

DC Admin

From: Elliot Denby - BTP Architects
Sent: 13 January 2026 12:23
To: Elenya Jackson
Cc: Nick Hirst
Subject: [Filed on 2026-01-13] FW: 4016_WS_Dowker St_FRA

Importance: High

Hi Elenya,

I hope you are well.

Please see response from our planning consultant regarding LLFA objection at Dowker Street for your review.

Kind regards,

Elliot Denby

Director

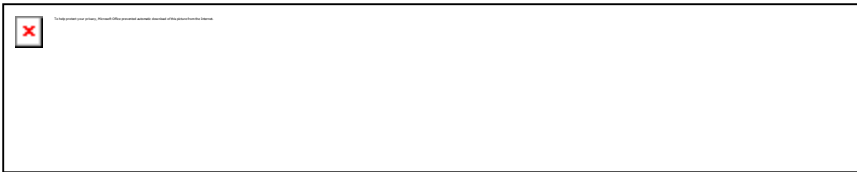
BA(Hons), M.Arch, ARB, RIBA.



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From: Matthew Wyatt

Sent: 13 January 2026 12:14

To: Elliot Denby - BTP Architects

Cc: Craig Dulson

Subject: RE: 4016_WS_Dowker St_FRA

Hi Elliot,

I have reviewed the LLFA objection and noted their request for a new Sequential Test due to updates to the National Flood Risk Maps in March 2025.

I must strongly contest the requirement for a new Sequential Test. While the LLFA provides technical drainage advice, the application of the Sequential Test is a planning policy matter for the Local Planning Authority to determine. I recommend that the LPA is asked requested to confirm the submitted test is sufficient based on the following material considerations:

1. The Fallback Position and Principle of Development

The site benefits from a recent, extant planning permission (Ref: 2023/62/92490/W) granted on 14th August 2025 for 35 dwellings. This permission established the principle of residential development on this site and was granted following the acceptance of a Flood Risk Sequential Test. Indeed, the LPA must have been satisfied with the content and quality of the test (which has been submitted again as part of the current application), only 5 months ago. This is not a significant time period.

This extant permission furthermore represents a realistic and deliverable fallback position. It would be procedurally inconsistent for the LPA to require a fresh search for alternative sites for a scheme of 33 dwellings (a reduction in quantum) when the Council has already conceded that a larger scheme of 35 units is acceptable on this exact footprint. The fact that the permission exists is a very significant material planning consideration.

2. Disproportionate Burden

The Sequential Test accepted for the fallback scheme was comprehensive. It evaluated 205 sites within the Huddersfield Local Market Area and concluded there were no reasonably available, suitable, or viable alternatives.

The Council has already accepted that a 100% affordable housing tenure is the only viable delivery model for this brownfield site. To require a repeat of this extensive exercise for a smaller version of the same scheme is a disproportionate burden that serves no planning purpose. The lack of alternative sites has essentially been proven.

3. The Role of the LPA vs. LLFA

The LLFA objection states that the applicant 'should meet with the planning officer... to examine the search area'. I would respectfully submit that this search area was examined and agreed upon during the assessment of the extant permission. The planning balance—weighing flood risk against the benefits of affordable housing and brownfield regeneration—has already been struck in favour of development. Indeed, and if necessary, I would be able to locate case law and appeal decisions that determine that even if the sequential test is deemed by the LPA to be failed, then material considerations can outweigh the harm generated as a result of any policy conflict.

4. Technical Matters (Flood Maps & Drainage)

The LLFA notes that National Flood Risk Maps were updated in March 2025. While I acknowledge this update, as planning consultants, PWA Planning cannot comment on specific hydraulic modelling changes. I understand from our discussions that the Applicant's drainage consultants, AJP, are currently reviewing the LLFA's technical comments regarding the map updates, culvert stand-offs, and crate storage to ensure the engineering solution remains robust.

However, the change in maps does not alter the fact that the principle of developing this site has been established by the extant permission, which was granted subsequent to the flood map updates.

Conclusion

My advice is that you ask the LPA to confirm that a new Sequential Test is not required. The proposal is for a lesser quantum of development than the approved fallback scheme, and the material considerations regarding this, housing supply and the tilted balance weigh heavily in favour of approval without redundant policy hurdles.

All the best,

Matthew Wvatt MRTPI | Associate



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From: Elliot Denby - BTP Architects
Sent: 13 January 2026 11:06
To: Matthew Wyatt
Subject: 4016_WS_Dowker St_FRA
Importance: High

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Hi Matt,

I hope you are well.

Please find attached consultee response for Dowker Street. Please can you review and provide a response?

Kind regards,
Elliot Denby
Director
BA(Hons), M.Arch, ARB, RIBA.



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