Consultation Response from KC, Lead Local Flood Authority
2025/93355 Land off, Woodward Court, Mirfield, WF14 0PY
Erection of 75 residential dwellings with associated landscaping, open space, highways and drainage infrastructure
Date Responded:22nd March 2026 Responding Officer: Paul Farndale Responding Ref:

Kirklees Flood Management & Drainage has concerns over the development of this application and OBJECTS until further information/assessment is carried out.

Please refer to my pre-application comments that are repeated in the flood risk assessment and drainage strategy for this site.

Under a previous application for this site there was extensive soakaway testing carried out and deemed to be viable. The current application initially came to a different conclusion.

The LLFA had concerns over the previous testing carried out due to the possibility of grouting to take place for coal mine remediation. This could alter ground conditions and render the testing irrelevant.

The previous application had a plan B which was to connect to the local sewer network if necessary. Space had been made for attenuation for both solutions and therefore a condition could be set whilst the planning officer dealt with other items.

For this application Yorkshire Water has taken the stance that the public sewer has no capacity for foul or surface water. Sites do have a right to connect to sewer for foul water (but Yorkshire Water can suggest where exactly).

Also if this site has been assessed in the local plan with Yorkshire Water being consulted, and allocated, this statement carries no weight. Discussions have taken place with Yorkshire Water to this effect.

Matters for surface water are different. In response to Yorkshire Water's pre-application comments and the LLFA advice, a u-turn has developed where the applicant now believes soakaways are viable in a given area, contradicting an earlier statement.

The planning officer must be certain soakaways can work and attention must be focussed on the nature of the substrata (after grouting has taken place). This site has shallow bedrock so there is no significant depth of of free drainage material usually associated with good infiltration potential. In this scenario fissures in the bed rock are relied upon. In our experience, testing carried out in compliance with BRE Digest 365 can produce false results in this scenario.

If water levels in test pits reduce and give a good reading, it is possible that the limited volume used in such tests is moving laterally along the bedrock. A storm event where significant volumes of water land on whole site can gave rise to re-emergence at lower levels as in a case study in Scholes, Holmfirth despite initial positive testing.

Using soakaways in linear pattern along a contour would reduce this risk as more fissures are likely to be picked up (soakaways were located in small isolated areas in the Scholes example). This still does not consider mine workings which could also give false results as a receptor, and the grouting to be carried out that alters sub-strata.

We therefore recommend that the NATIONAL COAL AUTHORITY is asked to give a statement on their opinion of soakaways used on this site with regard to mine workings.

We believe cross section of substrata across the site should be provided and an independent assessment from a suitably competent geotechnical specialist be sought on behalf of the Council.

Please note that there are larger surface water pipes available some distance from the site which may be considered in conversation with Yorkshire Water and the LLFA should the planning authority be advised that the use of soakaways pose a risk.