

LIDSEY GREEN
SEQUENTIAL
AND
EXCEPTION TEST
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1 Introduction

- 1.1 This Sequential and Exception Test has been prepared by LRM Planning Ltd, on behalf of the applicant, Hallam Land Management in support of an outline planning application for the residential redevelopment of Bognor Regis Golf Course / full planning application for a new golf course on land south of Grevatt's Lane to Arun District Council.
- 1.2 The proposed development for the Site is for the relocation of the existing golf course. This scheme is part of a wider project which delivers both the relocation of the golf course and the redevelopment of the existing golf course to deliver housing.
- 1.3 The site is located to the east of the Lidsey Rife and is partially located within Flood Zone 2 and 3, as defined on the Environment Agency Flood Risk Map. The National Planning Policy Framework (NPPF) (July 2021) states at para. 162 that "*development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding*". As set out in the Planning Practice Guidance and within para. 162 of the NPPF the sequential test is used to steer new development to areas of the lowest risk of flooding from any source. Flood Risk Vulnerability Classification is set out in Annex 3 of the NPPF. This identifies 5 categories for vulnerability: water-compatible development; less vulnerable; more vulnerable; highly vulnerable; and essential infrastructure. Within these categories there are differing levels of development which are considered appropriate.
- 1.4 In line with the requirements of the Sequential Test the level of vulnerability has to be taken into consideration for which developments are already classified as appropriate development in each area and which would need to be the subject of the Test.
- 1.5 This report conducts the sequential test for flood risk on alternative sites along the Greater Bognor Regis Urban Area to demonstrate that the application site is suitable for the proposed development. The project is to relocate the existing golf course to a new location, thus this project and specifically this site is the only land able to deliver this proposed development.
- 1.6 Alongside this report a Flood Risk Assessment and Drainage Strategy has been prepared by WSP which should be read in conjunction with the Sequential Test.

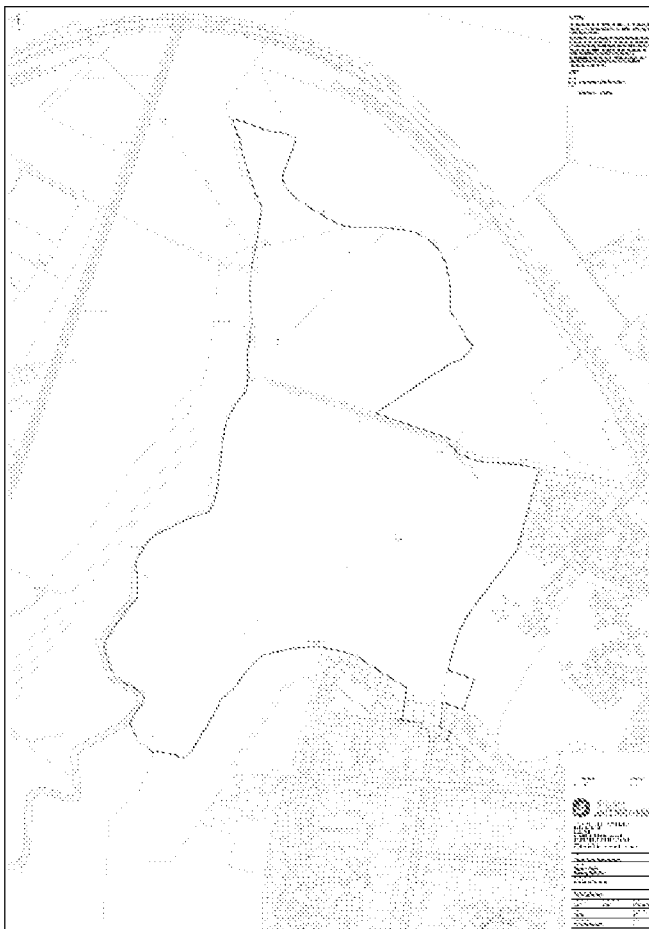


2 Site and Background

The Site

- 2.1 The Site is defined on Figure 1 below and measures approximately 40ha. The Site currently comprises the Bognor Regis Golf Club and associated facilities and car parking. Vehicular and pedestrian access is provided from Golf Links Road. The golf course comprises fairways, fairway trees with occasional drainage ditches.
- 2.2 The Site is located to the north of Felpham and Bognor Regis, and is adjacent to the north western edge of the built up area of Felpham.
- 2.3 The Site is bounded to the west by the Lidsey Rife, beyond which is the LEC Airfield, the Railway Line and beyond which are areas of commercial development. To the north is the A259. To the east is the existing residential environs of Felpham. To the south are open fields extending to the B2259 and further afield Felpham.
- 2.4 The Site is partially located within Flood Zone 2 and 3, this will be addressed further in the following sections.

Figure 1: Site Location Map





Background

- 2.5 The Site has previously been promoted as part of the Housing and Economic Land Availability Assessment (HELAA) in 2020, and recently promoted as part of the 2021 HELAA update consultation.
- 2.6 This Site (HELAA Ref: NEWFP1) was considered **developable** as part of the 2020 HELAA.
- 2.7 The assessment concludes that *“the site is affected in part by flood risk which limits the suitability of the site for development as a whole, requiring passing of exception test including floodplain compensation”*.



3 Proposed Development

3.1 The existing Bognor Golf Course, club house and parking will be redeveloped for new housing.

3.2 The proposed development is for:

Outline planning application with all matters reserved, except means of access, for the erection of up to 480 new homes (C3), the formation of a new means of access onto Golf Links Road, together with the creation of new surface water drainage, new landscaping and habitat creation, ground works and other infrastructure. The retention and re-purposing of the retained club house (F2).

3.3 The Applicant is seeking approval of means of access as part of the outline application.

3.4 The Applicant is reserving appearance, landscaping, layout and scale for subsequent approval (reserved matters).

3.5 Accompanying this application are the parameters plans which sets out the proposed development in relation to the flood plain. There is also a surface water drainage strategy which has been prepared and accompanies the application.

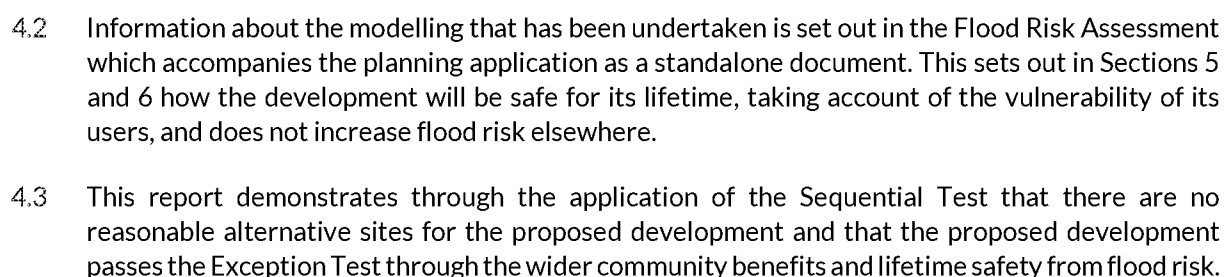
3.6 The layout has been informed by a constraints and opportunities analysis.

3.7 As part of the submission package a Flood Risk Assessment and Drainage Strategy has been prepared. This is included within the Environmental Statement.

3.8 It should be noted that this planning application forms part of a wider overall project for the relocation of the Bognor Regis Golf Course to the land north of Ancton. This project forms both the relocation of the golf course and the redevelopment of the land on which the golf course is currently situated.



- Figure 2: Environment Agency Flood Risk Map





5 Policy Context

National Planning Policy Framework

Overarching Policy Objective

- 5.1 Section 14 of the NPPF relates to meeting the challenge of climate change, flooding and coastal change. This sets out at para 159. that *inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk.*
- 5.2 The NPPF states at para 167 that *when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. It continues by setting out how development should only be allowed in areas at risk of flooding where, in light of this assessment (and the sequential and exception test, as applicable) it can be demonstrated that:*
- a) *Within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;*
 - b) *The development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;*
 - c) *It incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;*
 - d) *Any residual risk can be safely managed; and*
 - e) *Safe access and escape routes are included where appropriate, as part of an agreed emergency plan.*

The Sequential Test

- 5.3 There is a requirement at para 161. of the NPPF that *all plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change. This includes applying the sequential test and then, if necessary, the exception test.*
- 5.4 The NPPF states at para 162. that *the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. It continues that development will not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.*

The Exception Test

- 5.5 Para 163 of the NPPF states that *if it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification.*



5.6 The requirements to pass the exception test are state out in para 164, these are:

- a) *The development would provide wider sustainability benefits to the community that outweigh the flood risk; and*
- b) *The development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.*

National Planning Practice Guidance

- 5.7 The National Planning Practice Guidance (NPPG) sets out the guidance on sequential testing. It requires a Sequential Test if both of the following apply: *the development is in flood zone 2-3; and a sequential test hasn't already been done for a development of the type you plan to carry out on your proposed site.*
- 5.8 The guidance demonstrates how *the Sequential Test ensures that a sequential approach is following to steer new development to areas with the lowest probability of flooding...Where there are no reasonably available sites in Flood Zone 1, local planning authorities in their decision making should take into account the flood risk vulnerability of land uses and consider reasonably available sites in Flood Zone 2...only where there are no reasonably available sites in Flood Zone 1 and 2 should the suitability of sites in Flood Zone 3 be considered (ID: 7-019-20140306).*
- 5.9 The NPPG classified residential development as 'More vulnerable' development (ID: 7-066-20140306). It states that this type of development can take place in Flood Zone 1 and 2 but can only take place in Flood Zone 3 where an Exception Test has been passed (ID: 7-067-20140306).
- 5.10 The guidance demonstrates that the Exception Test is a method to *demonstrate and help ensure that flood risk to people and property will be managed satisfactorily, while allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available.* The Test requires, as set out in the guidance, the proposed development to *show that it will provide wider sustainability benefits to the community that outweigh flood risk, and that it will be safe for its lifetime, without increasing flood risk elsewhere and where possible reduce flood risk overall.*

Arun Local Plan

- 5.11 The Arun Local Plan (2011-2031) was adopted in July 2018. This sets out the local planning policy framework for the District and is part of the Development Plan within which applications where will be determined.
- 5.12 Policy W DM2 relates to Flood Risk. This states that *development will only be permitted where all of the following criteria have been satisfied:*
- a) *The sequential test in accordance with the National Planning Policy Guidance has been met.*
 - b) *A site specific Flood Risk Assessment demonstrates that the development will be safe, including access and egress, without increasing flood risk elsewhere and reduce flood risk overall.*
 - c) *The sustainability benefits to the wider community are clearly identified.*
 - d) *The scheme identifies adaptation and mitigation measures.*



- e) *Appropriate flood warning and evacuation plans are in place; and*
- f) *New site drainage systems are designed to take account of events which exceed the normal design standard i.e. consideration of flood flow routing and utilising temporary storage areas.*

Felpham Neighbourhood Plan

- 5.13 The Felpham Neighbourhood Plan (2019-2031) was made by Arun District Council on the 17th March 2021.
- 5.14 Within the Plan paras. 3.9 and 3.10 address flooding. This identifies the number of rife which run through the neighbourhood plan area and that *'there has been significant flooding over the years'*. The previously proposed 'Policy ESD2 Development in flood sensitive areas' has been deleted in the made Plan.
- 5.15 There is an amended policy which addresses Surface Water Management and requires *'where development requires new development within areas at risk from surface water flooding, it will not be permitted unless it is supported by a site-specific Flood Risk Assessment which provides clear evidence to demonstrate that the proposal: would not give rise to additional risk of flooding, either to the development site or to other land... and would make appropriate provision for accommodating the surface water and foul water arising from the development.'*

Yapton Neighbourhood Plan

- 5.16 The Yapton Neighbourhood Plan is part of the Development Plan. It was 'made' in October 2014 and is currently under review.
- 5.17 Policy E11 relates to minimising the impact of flooding from development.

Arun Local Plan (2011-2031) Sequential and Exception Test (2014)

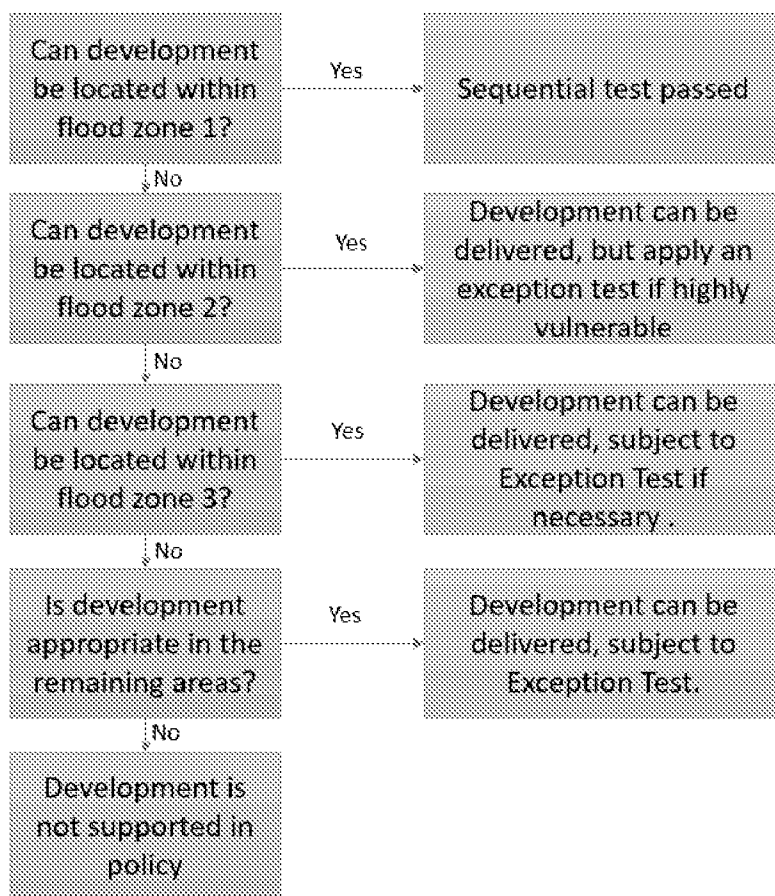
- 5.18 The report set out the approach taken to ensure the Local Plan had been prepared taking into account flood risk, now and in the future. The Test informed the Sustainability Appraisal for the Local Plan and the site selection process.
- 5.19 The Test is one part of an integrated process of site selection that takes account of many factors, including wider sustainability issues, the realism of site delivery and in response to consultation with the public, business and partner agencies.
- 5.20 The conclusions of the Test demonstrated that on the basis of the Sequential Test some of the site would be suitable for locating both housing and employment uses, as they satisfy the test. Other sites were taken forward for the exception test, these sites included the Former LEC Airfield Site which was then allocated in the adopted Local Plan as it was demonstrated that the proposed use was most suitable in this location with the on site and off site provision of mitigation measures.



6 Methodology

- 6.1 This Test has been prepared in line with the guidance in the NPPF and NPPG. The below methodology sets out the clear reasoning behind the alternative site selection and the assessment framework used.
- 6.2 National guidance does not require a Sequential Test for planning applications which have already been subject to the Test as part of the Local Plan or where the development vulnerability is appropriate for the flood risk. For this application site it has not been subject of this Test and thus this Sequential Test needs to be undertaken.
- 6.3 As part of the guidance a flow diagram has been published setting out the application of the Test for Local Plan preparation. This is adapted in Figure 3 below and provides context on the use and application of the Test for delivering development within areas of Flood Risk.

Figure 3 Adapted NPPG Flow Diagram



- 6.4 The proposed development of residential dwellings is classed as 'more vulnerable' in the areas of the site which fall under Flood Zone 2 and 3.



Site Requirements

- 6.5 As set out in the Local Plan the Site is located within the Greater Bognor Regis Urban Area and south of the A259. The Site itself has been promoted through the HELAA consultation and subsequently assessed alongside the other promoted sites for development in the District.
- 6.6 The specific site requirement for this proposed development is to allow the relocation of the existing use as a golf course and for the redevelopment of the site to occur to aid in the viability and future business plan for the golf course.
- 6.7 The first requirement of the Site will be for it to be developable and deliverable as demonstrated as part of the HELAA consultation report (2020).
- 6.8 In order to assess reasonably available sites, the second requirement must demonstrate the sites are:
- Not located within flood zone 2 or 3;
 - Available in the short term to aid in housing delivery;
 - Not subject to existing planning permission or a live planning application;
 - Not in use or occupation for an alternative purpose;
 - Not in conflict with adopted planning policy; and
 - Free from site specific constraints which would prevent development in the short term.
- 6.9 The scale of the alternative site is the third site requirement and would need to be of similar nature to that of the proposed Site to accommodate the proposed development. This could include a buffer of +/- 20%, thus would need to accommodate 400 to 600 dwellings as a key site requirement. This buffer demonstrates the Test being sensible, reasonable and flexible.
- 6.10 The published report for the HELAA in 2020 presents all sites that have the potential for housing and economic development in the future. This data will be used to assess and draw out the key alternative sites along the Greater Bognor Regis Urban Area and south of the A259 which are to be used within this Test. These are identified and assessed in the following section at Table 7.1.

Applying the Sequential Test

- 6.11 The Test is required to demonstrate that there are no sequentially preferable, reasonable alternative sites within lower flood risk zone within a defined area.
- 6.12 The sites identified from the above assessment were considered in full for the ability to deliver the proposed development.
- 6.13 The key consideration for alternative site included both the ability to deliver the scale of residential development proposed on this site and the ability to deliver the overall project of relocating the golf course site. Also, the sites were assessed for their location within flood zones and the vulnerability of development at these locations.
- 6.14 Section 7 presents the application of the Test in full.



Conclusion

- 6.15 The Sequential Test, if passed, will demonstrate the need to progress into an Exception Test as the proposals for residential development are classed as 'More Vulnerable' development if remaining in Flood Zones 2 and 3.



7 Sequential Test

- 7.1 The Sequential Test covers the Greater Bognor Regis Urban Area from Pagham to Ancton. As detailed in the above chapter the sites identified below are the subject of the Test and assessed against the key requirements for the proposed development and flood risk.

Assessed Sites

- 7.2 As previously mentioned the HELAA (2020) has set out a number of sites promoted for both residential and economic development across the District. This includes a number of sites along the Greater Bognor Regis Urban Area.
- 7.3 The table below sets out the two sites which have been considered the only appropriate sites to continue as part of the Test as they are located along the Greater Bognor Regis Urban Area, south of the A259, adjacent to the existing settlement boundary and are not currently allocated.

Table 7.1 Suitable Sites for Sequential Test

HELAA Reference	Address
M7A and M7B (combined)	Land north of Ancton Lane
P20	Land north of Pinehurst Park.
18P2	Land west of Pagham Road

- 7.4 None of the above sites are directly comparable to the application site because they cannot facilitate the relocation of the existing Gold Course.

Site Analysis

Land north of Ancton Lane

- 7.5 There are three criteria, as set out in the methodology, which will be used to assess this site. These are addressed in turn below.

Developability Assessment

- 7.6 The land north of Ancton Lane has been assessed as part of the HELAA as not currently developable. The site is contrary to the Local Plan policy and not considered suitable for development.

Key Site Requirements

- 7.7 In response to the criteria set out in section 6 the following assessment has been conducted, as set in Table 7.2 below.



Table 7.2 Assessment of Criteria.

Criteria	Assessment
Not located within flood zone 2 or 3	The Site is located in part in Flood Zone 2 and 3
Available in the short term to aid in delivery of the relocation	The Site is subject to a number of constraints including conflict with Local Plan policy as part of the settlement gap between Bognor and Chichester; subject to groundwater flood risk and contains a number of Tree Preservation Orders on site so has been assessed as not suitable in the HELAA 2020 assessment.
Not subject to existing planning permission or a live planning application	From a desk based assessment there is not relevant planning permission which would prevent development on this site.
Not in use or occupation for an alternative purpose	The Site is assumed to be under agricultural use which could be stopped if progressing with residential development.
Not in conflict with adopted planning policy	The Site would be in conflict with adopted planning policy in terms of being located in a settlement gap, in flood zones 2 and 3, and within the countryside with limited sustainable methods of travel available.

Scale of Site

- 7.8 The next criterion for assessing the Site is whether the scale of the Site would be able to deliver the proposed development and the project overall for the relocation of the golf course. In the first instance this Site (as a combined parcel) would be able to achieve the overall delivery of 500 units. However, the Site is not able to deliver the relocation of the golf course site as this is an existing use on the applicant's Site at Bognor Regis Golf Course. The land north of Ancton could not deliver in the overall project of the relocation and redevelopment of the golf course.

Conclusion of site specific assessment

- 7.9 In light of the above assessment and the failure to meet all three criterion, it is considered that this site should be discounted.

Land north of Pineshurst Park

- 7.10 There are three criteria which will be used to access this site. These are addressed in turn below.

Developable Assessment

- 7.11 The land north of Pineshurst Park has been assessed as part of the HELAA as developable.

Key Site Requirements



- 7.12 In response to the criteria set out in section 6 the following assessment has been conducted, as set in Table 7.3 below.

Table 7.3 Assessment of Criteria.

Criteria	Assessment
Not located within flood zone 2 or 3	The Site is not located in Flood Zone 2 and 3
Available in the short term to aid in delivery of the relocation	The HELAA has stated that the availability of the site is unknown and it was assumed in the published assessment that the site would come forward in the longer term rather than in the short term.
Not subject to existing planning permission or a live planning application	From a desk based assessment there is not relevant planning permission which would prevent development on this site.
Not under use or occupation for an alternative purpose	The Site is currently under agricultural use which would cease if progressing with residential development.
Not in conflict with adopted planning policy	The Site would be in conflict with adopted planning policy in terms of being located in a settlement gap and within the countryside. There are also constraints from Tree Preservation Orders.

Scale of Site

- 7.13 The next criterion for assessing the Site is whether the scale of the Site would be able to deliver the proposed development and the project overall for the relocation of the golf course. In the first instance this Site would not be able to achieve the overall residential development as it has been identified as delivering 97 dwellings. Also, the Site is not able to deliver the relocation of the golf course site as this is an existing use on the applicant's Site at Bognor Regis Golf Course. The land north of Pineshurst Park could not practically aid in the overall project of the relocation and redevelopment of the golf course.

Conclusion of site specific assessment

- 7.14 In light of the above assessment and the failure to meet the two of the criteria, it is considered that this site should be discounted.

Land west of Pagham Road

- 7.15 There are three criteria, as set out in the methodology, which will be used to assess this site. These are addressed in turn below.

Developability Assessment

- 7.16 The land west of Pagham Road has been assessed as part of the HELAA as not currently developable. The site is contrary to the Local Plan policy and not considered suitable for development.



Key Site Requirements

- 7.17 In response to the criteria set out in section 6 the following assessment has been conducted, as set in Table 7.4 below.

Table 7.4 Assessment of Criteria.

Criteria	Assessment
Not located within flood zone 2 or 3	The Site is not located in part in Flood Zone 2 and 3
Available in the short term to aid in delivery of the relocation	The Site is subject to a number of constraints including conflict with Local Plan policy as part of the settlement gap; located within the countryside; and in close proximity to listed buildings. It has been assessed as not suitable in the HELAA 2020 assessment.
Not subject to existing planning permission or a live planning application	From a desk based assessment there is not relevant planning permission which would prevent development on this site.
Not in use or occupation for an alternative purpose	The Site is assumed to be under agricultural use which could be stopped if progressing with residential development.
Not in conflict with adopted planning policy	The Site would be in conflict with adopted planning policy in terms of being located in a settlement gap and within the countryside.

Scale of Site

- 7.18 The next criterion for assessing the Site is whether the scale of the Site would be able to deliver the proposed development and the project overall for the relocation of the golf course. This site has been promoted for 120 dwellings and therefore would not be able to deliver the required 500 units. However, the Site is not able to deliver the relocation of the golf course site as this is an existing use on the applicant's Site at Bognor Regis Golf Course. The land west of Pagham Road could not deliver in the overall project of the relocation and redevelopment of the golf course.

Conclusion of site specific assessment

- 7.19 In light of the above assessment and the failure to meet all three criterion, it is considered that this site should be discounted.



8 Exception Test

- 8.1 As outlined in Section 2 above the NPPF and NPPG requires an Exception Test where there is not a more suitable site for the proposed development and where there is either highly vulnerable development in flood zone 2; essential infrastructure in flood zone 3a or 3b; or more vulnerable in flood zone 3a.
- 8.2 The above sequential test has not identified any reasonable alternative sites from the HELAA which would be in the appropriate location, developable and free from site constraints and policy conflicts to deliver the overall project of the relocation and redevelopment of the golf course.
- 8.3 Due to the proposed development being classified as 'More Vulnerable' development within Flood Zone 3a the Exception Test is applied.

Methodology

- 8.4 There are two criteria which should be met, as set out in the NPPG, for the Test to be passed. These are:
- It must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and
 - A site specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Site Specific Flood Risk Assessment

- 8.5 The planning application is accompanied by a site specific Flood Risk Assessment prepared by WSP consultants. This responds to the requirements of the NPPF and NPPG and the requirement to demonstrate that the proposed development will be safe for its lifetime.

Sustainability Benefits to the Community

- 8.6 The proposed development has been designed to include a number of benefits to the local community which outweigh the risk of flooding. These are listed below:
- Delivering of a wide range of open market and affordable housing;
 - Monetary contributions to local infrastructure and services;
 - On-site enhancement to accessible public open space;
 - Achieving biodiversity net gain across the site;
 - Economic benefits both during construction and occupation of the development;
 - Locating development in a highly sustainable location with services and facilities within walking and cycling distance; and



- Repurpose of the existing golf house as a local community facility.

8.7 The NPPF presents sustainability at para 8 as three dimensions which are mutually dependant. As outlined above the proposed development will be addressing all three elements of sustainability for the community.

8.8 These benefits demonstrate that the Exception Test has been passed.



9 Conclusion

- 9.1 As demonstrated in Section 7 the Sequential Test has not identified any reasonable alternative sites from the HELAA which would be in the appropriate location, developable and free from site constraints and policy conflicts to deliver the overall project of the relocation and redevelopment of the golf course.
- 9.2 The land north of Ancton Lane could accommodate the scale of development required. However, the site is located in flood zones 2 and 3 and is part of the project in any event as the host site for the new golf course.
- 9.3 Although the land to the north of Pineshurst Park is not within flood zone 2 and 3 it does conflict to the adopted Local Plan, it cannot deliver the scale of housing required by the scheme, and would not assist in facilitating the relocation of the golf course.
- 9.4 The land west of Pagham Road has similarly limited in terms of its size. It is not located within flood zone 2 and 3, however cannot deliver the overall project of the relocation of the golf course and delivery of the 500 unit residential scheme.
- 9.5 The three sites cannot be considered as sequentially preferable for the reasons set out above and the Sequential Test has been passed.
- 9.6 As presented in Section 8 the planning application is accompanied by a site specific Flood Risk Assessment which demonstrates the schemes lifetime ability to be safe from risk of flooding. The proposed development also includes a number of sustainability benefits to the community which outweigh the flood risk. This demonstrates that the Exception Test has been passed.
- 9.7 This report demonstrates that both the Sequential and Exception Tests have been passed.