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Planning Development

Flood Risk Sequential Assessment and Exceptions Test Rev A July 2024 Land adjacent to Ledgard Bridge Mills, Back Station Road, Mirfield

Introduction

This Flood Risk Sequential Assessment accompanies a planning application for the erection of one block of 76 no. two bed apartments on the 0.84 ha¹ brownfield former Ledgard Bridge Mill site. The main former mill building on the site has previously been extended and converted to residential apartments and has been a well-regarded and successful development. The new proposals would represent Phase 2 of this major brownfield regeneration project.

Therefore, the Sequential Test must continue to review the availability of Flood Zones 1 and 2 over Flood Zone 3 within the site, which should follow a similar process as the site selection.

This partially revised and updated statement addresses issues raised within the Council's Policy consultation response and subsequent meeting in April this year.

The sequential test

The NPPF² paragraph 162 states:

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

Referring to the Council's Strategic Flood Risk Assessment, the areas where the development, access and car park would be located are in Flood Zones 2 and 3. Small strips of land down the river embankment, are located in 3ai, however these areas are not to be included as part of the proposed development.

A sequential assessment is required to determine if there are any reasonably available sites for the development within Flood Zones 1 & 2.

¹ Excluding Ledgard Bridge Mills Phase 1 apartment block

² National Planning Policy Framework

As per policy in NPPF paragraph 162 ³, the Council's Strategic Flood Risk Assessment (SFRA) recommends a three-stage approach to the sequential assessment: Stage 1 – Strategic application &



Kirklees Strategic Flood Risk Assessment – Extract from Map W showing site location in FZ's 2 & 3

development vulnerability; Stage 2 – Defining the evidence base; and Stage 3 – Applying the Sequential Test.

Stage 1 – Strategic application & development vulnerability

The site is not allocated in the Local Plan for development and the development vulnerability is not appropriate to the Flood Zone. ⁴ As such, a full sequential assessment is required, and the assessment must move to Stage 2.

Stage 2 – Defining the evidence base

The SFRA requires the geographic area in which the test is to be applied to be defined.

Local Plan Policy LP27 states that the whole of the Kirklees District should be the starting point for the sequential assessment, with applicants required to provide justification where a smaller area of search is proposed.

Paragraph 3.12 of the Kirklees Strategic Housing Market Assessment (SHMA) (2016) states:

³ "The Strategic Flood Risk Assessment will provide the basis for applying this test"

⁴ Planning Practice Guidance 'Flood risk and coastal change' Paragraph 034 Table 2

The Local Housing Market Area analysis within this SHMA identifies three Local Housing Market Areas operating within, across and beyond the Kirklees administrative area. These Local Housing Market Areas are identified (see Map 3.2) as:

- 1) Huddersfield (extending to the north into part of Calderdale);*
- 2) Dewsbury and Mirfield (extending north into South Leeds); and*
- 3) Batley & Spen (extending north into Bradford).*

Based on the fact that Dewsbury and Mirfield is evidenced by the SHMA to be a distinct housing market area, it is considered justified in this case to base the sequential search area on this particular area, as defined through the SHMA (comprising Dewsbury East, South and West; and Mirfield wards).

A smaller catchment area centred around the Dewsbury and Mirfield areas as defined in the Kirklees Council Strategic Housing Market Assessment (SHMA) 2016 is therefore considered to be justified in this case, also relating to specific aspects of this development:

- Mirfield rail station (serving an area specifically within the Dewsbury and Mirfield catchment area) is the only station in Kirklees with direct trains to London.
- As the site is next to Mirfield rail station, the development of two bed apartments aims to attract young singles and couples, executive occupiers and growing families who may work in Leeds or Manchester (and London). The site therefore needs to be convenient to walk to the station (use of non-car modes of transport encouraged more widely by planning policy). Rents would also be more affordable in this location compared with Leeds or Manchester, for this type of residential development. There is also evidence of huge rental demand⁵ from growing families in Mirfield, and again, this development would provide more a more affordable category of housing, enabling young and growing families to remain in, or move to, the area. The apartments on offer would, for example, be suitable and more affordable for families with one child.
- In terms of specific evidence of demand for the housing type proposed in this specific area, a letter is attached at Appendix 5 from Tudor Sales and Lettings. As the letter states, Tudor have managed the majority of rentals at Ledgard Bridge Phase 1 (the majority being one bed apartments) for the past 17 years and identify there is continuous unmet demand for two bed apartments at Ledgard Bridge Mill and the wider Mirfield area. The letter details the various types of enquiries over the past few years for such unfulfillable demand from couples, small families, singles, separated families, professions, retirees etc.
- The site is owned by the applicant (Binks Executive Homes Ltd) and is therefore more likely to be available and deliverable for housing development. The applicants are also in a relatively unique position in the Kirklees borough of being able to offer a Build to Rent scheme in this location. NOTE: the Council queried demand for Build to Rent in its pre-application enquiry response, however evidencing demand is not a planning policy requirement and we are not aware, in any case, that there has been any Build to Rent scheme granted planning permission (or built) in Kirklees, despite this being a type of development the Government is encouraging through the NPPF.
- The current apartment block at Ledgard Bridge has 125 apartments: 106 one bedroom apartments and only 19 two bedroom apartments. The applicant finds there is a significant

⁵ According to local estate agents

demand for two bedroomed apartments in this location, with demand significantly outstripping supply.

- Significant employment opportunities exist in the Mirfield area (including the recent Cooper Bridge scheme) and the proposed development would therefore help supply local homes within easy (and sustainable) commuting distance.
- Mirfield has its own catchment area of residents who have been brought up in Mirfield and are often unable to afford to buy the traditional family homes that make up a great deal of this locality. They do however want to stay in the area they were born and brought up in. Therefore, this proposed Build to Rent development will offer of more affordable housing opportunities for those local residents wishing to stay in the area longer term.

Stage 3 – Applying the Sequential Test

The SFRA states ⁶:

Stage 3 focuses on applying the Sequential Test by comparing the reasonably available sites identified under stage 2 with the application site. Sites should be compared in relation to flood risk; Local 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.

The test should conclude if there are 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.

The PPG ⁷ (Flood Risk and Coastal Change) states in paragraph 027:

For individual planning applications subject to the Sequential Test, the area to apply the test will be defined by local circumstances relating to the catchment area for the type of development proposed. For some developments this may be clear, for example, the catchment area for a school. In other cases, it may be identified from other Plan policies.'

The Flood Risk and Coastal Change PPG defines a 'reasonably available' site as:

'Reasonably available sites' are those in a suitable location for the type of development with a reasonable prospect that the site is available to be developed at the point in time envisaged for the development.

Through its pre-application response, the Council offered its opinion on the methodology as follows:

*"Other sites will have had various changes as well. Secondly this list does not include the wider range of sites which the PPG requires **, which are outlined below:*

- *Local Plan Allocations: First, check your adopted or draft local plan for sites that have already been allocated for development and could be suitable for the development you're proposing.*

- *Approved and Expired Windfall Sites: Also look at sites that haven't been allocated in the local plan, but that have been granted planning permission for a development that's the same or similar to the development you're proposing. Your local planning authority will have details of sites with planning permission.*
- *Unidentified Windfall Sites: Windfall sites are sites that aren't allocated in the local plan and don't have planning permission, but that could be available for development. You can look for windfall sites yourself and you should also check if your local planning authority has information about possible windfall sites (e.g. urban capacity studies)."*

** Note: the PPG (Paragraph 029) actually states the following for clarity: "The applicant will need to identify whether there are any other 'reasonably available' sites within the area of search, that have not already been identified by the planning authority in site allocations or relevant housing and/or economic land availability assessments, such as sites currently available on the open market."

Notwithstanding the above, utilising the Dewsbury and Mirfield area as defined in the Kirklees Council Strategic Housing Market Assessment 2016 (SHMA), the sequential search has firstly focused on those sites allocated for housing in the Local Plan.

The proposed development requires a minimum site area of 0.84ha as per the reduced red line plan below (which excludes the existing parking area and incidental peripheral landscaped areas) but includes core landscaping areas, the building, parking and circulation space, and as such, any sites with available land smaller than this are not deemed to be generally suitable for the proposed development.

Practice Guidance states that applicant's ought to address the issue of potential disaggregating the development: "These could include a series of smaller sites and/or part of a larger site if these would be capable of accommodating the proposed development."

In *Mead Realisations Ltd v The Secretary of State for Levelling Up, Housing And Communities & Anor [2024] EWHC 279 (Admin) (12 February 2024)*, the judge said at Paragraph 110:

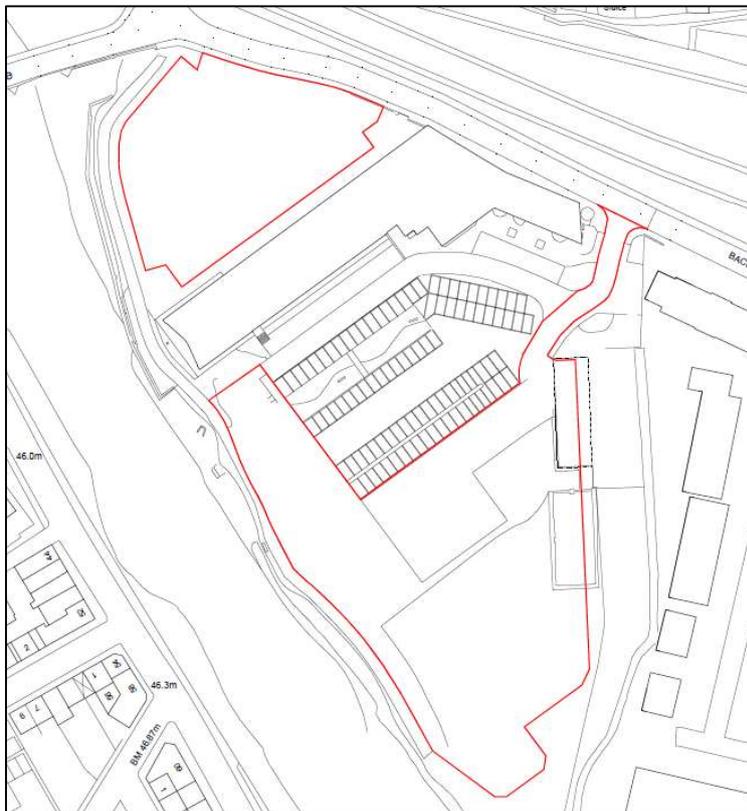
I note that the PPG refers to a "series of smaller sites." The word "series" connotes a relationship between sites appropriate for accommodating the type of development which the decision-maker judges should form the basis for the sequential assessment. This addresses the concern that a proposal should not automatically fail the sequential test because of the availability of multiple, disconnected sites across a local authority's area. The issue is whether they have a relationship which makes them suitable in combination to accommodate any need or demand to which the decision maker decides to attach weight.

It is important to note first of all in this case, that the proposed development is a high density development proposed over six floors. It is not therefore a standard development of two storey houses spread over a wider site area and that could more easily be disaggregated. The development's net density (using the area 0.84ha) is 90 dwellings per hectare, compared with the Local Plan policy objective of 35 dwellings per hectare (with higher targets in sustainable urban areas such as Mirfield – also a District Centre in the Local Plan – the second highest settlement tier).

Disaggregating the site onto a series of smaller sites would not be feasible or practical in this particular case for the following reasons:

- 1) The proposals are for a single self-contained apartment block providing all the facilities necessary for day to day living – including communal parking, open space, cycle spaces etc).

- 2) Splitting the site into two / three / four etc sites will increase the demand for space to accommodate separate apartments blocks and their accompanying communal facilities. Housing density would need to decrease as economies of scale would not be achieved in relation to access, vehicle and cycle parking, landscaping and open space provision – i.e. for every additional site, all these facilities (and access and turning space) would still need to be provided for each individual site, thereby reducing economies of scale and increasing demand for space when compared with developing one site. This would also result in lower density developments not capable of achieving the amount of development currently proposed (which in turn reduces overall housing supply when the Council currently face a dire housing supply issue).
- 3) Moreover, splitting a six storey block of apartments into two or more blocks whilst maintaining the same height in order to achieve similar density benefits, would not be appropriate from a design or visual amenity perspective, and crucially, would not be viable from a construction costs perspective.
- 4) The delivery of two substantive areas of public open space within the proposed development would not be possible if the site was to be split into smaller sites.
- 5) The development of this six storey development (as detailed elsewhere in this report) would not be suitable for the vast majority of smaller sites which are predominantly surrounded by (or are adjacent to) typical low rise residential developments. The relatively spacious nature of the Ledgard Bridge Mills site together with its proximity to the existing former mill building (and the separation gaps afforded by the river and other space with the site), means that the development would not be oppressive in outlook on this site compared with smaller sites, and would not result in loss of light for example.



Site red line boundary – 0.84 hectares

Referring to the Kirklees Local Plan Allocations and Designations, the following table includes allocated housing sites in the Dewsbury and Mirfield areas that have been identified as being over 0.84ha.

Housing Allocation	Site Address	Net Site Area (ha)
HS46	Magma Ceramics, Preston Street, Earlsheaton	1.16
HS47	Land to east of Leeds Road, Chidswell	7.98
HS48	Land to west of Scholl Street, Chickenley	1.92
HS49	Cliffe Street, Dewsbury	1.36
HS50	Providence Street, Earlsheaton	0.86
HS51	Land to east of High Street, Batley	1.76
HS52	Land to south west of Dewsbury Rams RLFC, Owl Lane	13.82
HS53	Land south and east of Rumble Road, Bywell, Dewsbury	4.52
HS55	Headfield Mills, Savile Road, Savile Town	1.02
HS56	Land north west of Forge Lane, Thornhill Lees	2.68
HS59	Lock Street, Thornhill, Dewsbury	2.72
HS60	Land to north of Hall Lane, Thornhill	1.11
HS61	Land to south of Ravensthorpe Road/Lees Hall Road	142.9
HS65	Land east of Heckmondwike Road, Dewsbury Moor	1.54
HS66	Land to south of Sheep Ings Farm, Granny Lane	2.02
HS69	Lane to east of Northorpe Lane, Mirfield	1.40
HS70	Flash Lane, Mirfield	2.03
HS72	Soothill Lane, Lower Soothill, Batley	15.19
HS74	Land to west and south of Lady Ann Business Park	2.77
HS76	Land at Squirrel Hill Reservoir, Staincliffe Road	0.88
HS78	Land adj. Mayman Lane, Mount Pleasant, Batley	1.19

Table 1: Allocated housing sites with a net site area greater than 0.84ha

The following sites taken from **Table 1** are however being discounted as development has either already been completed or partially completed on site, or there are decisions on current planning applications or discharge of conditions applications that are still pending. The sites are therefore deemed as unavailable for the proposed development.

Housing Allocation	Site Address	Planning Reference(s)
HS47	Land to east of Leeds Road, Chidswell	2020/92331 (pending)
HS48	Land to west of School Street, Chickenley	2015/92628 (built)
HS51	Land to east of High Street, Batley	2021/91871 (partially built)
HS52	Land to south west of Dewsbury Rams RLFC	2014/90780 (built)
HS53	Land south and east of Rumble Road, Bywell	2017/91459 (built)
HS60	Land to the north of Hall Lane, Thornhill	2022/90227 (DOC application pending)

HS61	Land to south of Ravensthorpe Road/Lees Hall Road	2021/91759 (withdrawn) ⁸
HS69	Land to east of Northorpe Lane, Mirfield	2023/91997 (DOC application pending)
HS74	Land to west and south of Lady Ann Business Park	2021/94280 (pending)

Table 2: Allocated housing sites where development has already taken place or planning decisions are pending

The remaining allocated housing sites are also being discounted, and the reasons for this can be found in **Appendix 2**.

The Council was then contacted regarding Approved and Expired Windfall Sites that may be available and suitable for the proposed development. The full table of sites within the Dewsbury and Mirfield areas can be found in **Appendix 3**. From this information, the majority of the sites are too small and therefore unsuitable for the proposed development.

Of the remainder, only three other sites require more detailed examination as follows.

- 1) Forge Lane, Dewsbury, WF12 9AA (LPA ref: 2013/92657 – Outline application for residential development including 191 apartments). The last application for residential development on the site was in 2013. The site wasn't however carried forward and allocated for housing in the Local Plan which suggests there are constraints associated with developing the site. The site is within Flood Zone 2 and contains a large amount of trees and vegetation. The site is currently not for sale and appears to be undeliverable within reasonable timescales. As such, the site is being discounted due to its unsuitability and unavailability for the proposed development.
- 2) Wheelwright Centre, Birkdale Road, Dewsbury, WF13 4HG (LPA ref: 2019/92587 – Alterations and partial demolition to convert existing building to form 65 residential units etc). The proposed scheme falls short in terms of the number of apartments compared with the proposed development (65 vs 76). The site also has a current S73 planning application with the Council which has yet to be decided (LPA ref: 2022/93538). The site is therefore deemed to be unavailable in the timescales required and is not entirely suitable for the proposed development.
- 3) Land off The Sidings, Savile Town, Dewsbury (LPA ref: 2010/92630). The site has already been partially developed and is a long, narrow site surrounded by two storey residential properties. It is unsuitable for the proposed development and does not appear to be available.
- 4) Land off Rumble Road, Dewsbury – permission granted in 2017 and the site is fully developed out.

Finally, a search of **unidentified / unallocated Windfall Sites**⁹ has been undertaken within the search area. Eight sites deemed to be large enough to accommodate the proposed development were initially identified as potential sites for the proposed development in relation to size but have all been deemed as unsuitable for the proposed development for the reasons outlined in **Appendix 4**.

⁸ This large housing allocation is also addressed separately at Appendix 2

⁹ The Policy consultation response stated that these types of sites had not been addressed / included in this report, when in fact they had.

In summary, given the above it is considered that within the search area around Dewsbury and Mirfield, there appear to be no *reasonably available* sites for the proposed development.

It is therefore considered that the sequential test is passed in accordance with national planning policy and guidance.

Exceptions Test

Paragraph 163 of the NPPF states:

If it is not possible for development to be located in zones with a lower risk of flooding (taking into account wider sustainable objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in national planning guidance.

Paragraph 034, Annex 3 of the Planning Practice Guidance (Flood Risk and Coastal Change) outlines the flood risk vulnerability classification. The proposed development would fall into the 'more vulnerable' classification.

Table 2 (Flood risk vulnerability and flood zone compatibility) (para 034) classes 'more vulnerable' development in Flood Zone 2 as 'appropriate', but states that an Exceptions Test is required for development in Flood Zone 3.

NPPF paragraph 164 states:

The application of the exception test should be informed by a strategic or site specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. To pass the exception test it should be demonstrated that:

a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and

b) 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.

These two matters are addressed in turn below.

1) Wider sustainability benefits to the community

The relevant PPG ¹⁰ states at paragraph 036:

How can it be demonstrated that wider sustainability benefits to the community outweigh flood risk? Local planning authorities need to set their own criteria for this assessment, having regard to the objectives of their Plan's Sustainability Appraisal framework, and provide advice which will enable applicants to provide relevant and proportionate evidence.

Identified sustainability benefits need to be balanced against any associated flood risks, informed by the site-specific flood risk assessment. The impacts of flood risk on social, economic and environmental factors should be considered. Where wider sustainability benefits are absent or where they are

¹⁰ Flood risk and coastal change

outweighed by flood risk, the Exception Test has not been satisfied planning permission should be refused.

The Council produced a Sustainability Appraisal Report as part of the Local Plan process¹¹. This set out a 19 point framework. With regard to the *relevant* objectives set out, the proposed development would achieve the following wider sustainability benefits (official objective quoted in bold):

- **Retain and enhance access to local services and facilities**

The development is within easy walking distance of Mirfield town centre, providing day to day shopping and service requirement for prospective residents. This will help maintain and increase the vitality and viability of Mirfield town centre and support its role as the focus for shopping, commercial, cultural and social activity, in accordance with local and national planning policy.

- **Ensure all people are able to live in a decent home which meets their needs**

Planning guidance on Build to rent¹² says that *as part of their plan making process, local planning authorities should use a local housing need assessment to take into account the need for a range of housing types and tenures in their area including provisions for those who wish to rent.*

The guidance goes on to advise: *If a need is identified, authorities should include a plan policy setting out their approach to promoting and accommodating build to rent. This should recognise the circumstances and locations where build to rent developments will be encouraged – for example as part of large sites and/or a town-centre regeneration area.*

As far as we are aware, although the Council's housing needs assessment assessed demand / need for rental properties, this did not translate into specific objectives within the Local Plan. Nevertheless, it is very important to acknowledge that providing homes for rent is a fundamental part of the modern housing market, helping to achieve the above objective in terms of providing homes to meet people's needs and of a tenure of their choice. This is acknowledged at paragraph 4.26 of the Kirklees 2016 SHMA report, stating that the private rented sector has five key roles:

- *A traditional housing role for people who have lived in the private rented sector for many years;*
- *Easy access housing for the young and mobile;*
- *Providing accommodation tied to employment;*
- *A residual role for those who are unable to access owner occupation or social renting;*
- *An alternative to social rented housing (for instance those wanting to move to a different area but unable to do so through their social housing provider).*

The proposed Build to Rent scheme is ideally situated on a large regeneration site, as encouraged by the aforementioned Government guidance.

The Kirklees 2016 SHMA report confirms:

¹¹ <https://www.kirklees.gov.uk/beta/planning-policy/pdf/sustainability-appraisal-2016.pdf>

¹² Paragraph 001

- Table 4.11 (page 69) states that current housing stock with regard to two bed apartments does not meet market aspirations / expectations.
- Table 7.10 (page 101) confirms that 21.8% of newly formed households consisted of flats in the five years prior to the report.
- Table 7.1 (page 96) predicts there will be significant percentage increases in household change demand for single adults and older couples, emphasising the need for smaller house types.
- Table F5 (page 182) confirms that the overall housing need per annum for flats / apartments is 209 / 1730 (12.1%).

The proposed development would be a 'Build to Rent' housing scheme and this will help fulfil housing needs for different groups in the communities in terms of size, type and tenure of housing, in accordance with NPPF paragraph 62 and Local Plan Policy LP11.

Paragraph 8.32 of the Local Plan acknowledges the need to provide a mix of homes to allow people to access the housing ladder, together with a range of housing tenures and sizes.

The extracts from the SHMA report above also confirms greater needs accommodate smaller households going forward, as well as the need for flats / apartments, in particular two bed flats / apartments.

It is noted that the overwhelming majority of developments coming forward following the adoption of the Local Plan are for non-flat / apartment housing at present, as they are typically volume housebuilder developments of standard family housing.

- **Secure an effective and safe transport network which encourages people to make use of sustainable and active modes of transport**

The development would be located close to Mirfield train station and other bus services and would be a short walk or cycle ride to Mirfield town centre as well as other nearby centres. It would therefore encourage use of sustainable and active modes of transport.

- **Secure the efficient and prudent use of land**

Policy LP7 (efficient and effective use of land and buildings) encourages the efficient use of previously developed land in sustainable locations; that priority is to be given to despoiled/contaminated land; and with reference to Ledgard Bridge Phase 1, "will allow access for adjoining undeveloped land so it may subsequently be developed." NPPF paragraph 69 (d) "also encourages local planning authorities to work with developers to encourage the subdivision of large sites where this could help to speed up the delivery of homes."

Policy LP7 also calls for higher densities in town centres and areas close to public transport interchanges, which this proposed development would successfully achieve.

- **Protect and enhance the character of Kirklees and the quality of the landscape and townscape**

The efficient use, subdivision and development of this former industrial brownfield site at the former Ledgard Bridge Mills will provide housing that would otherwise have to be built on Greenfield or Green Belt sites. The provision of high quality open space and landscaping will

also help improve the character and appearance of the currently disused elements of this former industrial site, enhancing the local townscape, and the setting of the river corridor.

- **Reduce air, water and soil pollution**
- **Reduce the contribution that the district makes to climate change**

For both the above objectives, locating the development adjacent to Mirfield town centre and excellent public transport links will not only reduce the use of non-sustainable transport modes, but will also reduce the need to travel. This in turn will reduce air pollution and CO2 emissions. Furthermore, the remediation of the site as a whole will eliminate the ongoing potential threat of water and soil pollution arising from the industrial legacy of the this former mill site.

Further to the above, Section 6.1 of the Local Plan outlines the Spatial Development Strategy for the borough. 400 homes are estimated to be needed over the plan period for the Mirfield area, and yet allocations only add up to just over half this number.

The Council does not currently have a five year housing supply and therefore the presumption in favour of development applies as per NPPF Paragraph 14.

Related to this, the Council is also currently failing to deliver sufficient homes according to the most recent Government published Housing Delivery Test. This confirms that delivery has fallen below 95% of the Local Authority's housing requirement over the previous three years. In accordance with paragraph 75 in the NPPF, the Authority are required to prepare an Action Plan, to assess the causes of under delivery and identify actions to increase delivery in future years.

This emphasises the importance of facilitating windfall housing developments such as that at Ledgard Bridge Mill, helping to significantly boost housing supply for Mirfield in the light of current housing delivery shortfalls, and accord with the Spatial Development Strategy with reference to Policy LP3 (location of new development).

The site is owned by the applicant in this case and is therefore available and deliverable as a housing site. The applicant has a proven track record in delivering apartment led former industrial sites - e.g. Blakeridge Mills in Batley. The NPPF places build to rent in a distinct (housing) asset class, and we are not aware of any other developer providing (or having provided) Build to Rent schemes in Kirklees.

2) The development will be safe for its lifetime

Detailed flood modelling has been undertaken as part of the development proposals. The accompanying Flood Risk Assessment and further technical reports submitted during the course of the application will demonstrate the development will be safe for its lifetime.

Conclusion

The proposed development is considered to pass both the sequential and exceptions tests, thereby complying with the planning policy objectives of Local Plan Policy LP27 and NPPF paragraph's 162 and 164.

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