Consultation Response from KC, Lead Local Flood Authority
2025/92882 Cellars Clough Mill, Manchester Road, Marsden, Huddersfield, HD7 6LY
Erection of 75 dwellings with associated parking, infrastructure, hard and soft landscaping and access from Manchester Road
Date Responded: 15th December 2025 Responding Officer: Paul Farndale Responding Ref: 1

Kirklees Flood Management & Drainage acting as Lead Local Flood Authority OBJECTS to this application on the grounds of flood risk.

Sequential Test/Sequential Approach

A submitted document repeats that a previous application for development of this site passed a sequential test. This is deemed irrelevant as the Flood Risk Maps for Planning updated in March 2025 are significantly different to that at the time of the application. This is reflected in maps for Kirklees SFRA 2016. The main difference is that area affected by flood zone 3 has changed. The sequential test process should reflect the new mapping only.

Please note that area of the development site located in flood zone 2 has reduced.

In terms of a sequential approach within the site which may negate the need to sequential testing, this is not the case here given that areas of flood zone 3 are being development and are used as parking as opposed to open space/landscaped areas.

We advise that the planning officer meets with planning policy and the LLFA over this matter.

In addition, a new SFRA has been produced in draft form but not yet adopted. Should it be adopted before the application is determined that the application is likely to be rejected on policy grounds as areas of functional floodplain are proposed to be developed.

An allocated site may have already passed a sequential test process, and this must be considered, however a sequential approach would be expected, and this has not been achieved in limiting the developed areas to flood zone 1. The developed area includes flood zone 3.

The exceptions test/vulnerability classification table used in the submitted flood risk assessment should NOT be used to justify development without a sequential test or approach. Risk should be avoided as a first principle and not immediately considered as to be mitigated.

Main River Flood Levels and Ground Levels

The Environment Agency will provide a consultation response with the assumption that a sequential test has passed. They do not get involved in this aspect. Should the sequential test/approach be rejected then the EA's comments are not relevant and should be discarded.

We deem the submitted flood risk assessment to be incomplete. The EA should comment on the stated flood levels for the site and whether these are accepted.

The FRA suggests that the western part of the site has existing ground levels above that of the 1 in 100 + 30% climate change fluvial model, but this is not so as you move eastward. The height of the boundary wall should be ignored in planning as defences are assumed to fail.

A suggested finished floor level of 162.000 AOD has been suggested but is not labelled on any drawings.

The highest level for fluvial flooding from the nodes taken from the EA's model is 160.92 AOD.

The FRA states that access roads will be 300mm above this level, but no levels are shown. A drawing for compensatory storage indicates that ground levels for the parking area will be unchanged from

existing but again does not mention what they are. We cannot therefore identify whether the stated freeboard above the flood levels has been achieved.

In terms of compensatory storage. This is a matter for the EA to examine. However, we politely point out that this cannot be provided as simply a depression in the ground as this will just fill up. Compensatory storage needs to be for flows not volumes and should be made across contours, so the river widens at this point.

The positioning of a car park in flood zone three (if ground levels are not altered as the compensatory storage plan shows) is a serious risk. Cars can move and float in a depth of 300mm. For development in this area, the sequential test and approach need to be considered first as a risk avoidance assessment, not immediately consider mitigation.

That said there is no suggested mitigation for floating cars for this site.

Mill Pond

An assessment of the mill pond is required for structural safety, and a plan is required to bring the structure up to standard to reduce flood risk. In addition, overflows and sluices should also be examined to fully understand how the pond was designed to operate. Upgrades may be required. Safe overflow must be considered as part of a submitted Flood Risk Assessment.

An emergency drain down of the pond is required to be installed as part of the development and the mitigation of flood risk from this elevated body of water.

We understand a piped section (culvert) leads from the pond (there were two originally) and crosses the site. This is not depicted on any drawings, and we assume that the suggested layout is built over it in part which the LLFA object to. All pipe work should be clearly shown on drawings.

Surface Water Flow Routes

Pre and post development surface water flood risk should be clearly assessed in the submitted FRA, safe flood routing through the site is required and should not affect the areas around property or produce significant ponding on site.

Surface Water Design

As the site has been cleared for some time, the LLFA will impose a greenfield discharge restriction. The access road must be considered. Only this area will be considered as brownfield and a 30% reduction in discharge rates for this area will be accepted. Greenfield rates of 5l/s/ha will be accepted for the remainder of the site which is to be developed. Independent landscaped areas should not form part of this calculation as this would result in ‘double’ counting as it won’t be formally drained.

Pipework is to be promoted for attenuation and greener SUDS should be considered in their place.

The use of permeable paving with storage in voids is not encouraged. This will not be adopted by Yorkshire Water or a NAV alternative. The areas shaded for this purpose will no doubt have other services utilising this area maintenance difficulties, geotextile requirements, etc would be impractical. Adjacent land could be considered for swales and basins but the requirements for compensatory storage may preclude this.

Kirklees COUNCIL