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Environment Agency

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

Reference: PA-0003854/01
Customer reference: 2026/90975
29 May 2026

Dear Kerri Simpson,

Erection of an industrial/commercial unit (Use Class B2) at land adjacent Victoria Spring Business Park, Wormald Street, Millbridge, Liversedge, WF15 6RA

Thank you for your consultation regarding the above proposal which was received on 8th 2026.

Environment Agency Position

We have reviewed the information submitted with the application and ***we object to the proposal*** and recommend that planning permission is refused. Our detailed comments are as follows.

Flood Risk

We have reviewed the following Flood Risk Assessment (FRA) titled 'Flood Risk Assessment and Drainage Strategy (Rev C)', prepared by Advant Engineers, document reference '25048-DOC-001-C' and dated 11th March 2026.

Objection 1

In the absence of an adequate FRA we object to this application and recommend that planning permission is refused.

Reason(s)

The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 20 to 21 of the Flood Risk and Coastal Change Planning Practice Guidance and its site-specific flood risk assessment checklist. In particular, the FRA fails to:

- Adequately assess flood risk to the site.
    - We note that the FRA states that crest level of the flood defence wall is 58mAOD. According to our best available data for Asset ID 50692, the upstream crest level is 57.59mAOD and the downstream crest level is 57.07mAOD.
- Provide details of appropriate mitigation.
    - The proposed finished floor levels are below the design flood level (1% AEP plus climate change).

- Demonstrate that the proposed development will not increase flood risk to others.
- Consider access and egress

Overcoming our objection
To overcome our objection, the applicant should submit a revised FRA which addresses the points highlighted above. If this cannot be achieved, we are likely to maintain our objection. Please re-consult us if a revised FRA is submitted and we will respond within 21 days of re-consultation.

Objection 2
We object to this application as it involves works within 8 metres of a flood defence. 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 defences. The permanent retention of a continuous unobstructed area is an essential requirement for future maintenance and/or improvement works.
The proposed development is likely to adversely affect the construction and stability of the flood defence which will compromise its function. The proposed development will therefore increase the risk of flooding to Heckmondwike.

Overcoming our objection
The proposed development should be revised so that there is a minimum distance of 4 metres between the footings of any flood defences and any built development.

Informative
Environmental permit for 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.

If you have any questions regarding our response, please contact sp-yorkshire@environment-agency.gov.uk.

Yours sincerely,

Alexandra Choat,
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