

10 November 2020

Arun District Council
Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

Planning reference: [Y/70/20/OUT]

GeoSmart Ref: [73344L]

Planning Location: Land East of Bilsham Road & land adjacent to Little Meadow Bilsham Road, Yapton, West Sussex, BN18 0JY.

Development Description: Outline application with access for 81 No. new dwellings including 18 self-build plots (but retaining Oak Trees & Little Meadow dwellings), 3 No. new light industrial buildings as part of an enlarged employment site, Public Open Space & a new Village Hall. The existing junction of Grevatts Lane West & Bilsham Road will be closed & Grevatts Lane West diverted to a new access point to the South.

Dear Sir/Madam,

We, GeoSmart Information Limited, (**Flood Risk and Drainage Consultant**) have been engaged by Critchley Architecture and Design (CAAD Ltd)(**Architect**) and Ms Taylor (**Applicant**) to consider the points raised in relation to the requirement for the Sequential Test at this Site (Appendix A).

Housing Land Supply & Planning Policy Context

The Site is identified within Appendix 1.1 of Arun District Council's (ADC) HELAA (2019) as a 'Deliverable Site' under reference HELAA 46 (Land East of Bilsham Road, Adjacent to Little Meadow, Yapton), which has a potential yield for 99 residential houses.

ADC have an acknowledged 5 Year Housing Land Supply (5YHLS) shortfall based on existing Local Plan housing requirement of 919 dwellings per annum (average annualised delivery over 3-year period of 647). Consequently, paragraph 11(d) of the NPPF is engaged and permission should be granted unless there are adverse impacts that would "significantly and demonstrably" outweigh the benefits. Any application of the sequential test needs to be considered in this context

Assessment of Flood Risks

A Flood Risk Assessment (FRA) was produced in August 2020 (ref: 73344.01R1 and updated R2) to support a planning application (ref: Y/70/20/OUT) for a mixed-use development providing housing and economic benefits to the local and wider area.

The FRA confirms the Site is currently located in the Environment Agency's Flood Zone 1, but over the course of the next 100 years (2111), when accounting for the potential changes in climate, the south western area of the Site could be located in Flood Zone 3a (Future Flood Zone).

Proposed Flood Mitigation

The original submission included proposed self-build plots in the south western area of the Site that would potentially be constrained by the Future Flood Zone. Given the concerns of Officers, the proposal has been revised; taking a sequential approach to flood risk over the next 100 years (Appendix B).

The revised proposals ensure that all 'highly vulnerable' residential uses and 'less vulnerable' commercial uses are entirely contained within Flood Zone 1 for the current and future flood risk scenarios. The south western area of the Site which is affected by the Future Flood Zone now provides 'water compatible' open space uses.

Access routes to and from the Site along Grevatts Lane West will also be located in Flood Zone 1, providing a safe pedestrian access away from the present day and Future Flood Zones, but also providing vehicular access once planning application ref: Y/103/18/PL has been granted.

In addition, ground level raising is proposed within the south west of the Site which would prevent the south western area from flooding. The requirement and construction of this mitigation measure could be set as a pre-commencement condition of the approval. This would make the actual mitigation measure far more definitive than the flood event itself, the Environment Agency's modelling provides a worst-case climate change scenario, but the actual likelihood of climate change impacts are not definitively known.

The mitigation proposed as part of the development ensures flood risks to property and occupants will remain at a Very Low to Low level over the lifetime of the development. The proposals are therefore in accordance with Paragraph 163 of the NPPF (2019), as follows:

"Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, 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;

c) it incorporates sustainable drainage systems (SuDS strategy ref: 73344.02), 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."

Requirement for the Sequential Test

The comments received from Arun District Council in relation to the requirement for the Sequential Test are included in Appendix A.

Paragraph 158 of the NPPF (2019) confirms: *"The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. 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. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding."*

Paragraph 159 of the NPPF (2019) confirms: *"If it is not possible for development to be located in zones with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied."*

In this instance, the revised proposals ensure that the Site is located in Flood Zone 1 in both the current and future scenarios, this would in itself negate the need for a Sequential Test. Notwithstanding this position, ADC include this site as being 'deliverable' whilst acknowledging that it does not have sufficient supply from 'deliverable' sites as defined by the NPPF to meet its short term (5-year) housing requirements. As such, there are strong grounds for an exception in any event.

As such, the Exceptions Test is also considered to be passed as the proposed development also provides a wide variety of sustainability benefits to the local economy, housing supply, amenity and biodiversity through the inclusion of neighbourhood sports pitch, allotments and LEAP/NEAP areas, as well as including Sustainable Drainage Systems (SuDS) to provide reductions in flood risk. These benefits would significantly outweigh the level of flood risk, which is very low to low, now and over the lifetime of the development.

Concluding remarks

In summary, the proposed development makes a significant contribution to housing supply at a time of an acknowledged shortfall. Applying paragraph 11(d) of the NPPF in relation to flood risk, the balance should be in favour of development unless there are 'significant and demonstrable' adverse impacts. The revised proposals ensure that all vulnerable land uses are contained in an area of low flood risk (Flood Zone 1) in the current and future scenarios. Therefore, there is no basis to argue any significant or demonstrable adverse impacts. Consequently, it is considered that the proposed development should not be subject to a Sequential Test. The following summary points are relevant in this context.

1. The revised proposals ensure that the Site is located wholly in Flood Zone 1 in both current and future scenarios. Ground level raising in the southwest of the Site would ensure the Site is entirely located within both present day and future Flood Zone 1. The requirement for this raising of ground levels could be protected through a pre-commencement condition;
2. The proposed development is located sequentially within the Site, with the lowest vulnerability development classifications (water compatible use), located in areas at the highest risk and all vulnerable uses (less and more vulnerable use) contained within Zone 1 in both the current and future scenarios.
3. The Site is 'deliverable' under the HELAA and included within the 5 YHLS. If this Site is not found to be deliverable, then potentially the other HELAA Sites within the 5 YHLS would not be considered as comparable and the Sequential Test could be considered to be passed;
4. Arun District Council have a significant shortfall in housing stock and as the Site is already counted within the 5 YHLS numbers, if the Site is not deliverable then this would further add to the existing shortfall. Thus, affecting countrywide and local housing supply;

The application should not be subject to a Sequential Test as the revised proposals negate this requirement. Definitive mitigation measures, secured through the planning process, will also be used to ensure that the impacts of climate change would be reduced.

In conclusion, we would concur with CAAD in that there is no requirement to undertake a Sequential Test, as the principle of this has already been satisfied. We trust this is acceptable and the requirement for the Sequential Test can be removed.

Yours faithfully,

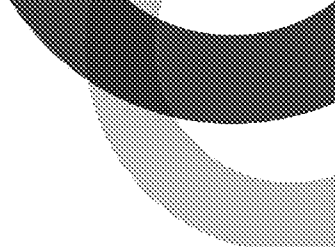


Mr Michael Piotrowski

(Principal Consultant)

GeoSmart Information Ltd





Appendix A

Comments from Mr Simon J Davis at Arun District Council

[REDACTED]

From: Simon Davis

Sent: 10 September 2020 10:40

To: 'Sarah Roberts - CAAD Ltd' [REDACTED]
[REDACTED]

Subject: RE: Y/70/20/OUT - Flood Risk Assessment

Dear Sarah,

In our principal lawyer's view, a sequential assessment needs to be provided if at the time of the determination of the application, the land levels remain within the flood risk zone. Please see paragraph 158 of the NPPF which states "development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with lower risk of flooding."

Therefore a sequential assessment would be required.

Kind Regards

Simon J Davis MRTPI
Principal Planning Officer
Directorate of Place

T: 01903 737874

E: simon.davis@arun.gov.uk

Arun District Council, Civic Centre, Maltravers Rd, Littlehampton, West Sussex, BN17 5LF

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From: Simon Davis

Sent: 07 September 2020 10:46

To: Sarah Roberts - CAAD Ltd [REDACTED]
[REDACTED]

Subject: RE: Y/70/20/OUT - Flood Risk Assessment

Dear Sarah,

Thanks for this. I am checking the sequential assessment position with our principal lawyer. She is away til next week so I hope to confirm then. In the meantime, I will put the FRA on the website.

Kind Regards

Simon J Davis MRTPI
Principal Planning Officer
Directorate of Place

T: 01903 737874
E: simon.davis@arun.gov.uk



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From: Sarah Roberts - CAAD Ltd [REDACTED]
Sent: 07 September 2020 08:46
To: Simon Davis <Simon.Davis@arun.gov.uk>
[REDACTED]
Subject: Y/70/20/OUT - Flood Risk Assessment

Good Morning Simon,

Thank you for your email of 28th August, we are currently in the process of discussing your comments with Ms Taylor and will get back to you presently regarding this.

In the meantime, as you have advised, we will still submit the requested reports for consideration. Please find the updated FRA attached which now includes the assessment of future flood risk. It has been proposed to raise ground levels in the south west of the site (comprised of between 0.12-0.39m of ground level raising) so that the Site is actually raised above the unlikely 1 in 200 year (undefended) (2115) flooding scenario. This would place the site in Flood Zone 1 in the present day and in the future scenario as well, which should negate the requirement for the Sequential Test, as below:

Table 3: Flood risk vulnerability and flood zone 'compatibility'

Flood risk vulnerability classification (see table 2)		Essential infrastructure	Water compatible	Highly vulnerable	More vulnerable	Less vulnerable
Flood zone (see table 1)	Zone 1	✓	✓	✓	✓	✓
	Zone 2	✓	✓	Exception Test required		✓
	Zone 3a	Exception Test required	✓	*	Exception Test required	✓
	Zone 3b functional floodplain	Exception Test required	✓	*	*	*

Key: ✓ Development is appropriate.
* Development should not be permitted.

Please can you confirm the attached is sufficient and that a sequential test will not be required?

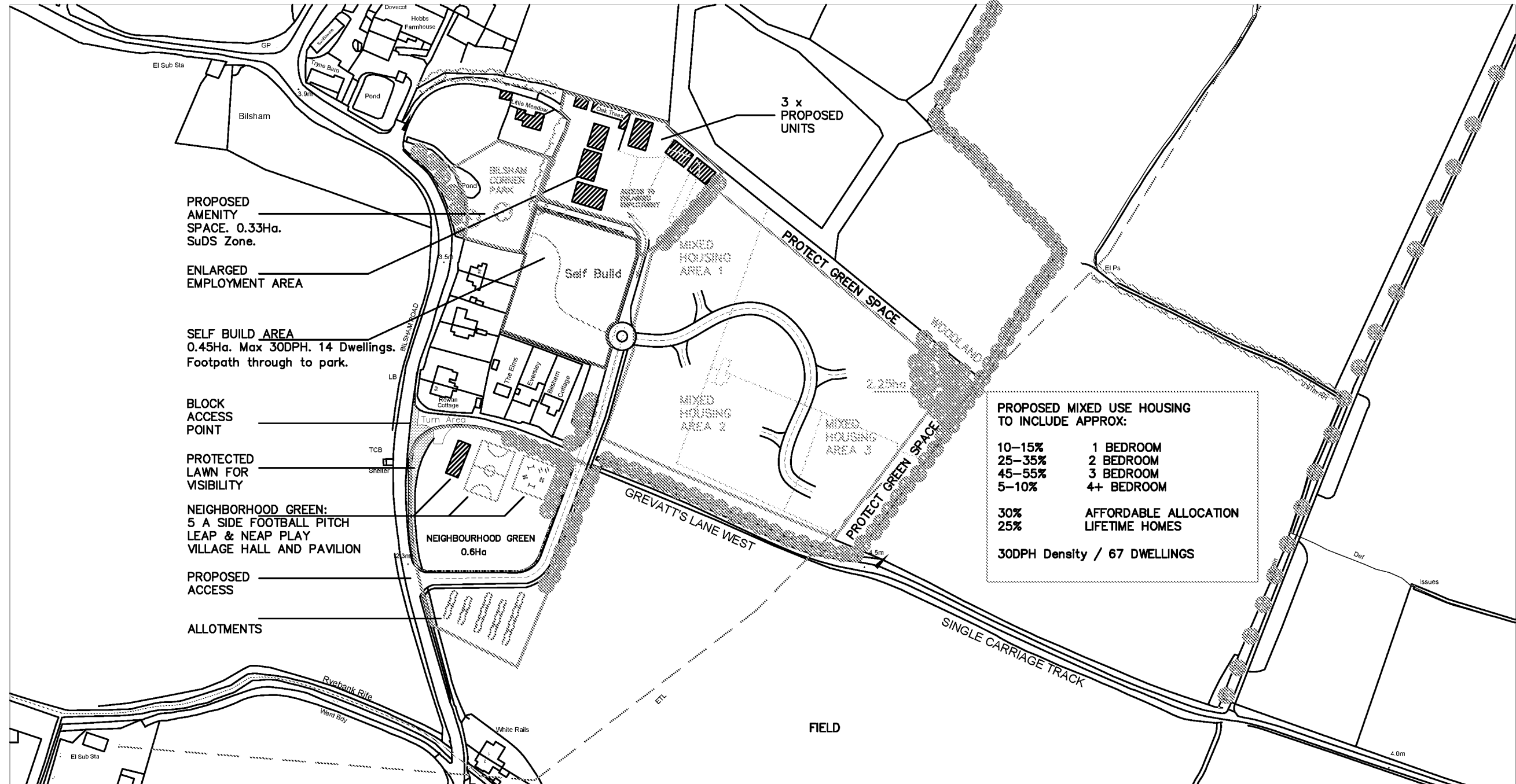
Kind Regards,

Sarah



Appendix B

Revised Site Plans



Location Plan: 1:2500

Land at Little Meadow,
Yapton,
West Sussex,
BN18 0JY

PROPOSED SITE PLAN

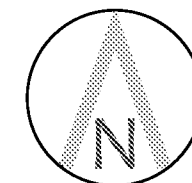
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CAD

Critchley Architecture And Design

The Old Brewery, 15E South Street, Havant, PO9 1BU

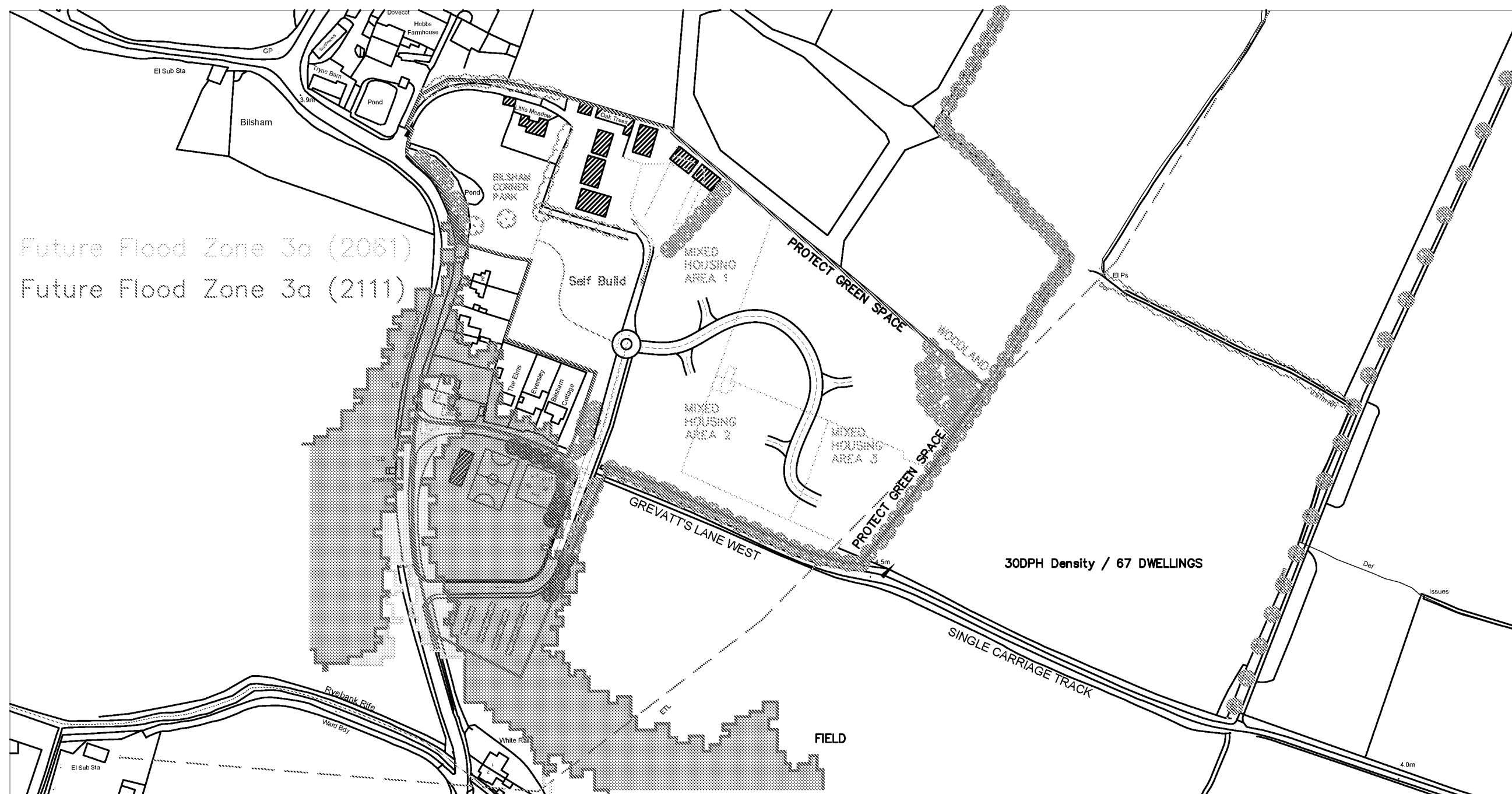


Scale A3 = As Shown
Drawn OS
Date 01/10/2020

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0m 10m 20m 30m 40m 50m

0m 10m 20m 30m 40m 50m



Location Plan: 1:2500

Land at Little Meadow,
Yapton,
West Sussex,
BN18 0JY

FUTURE
FLOOD ZONES

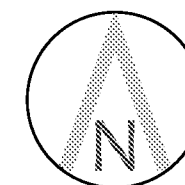
Revisions a)
 b)
 c)

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Critchley Architecture And Design

The Old Brewery, 15E South Street, Havant, PO9 1BU



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