

# Comments on behalf of Elmbridge Borough Council



<b>Application Number:</b>	2022/3796
<b>Application Type:</b>	Full Application
<b>Site:</b>	16 - 18 Oatlands Drive Weybridge Surrey KT13 9JL
<b>Description:</b>	Development of 2 detached blocks comprising 33 flats with new vehicular access, associated parking, cycle storage, refuse storage and amenity areas with hard and soft landscaping, and associated engineering and infrastructure works, following demolition of existing houses.  The below relates to the submitted sequential test only.
<b>Date:</b>	07/11/2023
<b>Prepared by:</b>	Louisa Anscomb (on behalf of Elmbridge Borough Council)
<b>Overall recommendation</b>	Meets Requirements

## Introduction

The submitted application was subject to further information to inform the flood risk at the site. The EA requested a sequential test be undertaken for the site.

The applicant submitted a sequential test for the scheme to detail alternative available sites and provide justification as to why these sites have not been developed. This review looks at the process undertaken as part of this sequential test in line with National and Local Planning Policy.

## Documents Reviewed

As part of responding to the above planning application, the following documents have been reviewed:

- Sequential Test (26/09/2023)
- Sequential Test Rebuttal (20/10/2023)
- Application Form (19/12/2023)
- Flood Risk Assessment (27/06/2023)
- Comments on the Sequential Test for PA 2022/3796 Site at 16 – 18 Oatlands Drive (17/10/2023)

## Summary of Information

Based on the review of the above-mentioned documents, we have summarised the findings:

- The Flood Risk Sequential Test and Exception Test was carried out for 16 - 18 Oatlands Drive Weybridge Surrey KT13 9JL.

- The site is being developed in a site which is partially located within Flood Zone 2 and 3.
- The test has discussed alternative sites and it has argued as to why the other sites are not being brought forwards in lower flood risk areas.
- The sequential test has been undertaken in line with the following documents:
  - EBC Development Management Plan (April 2015)
  - EBC Flood Risk Supplementary Planning Document (2016)
  - EBC Level 1 Strategic Flood Risk Assessment (February 2019)
  - EBC Land Availability Assessment 2022
- 'Deliverable' and 'developable' sites have been identified in line with the National Planning Policy Framework (NPPF).
- Sites at a lower risk of flooding (wholly within Flood Zone 1) have been considered.
- For each of the sites the site location, flood risk, existing site use, site capacity, and 5-year deliverability has been included.
- Constraints have been listed for each of the sites and it is determined that there are no reasonably available sites which can be brought forward.
- An exception test has been provided in consideration of the passing of the sequential test. This details the wider sustainability benefits that the application is anticipated to provide.
- The client has provided a letter to respond to comments made on the sequential test by neighbours detailed in 'Sequential Test Rebuttal (20/10/2023)'
- This letter seeks to address concerns raised on the validity of the sequential test.

## Review of the Information

We have reviewed the information and have the following comments:

- Supporting guidance for applying the 'Sequential Test – Planning Application' is included in the EBC Level 1 Strategic Flood Risk Assessment, Section 4.1, paragraph 4.3.2 and states that:
- *The Environment Agency publication 'Demonstrating the flood risk Sequential Test for Planning Applications' sets out the procedure for applying the sequential test to individual applications as follows*
  - *Identify the geographical area of search over which the test is to be applied; this could be the Borough area, or a specific catchment if this is appropriate and justification is provided*
  - *(e.g. school catchment area or the need for affordable housing within a specific area).*
  - *Identify the source of 'reasonably available' alternative sites; usually drawn from evidence base / background documents produced to inform the Local Plan.*
  - *State the method used for comparing flood risk between sites; for example the Environment Agency Flood Map for Planning, the SFRA mapping, site-specific FRAs if appropriate, other mapping of flood sources.*
  - *Apply the Sequential Test; systematically consider each of the available sites, indicate whether the flood risk is higher or lower than the application site, state whether the alternative option being considered is allocated in the Local Plan, identify the capacity of each alternative site, and detail any constraints to the delivery of the alternative site(s).*
  - *Conclude whether there are any reasonably available sites in areas with a lower*

*probability of flooding that would be appropriate to the type of development or land use proposed.*

- *Where necessary, as indicated by Table 4-2, apply the Exception Test.*
- *Apply the Sequential approach to locating development within the site, as described in Section 5.2*
- Supporting Guidance for applying Sequential Tests within the National Planning Policy Framework, Paragraph 164 is included below:
  - *The application of the exception test should be informed by a strategic or site-specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. 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 sequential test has been undertaken in accordance with the above guidance. The report has identified 'reasonably available' alternative sites which were collated and overviewed in a table. Each of these sites was then subsequently discussed systematically in detail and it has been sufficiently argued as to why the other sites are not being brought forward.
- In addition, the sequential test has been applied at the site and the location of the proposed buildings are to be wholly located within Zone 1.
- The sequential test is therefore, deemed to have been passed.
- An exception test has been provided which appropriately provides details of the wider sustainability benefits of the proposed site. In addition, the location of the proposed buildings are located within Zone 1 exclusively.
- The 'Sequential Test Rebuttal' letter correctly states the following:
  - Sites must be considered that are 'reasonably available' the review has been undertaken in accordance with the NPPF (paragraph 162) definition of these sites.
  - Sites where constraints can not be overcome can be considered as not suitable alternative options. The constraints do not have to be greater than the proposed site.
- We have reviewed the approach undertaken for a sequential and exception test and the approach is therefore, deemed acceptable.

## Recommendations

Based on the review of the above-mentioned documents, we have stated the following:

- The sequential test approach is deemed to be in line with Local and National Planning Policy.

## Document Control

Job Number	Issue	Description	Originator	Approver
2023/3796	1	FULL APPLICATION	Louisa Anscomb 07.11.2023	Tamsin Jones 07.11.2023

