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Sequential Test for Flood Protection

Erection of temporary buildings to accommodate performance stage and seating for a period of up to 3 years

Council reference BR/292/20/PL

January 2021

1.0 INTRODUCTION

- 1.1 The submitted Planning Statement states that a flooding Sequential Test would be futile as the proposed development is required to locate within the resort which is almost totally within flood zones 2 and 3 (para 7.9).
- 1.2 The accompanying Flood Risk Assessment & Drainage Strategy (Crouch Waterfall) (FRA) also sets out that the building can only serve its purpose if located on the resort site and that it does not increase risk to building users (para 7.3) or result in increased risk for other parts of the site or nearby areas.
- 1.3 This Statement sets out the background to those conclusions.

2.0 GUIDANCE

- 2.1 NPPF paras 157 and 158 set out the importance of flooding Sequential Testing in the Local Plan process of allocating and permitting development of all kinds. The Test and resulting Local Plan policies and allocations should direct development to areas of the lowest flood risk unless there are no acceptable alternatives.
- 2.2 NPPF para 162 sets out that where planning applications that are in accordance with development plan policies come forward there is no requirement for a flood Sequential Test to be carried out, but that in other instances a site specific exercise will be required together with other information in a Flood Risk Assessment to demonstrate that the proposal does not increase risk of or from flooding.
- 2.3 NPPG (033 Reference ID: 7-033-20140306) reiterates this advice *"The Sequential Test does not need to be applied for individual developments on sites which have been allocated in development plans through the Sequential Test.."*. Conversely, *"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.”

- 2.4 The same paragraph of NPPG goes on to advise that *“When applying the Sequential Test, a pragmatic approach on the availability of alternatives should be taken. For example, in considering planning applications for extensions to existing business premises it might be impractical to suggest that there are more suitable alternative locations for that development elsewhere.”*
- 2.5 The Arun Local Plan 2011-2031 was adopted in July 2018, the background documents to the Local Plan include a Strategic Flood Risk Assessment.
- 2.6 As set out in the accompanying Planning Statement, the Local Plan allocates the Butlins resort site as within an Economic Growth Area to which policies EMP SP2 directs *“Knowledge and cultural based employment as well as retail, leisure and office Development”*.
- 2.7 Policy TOU DM1 supports appropriately located tourism related proposals and *“Larger scale proposals will generally be directed towards the Economic Growth Areas of Littlehampton and Bognor Regis.”*

3.0 PROPOSAL

- 3.1 The applicant is Butlins. Butlins operate 3 resorts (Bognor Regis, Skegness and Minehead) which offer guest accommodation and entertainments to guests. The resorts provide a wide range of attractions from family holidays through to adult weekends. Two of biggest attractions at the resorts are the availability of a range of entertainments and the swimming pool.
- 3.2 As set out in the Planning Statement all of the resorts have been badly affected by the Covid crisis causing holidays to be cancelled or postponed, the resorts to close or operate at reduced capacity and staff to be furloughed with consequent adverse socio-economic impacts.
- 3.3 The resorts now need to meet the social distancing requirements of the Covid regulations and the expectations of their guests to have a both safe and enjoyable holiday experiences. In providing indoor entertainments it is now necessary to “spread out” guests groups (or “bubbles”). Therefore, it is necessary to have greater floor areas to accommodate the same numbers of guests.
- 3.4 On this basis the resort provided a temporary outdoor stage in the summer when it was allowed to re-open. This stage was removed as the weather became less clement. The proposal is to now provide a temporary building (for a 3 year period) to allow the social distancing of guest groups. The guest capacity of the resort is not increased by the proposal.

3.5 It is absolutely fundamental to the Butlins resort concept that its facilities are readily available on site for use by the guests.

3.6 The accompanying Planning Statement and FRA detail the proposal. The FRA also sets out that almost all of the area of the resort is within flood zone 2 or 3.

4.0 SEQUENTIAL TESTING FOR THE PROPOSAL

4.1 The proposal accords with policy in an up to date Local Plan that has been prepared taking into account a Strategic FRA exercise. On this basis and taking account of the NPPF and NPPG guidance there is no requirement for this planning application to go through a site specific flood Sequential Testing exercise.

4.2 Almost the whole of the application site (ie the whole resort) is within flood zone 2 or 3. The only areas outside of these zones within the site are occupied by existing buildings. Large parts of the area immediately surrounding the resort are also within flood zones 2 or 3, furthermore, immediately adjoining areas are occupied by existing buildings or open space or “Gaps Between Settlements” as shown in the Local Plan.

4.3 It is fundamental to the Butlins concept that the entertainment facilities are located on site. There is no space available within the site that is outside of flood zones 2 or 3 which could accommodate the proposal.

4.4 As advised by NPPF and NPPG some flexibility should be exercised in application of the scoping criteria, but it is also emphasized (see 2.4 above) that a pragmatic approach is required. The current proposal is highly analogous to the example given in the NPPG advice of an extension to existing business premises. As in that example, it is impractical for the current proposal to be located other than on resort.

4.7 Nonetheless, applying the principle of flexibility, the possibility of locating adjacent to the resort has been considered. However, all of those immediately adjacent areas to the resort are either equally within food zones 2 or 3 or occupied by existing buildings or protected open space. Therefore, even if Butlins were able to accept an off site, but adjoining, location there are no options available.

4.8 Location of an entertainment facility off site and beyond the immediately adjoining areas would not perform the intended function, it would be an entirely different proposition. Sequential Testing does not require applicants to consider entirely different propositions, merely to apply a reasonable level of flexibility.

5.0 CONCLUSIONS

5.1 On the basis of NPPF, NPPG and Local Plan policy there is no requirement to apply a sequential test to the proposal.