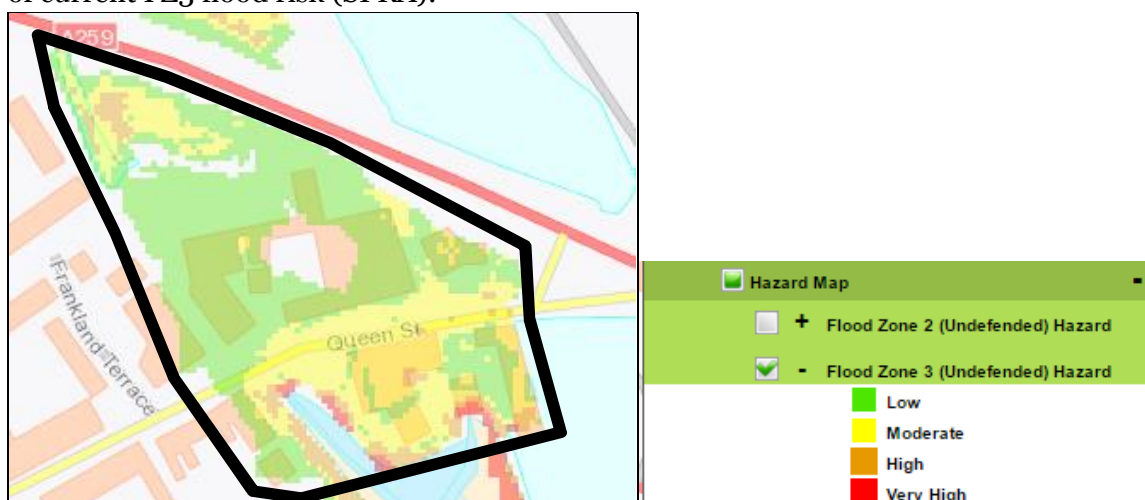


7 December 2016

DOLPHIN QUAY, QUEEN STREET, EMSWORTH **SUPPLEMENTARY INFORMATION TO SEQUENTIAL TEST**

The site is located in the Queen Street Flood Cell of Reach 7 (Emsworth) of the IMSo000556 Portchester Castle to Emsworth Coastal Flood and Erosion Risk Management Strategy-September 2012 (PERMS). The cell is bounded by the A259 embankment to the North, Slipper Mill Pond/Dolphin Channel to the East and South and by natural higher ground levels to the West. The schematic below shows the cell in context of current FZ3 flood risk (SFRA):



The LPA consultation response from the ESCP Coastal Engineer confirms “that the coastal defence proposals are in line with the recommendation of Hold The Line – Improve, for this flood cell from the Portchester Castle to Emsworth Coastal Flood and Erosion Risk Management Strategy[PERMS]. This Coastal Strategy has been approved and adopted by both Havant Borough Council and Chichester District Council which are both impacted by this flood cell.”

PERMS short term implementation programme identifies defence improvements throughout Reach 7 to 1.3% AEP scheme with year 5-10 [2017-2022].

The ESCP consultation response also confirms “The flood defence work identified as being needed by the Portchester to Emsworth Flood & Coastal Erosion Risk Management Strategy would not currently score highly enough for it to become a national priority and secure Flood and Coastal Risk Management Grant in Aid (FCRM GiA) funding in full. A significant external financial contribution is therefore considered necessary to increase the score to a level which would secure FCRM GiA. Without this contribution the coastal defence scheme is unlikely to go ahead.”

NPPF paragraph 100 guides LPAs to initially seek to direct development away from areas at highest risk of flooding, but recognises this is not always possible and in some cases it

EF1286 Sequential supplement 161207.docx

may be necessary to locate development in such areas. In these cases the development must be safe and must not increase flood risk elsewhere. LPAs are directed to use a sequential approach and take account of five factors:

- i. The Sequential Test
- ii. If necessary application of the Exceptions Test
- iii. Safeguarding land from development that is required for current and future flood management
- iv. Using opportunities offered by new development to reduce the causes and impacts of flooding; and
- v. 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 facilitate the relocation of development, including housing to more sustainable locations.

With respect to these factors:

- Climate change (v) is projected to further increase the flood risk to all existing development within the Queen Street flood cell.
<https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances> Table 3 identifies a 1.21m projected increase in sea level over the next 100 years. Without installation of defences approximately 16 dwellings (1-8 Chequers Court, 26-34 Queen Street & 1-3 Spinnaker Place), 3 Heritage status properties and the Queen Street Mill business complex and Lillywhites Garage sites would not be sustainable in the long-term. Safeguarding of land for flood management (iii) provides only an interim step towards using the opportunities offered by new development to reduce the causes and impacts of flooding (iv).
- (iv) The proposed development is accepted by the EA, ESCP and the LPA Drainage Engineer to offer significant reduction in cause and impact of flooding. *“the proposed development offers a valuable opportunity to facilitate delivery of a flood defence scheme that would reduce tidal flood risk to an existing community that may not receive sufficient central government funding to meet its full cost.”* - EA consultation response.
- The Sequential and Exception Test is set out in Section 12 of the FRA. The Sequential Test is further expanded upon below:

NPPG 7-033-20140306 states that *“when applying the Sequential Test, a pragmatic approach on the availability of alternatives should be taken.”* It also states that for applications that are not current LPA allocations or in accordance with the current development plan that application of the Sequential Test *“will be defined by local circumstances”* and cites one particular example.

In the case of the Dolphin Quay application:

- The proposed development would directly provide the largest and most costly component (approx. 80m of new sea wall) of a Queen Street flood defence scheme.
- It is impractical to suggest that any alternative development site within the flood cell would be in a better position to deliver the necessary flood defences for several reasons:
 - No other site contains as much of the tidal frontage requiring defence as Dolphin Quay
 - No other site control the necessary land at Dolphin Quay
 - The three heritage sites within the flood cell are listed buildings and there is no realistic prospect that any of these will be imminently developed in a fashion acceptable to their heritage context that would also generate sufficient short-term income to fund defences. Of these only The Lord Raglan PH has a small direct tidal frontage anyway.

- The 8 dwellings at Chequers Court are relatively new and it is not realistic that this site would be redeveloped again so soon. Notwithstanding this it is implicit from the recent nature of the development that had it been possible to have had more dwellings on the site this would have been pursued at the time of the permission by the applicant. This site is therefore considered to be at its ceiling value so there is no driver for further development.
- None of the other premises on the northern side of Queen Street control any tidal frontage.

Notwithstanding the ability of other sites within the flood cell to directly deliver significant material components of flood defence to Queen Street flood cell the issue of timing needs to be taken into account:

- PERMS requires implementation of the short term programme 2017-2022. ESCP and EA have identified that without partnership funding a defence scheme is unlikely to go ahead [currently]. It is implicit from the ESCP and EA consultations that not only is a scheme unlikely to go ahead currently it is unlikely for the foreseeable future [2017-2022] ie in time to meet PERMS short term implementation programme. It is also implicit that development is considered the primary source of partnership funding.
- NPPF paragraph 101 sets out that alternative sites for Sequential Testing have to be reasonably available. That is to say reasonably available at the time of the Sequential Test of the site currently under consideration (Dolphin Quay)

The objective of the Sequential Test (NPPF paragraph 101) is to determine if there are reasonably available qualifying sites with a lower probability of flooding. All sites within the Queen Street flood cell, irrespective of availability, are at the same risk of flooding (FZ3 locations).

The key aspects of the Sequential Test for Dolphin Quay in the FRA has taken a pragmatic approach on the availability of alternative sites, defined by local circumstances. The local circumstances are defined by a need to attain a flood defence for the Queen Street flood cell. Climate change is expected to increase the flood risk to all existing development (FZ3) within the flood cell and it is not possible to relocate (NPPF 100 limb v) all of the current development, particularly the 3 heritage properties, which are inherently linked to their location and context. Development within the flood cell offers opportunity to reduce the causes and impacts of flooding (NPPF 100 limb 4). All sites within the flood cell are potential candidates. However potential candidate sites must be reasonably available at the time of testing. None of the alternative potential candidate sites are currently available. Notwithstanding the availability none of the potential candidate sites are in an area at lower probability of flooding, so even if one were to become available it would not be sequentially preferable in terms of flood risk. Furthermore the Dolphin Quay site is in the unique position of containing the largest amount of direct tidal frontage requiring defence. The nature of the proposed development is sufficiently valuable to enable the site frontage defences to be fully funded by the developer, which can be secured by planning condition. In summary there are no qualifying reasonably available alternative sites at lower probability of flooding so the Sequential Test is met. The proposed development at Dolphin Quay is key to the delivery of a flood defence scheme for the Queen Street flood cell.

A P Traves

for Opus International Consultants (UK) Ltd