

Planning Policy Comments

Application No	APP/22/01231
Address	Palk Road, Bedhampton
Development	90 dwellings and associated car parking, landscaping
Case Officer	AM
Comments By	JB
Date of Comments	24 January 2024

These comments focus on the Sequential Test submitted by the applicant in December 2023. Full policy comments covering other matters were previously provided, dated 15 February 2023. These have not been repeated here.

Flood Risk Sequential Test

The Hermitage Stream runs to the South East of the site. The vast majority of the site lies in present day Flood Zone 1, but a substantial part in the southern east of site is at risk of flooding once climate change is taken into account. Flood Risk is therefore a key consideration in determining whether development here is acceptable. In line with local and national policy and guidance a site-specific Flood Risk Assessment and a Sequential Test are required to support the application.

The applicant submitted a Flood Risk Assessment with the application. The Environment Agency has commented on the application and raised no objection.

The applicant submitted a Sequential Test in November 2023, and an updated version in December 2023. The following comments are offered:

Methodology

The way the applicant's flood risk consultants Ardent have laid out the test, with a table highlighting the risk from different sources and commentary is very helpful. It is easy to follow the approach taken and the conclusions drawn on each site.

However, I question a few aspects of the methodology in principle:

Firstly, while a wide range of sources of information on alternative sites as been considered, the applicant does not appear to have reviewed current applications or land currently on the market. The need to consider these sources is highlighted in the Council's sequential test guide, as well as paragraph 029 of the PPG: *'The applicant will need to identify whether there are any other 'reasonably available' sites within the area of search, that have not already been identified by the planning authority in site allocations or relevant housing and/or economic land availability assessments, such as sites currently available on the open market.'* These additional sources have the potential to identify other alternatives sites within the search area, so if these are omitted, the search is considered incomplete.

Secondly, only brownfield sites have been considered. Considering national guidance, this is not how the sequential test is intended to be applied - it refers simply to steering development to lower risk areas. It does not say that lower risk areas need to have the same brownfield or greenfield status as the proposal site, or that other (non flood risk)

planning considerations regarding what sites are preferable should be taken into account. In fact, the PPG at paragraph 031 is clear that sites should only be rejected through the test *'where, accounting for wider sustainable development objectives, application of relevant local and national policies would provide a clear reason for refusing development in any alternative locations identified.'* A site being greenfield does not provide such a reason in and of itself, and therefore greenfield sites should be considered alongside brownfield ones through the test.

Applicant's Conclusions on the Sequential Test

Momentarily setting aside the above points, the conclusions of the applicant's test are considered below:

Of the 10 sites taken forward to detailed review, 8 have been assessed as unsuitable alternatives as they are unable to accommodate the quantum of development proposed at the Palk Road site, either due to the fact they are physically too small and would not be practical or viable to build across multiple sites to make up the proposed 90 units and/or they are constrained for other reasons as set out in the spreadsheet. While I understand this view from the applicant's perspective, it is contrary to paragraph 028 of the PPG, which states that reasonable alternatives *'could include a series of smaller sites and/or part of a larger site if these would be capable of accommodating the proposed development.'* The applicant's spreadsheet simply dismisses sites that are too small as not being a suitable alternative to the application site, without fully addressing this point.

The remaining two sites are potential alternatives at lower risk of flooding that are large enough to accommodate the envisaged development. Both are allocated sites in the adopted Local Plan. Both are dismissed on the basis that it is not clear whether the site would come forward. In the case of the Goodwillies site, this conclusion is accepted, since there has been no attempt to bring the site forward since that allocation was made in 2014, and the site is no longer being actively promoted. By contrast, the SSE Site on Bartons Road has been the subject of a recent application for residential development (albeit refused in 2022) and is being promoted for development through the emerging Local Plan. It is therefore considered that the site is still likely to come forward. That being said, it is accepted that paragraph 028 of the Flood Risk PPG defines 'reasonably available' sites as 'those in a suitable location for the type of development with a reasonable prospect that the site is available to be developed *at the point in time envisaged for the development.*' There is no current permission or application, and no application is imminently expected. On this basis, it is accepted that it does not meet the PPG definition of a reasonably available site.

Commentary on the Palk Road site

No comment is offered on the points raised in the applicant's letter under the heading 'The Palk Road site', since the arguments made here are not directly relevant to the sequential test.

Conclusion

While much of the submitted sequential test documentation is accepted, overall, it is not considered possible to conclude that the test is passed. This is based on the fact that not all sources of alternative sites have been considered, and small sites have been dismissed in principle.