



SEQUENTIAL TEST
Land to the Rear of 94 – 100 Hook Lane, Bognor Regis,
West Sussex PO22 8AT

June 2021

Luken Beck

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On behalf of Counterpoint Properties Ltd

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1. Introduction, Site & Proposed Development

- 1.1 This sequential test has been produced in support of the proposed development involving the “Outline Application with all matters reserved except for access for the demolition of existing bungalow to form a new access and residential development of up to 6 chalet houses” at Land to the Rear of 94 – 100 Hook Lane, Bognor Regis, West Sussex PO22 8AT.
- 1.2 In carrying out the sequential test regard has been given to the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG) and the guidance provided by the Environment Agency in their document ‘*Demonstrating the Flood Risk Sequential Test for Planning Applications.*’ The purpose of the sequential test is to consider the availability of alternative sites for the development as part of the examination of flood risk.
- 1.3 The site location and description are detailed elsewhere in this application and are not repeated here in detail. In summary, the site represents previously developed land, hosting residential development. The site lies within the urban area of Bognor Regis and for planning policy purposes lies within the built-up area boundary designated by the adopted local plan. This signifies the site is in a sustainable location for new residential development in principle (see policy SD SP2 of the 2018 adopted Arun Local Plan).
- 1.4 The site comprises a 0.29 hectare site located at the rear of existing residential dwellings at 94 – 100 Hook Lane in Bognor Regis. The site includes the dwelling at 94 Hook Lane which is proposed to be demolished to provide access to unlock the site for development which will utilise part of the rear gardens of 96, 98 and 100 Hook Lane which are located on the southern side of the road. The topography of the site is predominantly flat, whilst its boundaries are defined by the rear gardens of the existing dwellings to the north and west with mature trees on the southern and eastern boundaries. The site is within the Built-Up Area Boundary of Bognor Regis and therefore in principle suitable for residential development given its sustainable location in proximity to established facilities and services with an existing residential area. To the south of the development site is the University of Chichester’s Bognor Campus. The character of the street is defined by a uniform vernacular comprising 1 and 1.5 storey residential dwellings with generous curtilages. Given the site is located within Flood Zone 3A a sequential test is required for the development.
- 1.5 The proposal seeks outline planning consent for the development of up to 6 dwellings to the rear of existing dwellings on the south side of Hook Lane with all matters reserved apart from access. The access will be provided from the southern side of Hook Lane, close to the T-Junction with Brooksmead, following the demolition of the existing dwelling at 94 Hook Lane.

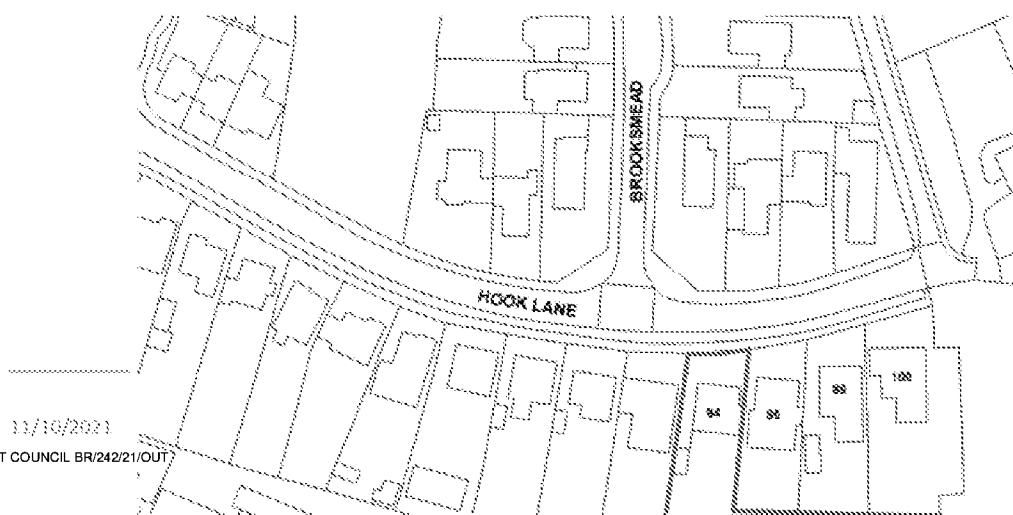
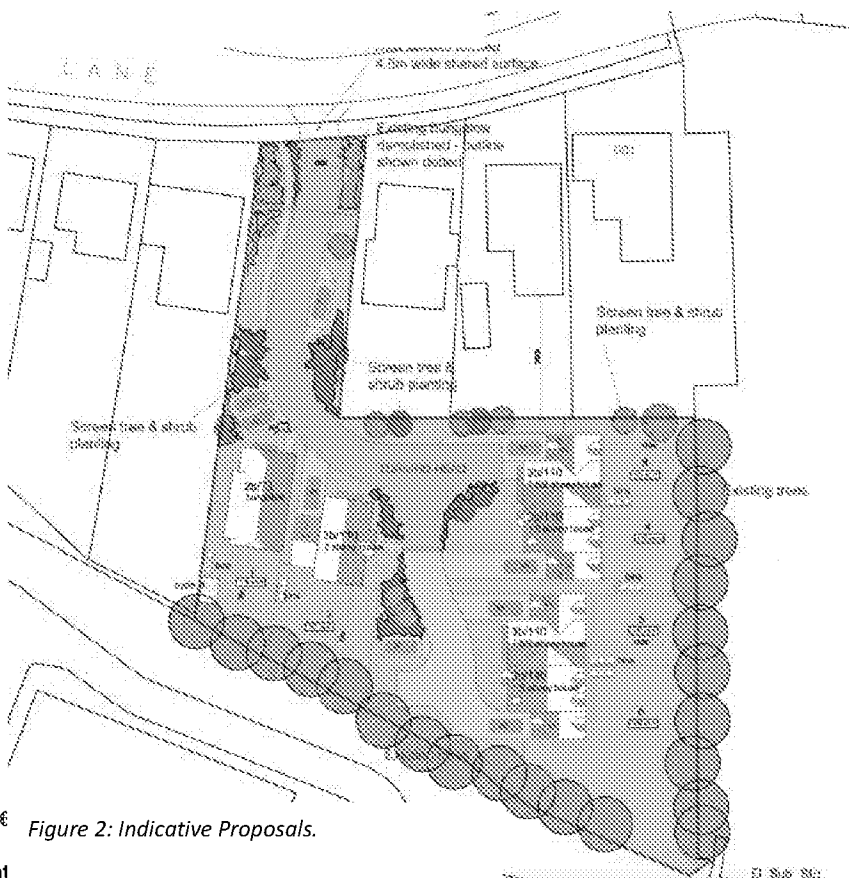


Figure 1: Site Location Plan.



2. **Sc** Figure 2: Indicative Proposals.

Int

- 2.1 When undertaking the Sequential Test and comparing reasonably available sites in line with the aforementioned guidance with the application site, the Environment Agency advises that:

"...[the] Site should be compared in relation to flood risk Local Plan status; capacity; and constraints to delivery including availability, policy restrictions, physical problems or limitations, potential impacts of development, and future environmental conditions that would be experienced by the inhabitants of the development."

- 2.2 This application is supported by a Site Specific Flood Risk Assessment (SSFRA) which identifies the site is potentially affected by and at risk from sources of flooding. Accordingly this Sequential Test accompanies the application and supports the SSFRA. Having regard to national planning policy (in particular paragraphs 158 and 159 of the NPPF) the aim of the sequential test *"is to steer new development to areas with the lowest risk of flooding"* whilst *"taking into account wider*

sustainable development objectives". Where it is not possible to do so then in appropriate circumstances, based on the risk and the vulnerability classification of the intended development then the *exception test* must also then be applied and passed in order for such development to be considered acceptable.

2.3 The approach and the key criteria used for comparison are detailed below;

Locational Criteria

2.4 Planning Practice Guidance entitled '*Applying the Sequential Test to Individual Planning Applications*' advises:

"For individual planning applications where there has been no sequential testing of the allocations in the development plan, or where the use of the site being proposed is not in accordance with the development plan, the area to apply the Sequential Test across will be defined by local circumstances relating to the catchment area for the type of development proposed. For some developments this may be clear, for example, the catchment area for a school. In other cases, it may be identified from other Local Plan policies, such as the need for affordable housing within a town centre, or a specific area identified for regeneration. For example, where there are large areas in Flood Zones 2 and 3 (medium to high probability of flooding) and development is needed in those areas to sustain the existing community, sites outside them are unlikely to provide reasonable alternatives." (Paragraph: 033, Reference: 7-033-20140306)

2.5 Taking into consideration the above and discussions between the applicant and officers at the Council, it is considered the most appropriate course of action is to base the locational criteria for the sequential test on the Built-Up Area Boundary of the wider Bognor Regis area as depicted within the Arun Local Plan Adopted Policies Map where sites will be inherently preferred by Local Plan policies that seek to protect countryside from residential development not meeting specific exceptions criteria (that do not apply here).

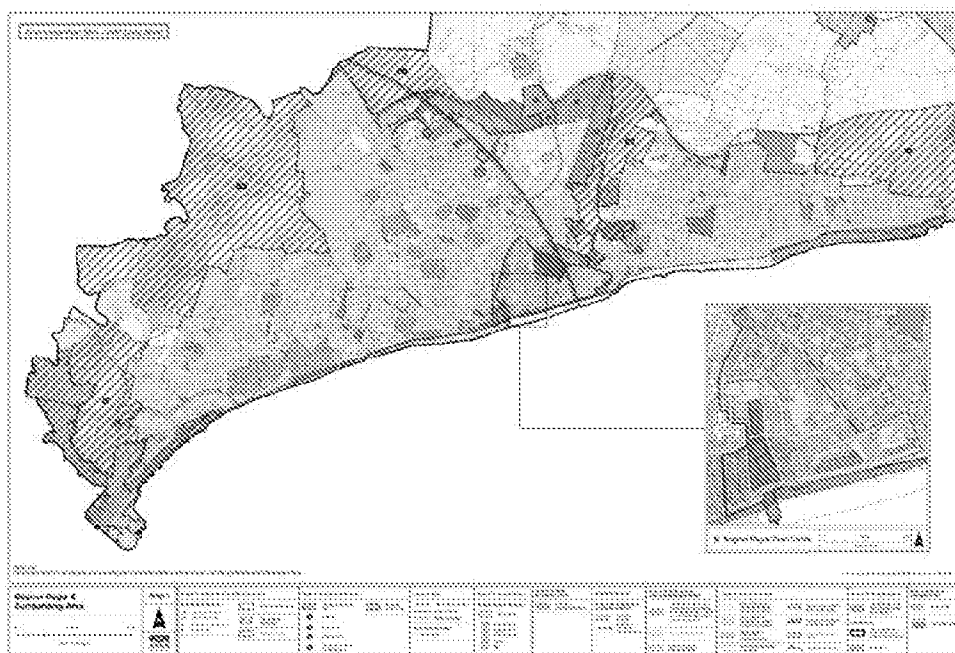


Figure 3: Adopted Local Plan Proposals Map for Bognor Regis and surrounds.

Identification of Sites

2.6 To identify potential alternatives to the application site to be assessed by the Sequential Test we have utilised the following principle evidence sources;

- The Arun District Council Housing and Economic Land Availability Assessment (HELAA) (Dec 2020)
- The Arun Local Plan & Proposals Map (2018)

- The Bognor Regis Neighbourhood Plan (2015)
- The Bersted Neighbourhood Plan (2014)
- The Felpham Neighbourhood Plan No.2 (2019)

2.7 The principle source of alternative sites assessed within the Sequential Test Assessment is therefore taken from the Arun District Council Housing and Economic Land Availability Assessment (HELAA) carried out in 2020. Arun are currently updating their HELAA for 2021 and also running a Call for Sites consultation to identify more land for housing. While this is a standard process Arun did produce in early 2021 an Interim Policy Statement setting out that it would welcome applications for residential development in principle on sites which are considered available within the HELAA. This is a strategic policy response by the Council to try to counteract its shortfall in housing supply. In this report we note that sites from the HELAA in the wider Bognor Regis area are mapped in Figure 3 below.



Figure 4: Map showing HELAA (Dec 2020) sites within the wider Bognor Regis area (Arun District Council, 2020).

Flood Risk Criteria

2.8 The Planning Practice Guidance advises when the Sequential Test is normally to be applied stating that:

"Nor should it normally be necessary to apply the Sequential Test to development proposals in Flood Zone 1 (land with a low probability of flooding from rivers or the sea), unless the Strategic Flood Risk Assessment for the area, or other more recent information, indicates there may be flooding issues now or in the future (for example, through the impact of climate change)." (Paragraph: 033, Reference: 7-033-20140306)

2.9 The Environment Agency Flood Map for Planning shows the entire site as being located within Flood Zone 3.

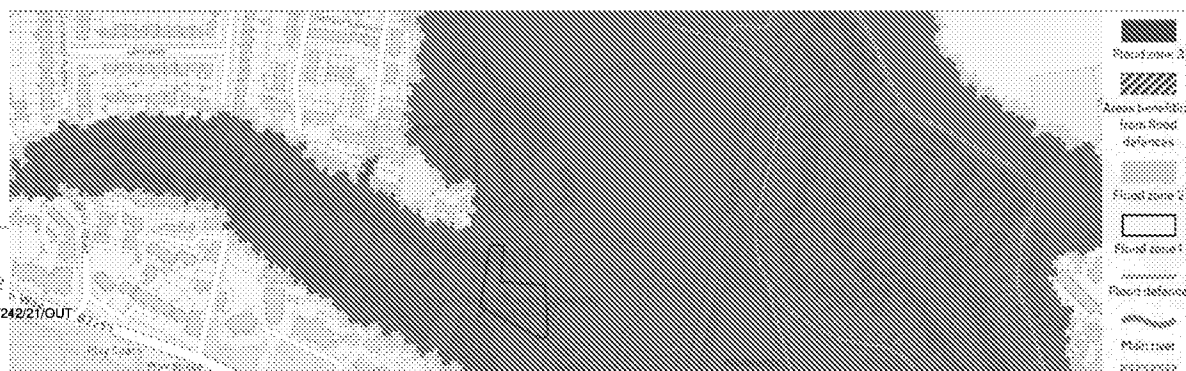


Figure 5: Flood Zone map of the site.

- 2.10 In light of the above, given the development area of the site sits within Flood Zone 3 and accordingly sites which sit within either Flood Zone 2 or 3 will be considered as alternative locations for development.
- 2.11 It is important to identify sites robustly and to do so having regard to climate change implications we refer to the Arun District Council Strategic Flood Risk Assessment (2016). This assesses the future implications of climate change on development and maps the flood risk expected under modelled climate change for fluvial and tidal / coastal flood risk. *Appendix D: Climate Change Mapping* of the SFRA provides hydraulic mapping which compares current flood risk with potential future flooding arising through climate change.

This includes:

- Future Flood Zone 3A (2031) + 15% flows
- Future Flood Zone 3A (2061) + 30% flows
- Future Flood Zone 3A (2111) + 45% flows

- 2.12 The above identifies the proposed site remains sits within the Future Flood Zone 3A (2031, 2061, 2111). Accordingly, all sites within these zones will be considered as alternative locations for development.



Figure 6: Climate Change Mapping from the SFRA with site highlighted.
(Source: Arun District Council)

Housing Capacity

- 2.13 As set out within the latest Annual Monitoring Report on the Arun District Council website, the District currently has insufficient land to meet its 5 year housing land supply requirement. Additionally, the Council was required to produce an Action Plan as a consequence of its Housing Delivery Test. There is no evidence that either housing land supply or delivery rates have improved, and its latest position sets out a supply position of 3.3 years.
- 2.14 In light of the need to provide housing and, in particular affordable housing, as per Policy AH SP2 of the Arun Local Plan and the supporting Interim Housing Statement, alternative sites should have the capacity to provide a similar quantum and range of housing types as the proposal. The Council have advised that the Sequential Test will only need to review sites of a similar scale and therefore larger strategic sites can be discounted from the assessment.
- 2.15 Whilst the application which this assessment supports is only made in outline, the indicative housing numbers are below 11 dwellings and as such the indicative mix of market and affordable dwellings including family sized accommodation requirements as set out within Policy H DM1 and AH SP2 are not required.
- 2.16 Accordingly, sites which provide 11 or more dwellings have been discounted as comparable alternative locations for development. Equally sites with the same flood risk classification can be discounted, but to avoid additional work in the first instance they have been included in the event that parts of those sites might be less constrained. It does not affect the assessment. Notably allocated sites, combined with those consented and reported in the AMR, are not sufficient to deliver an adequate short term (5 year) housing land supply to the District Council. This has recently been accepted by officers in consideration of the outline planning application for Land East of Shripney Road (BE/109/19). The latter are still listed by this assessment, as commitments but cannot not contribute any further to addressing the shortfall of housing land in Arun District (without incurring double counting).

Planning Policy

- 2.17 The comparison sites have been assessed to determine if there are any planning policy designations that would affect the delivery of housing. Identified sites have been reviewed against the land use policies of the Arun Local Development Framework, relevant Neighbourhood Plans and the corresponding Proposals Maps. Salient policies from the Arun Local Plan include:

Policy EMP DM1 – Employment Land: Development Management advises that the Council will ‘seek to protect and enhance existing employment sites and premises.’ All sites that are allocated as existing employment sites will therefore be discounted as alternative locations for development.

Policy EMP SP3 – Strategic Employment Land Allocations advises that strategic employment land identified will be protected over the plan period. All sites that are allocated as strategic employment sites will therefore be discounted as alternative locations for development.

Policy SD SP3 – Gaps between Settlements stipulates that there will be a presumption against the development of sites with this designation on the Proposals Map. This is to retain a sense of openness and prevent the coalescence of settlements over the Plan period. All sites that are designated as gaps between settlements will therefore be discounted as alternative locations for development.

Policy OSR DM1 – Open Space, Sport and Recreation advises that the Council will look to protect all existing outdoor spaces. All sites that are allocated areas of open space are therefore to be discounted as alternative locations for development.

Policy H SP1 – Housing Requirement provides details of strategic housing allocations which are necessary for meeting the Council's housing land supply requirement. Such sites are not by definition windfall sites and will not address the shortfall of housing land that the District faces. All sites sitting with strategic allocations SD1, SD2 and SD3 have therefore been discounted as alternative locations for development.

Policy SD SP2 – Built-Up Area Boundary states that all development should be focused within the defined boundaries of the Built-Up Areas. All sites sitting outside the defined settlement boundary for the Bognor Regis area have therefore been discounted as alternative locations for development.

- 2.18 There is also additional policy designations that have been identified which would have a material impact on a site, this includes:

Policy ENV DM3 – Biodiversity Opportunity Area identifies sites which can retain and sympathetically incorporate local important habitats. Whilst this does not prevent development, it could reduce the density of development.

- 2.19 In addition to the Local Plan policies, there is also Neighbourhood Plan policies referred to within the assessment of sites. These include the following;

Bersted Neighbourhood Plan Policy HDQ1 – Housing Site Allocations identifies sites at the former Rising Sun PH and Bartons School site for a minimum of 5 and 20 homes respectively.

Bognor Regis Neighbourhood Plan Policy 8e – Gateway to High Street / Gloucester Road identifies the site for high quality residential led mixed use development with an amount of employment and retail components on the site.

Bognor Regis Neighbourhood Plan Policy 8h – East of Station Covers Site identifies the site for high quality low carbon residential led mixed use development which should include provision of a transport hub.

Bognor Regis Neighbourhood Plan Policy 8i – Northern Part of Durban Road Industrial Area identifies the site for potential use as a demonstration project for self-build/self-commissioned low carbon living and working with a mix of uses including industrial, residential, employment and small scale workshops.

Assumptions

- 2.20 For the purposes of the Sequential Test only deliverable sites (1-5 years) should strictly be included. Developable sites under the NPPF terminology are potentially likely to come forward in 6-10 years and as such are 'not available' or likely to deliver housing to meet the identified shortfall. This is reflected in the District's Interim Housing Statement which seeks to promote development at deliverable sites in order to address the current shortfall in housing land supply.

- 2.21 A notable point here is that the LPA is encouraging greenfield sites that lie beyond the Built Up Area Boundary (BUAB) whereas this site, and any alternatives identified lie within the BUAB will automatically not conflict with countryside protection policies, reduce the capacity of agricultural or mineral resource rich land, and will be inherently more sustainable in their location and relationship to local facilities and services. As part of the exception test, and as part of that, consideration must be made in line with the Framework of the wider sustainability benefits of delivering development on a site constrained by respective flood categorisation and based on use vulnerability.

3. Assessment of Alternative Available Sites

#	Site Name	Evidence Base	Ref No.	HELAA Status	Policy	Flood Zone	Flood Area	Size	Capacity	Further Assessment
1	Land at Sefter Road	HELAA	18P1	Committed (P/116/18/OUT)	N/A	1 (part 2 & 3)	2111 (part)	0.29ha	6-9	N
2	Land Rear of 34-44 Carlton Ave	HELAA	18AW1	Committed (AW/130/18/OUT)	N/A	1	1	0.49ha	8	N
3	15-17 Kew Gardens	HELAA	BR6319	Committed (BR/63/19/PL)	N/A	1	1	0.10ha	6	N
4	The Royal Hotel	HELAA	BR15515	Committed (BR/257/15/PL)	N/A	2 & 3 (part)	3a, 2111	0.1ha	27	N
5	The Beach, The Esplanade	HELAA	BR23911	Developable (6+ years)	N/A	2 & 3 (part)	3a	0.11ha	33	N
6	56 High Street	HELAA	18BR3	Committed (BR/270/17/PL)	N/A	1	2111 (part)	0.05ha	9	N
7	46 – 48 High Street	HELAA	BR30704	Committed (BR/307/04)	N/A	1	2111 (part)	-	8	N
8	Regis Centre	HELAA	BR19	Committed * (BR/156/16/PL)	N/A	1	2061 & 2111	2.76ha	192	N
9	Telephone Exchange	HELAA BRNP	BR2A	Not currently developable	Policy 8E	3	3A	-	-	N

10	Covers Richmond Road	HELAA BRNP	BR10	Developable (6+ years)	Policy 8H	1	1	1.19ha	33	H
11	Prince of Wales PH, Highfield Rd	HELAA	BR8219	Committed (BR/82/19/PL)	N/A	1	2061 (part)	0.34ha	6	H
12	Richmond Arms	HELAA	18BR2	Committed (BR/142/13/OUT)	N/A	1	1	0.02ha	10	H
13	The Manor House	HELAA	BR14015	Committed (BR/140/15/PL)	N/A	1	1	0.12ha	9	H
14	Land adjoining Gordon Ave West	HELAA	NEWBR1	Developable (6+ years)	N/A	1	1	0.31ha	11	H
15	283 – 285A Chichester Road	HELAA	18BR1	Committed (BR/224/17/PL)	N/A	1	1	0.19ha	8	H
16	Land adj to Tesco Express	HELAA	BE113	Developable (6+ years)	N/A	1	1	0.19ha	5	H
17	Land Rear of 27 North Bersted St	HELAA	120	Committed (BR/74/17/PL)	N/A	1	1	0.85ha	10	H
18	Land West of New Barn Lane	HELAA	18BE2	Committed * (BE/77/16/OUT)	N/A	1	1	1.94ha	50	H
19	Land off New Barn Lane	HELAA	BE14215 OUT	Committed (BE/142/15/OUT)	N/A	1	1	3.72ha	90	H
20	Bartons Infants Sch Broadwalk	HELAA	NEW BE10	Developable (6+ years)	N/A	1	1	0.47ha	20	H
21	Durban Road Ind Estate	HELAA BRNP	BR7A	Not currently developable	Employment Site / Policy 8i	3	3a	-	-	H
22	Westside Supplies Unit	HELAA	BR19811	Committed (BR/81/19/PL)	N/A	3	3a	0.11ha	14	H
23	Land West of Felpham Way	HELAA	FP1	Committed (BR/311/13/PL)	N/A	3	3a	0.9ha	170	H
24	North Paddocks	HELAA	17FP1	Developable (6+ years)	Commercial sought by LPA	3	3a	6.6ha	-	H
25	Land at Stanhorn Grove	HELAA	18FP1	Committed (FP/171/18/PL)	N/A	1	1	0.49ha	18	H
26	Land at Chaucer Road	HELAA	147	Not currently developable	N/A	1	1	0.78ha	-	H
27	86 Middleton Road	HELAA	FP20	Developable (6+ years)	N/A	1	1	0.18ha	6	H
28	Land West of Yapton Road	HELAA	M4516	Committed (M/45/16/PL)	N/A	1	2111	0.55ha	13	H
29	Land South of A259	HELAA	FP17	Developable (6+ years)	N/A	2, 3 (part)	3a (part)	6.3ha	189	H
30	Bonhams, Hoe Lane	HELAA	NEW Y22	Developable (6+ years)	N/A	1	2111 (part)	1.61ha	39	H
31	LEC Airfield	HELAA	PS3	Unknown (see HELAA 2020)	Strategic Site (Employment)	2, 3a, 3b	3A, 2111	31.1ha	-	H
32	Oldhams Farm	HELAA	BR1B	A1/58/15/OUT Commercial	Strategic Site	2	3A, 2111	-	-	H
33	Oldhams Farm	HELAA	BR1	Unknown	Strategic Site	1	2111	13.8ha	-	H
34	Land West of Shripney Road	HELAA	NEW BE11	Unknown	Strategic Site	1	2111	3.23ha	-	H
35	Land West of Shripney Road	HELAA	PS1	BE/35/18/PL Commercial	Strategic Site	2, 3 (part)	3A, 2111	-	-	H
36	Land off New Barn Lane	HELAA	125	Developable (6+ years)	Strategic Site	1	1	164ha	2500	H
37	Land North of Sefter Road	HELAA	31	Committed (P/134/16/OUT)	Strategic Site	1	1	13.34ha	280	H
38	Land West of Hook Lane	HELAA	P15	Committed (P/30/19/OUT)	Strategic Site	1	1	17.5ha	300	H
39	Land West of Pagham Road	HELAA	117	Committed (P/140/16/OUT)	Strategic Site	1	1	22.97ha	400	H
40	St Ninians Church	HELAA	P5408	Developable (6+ years)	N/A	1	1	0.26ha	9	H
41	Land at Former Rising Sun PH	Bersted NP		Developable (6+ years)	Local Site HDQ1 (NP Allocation)	1	1	-	5	H
42	Barton School Site	Bersted NP		Deliverable	Local Site HDQ1 (NP Allocation)	1	3A, 2111	-	20	H

*Allowed at Appeal

BRNP – Bognor Regis Neighbourhood Plan

4. Assessment of Individual Sites

- 4.1 In this section any sites identified that to be sequentially preferably would be explored in a further, more detailed grain of assessment. By preferable sites we mean those;
- Located within the area of search
 - Available for development, and considered to be suitable for residential development and concluded to be 'deliverable' by ADC's most recent HELAA
 - Capable of, but not already contributing to the Council's short term housing land supply position (i.e. not already committed or allocated and expected to deliver new homes).
- 4.2 However, within the area of search specified by the Council, there are not considered to be any sequentially preferable sites.

5. Conclusions

- 5.1 This sequential assessment has reviewed all relevant and necessary public data source that have, and will, guide development opportunities within in the area of scope confirmed by Arun District Council. Consideration has been given to a range of sites to examine if they are reasonably available and satisfy the assessment criteria detailed within Chapter 2 of this report.
- 5.2 Paragraph 033 (Ref ID: 7-033-20140306) of the NPPF Planning Guidance advocates that when applying the Sequential Test to individual applications, a pragmatic approach on the availability of alternatives should be taken.
- 5.3 The report demonstrates that within the Bognor Regis area (BUAB) which also includes Felpham, Pagham, Bersted, Aldwick and Middleton-on-Sea, there are no other reasonably available alternative sites within the area of a similar nature for the developer. Whilst there are available and developable sites within the area, these are either too large or too small for the developer taking into account the proposed size of the development which is below 11 dwellings which would trigger additional policy requirements for specified dwelling mixes and affordable housing provision. In addition, a significant number of sites have been granted permission already by the Local Planning Authority or are not developable in the near term.
- 5.4 For the above reasons, it is considered that when taking a pragmatic approach and consideration to the Districts housing land supply which is currently below the 5 year requirement, the application site does pass the sequential test due to the housing need in the area. Accordingly, planning permission can be granted for development subject to the development passing the requisite exception test. If it does we consider the application should not be refused on flooding grounds.

Appendix A: HELAA Map of Bognor Regis and Surrounds

