

CALDERDALE METROPOLITAN BOROUGH COUNCIL

QUESTION UNDER RULE 13 OF THE
COUNCIL PROCEDURE RULES

Council Meeting: **Wednesday, 26 November 2025**

Question from: **Councillor Webster**

Question to: **Councillor Durrans, Cabinet Member with
responsibility for Public Services and Communities**

In 2016 CVSH received a £2,500 grant as well as business rate relief from a business recovery scheme for flood damage, yet their subsequent planning application stated the site had never flooded. Did we verify the company's flooding claims when assessing the planning application and the environmental permit appeal, given our stated commitment to minimise environmental impacts?

What internal procedures do we as a Council use to identify and record conflicting evidence during planning and permitting decisions, and how were those procedures applied in this case?

As Ward Councillor, I have time-stamped photographs showing recent flooding at the site; what steps can we now take to manage the flood risk, considering planning permission and the environmental permit have both been granted?

Answer:

At paragraph 80 of his decision letter, the Inspector determining the planning appeals concluded that:

"...I have had regard to the concerns raised by interested parties with respect to the adequacy of the existing site drainage system and evidence showing that parts of the site, including the area around the appeal building, have been the subject of surface water flooding in recent years. Nevertheless, having had regard to that evidence, it appears to me that the mitigation measures referred to above, such as flood gating and elevating sensitive equipment, would also be likely to be sufficient to adequately safeguard the scheme from surface water flood risk." [Underlining added]

The Inspector was therefore aware of the objectors' submissions that the site had flooded; however, he did not consider that it was necessary to reach a conclusion one way or another about historic flooding because there was sufficient evidence to conclude that the known risk could be adequately mitigated.

In terms of the cross-checking point: firstly, this exercise was not necessary because the balance of evidence indicated that the site could be developed safely, irrespective of being in a high-risk flood area (a conclusion self-evidently accepted by the Environment Agency and Inspector); and secondly, the flood grants and planning application were handled by different teams of officers at different points in time. In relation to the second point, a proportionate approach must be taken to assessing evidence submitted by applicants for planning permission.

Going forward, flood risk must be managed in accordance with the relevant planning permissions.

NOTE: Questions under Rule 13 must be in writing and submitted to the Head of Legal and Democratic Services by noon the Friday before the Council Meeting.