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WALSINGHAM PLANNING

SPECIALIST PLANNING & DEVELOPMENT CONSULTANTS

Sequential Test Report

Land at Lynchmead Farm

Weston-super-Mare, North Somerset

On behalf of Mead Realisations Ltd

June 2020

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I INTRODUCTION

- I.1 This statement has been prepared by Walsingham Planning (WP), on behalf of Mead Realisations Ltd (the Applicant), to support an Outline planning application for residential development at Land at Lynchmead Farm, Weston-super-Mare.
- I.2 Pre-application discussions have been held with North Somerset Council (advice attached at **Appendix I**). As the site lies within an area identified as being at possible risk of flooding a sequential test is required in accordance with National Guidance, to test the site against known alternatives.
- I.3 This report provides:
- A description of the proposed development
 - The sequential testing of the site (including the methodology applied)
 - Exceptions testing
 - Overall conclusion
- I.4 This report should be read alongside the Flood Risk Assessment (FRA) prepared by Vectos dated July 2019 which is attached at **Appendix 2** for reference.

2 OVERVIEW

THE SITE

- 2.1 The application site comprises of undeveloped land extending to an area of approximately 4.99 hectares to the North-East of Weston-super-Mare (GR: Easting 335833, Northing 164349).
- 2.2 The site boundary is lined with hedgerow and trees to the North, East and West which leads to more agricultural fields. However, Ebdon Road is located on the Southern Boundary of the site, separating the site from the existing residential development.
- 2.3 According to the EA flood map the site is located within Flood Zone 3a, however, the site is located in an area that benefits from flood defences.

PLANNING BACKGROUND

- 2.4 The application site was assessed as part of a larger site (which includes land further north) in North Somerset Council's most recent 2018 SHLAA as 'Lynchmead Farm, Ebdon' (Ref HE18127). The 2018 SHLAA classed the site as unlikely due to being within Flood Zone 3a (Tidal), which shows the need for sequential tests to be undertaken. However, the SHLAA 2014 identified the site (including land further north) as a potential for residential or employment development and the SHLAA schedule shows a potential yield of 236 dwellings at the site.
- 2.5 It should be noted that at the time of writing this report North Somerset Council are preparing a new SHLAA as part of the evidence base for the emerging new Local Plan. This will include a reassessment of the sites submitted to the 2018 SHLAA. As the 2018 SHLAA was the latest available information at the time of writing it has been considered as evidence within this report.
- 2.6 The application site (including land further north) has been subject to pre-application discussions with North Somerset Council. A formal advice letter was received from the LPA on 23rd January 2018 (LPA Ref: 17/P/5072/PRE). A meeting was held with a representative of the North Somerset Planning Department on the 21st February 2019 and an updated formal advice letter was provided on 23rd March 2018. In terms of the Sequential Test, the advice letter states:

'The site is located within a high-risk flood zone (zone 3a). The principal way to manage flood risk is to avoid locating development within areas at risk of flooding. To encourage developers to avoid flood risk areas, Government policy set out in the National Planning Policy Framework and related guidance, requires that a Sequential Test and Exception Test are passed before planning permission is granted for a new dwelling in flood zone 3a.'

2.7 The pre-application advice letter also confirms that the proposals comply with Policy CS28 which allows development proposals of up to 75 dwellings adjoining the settlement boundary of Weston-super-Mare, subject to addressing the detailed criteria in the policy text. It states:

'The site is adjacent to the settlement boundary for Weston-super-Mare and the proposal is not larger than 75 dwellings. Therefore the proposal is compliant with Policy CS28 provided that the detailed criteria set out in that policy are met'

2.8 The advice letter is attached at **Appendix I**. Further information on the planning background can be found in the submitted Planning Statement.

FLOOD RISK

2.9 According to the FRA prepared by Vectos which accompanies this sequential test (attached at **Appendix 2**) the following flood risk characteristics are relevant to the site:

- The site is located in the defended tidal Flood Zone 3. This means that the site is protected from flooding.
- The majority of the site is unaffected by surface water flooding, which is defined as a very low risk. However, some minor areas are susceptible to a greater risk from this source of flooding, including the local rhyne network.
- All other sources of flood risk have been assessed to be low.
- An attenuation led surface water drainage strategy has been proposed to manage the impact of the development on surface water runoff.
- The surface water drainage strategy has been designed to accommodate the 1 in 100-year rainfall event including climate change (40% increase in peak rainfall intensity) and has been based on the principles of Sustainable Drainage Systems (SUDS).

PROPOSED DEVELOPMENT

2.10 The proposals seek outline planning permission for up to 75 dwellings and associated infrastructure. All matters are reserved for future consideration with the exception of access,

details of which form part of the application. The application is supported by an Illustrative Masterplan which shows how a scheme of up to 75 dwellings could be accommodated.

- 2.11 There are two main vehicular accesses to the site proposed off Ebdon Road on the southern boundary, which have been designed in accordance with relevant standards and traffic speeds.
- 2.12 The Illustrative Masterplan includes 6 m maintenance strips and ecological buffers. This has been applied to both sides of the particular rhyne, where they pass through the development (as opposed to on the site boundary).
- 2.13 The Illustrative Masterplan also includes areas of open space, additional planting and a potential area for SUDs.

3 NATIONAL GUIDANCE

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

3.1 Paragraph 155 of the Framework states that:

‘Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.’

3.2 Following this Paragraph 157 states that:

‘All plans should apply a sequential, risk-based approach to the location of development – taking into account the current and future impacts of climate change - so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by:

- a) applying the sequential test and then, if necessary, the exception test as set out below;*
- b) safeguarding land from development that is required, or likely to be required, for current or future flood management;*
- c) using opportunities provided by new development to reduce the causes and impacts of flooding (where appropriate through the use of natural flood management techniques); and*
- d) where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations.’*

3.3 At Paragraph 163 it states that when determining planning applications local planning authorities should:

‘...ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) *within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;*
- b) *the development is appropriately flood resistant and resilient;*
- c) *it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;*
- d) *any residual risk can be safely managed; and*
- e) *safe access and escape routes are included where appropriate, as part of an agreed emergency plan.'*

NATIONAL PLANNING PRACTICE GUIDANCE (PPG)

- 3.4 The PPG supersedes earlier Technical Guidance to the NPPF and clarifies in relation to the Sequential Test that:

'The Sequential Test ensures that a sequential approach is followed to steer new development to areas with the lowest probability of flooding. The flood zones as refined in the Strategic Flood Risk Assessment for the area provide the basis for applying the Test. The aim is to steer new development to Flood Zone 1 (areas with a low probability of river or sea flooding). Where there are no reasonably available sites in Flood Zone 1, local planning authorities in their decision making should take into account the flood risk vulnerability of land uses and consider reasonably available sites in Flood Zone 2 (areas with a medium probability of river or sea flooding), applying the Exception Test if required. Only where there are no reasonably available sites in Flood Zones 1 or 2 should the suitability of sites in Flood Zone 3 (areas with a high probability of river or sea flooding) be considered, taking into account the flood risk vulnerability of land uses and applying the Exception Test if required.'

(Paragraph: 019 Reference ID: 7-019-20140306)

4 THE SEQUENTIAL TEST

Development Description and Location

- 4.1 The development description and location of the site is set out in Section 2 of this document.
- 4.2 The application proposal is for an entirely residential scheme which is classified by the guidance contained within the PPG as being 'More Vulnerable'.
- 4.3 The North Somerset Council's 2014 SHLAA identified the application site as a potential for residential or employment development.

Definition of the Flood Hazard

- 4.4 Information relating to the sources of flooding, how flooding would occur and existing surface water drainage arrangements for the site are set out in Section 2.

Probability

- 4.5 Taking account of the maps of flood risk from rivers and the sea and other sources of information regarding surface water, on the Environment Agency's web site, and detailed hydrological modelling the site is considered to lie within Flood Zone 3a as the land '*has a 1 in 100 or greater annual probability of river flooding.*'

Climate Change

- 4.6 The flood risk probability identified at the site, as assessed with the FRA attached at **Appendix 2**, has fully considered the likely effects of climate change.

The Location of Development and Alternatives Considered

- 4.7 It is recognised that the aim of the sequential test is to steer development into areas with the lowest risk of flooding. Therefore, it is necessary to consider alternative sites in the relevant geographical area. As part of pre-application discussions with North Somerset Council it was agreed that the search area should be limited to Weston-Super-Mare (WSM). The advice letter states:

"The test needs to demonstrate that there are no reasonably available alternative sites within the area of flood risk (in this case, Weston-super-Mare) which can accommodate the proposal."

- 4.8 The approach adopted has considered the following evidence:
- North Somerset SHLAA 2018
 - EA Flood Map for Planning (online)
 - EA Long Term Flood Risk Information Map (online)
- 4.9 WSM includes other Parish areas including Kewstoke, Ebdon, Worle and St George, therefore SHLAA sites in these areas have been considered.
- 4.10 According to the EA Flood Map for Planning (online), the majority of land located within or adjoining the settlement boundary of WSM is constrained by Flood Zone 3 although in areas benefiting from flood defences. This is also reflected on the EA Long Term Flood Risk Information Map (online). There are a number of sites in WSM identified in the SHLAA 2018 which appear to be located fully or partially outside Flood Zone 3 including SHLAA sites HEI8245, HEI8246, HEI8405 and HEI8474 which are considered below.
- 4.11 The SHLAA has assessed site HEI8245 known as ‘Either side of Lower Norton Lane’ as unlikely, the key reason for this conclusion being that it is ‘*mostly Flood Zone 3a land*’. While SHLAA site HEI8246 known as ‘West of Anson Road’ was discounted from the process as a suitable site. SHLAA site HEI8405 known as ‘South of Kewstoke Road’ was assessed as ‘unlikely’ for a number of reasons including its location in Flood Zone 3a and its safeguarded status under Policy DM23. SHLAA site HEI8474 known as ‘108-112 Worlebury Hill Road’ is identified as ‘*potential for further consideration however it is subject to key constraints*’. The site is 0.8 hectares and possible constraints include ‘*landscape impact/impact on trees; bat consultation band C*’. Therefore, whilst site HEI8474 is subject to a number of key constraints, significantly it is much smaller than the application site and therefore not appropriate for the proposed development.
- 4.12 Therefore, as the application site is located in Flood Zone 3a, based on the evidence available it is assumed there are no reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.

Detailed Development Proposals

- 4.13 As part of the detailed design process, careful consideration will be given to the location and siting of the proposed development. Following discussions with the Drainage Board, it is proposed that the development would include a maintenance strip in respect to the Rhynes within the site and along its boundary.

Flood risk management measures and Residual Risk

- 4.14 As shown on the EA flood map, the site is an area benefitted by flood defences, although, the FRA attached at **Appendix 2** has considered a number of management measures to mitigate the risk of flooding including minimum finished floor levels for all dwellings of 6.45m OAD.

Sequential Test Summary

- 4.15 As evidenced above there are no other suitable sites within the search area. The exceptions test is still required, in accordance with the PPG, due to the site falling within an area of flood risk and comprises a 'More Vulnerable' development.

5 THE EXCEPTIONS TEST

5.1 The Exception Test is a method to demonstrate and help ensure that flood risk to people and property will be managed satisfactorily, while allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not readily available.

5.2 In order to pass the test, the proposed development must show that it will provide wider sustainability benefits to the community that outweigh flood risk, and that it will be safe for its lifetime, without increasing flood risk elsewhere and where possible reduce flood risk overall.

5.3 The pre-application advice letter from North Somerset (attached at **Appendix 1**) states:

“For the Exception Test to be passed, you must satisfy the following tests:

- 1. It must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk; (if the Council does not have a five year housing supply this can be used as justification); and*
- 2. A site-specific Flood Risk Assessment must 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.”*

5.4 In regard to *providing ‘wider sustainability benefits to the community that outweigh flood risk’* it should be noted that the scheme will deliver 23 affordable homes which is a significant benefit to the community. Furthermore, as the LPA cannot currently demonstrate a five year housing supply there is a clear justification for the proposals as they will provide a significant boost to the supply of housing in North Somerset.

5.5 The FRA attached at **Appendix 2** provides further information on how the development will be *‘safe for its lifetime, without increasing flood risk elsewhere and where possible reduce flood risk overall’*. As set out in the FRA, in order to protect the proposed development against residual risk and ensure that the development is safe from flooding, flood mitigation measures have been agreed with the Environment Agency. This has included the creation of a safe refuge on an upper floor or roof space.

6 CONCLUSION

- 6.1 This report applies the Sequential Test to proposals to develop land at Lynchmead Farm, Weston-super-Mare for residential purposes.
- 6.2 The flood risk assessment information show that the site lies within flood zone 3a, but is an area that benefits from flood defences, and as such the Sequential Test is required.
- 6.3 The results of the assessment which draw from a range of sources of information and the characteristics of individual sites show that no reasonably alternative sites exist which are at a lesser risk of flooding and it has also been demonstrated that the exceptions test is passed.

Appendix I – North Somerset Pre-application Advice

Appendix 2 – Flood Risk Assessment