

## Matter 1 – Legal Compliance

### Issue 5 - Strategic Flood Risk Assessment

10. Paragraphs 167 and 168 of the Framework state that all plans should apply a sequential approach to the location of development. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are with a lower risk of flooding.
11. In response to the Inspectors' Initial Questions, the Council has produced the Flood Risk Sequential and Exception Test Report, dated December 2024. In summary, it found that of the 118 sites assessed, 109 sites passed the sequential test. The 8 remaining sites were subject to the exception test, with all but 1 passing.

**Q1 Where sites were identified in areas at risk of flooding as part of the sequential test, what was the reason for taking them forward to be assessed against the exceptions test? Are there reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding?**

Where sites were identified in areas at risk of flooding as part of the sequential test, what was the reason for taking them forward to be assessed against the exceptions test?

- 1.1 The site selection process sought to identify locations in Flood Zone 1 and the large majority of proposed site allocations therefore do not include any area of flood risk. For those sites where most of the area is in Flood Zone 1, but where part of the site is within Flood Zone 2 or 3, the built development was directed towards the non-flood risk area and estimated development potential adjusted accordingly. The effect of this is that the site selection built in flood risk assessment at every stage in the selection process. No built development is taking place outside of Flood Zone 1.
- 1.2 The Environment Agency's Regulation 19 response requested that the Council prepare a Sequential and Exception Test Report (SET) (2024) (Examination Document SADC/ED64), notwithstanding that no built development was taking place outside of Flood Zone 1. Those sites provisionally selected for allocation in the Draft Local Plan were subject to the SET.
- 1.3 There were eight sites identified with any part of the site in Flood Zone 2 or 3, and these were subject to the Exception Test (see Appendix 2 of the SET).
- 1.4 Seven sites passed the Exceptions Test with reasons that can be summarised as follows:
  - The site is predominantly in Flood Zone 1. Development can be restricted to Flood Zone 1, following a sequential approach to layout and a proportionate reduction in the quantum of housing deliverable on site.

- The Surface Water Flood Risk should be managed through approaches set out in the SFRA L2 recommendations.
- The site will also support the delivery of sustainable growth in the context of SADC having a large need for new delivery of new housing and will therefore meet the District's wider sustainability objectives.

1.5 It is not necessary to consider alternative sites in Flood Zone 1 because all of the SADC proposed built development need is being met outside of Flood Zones 2 and 3.

Are there reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding?

1.6 No, there are no reasonably available sites appropriate for proposed built development in areas with a lower risk of flooding as all of the built form within the sites proposed for allocation are in Flood Zone 1. The other sites considered for potential allocation were rejected for non-flood risk reasons as set out in the published Proformas and provided again in the SET Appendix 3. These reasons include, but are not limited to the following:

- The site is not recommended for further consideration by the Green Belt Review Stage 2 Report.
- The site capacity is less than 5 homes once environmental and/ or planning restrictions are taken into consideration.
- The site received planning permission for residential use and is under construction.
- The site is in active employment use and is a designated employment area.
- The site is existing public open space to be retained.
- The site is in active community use, for example as a school playing field.