West Northamptonshire Joint Core Strategy

Sequential and Exception Test – Technical Note Update

West Northamptonshire Joint Planning Unit
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Contact Us:

01604 837838
westnorthantsjpu@northampton.gov.uk
www.westnorthamptonshirejpu.org
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1. **Introduction**

1.1 This paper sets out the Sequential and Exception Testing process relating to the locations for growth as set out in the Proposed Changes to the Pre-Submission version of the West Northamptonshire Joint Core Strategy (July 2012) and other development areas.

1.2 This paper is an update of the Sequential and Exception Test Technical Note published in February 2011. This is an 'Interim' report using the best information available at the time of writing. As new information becomes available the report will continue to be updated.

1.3 The methodology used in this technical note is based on the requirements set out within the National Planning Policy Framework (NPPF) (March 2012) and the accompanying Technical Guidance to the National Planning Policy Framework (March 2012). This methodology has been discussed with and agreed by the Environment Agency.

2. **National Planning Context**


2.2 The Technical Guidance provides additional guidance to local planning authorities to ensure the effective implementation of the planning policy set out in the National Planning Policy Framework on development in areas at risk of flooding. The Technical Guidance also retains key elements of PPS 25. However, it is stated in the Technical Guidance that the retention of this guidance is an interim measure pending a wider review of guidance to support planning policy.

2.3 The NPPF and the Technical Guidance continue the principle of an “avoid, reduce and manage” approach, as set out in PPS25, by requiring decisions on plans to take full account of present and future flood risk. This includes both the probability and potential consequences of flooding and the wider implications of flood risk. The main aim of the NPPF is to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding and to direct development away from areas at highest risk.

2.4 A sequential risk-based approach is used to determine the suitability of land for development in flood risk areas. This is central to the National Planning Policy Framework and accompanying Technical Guidance and should be applied at all levels of the planning process. The Flood Zones are the starting point for the sequential approach. The Strategic Flood Risk Assessment provides refined information required to carry out the Sequential Test.
3. The Sequential Test

3.1 The Sequential Test aims to steer new development to areas with the lowest probability of flooding. The Technical Guidance sets out the process that local planning authorities should follow when allocating land in local plans or determining planning applications for development. Local planning authorities should apply the Sequential Test in order to demonstrate that there are no reasonably available sites in areas with a lower probability of flooding that would be appropriate to the type of development or land use proposed. If following the application of the Sequential Test it is not possible, consistent with wider sustainability objectives, for the development to be located in zones of lower probability of flooding, then in certain circumstances the Exception Test can be applied.

3.2 New development should be directed to sites with the lowest probability of flooding from all sources as indicated by the Strategic Flood Risk Assessment. Preference is given to locating new development in Flood Zone (FZ) 1. If there are no reasonably available sites in Flood Zones 1 or 2, then Flood Zone 3 can be considered, taking into account the flood risk vulnerability of land uses and applying the Exception Test if required.

3.3 Flood Risk Vulnerability and Flood Zone ‘Compatibility’ is set out in Table 3 in the Technical Guidance. Table 3 is replicated below:

<table>
<thead>
<tr>
<th>Flood risk vulnerability classification (see table 2)</th>
<th>Essential infrastructure</th>
<th>Water compatible</th>
<th>Highly vulnerable</th>
<th>More vulnerable</th>
<th>Less vulnerable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone 1</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Zone 2</td>
<td>✓</td>
<td>✓</td>
<td>■</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Zone 3a</td>
<td>■</td>
<td>■</td>
<td>■</td>
<td>■</td>
<td>■</td>
</tr>
<tr>
<td>Zone 3b functional floodplain</td>
<td>■</td>
<td>■</td>
<td>■</td>
<td>■</td>
<td>■</td>
</tr>
</tbody>
</table>

Key for Table 3:
✓ Development is appropriate
× Development should not be permitted
3.4 However, Table 3 does not show the application of the Sequential Test which guides development to Flood Zone 1 first, then Flood Zone 2, and then Flood Zone 3.

3.5 The following flow chart identifies a series of questions that need to be answered in undertaking a Sequential Test for the Local Plan process. Whilst this flow chart was contained in PPS 25 and is not contained within the Technical Guidance it still provides a useful summary of the application of the sequential and exception tests at a local level.

Figure 4.1 Application of the Sequential Test at the Local level for LDD preparation

4. The Exception Test

4.1 In exceptional cases new development may be necessary in areas of flood risk. The aim of planning policy is to make such development safe without increasing flood risk elsewhere by using an Exception Test. The test provides a method of managing flood risk while still allowing necessary development to occur. Where possible it aims to reduce overall flood risk.
4.2 To pass the Exception Test the following two requirements need to be satisfied:

a) 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

b) 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.

5. Assessment of Flood Risk

5.1 As part of the evidence base for the West Northamptonshire Local Plans the Strategic Flood Risk Assessment (Strategic Flood Risk Assessment) Level 1 for West Northamptonshire (February 2009) was prepared by Scott Wilson on behalf of the West Northamptonshire Joint Planning unit to provide flood risk information across the whole area.

5.2 The Level 2 Strategic Flood Risk Assessments correspond to the ‘increased scope’ assessment referred to in paragraph 8 of the Technical Guidance. The principal purpose of a Level 2 Strategic Flood Risk Assessment is to facilitate the application of the Sequential and Exception Tests. The two Level 2 Strategic Flood Risk Assessments were also prepared by Scott Wilson for the West Northamptonshire Joint Planning Unit (WNJPU):

1. South Northamptonshire and Daventry District Level 2 Strategic Flood Risk Assessment (June 2009); and
2. Northampton Level 2 Strategic Flood Risk Assessment (February 2010).

5.3 These assessments have allowed the WNJPU to follow a risk-based sequential approach in identifying land as options for development by attempting to allocate new development in areas which are less likely to flood and managing flood risk elsewhere. In doing so, the process of identifying land for development is consistent with the requirements outlined in the NPPF and accompanying Technical Guidance.

5.4 It is important to note that not all watercourses within the area are modelled. These watercourses will need to be assessed as part of a Flood Risk Assessment (FRA) for specific development proposals and the sequential approach applied to avoid areas of flood risk.

6. Process

6.1 As the Sequential and Exception Test Technical Note published in February 2011 explains the Sequential Testing process has been applied to all of the strategic sites that have been identified for potential future development. Full details of this process and the sites considered are set out in Section 8 of the February 2011 Technical Note.
6.2 The Sequential Testing has now been updated to reflect the Proposed Changes to the Pre-Submission version of the West Northamptonshire Joint Core Strategy as well as any additional planning applications and masterplans, or changes to planning applications and masterplans since February 2011.

6.3 Detailed site and development information is provided and includes proposed use, Flood Zone information, local flooding issues, development vulnerability, whether or not the area is an ‘Exception Test’ candidate, whether or not the area has been assessed as part of the Level 2 Strategic Flood Risk Assessments and any other site specific constraints.

7. **Information used to populate Sequential Test Tables**

7.1 The information relating to the number of dwellings, jobs capacity and proposed use of each site has been obtained from the Proposed Changes to the Pre-Submission West Northamptonshire Joint Core Strategy, planning applications and/or masterplans.

7.2 The information relating to Flood Zones 1, 2, 3a and 3b has been obtained from the Environment Agency's Geostore data files and are the most up-to-date at the time of writing (August 2009).

7.3 The drainage information has been obtained from a number of sources including Anglian Water's DG5 data and information contained within the West Northamptonshire Phase 2 WCS (September 2011).

7.4 The Surface Water information has been obtained from a number of sources including the Level 2 SFRAs for Daventry District and South Northamptonshire (June 2009) and Northampton (February 2010) and the Environment Agency's Geostore data: Areas susceptible to surface water flooding (August 2009).

7.5 The information contained within the column entitled 'Other' includes data from the local authority and the water companies and is included in the Level 1 and Level 2 SFRAs.

7.6 The column entitled 'Development Vulnerability' has been populated using Table 2 (Flood Risk Vulnerability Classification) of the Technical Guidance to the NPPF.

7.7 The 'Exception Test Candidate' column has been completed using the information contained within Table 3 (Flood Risk Vulnerability and Flood Zone Compatibility) of the Technical Guidance to the NPPF.

7.8 The column requesting whether or not a Level 2 SFRA has been carried out was a simple cross-referencing exercise to the Level 2 SFRAs.

7.9 The 'Comments and Constraints' section relates to anything that could be a potential constraint to development. The majority of this information has been obtained through internal constraints mapping and from the Level 2 SFRAs.
West Northamptonshire Joint Core Strategy

The West Northamptonshire Joint Core Strategy will set out the spatial vision for the whole of West Northamptonshire up to 2026 and will provide the context for other Local Plans in the area. It will also set out the broad locations for new housing, employment and other strategic developments as well as allocations for Sustainable Urban Extensions.

The Sequential and Exception Test Technical Note published in February 2011 explains the Sequential Testing process applied to all of the strategic sites that have been identified for potential future development. Full details of this process and the sites considered are set out in Section 8 of that report. This Update considers the Proposed Changes to the Pre-Submission version of the West Northamptonshire Joint Core Strategy as well as other development sites.

The Proposed Changes to the Pre-Submission version of the West Northamptonshire Joint Core Strategy will be published for representations on the 14 August 2012 following approval by the West Northamptonshire Joint Strategic Planning Committee on the 16 July 2012.

Sustainable Urban Extensions Sequential Test

The Pre-Submission version of the West Northamptonshire Joint Core Strategy allocated eleven Sustainable Urban Extensions to the towns of Northampton, Daventry, Towcester and Brackley.

The Proposed Changes to the Pre-Submission of the Joint Core Strategy include detailed changes to the land use requirements for some of the SUEs allocated in the Pre-Submission JCS. Consequently the sequential test for the SUEs has been updated to reflect the Proposed Changes. The updated sequential test for the SUEs is included in this Technical Note Update as Appendix A.

Other Development Sites

Other strategic development sites, which have been provided from each of the Local Planning Authorities, have also been sequentially tested. These sites are located in the following areas:

- Northampton Town;
- Daventry Town;
- Towcester Town;
- Brackley Town; and
- South Northamptonshire Rural Areas.

The number in brackets following the development area name relates to the representation made to the Emergent Joint Core Strategy.
10.1 Northampton Town Sequential Test

10.1.1 The Sequential Test Table for Northampton Town can be found in Appendix B to this report. It should be noted the ‘Northampton Central Area Drainage Assessment’ has now been completed to support the submission of the Northampton Central Area Action Plan (CAAP). The Northampton Central Area Drainage Assessment focuses on demonstrating that the development proposed through the CAAP does not place additional demands on the sewer network. It specifies levels of water to be attenuated to help to minimise flood risk posed to the Central Area through combined sewer overflow and to manage surface water in a more sustainable manner.

10.1.2 Whilst the Northampton Central Area Drainage Assessment does not make specific reference to the Sustainable Urban Extensions allocated in the Joint Core Strategy, some of the conclusions and future actions do have relevance to the progression of the JCS. In particular, the Assessment states that: “in order to secure the level of protection afforded by the new defences the EA have agreed with the WNJPU that the standards set for new development should also be improved, beyond that required by the former PPS25. Therefore all new development in the Upper Nene catchment should be designed for a flood with a 0.5% probability (1 in 200 chance) occurring in any year, including an appropriate allowance for climate change” (Page 106, Northampton Central Area Drainage Assessment). Part Two of the Assessment is currently being undertaken which looks at practicable options for managing surface water on site.

10.1.3 The CAAP was submitted to the Planning Inspectorate on the 24 May 2012 and the Examination Hearing Sessions will be taking place in September 2012. There have been changes to some of the proposed development sites in the CAAP which are considered in Appendix B of this technical note.

10.1.4 Exception Test – There are seven individual sites that required testing and these can be found in Appendix C. The Exception Test Table covers part A of the NPPF Exception Test.

10.1.5 Part B of the Exception Test outlined in the NPPF states that a Flood Risk Assessment (FRA) must demonstrate that development will be safe, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. This has been reflected in the Joint Core Strategy policy relating to flood risk. The policy states that a FRA should demonstrate that the development is safe from all flooding, should not increase any risk to existing developments and that all developments should employ sustainable drainage systems to manage surface water. All development will be required to comply with these policies, thus meeting part B of the Exception Test.

10.1.6 It should be noted that the sites that form part of the newly created SEMLEP Northampton Waterside Enterprise Zone around the Sixfields area have been subject to a separate draft Flood Risk Assessment. The findings of this analysis can be found in Appendix C of this technical guidance note.
10.2 Daventry Town Sequential Test

10.2.1 The Sequential Test Table for Daventry Town can be found in Appendix D to this report.

10.2.2 Exception Test – There are no sites that need to be Exception Tested.

10.3 Towcester Town Sequential Test

10.3.1 The Sequential Test Table for Towcester Town can be found in Appendix E to this report.

10.3.2 Exception Test - There are no sites that need to be Exception Tested.

10.4 Brackley Town Sequential Test

10.4.1 The Sequential Test Table for Brackley Town can be found in Appendix F to this report.

10.4.2 Exception Test - There are no sites that need to be Exception Tested.

10.5 South Northamptonshire Rural Areas Sequential Test

10.5.1 The Sequential Test Table for South Northamptonshire Rural Areas can be found in Appendix G to this report.

10.5.2 Exception Test - There are three individual sites that required further investigation as part of the Level 2 Strategic Flood Risk Assessment. This information is provided below:

10.5.3 Old Stratford (1285)

- **Context:** Numerous agricultural drains run through the site. Flood Zones (FZ) 2&3 also cover a large proportion of the site.

- **Modelling:** Detailed one-dimensional river modelling has been undertaken.

- **Recommendations:** Residential Development should be restricted to Flood Zone (FZ) 1. If residential development is located in FZ2, then a Site Specific FRA should be undertaken to delineate the boundary of FZ3 plus climate change and demonstrate that development will be safe and addresses issues relating to the management of surface water runoff. Commercial development should be located in FZ2. If located in FZ3 then a site specific FRA should be undertaken.

10.5.4 The Meadows, Old Stratford

- **Context:** An area at the site is located in FZ 2&3.
- **Recommendations:** Residential development should be located in FZ1. If this cannot be achieved then a site specific FRA should be undertaken which should demonstrate that the development is safe and that surface water management is addressed.

10.5.5 **Deanshanger (1299)**

- **Context:** A significant area of the site falls within FZ 2&3.

- **Recommendations:** Development should be restricted to FZ 1 only. If this cannot be achieved then a site specific FRA should be undertaken in order to identify the land suitable for residential development. This assessment should address issues relating to the management of surface water. Minimum acceptable emergency access and egress routes should be determined based on the outputs from detailed hydraulic modelling as part of the FRA.

11. **Conclusions**

11.1 The Sequential Test has been applied to all of the locations for growth (as identified in the Proposed Changes to the West Northamptonshire Pre-Submission Joint Core Strategy) as well as a number of "other" development sites related mainly to each of the four towns in West Northamptonshire: Northampton, Daventry, Towcester and Brackley.

11.2 All of these sites have the ability to contribute to the delivery of West Northamptonshire's locally derived housing and employment targets. The conclusions of this paper have been used to inform the West Northamptonshire Joint Planning Unit and the West Northamptonshire Joint Strategic Planning Committee as to whether the proposed sites are suitable to deliver residential and mixed use development in terms of flood risk and therefore provides supporting information to the Proposed Changes to the Pre-Submission Joint Core Strategy.

11.3 The National Planning Policy Framework specifies that that new development should be steered towards and located in Flood Zone 1 first, then Flood Zone 2 and finally Flood Zone 3.

11.4 As the Sequential and Exception Test Technical Note published in February 2011 explains due to the size of the options tested through the Joint Core Strategy preparation process, it was considered that through applying the sequential approach all vulnerable development could be located in Flood Zone 1 and the options were therefore considered to be suitable for residential and mixed use development, without the need for further consideration.

11.5 There are however seven sites related to the Northampton Central Area Action Plan (CAAP) that are largely affected by one or more of the higher risk flood zones, the majority of which are on previously developed land. The application of the Exception Test in terms of a site’s ability to be delivered to a high standard of sustainability has been explored. Each of the seven sites have been assessed
against the Core Strategy Sustainability Appraisal Plan objectives, the wider sustainability benefits linked to the CAAP and whether or not the development can be built on Previously Developed Land. The Exception Test will also need to be clearly demonstrated through the associated Flood Risk Assessments (FRAs) and applied in any further master planning that may be undertaken.

11.6 It is considered and evidenced by Appendix C that all proposals meet the Vision and Objectives of the plan in terms of the aspirations for regeneration and viability. They do not just contribute to the enhancement and sustainability of the individual sites, but have a real benefit for the surrounding areas.

12. **Next Steps**

- Update of this technical note as new information becomes available and/or the Joint Core Strategy proposals change; and
- Work with the Environment Agency and the developers to manage any risk identified. Use the recommendations of the Level 2 Strategic Flood Risk Assessments and look at wide ranging options for flood risk management.

13. **Appendices**

A: Proposed Changes to the Pre-Submission Joint Core Strategy Sustainable Urban Extensions Sequential Test Table

B: Northampton Town Strategic Sites - Sequential Test Table

C: Northampton Central Area Action Plan (CAAP) - Exception Test Table

D: Daventry Town Strategic Sites - Sequential Test Table

E: Towcester Town Strategic Sites - Sequential Test Table

F: Brackley Town Strategic Sites - Sequential Test Table

G: South Northamptonshire Rural Sites - Sequential Test Table