

Route to this page -->Seq Test Tab

Restart

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Demonstrating the flood risk (PPS25) Sequential Test for Planning Applications

We recommend that the approach below is used by Local Planning Authorities (LPA) to apply the Sequential Test to planning applications located in Flood Zones 2 or 3. The approach provides an open demonstration of the Sequential Test being applied in line with PPS25 and its associated Practice Guide. Close working between LPA development control and forward planning departments will be required to implement the Sequential Test effectively.

Note: the Sequential Test does not apply to Change of Use applications

Stage 1 - strategic application & development vulnerability

The Sequential Test can be considered adequately demonstrated if **both** of the following criteria are met:

- The Sequential Test has already been carried out for the site (for the same development type) at the strategic level (development plan) in line with paragraphs D5 and D6 of PPS25; **and**
- The development vulnerability is appropriate to the Flood Zone (see table D1 PPS25).

1.1 Has the Sequential Test already been carried out for this development at development plan level? If yes, reference should be provided for the site allocation and Development Plan Document (DPD) in question.

1.2 Is the flood risk vulnerability classification of the proposal appropriate to the Flood Zone in which the site is located according to tables D1 and D3 of PPS25? The vulnerability of the development should be clearly stated.

Finish here if the answer is Yes to BOTH questions 1.1 and 1.2

Only complete stages 2 and 3 if the answer to EITHER questions 1.1 or 1.2 is 'No'

Stage 2 - defining the evidence base

2.1 State the geographical area over which the test is to be applied.

2.2 If greater or less than the district boundary justify why the geographical area for applying the test has been chosen.

Identify the geographical area of search over which the test is to be applied - this will usually be over the whole of the LPA area but may be reduced where justified by the functional requirements of the development (e.g. catchment area for a school or doctors surgery) or relevant objectives in the Regional Spatial Strategy or Local Development Framework (LDF). For example, if a local need such as affordable housing or town centre renewal has been identified as part of the Sustainability Appraisal process for a DPD that has reached 'submission' stage, this might mean that the geographical area of search is restricted to a specific regeneration area. Equally, in some circumstances it may be appropriate to expand the search area beyond the LPA boundary for uses that have a sub-regional, regional or national market. For example, the location of an oil refinery serving the whole country should be determined on a countrywide basis.

2.3 Identify the source of reasonably available sites, either:

- background/evidence base documents (state which), or if not available
- other sites known to the LPA that meet the functional requirements of the application.

Identify the source of 'reasonably available' alternative sites - these sites will usually be drawn from the evidence base/background documents that have been produced to inform the emerging LDF. For example, an important source of information for housing sites will be provided by *Strategic Housing Land Availability Assessments* as required in PPS3.

In the absence of background documents, 'reasonably available' sites would include any sites that are known to the LPA and that meet the functional requirements of the application in question, and where necessary, meet the LDF Policy criterion for windfall development (see box below).

Windfall sites

Windfall sites are those which have not been specifically identified as available in the Development Planning process. They comprise previously-developed sites that have unexpectedly become available. Government policy in PPS3 at paragraph 59 advises that LPAs should not normally rely on windfall sites to meet housing needs.

We recommend that the acceptability of windfall applications in flood risk areas should be considered at the strategic level through a policy setting out broad locations and quantities of windfall development that would be acceptable or not in Sequential Test terms. Guidance on determining the housing potential of windfall (where justified) for broad locations can be found in paragraphs 50 -52 of *Strategic Housing Land Availability Assessments*, Practice Guidance to PPS3.

In the absence of a flood risk windfall policy, it may be possible (where the data is sufficiently robust) for the LPA to apply the Sequential Test taking into account historic windfall rates and their distribution across the district relative to Flood Zones. Where historic and future trends evidence indicate that housing need in the district through windfall can be met largely/entirely by development outside high flood risk areas, this may provide grounds for factoring this into the consideration of 'reasonably available' alternative sites at the planning application stage.

2.4 State the method used for comparing flood risk between sites, either:

- Environment Agency Flood Map, or
- An up to date Strategic Flood Risk Assessment (SFRA) held by the LPA, or
- Site specific Flood Risk Assessments (FRA) where they are suitable for this purpose, or
- Another map or sources of flooding information not listed (state which).

Identify the means of comparing flood risk between each site - as a starting point this will be the Environment Agency Map showing the Flood Zones. If comparing sites within the same Flood Zone it is necessary to use a SFRA showing a variation in risk throughout the Flood Zone or site specific FRAs where these are available and suitable for the purpose.

Stage 3 - applying the Sequential Test

Compare the reasonably available sites identified under stage 2 with the application site. Sites should be compared in relation to flood risk; development plan status; capacity; and constraints to delivery including availability, policy restrictions, physical problems or limitations, potential impacts of the development, and future environmental conditions that would be experienced by the inhabitants of the development.

3.1 State the name and location of the reasonably available site options being compared to the application site.

3.2 Indicate whether flood risk on the reasonable available options is higher or lower than the application site. State the Flood Zone or SFRA classification for each site.

3.3 State whether the reasonably available options being considered are allocated within the Development Plan. Confirm the status of the Plan.

3.4 State the approximate capacity of each reasonably available site being considered. This should be based on:

- The density policy within a Local Development Document, and
- Past performance in this respect.

3.5 Detail any constraints to the delivery of identified reasonably available options; for example, availability within a given a time period or lack of appropriate infrastructure. This part of the test should include recommendations on how these constraints could be overcome and when.

Sequential Test conclusion

Are there 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?

Next steps (see over)

Exception Test - Where necessary, the Exception Test should now be applied in the circumstances set out by table D1 and D3 of PPS25.

Applying the sequential approach at site level

In addition to the formal Sequential Test, PPS25 sets out the requirement for developers to apply the sequential approach (see para. 14 and D8) to locating development within the site.

As part of their discussions with planning applicants, LPAs should ask the following questions:

- Can risk be avoided through substituting less vulnerable uses or by amending the site lay-out?
- Has the applicant demonstrated that less vulnerable uses for the site have been considered?
- Can density be varied to reduce the number or vulnerability of units located in higher risk parts of the site?