. The permanent retention of a continuous unobstructed area is an essential requirement for future maintenance and/or improvement works.

We note that the easement for the culvert has been measured from the centre line of the culvert. The easement should be measured from the outer edge of the culvert. We note that Plot 01-03 is on the edge of the easement measured from the centre of the culvert, it is therefore highly likely that the Plot will be within the required easement when measured from the outer edge of the culvert. We also note that the proposed development involves locating car parking over the culvert.

Overcoming our objection

The applicant should rearrange the site so that there is no development within 8m or 45 degrees from the outer edge of the culvert, including car parking.

Flood mitigation around culverts should consider what would happen if the culvert collapses. Consideration should also be given to the maintenance of the culvert and if there are opportunities to deculvert the watercourse.

Environmental permit - advice to applicant

Environment Agency
Lateral 8 City Walk, LEEDS, LS11 9AT.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

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The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

If you are minded to approve the application contrary to our objection, please contact us to explain why material considerations outweigh our objection. This will allow us to make further representations. Should our objection be removed, it is likely we will recommend the inclusion of conditions on any subsequent approval.

Yours sincerely

Mark Williams
Planning Advisor for Yorkshire Sustainable Places Team
Environment Agency

Direct e-mail sp-yorkshire@environment-agency.gov.uk