

Kirklees Metropolitan Borough Council -
Development Management
Huddersfield, HD1 2JR

Reference: PA-0001630/01
Customer reference: 2026/90811
27 April 2026

Sent via email

Dear Planning Team,

Extension of hardstanding to increase area of parking and used car display

Trust Ford, St. Andrews Road Huddersfield Kirklees HD1 6RJ

Thank you for consulting us on the above. As part of this consultation, we have reviewed the following documents:

- [Existing Site / Block Layout \[id 1132592\]](#) Size: 706KB 24/03/2026 - AA05-11 Dated 19.05.2025
- [Existing Site / Block Layout \[id 1132590\]](#) Size: 861KB 24/03/2026 - AA05-10 Dated 19.05.2025
- [Location Plan \[id 1132588\]](#) Size: 212KB 24/03/2026 - AA05-OS Map Dated 18.05.2025
- [Grouped Plans and Elevations \[id 1132581\]](#) Size: 354KB 24/03/2026 - AA05-01 Rev E Dated 15.01.2026
- [Design and Access Statement \[id 1132594\]](#) Size: 80KB 24/03/2026 - Design and Access Statement 24.03.2026
- [Ecological/Biodiversity Statement \[id 1132591\]](#) Size: 3.6MB 24/03/2026 - BNG - Trust Ford - V2 - HD1 6RJ - 13-03-2026

Environment Agency position

We **OBJECT** for the reasons detailed below.

Fisheries Biodiversity and Geomorphology

The submitted planning application and associated documents indicate that changes are proposed within 8 metres of the top of the bank of the watercourse and/or within the watercourse which will have a detrimental impact on biodiversity and physical habitats.

Some or all of the proposals will also require:

- **a flood risk activity permit under the Environmental Permitting (England and Wales) Regulations 2016**

which is unlikely to be granted for the current proposed development.

We therefore object to the proposed development and recommend that planning permission is refused.

Reasons:

From the site layout plans (listed above) it is not clear whether the applicant will be extending the hard surfacing towards the river Colne and therefore increasing riparian encroachment at this site.

Additionally, the supporting documents provided do not adequately show that it will not have a detrimental impact on the watercourse, its corridor and associated physical habitats. Specifically, the riparian corridor.

In addition to this, when determining the flood risk activity permit for this development, we will assess its compliance with the Humber River Basin Management Plan (RBMP). We will also consider how the development will affect water biodiversity and the wetland environment. The RBMP states that the water environment should be protected and enhanced to prevent deterioration and promote the recovery of water bodies.

This objection is supported by paragraphs 187 and 193 of the NPPF which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, planning permission should be refused.

The Kirklees Local Plan policy [LP30] also states that:

Biodiversity and Development Development proposals will be required to:

- (i) result in no significant loss or harm to biodiversity in Kirklees through avoidance, adequate mitigation or, as a last resort, compensatory measures secured through the establishment of a legally binding agreement;
- (ii) minimise impact on biodiversity and provide net biodiversity gains through good design by incorporating biodiversity enhancements and habitat creation where opportunities exist;
- (iii) safeguard and enhance the function and connectivity of the Kirklees Wildlife Habitat Network at a local and wider landscape-scale unless the loss of the site and its functional role within the network can be fully maintained or compensated for in the long term;
- (iv) establish additional ecological links to the Kirklees Wildlife Habitat Network where opportunities exist; and
- (iv) incorporate biodiversity enhancement measures to reflect the priority habitats and species identified for the relevant Kirklees Biodiversity Opportunity Zone.

The objection is also supported by Section 41 of the NERC Act 2006 which lists rivers as a priority habitat and Section 40, as amended by section 102 Environment Act 2021, which establishes a general duty on public authorities, to conserve and enhance biodiversity through the exercise of its functions. Therefore, we as a public authority must assess how proposals within our remit could conserve and enhance biodiversity and include this as part of our decision making process when considering external proposals.

Overcoming our objection

It may be possible to overcome this objection if the Applicant submits revised plans that show:

- the location of the bank top on the site plan
- The extent of existing hard surfacing across the site
- The extent of vegetation and natural surfacing across the site
- Maintenance of the existing ecological buffer zone at the site. The buffer zone is measured from the bank top (defined as the point at which the bank meets the level of the surrounding land) alongside the River Colne (Colne from River Holme to River Calder, GB104027062550).

We wish to be consulted on the plans requested above, on any design changes, additional mitigation, compensation or enhancement measures relating to our comments that might subsequently be proposed.

Informative: BNG – Missing Watercourse Units.

The Biodiversity New Gain assessment [Ecological/Biodiversity Statement [id 1132591] Size: 3.6MB 24/03/2026 - BNG - Trust Ford - V2 - HD1 6RJ - 13-03-2026] only accounts for Habitat Units. The red line boundary of the site appears to be within 10m of the bank top therefore we believe the applicant has missed Watercourse Units from their assessment. To meet the trading rules for this site, the applicant will be required to deliver 10% uplift in Watercourse Units. We recommend the LPA seeks an updated BNG assessment and metric calculation.

Flood Risk

Works are wholly within Flood Zone 1 and we have no flood defence assets in this area. The works do not appear to impact our access to the watercourse. We therefore have no objection on flood risk grounds. We recommend that the LLFA is consulted to provide comments on the potential impact of the proposed development on surface water flooding.

Environmental permit – Flood risk activities - advice to applicant

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any of the following activities:

- erecting any temporary or permanent structure in, over or under a main river, such as a culvert, outfall, weir, dam, pipe crossing, erosion protection, scaffolding or bridge
- altering, repairing or maintaining any temporary or permanent structure in, over or under a main river, where the work could affect the flow of water in the river or affect any drainage work
- building or altering any permanent or temporary structure designed to contain or divert flood waters from a main river
- dredging, raising or removing any material from a main river, including when you are intending to improve flow in the river or use the materials removed
- diverting or impounding the flow of water or changing the level of water in a main river
- quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- any activity within 8 metres of the bank of a main river, or 16 metres if it is a tidal main river
- any activity within 8 metres of any flood defence structure or culvert on a main river, or 16 metres on a tidal river
- any activity within 16 metres of a sea defence structure
- activities carried out on the floodplain of a main river, more than 8 metres from the river bank, culvert or flood defence structure (or 16 metres if it is a tidal main river), if you do not have planning permission (you do not need permission to build agricultural hay stacks, straw stacks or manure clamps in these places)

For further guidance please visit [Flood risk activities: environmental permits - GOV.UK](#) or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

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.

Note to LPA

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.

creating a better place
for people and wildlife



Please note that our comments are based on the details available to us at the time of writing. If any subsequent changes are made to the application, please reconsult us.

Should you have any queries regarding this response, please contact me.

Yours faithfully,

Jennifer Wilson

Planning Specialist

E-mail sp-yorkshire@environment-agency.gov.uk