

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

Reference: PA-0013229/01
Customer reference: 2026/91967
20 October 2026

Dear Nicole,

**Change of use from breakers yard to form car wash including erection of 3
buildings, walls and associated works**

485 Bradford Road Batley WF17 8LB

Thank you for consulting us on this application which we received on 30 September 2026.

Flood Risk

Our Flood Map for Planning shows the site lies within Flood Zones 2 and 3, with a medium / high probability of flooding from rivers and/or the sea. The application is for a 'less vulnerable' land use in [Annex F \(Table 2\)](#) of the National Planning Policy Framework. It is therefore necessary for the application to be supported by a site-specific flood risk assessment (FRA), which can demonstrate that the 'development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall'.

Flood Risk Assessment

An FRA by Krypton Structure reference Job No: KS 1185, Revision A dated 8 July 2026, has been submitted in support of the application.

The FRA has identified that the site could flood up to 60.07mAOD in certain circumstances. We note that 59.91mAOD is identified as the design flood level, but we consider it more appropriate to use 60.07mAOD as the highest level shown in the model.

It appears that no land raising is proposed on site; however, the FRA states that finished floor levels will be set at 60.25mAOD. It hasn't been clarified which finished floor levels these are, either the new structures or the existing buildings on site.

If new buildings have raised finished floor levels, they would reduce floodplain storage on site and displace it off site.

Because the FRA hasn't demonstrated that the proposed development won't increase flood risk off site, we have the following response.

Environment Agency position

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

Reasons

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. The FRA does not therefore adequately assess whether the development will increase flood risk elsewhere. In particular, the FRA fails to:

- clearly demonstrate the impact of the proposed development on onsite floodplain storage volume and off-site flood risk.
- demonstrate that offsite flood risk will not be increased.

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.

In order to overcome our objection, the applicant will need to clarify whether the existing buildings on site are being redeveloped as part of this proposal or whether it is limited to the new buildings shown. The applicant will need to clarify whether the proposed finished floor levels related to new or existing buildings and show any impact on the volume of floodplain storage available on site, up to and including the design flood event.

Finally the applicant will need to demonstrate that the proposed development will not increase flood risk off site, for instance by displacing flood water onto nearby receptors.

Environmental permit – Flood risk activities - advice to applicant

The site is close to Carlinghow Brook which is designated as a main river.

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 riverbank, 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 haystacks, straw stacks or manure clamps in these places)

For further guidance please visit [Flood risk activities: environmental permits - GOV.UK](https://www.gov.uk/guidance/flood-risk-activities-environmental-permits) 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.

Water Quality – advice to LPA/applicant

Effluent discharged from any premises carrying on a trade or industry and effluent generated by a commercial enterprise where the effluent is different to that which would arise from domestic activities in a normal home is described as trade effluent.

If you are not able to discharge effluent it will be classed as waste and you must then comply with your duty of care responsibilities.

- If proposing to discharge to non-mains:

If you wish to discharge effluent after appropriately treating it to groundwater or surface water a permit under the Environmental Permitting Regulations will be required. Further guidance on this is available at Discharges to surface water and groundwater: environmental permits - GOV.UK (www.gov.uk).

- If proposing to discharge to mains:

A trade effluent consent or a trade effluent agreement with your water and sewerage company must be obtained before you discharge trade effluent to a public foul sewer or a private sewer that connects to a public foul sewer.

Further guidance is available at: [Pollution prevention for businesses](#)

If you need any clarification or further information, please contact us by email at: sp-yorkshire@environment-agency.gov.uk.

Yours sincerely,

Bev Lambert, Planning Advisor
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