

PLANNING APPLICATION RESPONSE OF PLANNING POLICY

Application No:	APP/23/00193
Site Address:	11-15 South Street, Havant, PO9 1BU
Development:	Part demolition and part redevelopment of existing buildings and change of use from Class A2, B1(c) and B8 to C3 use with the construction of 7 town house dwellings and 10 apartments at land to the rear of 11, 13 and 15 South Street, Havant.
Case Officer:	AM
Comments by:	JB
Date of Comments:	5 October 2023

NOTE: Policy comments were previously offered on 22 May 2023. This note offers updated comments on flood risk only following the applicants' submission of a sequential test.

Previously, policy comments had highlighted that based on the latest Environment Agency mapping, the South Street frontage is at risk of flooding, and that a site specific Flood Risk Assessment (FRA) and a sequential test are therefore required.

The applicant has acknowledged the requirement for a sequential test and has submitted a report documenting their search for alternative sites. That report seeks to show that no suitable alternative sites are available anywhere in the borough, and that therefore the sequential test is passed, and that the exception test is also satisfied.

The applicant was advised in pre-application discussions that the Council's guidance on the sequential test suggests areas of search for different development scenarios. In recognition of Havant town centre's regeneration needs, it is suggested that the area of search may be limited to the Havant town centre regeneration area as defined by policy CS6 of the Local Plan. That guidance was updated in March 2023 giving further detailed reasoning:

The Borough's town centres and the Hayling Island Seafront are areas whose vitality is key for the economic wellbeing of the whole Borough. The seafront and large parts of Havant town centre in particular are at risk of flooding. As individual sites are brought forward for redevelopment to achieve wider regeneration aims, it is acknowledged that there may be sequentially preferable sites. However, since the purpose of such redevelopment is regeneration, it would not be appropriate to seek to direct these developments elsewhere. Therefore, in areas covered by an adopted regeneration driven policy / strategy / masterplan, the sequential test will be applied at site level or group of site level only. The applicant should show how avoidance of risk has been considered in the design and layout of the proposed development and wider regeneration plans.

While the South Street area is not specifically identified in council policy as an area in need of regeneration, it does fall within the boundary of the defined town centre through Policy CS4 and regeneration policy CS6. Overall, from a policy perspective I am satisfied that the redevelopment of this site has the potential to contribute to the regeneration aims in the town centre, and therefore the guidance previously given to the applicant that the search area may be limited to the town centre remains valid.

The applicant's submitted sequential test documentation does not focus on the town centre and instead has attempted to review the whole borough. Given the above discussion, I will not comment in detail on the applicant's search, save to note that

- Appropriate sources of information on sites have been used
- The document does not facilitate an easy review of the sites rejected, as only those sites assessed further area presented. It is therefore not possible, for example, to see what sites have been rejected because they are considered to be at greater or equal risk of flooding, or considered to be too large or small to accommodate the proposal.

A review of town centre sites by the applicant is not before the Council for review. However, I have reviewed available flood risk mapping in the town centre, together with potentially suitable and available sites for the proposed development (by reference to allocations and call for sites submissions made in 2022) and am satisfied that there are no available alternative sites at lower risk for flooding. This also takes into account the fact that only a small part of the site is at risk. Overall, I am satisfied that the sequential test can be passed for this proposal.

However, as the applicant also accepts, the proposal is a 'more vulnerable' use as classified by the PPG, and therefore the exception test must also be passed. The applicant seeks to demonstrate that the exception test is passed. They do so largely by reference to their FRA, concluding that on site mitigation measures are proposed which manage any risk. However, I note that the Environment Agency maintain an objection, raising questions about the applicant's FRA. The LLFA have also requested further information. Until these concerns are addressed, it is not possible for it to be concluded that development will be safe for its lifetime and that part b) of the sequential test is passed.

With regard to part a) – that the development would provide wider sustainability benefits to the community that outweigh the flood risk – the applicant has provided little evidence of this, merely stating that *'the site is within a highly sustainable location adjacent to existing settlements but within a portion of land which, if developed, would create minimal impacts of existing settlements, and built form. If this development was to be built on allocated land, this would impact the Council's housing figures'*. This is not considered sufficient to address part a) of the exception test. While, even in the absence of strong arguments by the applicant, I accept that the regeneration of the site factors into this part of the test, the test will only be passed if the scheme contributes substantially more than a straightforward residential development. On this site, benefits might include a substantial betterment in run off rates as compared the existing development, outstanding design that makes a positive contribution the conservation area, measures to address biodiversity and climate change, etc. These examples are not prescriptive or exclusive, but it remains for the applicant to demonstrate that the scheme indeed provides wider sustainability benefits to the community that outweigh the flood risk.

Overall, it is not considered that the scheme passes the exception test at this stage.