WHALEBACK

SEQUENTIAL AND EXCEPTION TEST

Land West of Inglenook Hotel

OUR REFERENCE
W1830-g

DATE
April 2026

WHALEBACK

91 Boundary Road
Hove
BN3 7GA

[redacted]

www.whaleback.co.uk

Introduction

Whaleback have been instructed by the applicant to prepare a Sequential and ExceptionTest for the proposed development of six dwellings at Land to the West of Inglenook Hotel, Pagham Road, in accordance with the criteria within the National Planning Policy Framework and Planning Practice Guidance.

As found in Mead Realisations Ltd v SoS [2-24] EWHC 279 and reaffirmed in appeal decision APP/D0121/W/24/3343144, the sequential test is a material planning consideration and failure to pass the test does not automatically preclude the granting of planning permission; rather it is a matter to be weighed in the planning balance against the wider benefits of the scheme. Nevertheless, this report demonstrates that the sequential test is passed as there is no reasonable available land at a lower risk of flooding suitable for the proposed development.

Site Overview

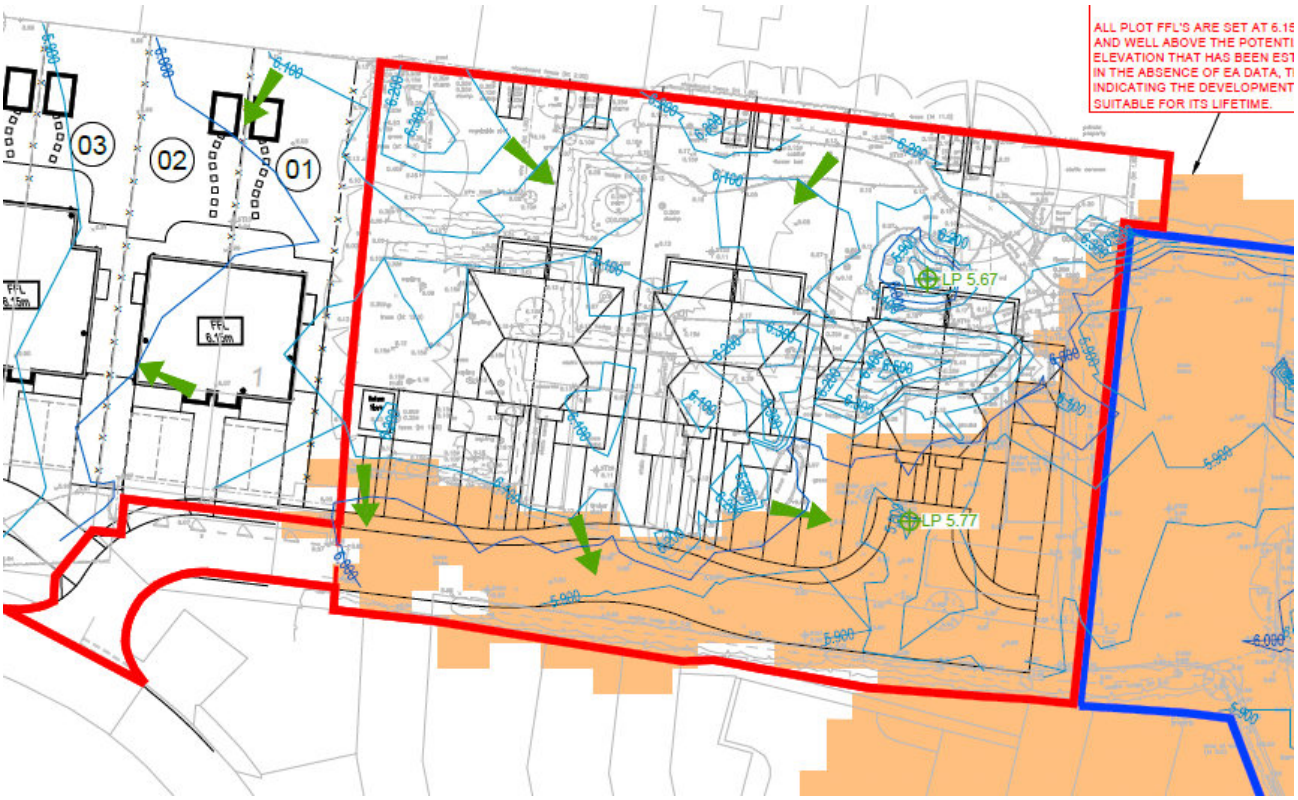
This application has been submitted to the Local Planning Authority (LPA) for a six proposed dwellings at Land to the West of Inglenook Hotel. The 0.25 hectare site consists of three pairs of semi-detached dwellings, arranged along a new vehicular access from Spinnaker View and Platinum Gardens.

Proposed site plan

Sequential Test Overview

NPPF paragraph 174 states that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source and that planning applications should not be approved if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. NPPF paragraph 175 goes onto state that the sequential test should be applied in areas known to be at risk now or in the future from any form of flooding.

The LPA have requested that the sequential test is undertaken at the Inglenook site as the proposed access route and parts of Plot 5 and 6 are within the 'Climate Change 2070 to 2125' flood area, as plotted below:



Proposed site plan overlaid with Climate Change 2070 to 2125 Flood Area (orange)

Paragraph 028 of the *Flood Risk and Costal Change PPG* defines a 'reasonably available site' as being a location suitable for the type of development proposed, able to meet the same development needs and have a reasonable prospect of being developed at the same time as the proposed development. Alternative lower risk sites do not need to be owned by the applicant to be considered 'reasonably available' and could be a series of two or more smaller sites – although a proposal should not fail the sequential test if there are a series of multiple, disconnected sites at a lower risk of flooding. As clarified in *Mead Realisations Ltd v SoS [2-24] EWHC 279*, the issue is whether the sites have a relationship that make them suitable for development in combination.

Sequential Test Search Scope

Paragraph 027a of the *Flood Risk and Costal Change PPG* states that the area to which the sequential test applies will be governed by local circumstances and that the catchment area should always be appropriate to the nature and scale of the proposal.

The LPA have confirmed previously that the relevant site search area should encompass the Pagham, West Aldwick, East Aldwick and Bersted wards of Bognor Regis, primarily focusing on locations within the settlement boundary but also considering suitable sites within countryside locations. The LPA have also confirmed that the Arun Housing and Economic Land Availability Assessment (HELAA) (2024), Arun Brownfield Register (2025), market searches on the Zoopla, On The Market and Rightmove platforms and AMR Appendix 5 (Small Site Commitments as at 31st March 2025) should form the basis of the site search and sequential test assessment.

With reference to paragraph 028 of the PPG guidance, the following criteria have been applied when determining whether there are reasonably available sites at a lower risk of flooding that could accommodate the proposed development:

- **Flood Risk:** The site is at a lower risk of flooding. Sites within Flood Zone 2 and 3 and within the Climate Change 2070-2115 flood extent are automatically excluded from the sequential test assessment. Areas at risk of groundwater or surface water flooding may also be excluded but, for completeness, these sites have been carried forward for further assessment under subsequent criteria.

- **Site Capacity:** The site has capacity to accommodate the construction of 5-7 dwellings. Where multiple, smaller sites at a lower risk of flooding exist, then they are located adjacent to one another other to allow for their combined delivery as a single residential scheme.

- **Reasonably Available:** The site is available now with a realistic prospect of being developed at a similar time to the proposed scheme. This has been defined as sites either being actively promoted through the HELAA process or available for purchase at a fair market price.

- **Site Suitability:** The site is suitable for residential development, with no planning policy restrictions or other constraints that would indicate that residential development would be prevented or unviable.

Sequential Test

The following sites have been identified within the Pagham, Bersted and West and East Aldwick wards; however, none are considered at a lower risk of flooding, reasonably available or capable of delivering a comparable scale of residential development when compared to the application site. Sites were not carried forward for assessment under the *Site Suitability* criterion as it had already been demonstrated that the alternative sites had failed at the previous criteria.

The sequential test is therefore passed.

HELAA (2024) SITES

Ward	Site	Reference	Site Area	Is the site at a lower risk of flooding?	Does the site have capacity for 5-7 dwellings?	Is the site available now?
Pagham	Land to the south of Harbour Road	P1	0.51 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Pagham	Land to the north of Harbour Road	P2	0.71 ha	No - Flood Zone 2 and 3	Failed at previous question	Failed at previous question
Pagham	Land at The Green	P6	0.62 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Pagham	St Ninians Church	P5408	0.26 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Pagham	Pagham Sports Ground	121	2.55 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Pagham	Fairhaven, Nyetimber Lane	P12	0.33 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Pagham	Land at Nyetimber Crescent	P16	0.13 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Pagham	Land at Hook Lane and Sefter Road	P18	0.2 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question

Pagham	Land to the west of Osborne Refrigeration	27	1.97 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Pagham	Land North of Pinehurst Park	P20	5.05 ha	No - surface water flood risk (up to 1 in 1000)	No - yield of 100-120 dwellings	Failed at previous question
Pagham	Land to the west of Pagham Road, Option 1 Part A	20P1A	13.29 ha	No - Flood Zone 2 and 3; 2070-2125 climate change flood zone	Failed at previous question	Failed at previous question
Pagham	Land to the west of Pagham Road	20P1	6.5 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Pagham	Land to the west of Pagham Road	20P2	8.99 ha	No - Flood Zone 2 and 3; 2070-2125 climate change flood zone	Failed at previous question	Failed at previous question
Pagham	Parcel West of Pagham Road	117B	10.6 ha	No - Flood Zone 2 and 3; 2070-2125 climate change flood zone	Failed at previous question	Failed at previous question
Pagham	Land West of Pagham Road (built out)	117	22.97 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question

Pagham	Church Barton House	117A	4.15 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Pagham	Land west of Pagham Road	18P2	4.91 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Pagham	Land North of Sefter Road	31	13.34 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Aldwick West	Land to the rear of 34-44 Carlton Avenue	18AW1	0.49 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Aldwick West	105 Willowhale Cottage	P11A	0.21 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Aldwick West	Garage Compound adj to 50, 52 & 54 Elbridge Crescent	P11B	0.15 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Aldwick West	Land to the front of 24-68 Elbridge Crescent	P10	0.18 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Aldwick West	Land at Valentines Garden	P9	0.16 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question

Aldwick West	Copthorn Caravan Park	P19	2.31 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Aldwick East	Car Park at Queens Fields East	AW1A	0.17 ha	No - surface water flood risk (up to 1 in 1000)	No – yield of four dwellings. Not adjacent or in proximity to other sites at a lower risk of flooding and so cannot be brought forward in combination with other smaller sites. Carried forward to next criterion for completeness.	No - HELAA 2024 confirms the site is not being actively promoted; site is not available for sale on Rightmove, Zoopla, On the Market.
Aldwick East	Moonrakers, Dark Lane	AW6	0.44 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Aldwick East	Open space to east of Grove Lodge	AW5	0.39 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Aldwick East	Land to east of High Trees	AW4B	0.14 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Aldwick East	Land west of Thalassa, 34 The Drive	AW14096	0.48 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Bersted	Bersted Site 6	BE2719	0.27 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Bersted	Land adajcent to Tesco Express	BE113	0.2 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question

Bersted	Land West of New Barn Lane	18BE2	1.94 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Bersted	Nursery Fields, Land to the North of Chalcraft Lane	BE14820OUT	13.46 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Bersted	Chalcroft Nursery, Chalcraft Lane	BE8120OUT	2.03 ha	No - surface water flood risk (up to 1 in 1000)	No – yield of 20 dwellings	Failed at previous question
Bersted	Land off New Barn Lane	125	144 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Bersted	Land east of Bersted at Elbridge Farm	23BE2	23 ha	No - Flood Zone 2 and 3; 2070-2125 climate change flood zone	Failed at previous question	Failed at previous question
Bersted	Land to the north of Little Dell	23BE3	0.3 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Bersted	93 North Bersted Street	NEWBE9	1.2 ha	No - Flood Zone 2 and 3; 2070-2125 climate change flood zone	Failed at previous question	Failed at previous question
Bersted	Rookery Farm, 117 North Bersted Street	106	1.12 ha	No - Flood Zone 2 and 3; 2070-2125 climate change flood zone	Failed at previous question	Failed at previous question

Bersted	Land at Lidsey Farm and Lidsey Caravan Park	23AL1	53 ha	No - Flood Zone 2 and 3; 2070-2125 climate change flood zone	Failed at previous question	Failed at previous question
Bersted	Land at Manor Farm Shripney Lane	NEWBE8	2.48 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Bersted	Land Rear of Orchard Place	20BE1	1.25 ha	No - Flood Zone 2 and 3; 2070-2125 climate change flood zone	Failed at previous question	Failed at previous question
Bersted	Land North West of Oldlands Farm	17BE1	2.6 ha	No - Flood Zone 2 and 3; 2070-2125 climate change flood zone	Failed at previous question	Failed at previous question
Bersted	Land at Shripney Road	75	1.8 ha	No - Flood Zone 2; 2070-2125 climate change flood zone	Failed at previous question	Failed at previous question
Bersted	The Cottage Nursery, Violet Farm	143	0.89 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question

BROWNFIELD REGISTER (2025)

Ward	Site	Reference	Site Area	Is the site at a lower risk of flooding?	Does the site have capacity for 5-7 dwellings?	Is the site available now?
Bersted	Former Bartons County Infants School, Bersted	NEWBE10	0.59 ha	No - Flood Zone 2 and 3; 2070-2125 climate change flood zone	Failed at previous question	Failed at previous question

Bersted	Land adjacent to Tesco Express, 351 Chichester Road, Bersted.	BE113	0.19 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question

MARKETING PLATFORMS

No relevant sites marketed for development within Pagham, Aldwick and Bersted wards.

SMALL SITE COMMITMENTS (2025)

Ward	Site	Site Area	Is the site at a lower risk of flooding?	Does the site have capacity for 5-7 dwellings?	Is the site available now?
Bersted	Rear of 182 Chichester Road	0.032ha	Yes	No – capacity for one dwelling Not adjacent or in proximity to other sites at a lower risk of flooding and so cannot be brought forward in combination with other smaller sites.	Failed at previous question
Bersted	47 South Way	0.08 ha	No - surface water flood risk (up to 1 in 1000)	No - yield of one dwelling. Not adjacent or in proximity to other sites at a lower risk of flooding and so cannot be brought forward in combination with other smaller sites.	Failed at previous question
Bersted	Land adjacent to	0.2 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question

	Walnut Tree Cottage, Shripney Lane				
Bersted	81 North Bersted Street	0.1 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Bersted	Land adjacent to 41 Birdham Close	0.07 ha	No - surface water flood risk (up to 1 in 1000)	No – yield of one dwelling. Not adjacent or in proximity to other sites at a lower risk of flooding and so cannot be brought forward in combination with other more smaller sites.	Failed at previous question
Aldwick	8 Gossamer Lane	0.64 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Aldwick	Rear of 276 Aldwick Road, Aldwick	0.04 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Aldwick	Adj 16 Wychwood Close	0.29 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Aldwick	14 Princess Avenue	0.43 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Aldwick	18 Hawkins Close	0.015ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question
Pagham	57 Harbour Road	0.03 ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question

Pagham	31 Lagoon Road	0.04 ha	No - Flood Zone 2 and 3; 2070-2125 climate change flood zone	Failed at previous question	Failed at previous question
Pagham	63 West Front Road	0.03 ha	No - Flood Zone 3; 2070-2125 climate change flood zone	Failed at previous question	Failed at previous question
Pagham	Lagnersh House	0.04ha	Yes	Yield of two dwellings Carried forward to next criterion for completeness..	Existing Lawful Development Certificate for two dwellings was approved under P/95/24/CLE. The site is not available for future development as the dwellings are existing and long established.
Pagham	2 Royal Oak Cottages	0.03ha	No - 2070 -2125 climate change flood zone	Failed at previous question	Failed at previous question

Exception Test

NPPF paragraph 178 states that if the sequential test is passed and it is not possible for development to be located in areas with a lower risk of flooding, then the exception test may be applied. To pass the exception test, it should be demonstrated that:

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.

The wider sustainability benefits of the proposed scheme to the community include the addition of six high-quality dwellings in the context of Arun District's substantial under supply and delivery of housing, and economic benefits associated with employment generated during the construction phase, CIL receipts and future residents' spending at local shops and services. The proposed scheme therefore passes criterion a) of the exception test.

The supporting Flood Risk Assessment and Drainage Strategy (Bright Plan – March 2026) concludes that future occupants' will be safe for their lifetime and the development will not increase flood risk elsewhere. The proposed scheme therefore passes criterion b) of the exception test.

Conclusion

In accordance with the NPPG and Planning Practice Guidance, a Sequential and Exception Test has been undertaken for the proposed development of six dwellings at Land to the West of Inglenook Hotel, Pagham Road.

The assessment demonstrates that there are no reasonably available alternative sites within the defined search area that are at a lower risk of flooding, suitable, or capable of accommodating a comparable scale of residential development. The Sequential Test is therefore passed.

The proposed scheme would deliver clear sustainability benefits through the provision of housing and associated economic activity, while evidence confirms the development will be safe for its lifetime without increasing flood risk elsewhere. As such, the Exception Test is also passed.

[redacted]