

Matter 3 – Development Strategy

Response on behalf of Bellway Homes and Henry H Bletsoe & Son LLP (Representor ID: 1117482)

Flood risk

17) How has flood risk been taken into account at arriving at the strategy and distribution of growth?

Response

- 1.1.1 Flood risk has not been properly taken into account in arriving at the strategy and distribution of growth. Fundamentally, the Council has not justified why its Full Objectively Assessed Housing Needs (FOAHN) cannot be addressed on sites at lowest risk of flooding. Without this justification the Council cannot demonstrate compliance with NPPF101: development should not be allocated if there are reasonably available sites in areas with a lower probability of flooding considering all forms of flood risk (as required by NPPF101¹ and NPPG019² & 021 Diagram 2³).
- 1.1.2 18 of the proposed allocations are significantly affected by fluvial or pluvial (surface water) flood risk (draft allocation HU9 is covered by both), with no justification as to why the explicit requirement of NPPF101 cannot be met. The HELAA identifies that these sites are constrained by flood risk⁴. Reasonably available, sequentially preferable and otherwise sustainable sites which accord with draft Policy LP2 and wholly located in Flood Zone 1 (low probability) have arbitrarily been ruled out for ‘non-flooding’ reasons without justification (for example, my client’s site at Dexter’s Farm, Godmanchester [HELAA ref. 188]).
- 1.1.3 The Council’s Sequential Test is also contrary to NPPF101, NPPG019 and 0212 because it only takes account of fluvial flood risk and ignores other forms of flood risk such as pluvial flooding. This affects 8 of the proposed allocations when sequentially preferable sites are clearly available.
- 1.1.4 Subsequently seeking to mitigate flood risk through policy additions and modifications to site allocation policies will not overcome failing the critical first stage of the Sequential Test required in NPPF101. The allocation of sites in Flood Zones 2 and 3, which may also be affected by other forms of flooding, should only be considered if sites at lowest risk of flooding (including Flood Zone 1 as well as considering other forms of flooding) are not reasonably available. Further detail is provided in response to Question 18.
- 1.1.5 As well as exposing people and property to flood risk unnecessarily, the approach to flood risk impacts on the wider deliverability of sites (including 5 year land supply) and ability to meet FOAHN. The mitigation of flood risk adds complexity to developing a site, could increase development costs, and the risk of flooding will affect the marketability of new homes (including the ability to secure insurance).

¹ “A sequential approach should be used in areas known to be at risk of **any form of flooding**” (NPPF101, emphasis added)

² ID: 7-019-20140306. “The aim is **to steer development to Flood Zone 1**” and “Within each flood zone, **surface water and other sources of flooding also need to be taken into account** in applying the sequential approach to the location of development” (emphasis added).

³ ID: 7-021-20140306. Diagram 2 provides a flow chart for applying the sequential test. The footnote to Diagram 2 notes that “Other sources of flooding also need to be considered” aligning with the any form of flooding requirement in NPPF101.

⁴ See Table 1 to my representations made to the submitted plan for specific references.

18) What was the approach to the sequential and exception tests when considering the distribution of growth and site allocations? Has the Sequential Test been applied correctly? Is the approach justified and consistent with national policy? What concerns have been raised and what is the Council's response to these?

Response

Sequential Test

- 1.1.6 HDC's Sequential Test⁵ has not been applied correctly and therefore conflicts with national policy.
- 1.1.7 Flooding has a significant impact on people's lives and property. This is why national planning policy is clear that development should not be allocated or permitted in areas of medium-high flood risk if there are reasonably available alternatives in Flood Zone 1 (NPPF101's Sequential Test supported by NPPG para 019 & 021). Furthermore, the Sequential Test applies to any form of flooding (NPPF101 and NPPG019 & 021 [incl. Diagram 2] in particular), not just fluvial flood risk. In HDC's case, the impact of pluvial (surface water) flooding is particularly relevant and therefore needs to be considered as part of the Sequential Test.
- 1.1.8 There are two main issues with the Sequential Test:
- a.** There is no robust or transparent assessment of 'reasonably available' sites in Flood Zone 1. Sequentially preferable and sustainable sites with otherwise accord with draft Policy LP2 (including Dexter's Farm) are arbitrarily dismissed for 'non-flooding reasons' without justification.
- Sites affected by fluvial flood risk: 11 site allocations are significantly impacted by medium-high flood risk (Zones 2-3a & b), including HU7 (44% FZ2 & 3), HU9 (100% in FZ2), HU13 (50% in FZ2 & 3), HU14 (59% FZ2), HU16 (77% FZ3b), SN1 (88% FZ2 & 13% FZ3a and 3b), SN2 (36% FZ2 & 64% FZ3), SN3 (36% FZ2 & 3), SN5 (93% in FZ3a), SI14 (58% FZ3a & 42% FZ2) and RA1 (82% in FZ3a) (see Table 1 to my submitted representations). In total these sites are allocated for the delivery of 1,055 dwellings.
- b.** There is no consideration of pluvial/surface water flooding despite the significant impacts that this could have on 8 of the proposed site allocations.
- Sites affected by pluvial flood risk: 8 site allocations are significantly affected by surface water flooding: HU9⁶ (also affected by fluvial flood risk), SI2⁷, FS3⁸, KB1⁹, SY1¹⁰, SY2¹¹, SM4¹² & BL2¹³. These sites are allocated to deliver a total of 535 dwellings.
- 1.1.9 The allocation of these sites cannot be justified without demonstrating why it is not possible to allocate sites at lower risk of flooding in order to comply with NPPF101. If other sustainability criteria outweigh flood risk issues, then PPG022 (ID: 7-022-20140306) requires a reasoned and transparent justification to be reported in the Sustainability Appraisal (SA). No such justification is available in the SA report.
- 1.1.10 It is clear that reasonably available alternatives at lower risk of flooding have not been properly considered. Pages 9-10 of the Sequential Test simply includes a cursory assessment of those sites wholly located in Flood Zone 1, rejecting 9 sites, comprising 874ha of land, based on 'non-flooding'

⁵ *Huntingdonshire Local Plan to 2036: Sequential test for flood risk* (not dated, Huntingdonshire District Council)

⁶ Refer Table 1 and Appendix 1 to my representations on the submitted plan

⁷ Table 1 and Appendix 6 to my representations on the submitted plan

⁸ Table 1 and Appendix 8 to my representations on the submitted plan

⁹ Table 1 and Appendix 10 to my representations on the submitted plan

¹⁰ Table 1 and Appendix 11 to my representations on the submitted plan

¹¹ Table 1 and Appendix 12 to my representations on the submitted plan

¹² Table 1 and Appendix 14 to my representations on the submitted plan

¹³ Table 1 and Appendix 23 to my representations on the submitted plan

factors. The Sequential Test does not explain what these non-flooding factors are, nor why these would override the Sequential Test at the heart of NPPF101. This is not considered in the SA.

- 1.1.11 In the case of my client's land interests south of Godmanchester (Dexter's Farm, Cfs2017: 188, page 10 of the Sequential Test) the 'non-flooding' reason appears to be solely perceived landscape impacts (page 171 of the HELAA) with the site otherwise performing strongly as part of the HELAA's SA. No technical objections were received in response to the HELAA consultation and the site aligns with the spatial strategy in the draft plan (Policy LP2), which focusses development to the Huntingdon SPA, specifically including Godmanchester. Moreover, this specific part of Godmanchester is already recognised as a sustainable location, adjoining the Bearscroft allocation, HU19). The recently made Godmanchester Neighbourhood Plan also allows moderate-scale development adjoining the settlement boundary. There can be no doubt that this site is reasonably available, sequentially preferable and in a sustainable location.
- 1.1.12 There is little justification to reject the site in landscape terms, as explained in my previous representations, which includes a landscape review and response (IDP, November 2017). In particular, there is no logic to ruling out this sequentially preferable site in landscape terms when 10 of the sites proposed for allocation (HU1, SEL2, SN6, KB1, SY1, SY2, SM4, WB3, WB5 & GS2) have negative landscape impacts identified in the HELAA, including allocations which will have impacts on open countryside and landscape at a significant scale (see my previously submitted response to LP2 Strategy for Development [Comment ID: HLP2036-PS: 540). Furthermore, 5 of these allocations are also affected by flood risk (HU3, KB1, SY1, SY2 and SM4) (See Table 1 to my previously submitted representations). The Council's treatment of Dexter's Farm demonstrates a failing in both the Sequential Test and wider site selection process (including inconsistent application of landscape as a suitability constraint).

Exception Test

- 1.1.13 Proposed allocations SN2 and RA1 fail the exception test yet are still proposed for allocation, contrary to NPPF102. These sites should be removed from the draft plan.

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