

Our Ref: J-14902-01-LB
28/09/23

Mr. Richard Carter
47 Oxford Street
Weston Super Mare
BS23 1TN

Re: Sequential Test –84 New Bristol Road, Weston-Super-Mare

Introduction

Mr. Carter is proposing to build a new accessible/adaptable bungalow within the curtilage of 84 New Bristol Road, Worle, Weston-Super-Mare, BS22 6AL.

The Environment Agency's (EA's) flood map indicates the site lies within Defended Flood Zone 3. A Flood Risk Assessment has been carried out, but as the site is located in Flood Zone 3 and is defined as being 'more vulnerable', a Sequential Test is required to accompany the FRA.

The NPPF paragraph 101 states the following:

"The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in an area with a lower probability of flooding. The Strategic Flood Risk Assessment will provide the basis for applying this test. A sequential approach should be used in areas known to be at risk from any form of flooding."

As stated above, the aim of the Sequential Test is to steer developments from high and medium-risk flood zones to areas which are designated as low-risk from a flood-risk perspective.

In addition to the aforementioned guidance, North Somerset Council has issued the Development Management Advice Note: Development and Flood Risk Issues (2019), which established the search criteria. Typically, the search area for alternative sites in a Sequential Test encompasses all of North Somerset unless specified otherwise.

However, North Somerset Council's guidance allows for an exception when the site falls within the boundaries of Weston-Super-Mare. In such cases, it is considered appropriate to define the search area for the Sequential Test as the settlement boundary of Weston-Super-Mare. Consequently, this defined area will serve as the search zone for identifying an alternative development site.

Historically, planning guidance required local planning authorities to prepare a Strategic Housing Land Availability Assessment (SHLAA), this document is produced to highlight areas which identify sites with potential for housing and assess when they are likely to be developed. It is noted that North Somerset Council are working on a new SHLAA, which is not yet available. For Weston-Super-Mare they have a 'Sites and Policies Plan' and Part 2 of this plan relates to 'Site Allocations' within this; proposed residential sites are identified.

North Somerset Council has interactive mapping, which shows the proposed residential sites within the 'Sites and Policies Part 2: Site Allocations' from this we can identify potential alternative sites. The following table lists the potentially available sites from the SHLAA (2022) in Weston-Super-Mare.

Site Reference	Site Name	Reasons for Discounting
HE201052	Anchor Head Hotel	Although correct size. Currently, a listed hotel would involve restoration rather than a building and land not currently owned by the client.
HE207	Elm Grove Nurseries	At 6.8 ha it is too large and not available for sale (via online search using postcode +1mile). Additionally, its located out of town would not provide the same level of connectivity as the main site.
HE2027	Greenways Farm, Lyefield Road, Weston - super - Mare	At 24.66 ha it is too large and not available for sale (via online search using postcode+1mile). No planning application submitted for the site.
HE20354	South of Manor Farm, North of Lyefield Road	2.57 ha is too large and not available for sale (via online search using postcode+1mile). No planning application submitted for the site.
HE20471	Rose Tree Farm, North of Lower Norton Lane/Lyefield Road, Weston super Mare	3.64 ha it is too large and not available for sale (via online search using postcode+1mile). Additionally, its located on the fringe of town so would not provide the same level of connectivity as the proposed site.
HE20637	North of Banwell Road, Elborough	22.08 ha it is too large and not available for sale (via online search using postcode +1mile). Additionally, its located on the fringe of town so would not provide the same level of connectivity as the proposed site.
HE20495	Land to west of Anson Road	3.95 ha it is too large and not available for sale (via online search using postcode+1mile). Additionally, its located on the fringe of town so would provide the same level of connectivity as the proposed main site.
HE201030	Leighton Crescent	2.69 ha it is too large and not available for sale (via online search using postcode). Additionally, its located on the fringe of town so would provide the same level of connectivity as the main site.
HE201040	Land south of Elborough	22.86 ha it is too large and not available for sale (via online search using postcode +1mile). Additionally, its located on the fringe of town so would provide the same level of connectivity as the main site.
HE2010113	Land north of Oldmixon Road	1.54 ha larger than required and not available for sale (via online search using postcode +1mile). Partially within Flood Zone 3 and site is too big for proposed development. Development has also commenced so not available.
HE202017	Grange Farm, Hutton	4.4 ha larger than required and not available for sale (via online search using postcode +1mile). Farmhouse is a listed building and is adjacent to a conservation area, site is adjacent to the AONB with landscape impact likely to be key and the site located in close proximity to a site of nature conservation interest.

When considering the sites listed above, it is noted that most of them are too large to be considered a suitable alternative for this development. This proposal is for the creation of 1 dwelling with a site area of around 0.03ha. As such anything over 0.5ha has been ruled out as too large. Even at 0.5ha the sites are still in excess

of what this development proposes. Considering the application is made by an individual, it would not be possible to develop a part of a larger site due to administrative complexities and financial constraints of being individual developer. Similar situation with redevelopment of an existing dwelling, financial constraints would not allow the applicant to consider those as viable options.

Sites included SHLAA (2022) but outside of the Western-Super-Mare area were also considered. All of the sites in WSM (West of M5), WSM (East of M5), Clevedon, Portishead, Nailsea and Backwell, Yatton and Claverham, Banwell, Bleadon, Churchill and Langford, Congresbury, Edge of Bristol, Sandford, Winscombe and Wrington were reviewed to see if any of the sites are correct size and available for sale. The only site that is suitable in size is HE20425 Land at Northend Farm, at 0.45ha earmarked for 16 dwellings and not available for sale.

In addition to considering sites that have been allocated for development within the SHLAA and Sites and Policies Plan this document has also considered houses and land for sale on the open market within Weston-Super-Mare that are of similar size and scope. It is noted that a large proportion of the sites for sale in Weston-Super-Mare are also located within Flood Zone 3 and therefore would not lower the flood risk to the development.

On the open market (taken from Rightmove –details included within **Annex A**) within Weston-Super-Mare there are three land sites that have been considered available for sale.

- Land for sale at Bridgwater Road, Bleadon, North Somerset. This is a greenfield site of 84.99 acres. Located in Flood Zone 1. Too large for this proposal. Location of the site is not comparable in the connectivity.
- Station Road, St. Georges, Weston-Super-Mare - entirely in Flood Zone 3 so would not be an improvement on current proposal.
- Land for sale Shiplate Road, Bleadon, North Somerset- 24.18 acres is a lot larger than required. Location of the site is not comparable in the connectivity.
- Collum Lane, Weston-Super-Mare, North Somerset- agricultural land not suitable for development.
- 65 Mead Vale, Weston-Super-Mare, North Somerset- entirely in Flood Zone 3 so would not be an improvement on current proposal.

Search on Zoopla, Onthemarket.com, Findaplot and Plotfinder had repeating plots as above. The Plotbrowser and Stags did not list anything in Weston-Super-Mare or North Somerset.

In summary, there are no other suitable alternatives in the Weston-Super-Mare settlement boundary that would be appropriate for this development or move the development to a lower-risk flood zone. This is due to the nature of the development that is proposed as well as the fact that a large proportion of Weston-Super-Mare is located within Flood Zones 2 and 3. Considering using a part of a larger site and/or extending or redeveloping existing dwelling would is not a viable option considering the applicant is an individual developer.

Planning Policy

The NPPF paragraph 102 states:

“102. If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied if appropriate. For the Exception Test to be passed:

- *it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and*

- *a site-specific flood risk assessment must demonstrate that 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.*

Both elements of the test will have to be passed for development to be allocated or permitted.”

Exception Test

As stated above, Paragraph 102 of the NPPF Exception Test considers two aspects of development, both of which will have to be passed for a development to be permitted.

Although the sustainability benefits may override the Sequential Test, the Exception Test is still required to be applied for this type of development. The Exception Test consists of 2 parts;

- Part 1, ‘the site must provide wider suitability benefits’ –The development is providing additional residential capacity to the local area, in an area that is well-founded in local amenities and facilities so is the ideal location for new residential dwellings. Considering that this would be a bungalow in a urban area it would be highly accessible residence for people with mobility issues or seniors. In addition to this the development makes use of an existing site to provide additional dwelling within the curtilage. This means that an entirely undeveloped greenfield area is not required to provide an extra dwelling. This is more sustainable than building a new dwelling on an unoccupied greenfield plot.

North Somerset is proposing to build more than 20,000 across the county by 2038. Weston-Super-Mare is considered to be taking the biggest share with approximately 3,000. However, it is estimated total across the council is nearly 2,039 homes short of the target. Therefore, the permitting of developments such as this site would aid in trying to reach the housing target. Where the client has the land available and is willing to provide a suitable dwelling in a sustainable, well-connected location within Weston-Super-Mare. Similar sites across the county have been approved and these will all contribute to meeting the housing requirements across North Somerset.

- Part 2, ‘a FRA must prove the site is safe during the development lifetime’ –the FRA undertaken for this site has shown that the site is defended from tidal flooding and not at risk of fluvial flooding. Therefore, the considered risk to the site is low. The site is considered to be defended for its lifetime due to the defences protecting a large residential area of Weston-Super-Mare. It is likely that over the next 100 years, the defence will be maintained and improved due to the vast area of urban land that they protect. Mitigation measures have been recommended within the site-specific FRA that would protect the development from any residual flood risk.

A suitable sustainable surface water drainage scheme will be implemented on the site which would ensure that the development does not increase flood risk elsewhere.

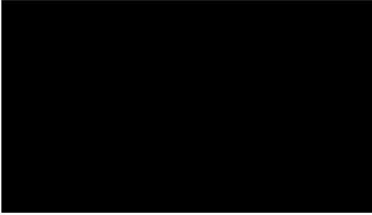
Conclusion

In conclusion the Sequential Test has considered alternative sites within the defined search area and found that none are reasonably available that would decrease the flood risk to the site. As such it has shown that the site is appropriately located in the current proposed location.

The Exception Test has identified that the site will provide additional housing in a sustainable location that would help North Somerset Council meet its housing target set for 2038. The site is currently urban occupied site with a garage on and therefore is a preferable option. A suitable FRA has been carried out to demonstrate that the flood risk has been properly addressed and managed.

Therefore, it is deemed that the Sequential and Exception Tests can be considered to be passed and that this development proposal is wholly appropriate. This is in line with similar developments across the county that have been successful in achieving planning permission.

Yours sincerely,
For and on behalf of Nijhuis Industries Ltd.



Lisa Belova
Graduate Field Services Technician (BSc, MSc) – Flood and Drainage

Annex A –Rightmove Details