

SCOTT PLANNING

Land adjacent to 18 Queens Lane, Arundel
Flood Risk Sequential Test
Incorporating Exception Test.
May 2025

Introduction

This Sequential Test has been prepared to support an application for full planning permission to provide a single ‘eco-house’ type dwelling with wood working workshop to ground floor on land adjacent to 18 Queens Lane, Arundel, BN18 9JN (the site). The potential for this site to accommodate this mix of uses was important in the applicants’ decision to purchase this site and to develop the scheme now submitted.

The site comprises a plot of land that previously formed part of the residential curtilage of 18 Queens Lane (located to the north-east) and which contains a dilapidated garage building. Although previously maintained as garden, since being separated from the adjacent dwelling it has been less well maintained.

The site has an existing vehicular and pedestrian access onto Queens Lane, which lies adjacent to the access to the farmyard to the south-west of the site. This farmyard comprises a collection of large modern agricultural structures of post-war origin. The site is bounded to the north by a 1960s era telephone exchange building, and to the south-west by a small unnamed watercourse.

Queens Lane itself comprises a mix of generally late 19th and 20th century development, of varying designs and 2 and 3 storeys in height. The local topography is generally flat, with longer range views from the site across open farmland to the south.

The site which is subject to this application was purchased by the current owners in 2022 with the benefit of planning permission (AB/136/21/PL) for a pair of 3 storey semi-detached dwellings. This extant permission was itself a renewal of an earlier permission (granted in 2018) for an identical proposal (AB/73/18/PL).

An application (AB/118/24/DOC) to discharge the single pre-commencement condition on the extant consent has been submitted, but at the time of writing is currently not decided. This discharge of conditions application was submitted in order to allow the extant consent to be implemented, in the event that planning permission is not forthcoming for the current preferred scheme.

The requirement for this application to be accompanied by a Flood Risk Sequential Test was confirmed in the response to the pre-application enquiry (PAA/117/24/) submitted for a similar design to that now being applied for.

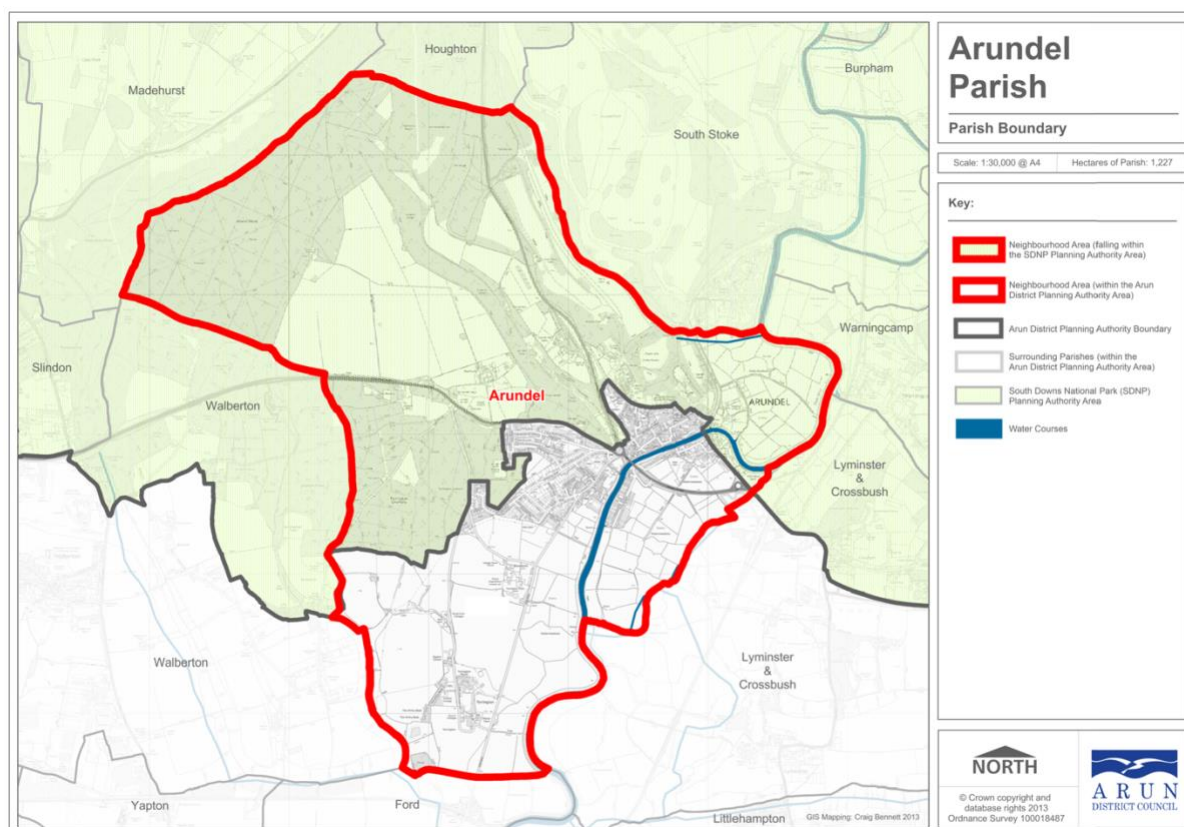
Discussions with the case officer (Harry Chalk) during the pre-application enquiry have scoped the content of alternative sites within this Sequential Test as follows:

- Sites within Arundel and immediately adjoining parishes,
- Sites with capacity for 1-3 dwellings and in a location appropriate to include the proposed woodwork workshop use,
- Sites which are deemed to be available for development, based on:

1. Being allocated for development within the current adopted Development Plan
2. Being within existing built up area boundaries where availability for development is confirmed by the relevant Housing and Economic Land Availability Assessment (HELAA)
3. Being included within the relevant Brownfield Land Register, and
4. Sites within existing built up area boundaries offered for sale.

With reference to the location of the potential alternative sites, the plan extract below shows the extent of Arundel Parish, and the location of Parishes that directly border Arundel, being:

- Houghton
- South Stoke
- Warningcamp
- Lyminster and Crossbush
- Ford
- Walberton, and
- Madehurst



As shown in the plan above, the search area is split between two Local Planning Authorities, Arun District Council and the South Downs National Park Authority.

Guidance on the application of the Sequential Test is set out within the National Planning Policy Guidance (NPPG) which confirms that the required approach seeks to

ensure that areas at little or no risk of flooding from any source are developed in preference to areas at higher risk.

This means avoiding, so far as possible, development in current and future medium and high flood risk areas considering all sources of flooding including areas at risk of surface water flooding.

The NPPG confirms that even where a flood risk assessment shows the development can be made safe throughout its lifetime without increasing risk elsewhere, the Sequential Test still needs to be satisfied.

The Sequential Test seeks to steer new development to areas with the lowest risk of flooding, and where it is not possible to locate development in low-risk areas, the Sequential Test should go on to compare reasonably available sites:

- Within medium risk areas; and
- Then, only where there are no reasonably available sites in low and medium risk areas, within high-risk areas.

Taking the above into account, this Sequential Test therefore only considers suitable alternative sites that are located within areas of Low or Medium Flood Risk, taking account of the Environment Agency's online Flood Map for Planning, and other relevant information including in relation to surface water flooding. In addition, any sites which would be likely to increase the risk of flooding elsewhere due to development should also be discounted.

Identified Flood Risk

The above mentioned pre-application response letter (PAA/117/24/, dated 21 February 2025), confirmed that based on current flood mapping provided by the Environment Agency, the site lies wholly within Flood Zones 2 and 3.

This is confirmed by the submitted Flood Risk Assessment (GTA Civils, April 2025), which also confirms that that no part of the site is located within Flood Zone 3b (functional floodplain). The FRA also confirms that there are no historical flood events occurring within or near the site.

The FRA notes that the design of the proposed mixed use building, with living and sleeping accommodation provided to upper floors only means that a sequential approach to flood risk has been followed on a site-based scale. The proposed woodworking workshop to the ground floor of the proposed building is a 'Less Vulnerable' use in flood risk terms.

Nevertheless, the FRA confirms that since the site is located within an area susceptible to flooding, the proposal must pass the Sequential Test and that for 'More

Vulnerable’ development in Flood Zone 3 (including residential) it will also be necessary for the proposal to pass the Exceptions Test.

To pass the exception test, it should be demonstrated that:

- Development that has to be in a flood risk area will provide wider sustainability benefits that outweigh flood risk; and
- The development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere.

Point 1 will be covered by this document following the completion of the Sequential Test. The second point is addressed within the submitted FRA, which confirms that:

- The risk of the development being flooded is reduced
- The site will continue to operate and safely during flood events, and
- The development of the site will not have an adverse impact on flood risk elsewhere.

Further discussion of these points is set out below, under the Exceptions Test.

1. Assessment of Allocated Sites

As noted above, the alternative sites search area is split between Arun District Council, and the South Downs National Park Authority, with many parishes in the search area split across both local planning authorities.

This means that any allocations covering the search area will be contained within either of the district level Local Plans covering Arun and the South Downs National Park, as well as any Neighbourhood Plans covering each of the parishes. The table below shows the coverage of the Arun and South Downs Local Plans, as well as any relevant Neighbourhood Plans:

Parish	Development Plan		
	District Level Plans		Neighbourhood Plans
	Arun Local Plan, 2018	South Downs Local Plan, 2019	
Arundel	✓	✓	Arundel Neighbourhood Plan Review, 2019
Houghton	✗	✓	✗
South Stoke	✗	✓	✗
Warningcamp	✗	✓	✗
Lyminster and Crossbush	✓	✓	Lyminster and Crossbush Neighbourhood Plan, 2022
Ford	✓	✗	Ford Neighbourhood Plan, 2018
Walberton	✓	✓	Walberton Neighbourhood Plan Review, 2019
Madehurst	✗	✓	✗

The following tables therefore detail sites allocated under each of the relevant plans above, by each Parish:

Arundel

Development Plan	Allocations	Units	Comments	Suitable?
Arun Local Plan, 2018	None	-	-	-
South Downs Local Plan, 2019	None	-	-	-
Arundel Neighbourhood Plan Review, 2019	AR2 - Land off Ford Road	90	Site is currently being built out following the grant of planning permission AB/135/20/OUT and AB/106/22/RES. No provision for self build plots.	No
	AR3 - Land at Fitzalan Road	24	Site allocated for higher density form of development, that is unlikely to support mix of uses required. Site is also similarly constrained in flooding terms.	No
	AR4 - The Police Station	12	Site is similarly constrained in flooding terms.	No
	Saved Policy 4 - Land at River Road	13	Site has been completed following grant of permission	No
	Saved Policy 4 - Former Castle Stables	12	Although this site is allocated for residential, the recent withdrawn application (SDNP/23/02458/FUL) set out the landowners preference for commercial use, given proximity to Estate activities. As such site is not considered to be available for residential purposes	No

Houghton

Development Plan	Allocations	Units	Comments	Suitable?
South Downs Local Plan, 2019	None	-	-	-

South Stoke

Development Plan	Allocations	Units	Comments	Suitable?
South Downs Local Plan, 2019	None	-	-	-

Warningcamp

Development Plan	Allocations	Units	Comments	Suitable?
South Downs Local Plan, 2019	None	-	-	-

Lyminster and Crossbush

Development Plan	Allocations	Units	Comments	Suitable?
Arun Local Plan, 2018	None	-	-	-
South Downs Local Plan, 2019	None	-	-	-
Lyminster and Crossbush Neighbourhood Plan, 2022	H1 - Land East of Lyminster Road	7	Site is adjacent to bypass currently under construction, and is therefore not likely to be available for development within a reasonable timeframe. There is no known planning history relating to this allocation.	No

Ford

Development Plan	Allocations	Units	Comments	Suitable?
Arun Local Plan, 2018	SD8	1500	Site allocation does not include provision for any self build plots within this strategic scale site. Outline planning permission and subsequent RM phase applications do not make provision for self build plots, and it is unlikely that and it is unlikely that this development will be able to accommodate a mix of uses as currently proposed.	No
South Downs Local Plan, 2019	None	-	-	-
Ford Neighbourhood Plan, 2018	SA1	1500	Site allocation largely mirrors ALP allocation.	No

Walberton

Development Plan	Allocations	Units	Comments	Suitable?
Arun Local Plan, 2018	None	-	-	-
South Downs Local Plan, 2019	None	-	-	-
Walberton Neighbourhood Plan Review, 2019	HP3 - S&G Motors, Arundel Road, Fontwell	28	Site was located within settlement boundary prior to allocation, which seeks to remove use that is not popular with local residents. This being the case it is not clear whether the site is available for redevelopment, since it supports an active business. There does not appear to be any relevant planning history relating to the development of this site.	No
	HP4 - Land at rear of Woodacre Arundel Road, Fontwell	2	Development of this site linked to HP3, on which it relies for access. Neighbourhood Plan indicates development not likely for 5-10 years.	No
	HP5 2020 - Land at rear of Woodcroft, West Walberton Lane, Walberton	8	Neighbourhood Plan indicates outline planning granted for 8 units. Therefore considered unlikely to support mixed use development as required.	No
	HP14 2020 - Dower House	6	NP envisages apartments, which are not considered suitable for mix of uses required. NB HELAA considers site long term potential only	No
	HP14 2020 Longwall	3	NP envisages bungalows. NB HELAA considers site has long term potential only.	No
	HP16 2020 Sussex Business Park	11	NP envisages mixed development, and cites reason for allocation related to underoccupation of units. NB HELAA notes limited scope to redevelop in short terms, and availability of land for expansion unknown.	No
	HP17 2020 Gracelands Farm	2	Allocation notes that the access will use same access as for HP5. HELAA notes that site only available in longer term.	No
	HP18 2020 Fontwell Field (National Trust Field)	40	Relates to HELAA Site FON5, which is noted has been subject to pre-application discussions for 56 dwellings. Considered that this density of development would not support mix of uses proposed.	No

Madehurst

Development Plan	Allocations	Units	Comments	Suitable?
South Downs Local Plan, 2019	None	-	-	-

Based on the assessments set out above therefore, it is not considered that any extant development allocations would represent a suitable alternative site to that now proposed at Queens Lane.

2. Assessment of Land Availability Assessments

This section seeks to understand whether there are any suitable alternative sites contained within either of the land availability assessments prepared by both Arun District Council and the South Downs National Park Authority.

For a site to be considered to be a suitable alternative, it should have capacity for 1-3 dwellings, be contained within the defined built up settlement boundaries and not have any overriding constraints to the bringing forward of development, including in relation to flood risk.

The most recent Land Availability Assessments for each of the two local planning authorities are the:

- South Downs Land Availability Assessment, Provisional Findings, 2024,
- Arun Housing and Employment Land Availability Assessment (HELAA), 2024.

Each of these two assessments has therefore been interrogated for available sites located within Arundel Parish and adjoining Parishes. Sites which have been assessed as not currently being developable or available have not been included.

In the case of the South Downs Land Availability Assessment, a number of sites have been included within Arundel and adjoining Parishes, but these have all been rejected or excluded. As such, they have not been included within this document.

The tables below set out details of each of the sites that have been assessed as having potential within the Arun HELAA, together with an assessment as to whether they would represent a suitable alternative to the site now proposed for development. Although most of the sites included within the HELAA have a capacity in excess of that agreed for this sequential test (1-3 dwellings), such sites have been included on the basis that they may present an opportunity for subdivision (for example by including self-build plots).

**Arun HELAA, 2024:
Arundel Parish**

Location	HELAA Reference	Capacity	Comments	Suitable?
Garden Plots at Anne Howard Gardens	S4AB1	5	Site located outside of BUAB	No
Greenhurst, Fitzalan Road, Arundel	AB10	9	Site allocated in NP (see above). HELAA indicates site not being actively promoted and therefore not deliverable.	No
Blastreat, Fitzalan Road, Arundel	RU7	15	Site allocated in NP (see above). HELAA indicates site not being actively promoted and therefore not deliverable.	No
Arundel Police Station, The Causeway, Arundel	20AB13	7	Site allocated in NP (see above). HELAA indicates site still being used as police station and therefore not available. Site is also subject to flooding constraints.	No
Electronic Sub Station Site, Ford Road, Arundel	115	38	Site currently being built out following grant of planning permission in 2021.	No
Land South of Stewards Rise, Arundel	66	90	Site currently being built out for flatted scheme following grant of planning permission in 2020.	No
Land Parcel West of Arundel Gate Development, Arundel	24AB2	27	Site located outside of BUAB	No

**Arun HELAA, 2024:
Lyminster and
Crossbush Parish**

Location	HELAA Reference	Capacity	Comments	Suitable?
Land East of Lyminster Road, Lyminster	20LY1	Not stated	Site assessed for potential mixed use. Outside of BUAB	No
Land East of A284, Lyminster	21LY1	Not stated	Site assessed for potential mixed use. Outside of BUAB	No
East of Lyminster Road	20LY2	7	Site allocated in NP and adjacent to bypass. HELAA also notes area to ground water flooding.	No

**Arun HELAA, 2024:
Ford Parish**

Location	HELAA Reference	Capacity	Comments	Suitable?
Land at Former Ford Airfield, Ford	71	1500	As noted under allocations, site subject to planning approval for strategic scale development, which does not include for self build / mixed use plots	No

**Arun HELAA, 2024:
Walberton Parish**

Location	HELAA Reference	Capacity	Comments	Suitable?
Land East of Tye Lane, Walberton	WA1	175	Site now built out	No
Land North of North Pound Lane, Walberton	17WA1	155	Site being built out following grant of planning permission	No
Land to East of Fontwell Racecourse, Fontwell (Walberton Parish)	FON5	400	Site being built out following grant of planning permission	No
Land at Dover House, Parson Walk, Walberton	WA2	6	Site only available in longer term, and no update received to 2024 call for sites	No
Land to the rear of Longwall, The Street	WA8	3	Site only available in longer term, and no update received to 2024 call for sites	No
Land West of Yapton Lane, Walberton	20WA1	48	Outline planning permission granted at appeal in 2022. RM application approved Feb 2025 and therefore likely to commence build out shortly. No provision within approval for self build or mixed use plots.	No
Gracelands Farm, Arundel Road, Walberton	21WA3	2	Site only available in longer term, and no update received to 2024 call for sites	No
Land to Rear of Woodcroft, West Walberton Lane	133	8	Site being built out following grant of planning permission	No
S & G Motors, Arundel Road	HP3	27	Site allocated in NP. HELAA raises concerns about viability of bringing site forward, and notes promoter has not provided estimate of delivery timetable. Therefore considered longer term prospect.	No
Land at Barnfield House, Arundel Road, Fontwell (Walberton Parish)	99	10	Planning permission granted 2023. Site being built out.	No
Land to West of A27, Fontwell (Walberton Parish)	FON5	35	Site within BUAB as defined by current NP, and HELAA notes pre-apps submitted, most recently for 56 homes. Considered that this density of development would not support mixed use, as required.	No

Based on the above assessment, there are no sites within the most recent (2024) Arun HELAA that would represent a suitable alternative to the site now proposed. There are also no sites within the South Downs LAA that have been assessed as ‘have potential’ within that document.

3. Assessment Brownfield Register Sites

This section seeks to understand whether there are any suitable alternative sites contained within either of the brownfield registers prepared by both Arun District Council and the South Downs National Park Authority.

Local Planning Authorities are legally required to maintain a brownfield land register of previously developed sites within the area that are capable of being redeveloped or converted to provide housing-led development. All sites must meet the definition of ‘previously developed land’ contained within the NPPF:

Previously developed land: Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed. Previously developed land excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

All sites must also meet the following:

- Be suitable for residential development, either because it has planning permission for housing or housing-led development, has been allocated for such development in a Local Plan, or is otherwise appropriate for development
- Be available for residential development – meaning that there is no impediment to development in terms of either ownership issues or legal constraints on the land
- Residential development of the land is achievable – and likely to be developed within 15 years of being entered on the register.

The brownfield land register must include all sites meeting these criteria which are at least 0.25 hectares in area or are capable of supporting at least 5 dwellings.

Although this means that all sites entered onto both Brownfield Land Registers will therefore exceed the defined capacity for the sequential test search (being 1-3 dwellings), relevant sites have still been assessed on the basis that they may present an opportunity for sub-division.

Arun District Brownfield Land Register

The current Brownfield Land Register prepared by Arun District Council contains only three sites contained within the search area (being Arundel Parish and parishes immediately adjoining Arundel):

- Arundel Police Station (12 dwellings)
- S & G Motors (26 – 28 dwellings), and
- Sussex Business Village (11 dwellings)

All three of these sites are included within the assessment of Arun HELAA sites above and are considered to be not suitable on the basis of a lack of certainty about delivery within the next five years.

South Downs Brownfield Land Register

The most recent Brownfield Land Register produced by the National Park Authority was produced in 2023.

The only site included within the Register as lying within Arundel Parish and those parishes which immediately adjoin Arundel is the Former Castle Stables, Arundel Castle (12 dwellings).

As noted above (under Allocations), this site is owned by the Norfolk Estate who are currently exploring commercial only options, in view of the close relationship of this site to Estate activities. As such, this site is not considered to be available for residential / mixed use development.

4. Assessment of sites offered for sale.

An online property search (via Rightmove, OnTheMarket, and EGPropertylink) has been carried out to identify any potential alternative sites offered for sale. As with previous stages, the search has been limited to the following criteria:

- Sites within Arundel and immediately adjoining Parishes,
- Sites with capacity for 1-3 dwellings and in a location appropriate to include the proposed woodwork workshop use
- Sites within existing built up area boundaries.

No properties offered for sale within the area met the above criteria. The nearest property that does meet the criteria is a property known as Bexstone House, Barnham Road in Eastergate, which is marketed by Strutt and Parker as a 1.579 acre development plot, subject to planning permission. However, this property lies just outside of the search area, within the parish of Barnham and Eastergate.

Sequential Test Conclusion

The above wide-ranging assessments, which take in surrounding parishes as well as the Parish of Arundel, have found that there are no suitable alternative sites to the proposed application site, taking into account availability and deliverability of other sites in the area.

As such, the proposed redevelopment of land adjacent 18 Queens Lane is considered to pass the Sequential Test, in accordance with national and development plan policies.

Exception Test

As noted in the submitted FRA, national planning policy requires schemes that have passed the Sequential Test to also then pass the Exception Test. To pass the exception test, it should be demonstrated that:

- Development that has to be in a flood risk area will provide wider sustainability benefits that outweigh flood risk; and
- The development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere.

Point 1 will be covered by this document below. The second point is addressed within the submitted FRA, which confirms that:

- The risk of the development being flooded is reduced
- The site will continue to operate and safely during flood events, and
- The development of the site will not have an adverse impact on flood risk elsewhere.

The site which is subject to this application was purchased by the current owners in 2022 with the benefit of planning permission (AB/136/21/PL) for a pair of 3 storey semi-detached dwellings. This extant permission was itself a renewal of an earlier permission (granted in 2018) for an identical proposal (AB/73/18/PL).

The most recent of these permissions was granted on the basis of the application passing both the Sequential Test, and the Exception Test. In relation to this matter, the officers report prepared for the approval of that application noted:

The proposal includes flood resilient measures that have been considered appropriate and acceptable by the EA who do not raise an objection in this location. These measures demonstrate how the proposal will ensure the management of the flood risk at the site. The site will provide two units located in a built-up area, in a sustainable location within walking distance to the Arundel Town Centre, amenities and public transport.

The location of the site – being in a built up area and in a sustainable location within walking distance to key facilities and services has of course not changed since the approval of the previous application.

However, the current proposals seek to significantly improve the sustainability of the proposed development through the erection of a dwelling that is designed to incorporate active and passive design measures that reduce occupational energy consumption. This includes:

- Orienting the dwelling to reduce overshadowing and maximise solar gain
- Reducing heat loss through reducing surface area relative to floor area
- Optimising glazing ratios
- Incorporating high levels of insulation and high performance triple glazing
- External walls to be constricted using ‘ecobrix’ – a highly efficient type of insulated concrete formwork
- Designing to create an airtightness value of 3.0 m³/m²·hr; well below the Part L 2021 limiting value of 8.0 m³/m²·hr
- Installing mechanical ventilation and heat recovery (MVHR) system, with a heat recovery efficiency of 75-85%
- Installing PV panels resulting in CO₂ savings of 1008 kgCO₂e/annum, an almost three fold improvement compared with the approved scheme.

The features listed above go well beyond that required by current planning policies and arise out of a commitment on the part of the applicants to deliver a highly sustainable building that will house their home as well as woodworking workshops to the ground floor. This mix of uses further enhances the sustainability of the site, by making an effective use of land and reducing the need to travel between the two uses.

Paragraph 139,b) of the latest version of the NPPF directs decision makers to give ‘significant weight’ to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

The pre-application response notes that:

Whilst the contrast to the established character is noted, strong weight would be given to the sustainable design proposed, alongside strong weight for the provision of housing (subject to matters of flood risk being resolved)

It is clear therefore that the provision of a well-designed and highly sustainable dwelling in this sustainable location would represent a form of development that meets the first part of the Exception Test. As demonstrated in the submitted FRA, the scheme also meets the second part of the Exception Test.