

Sequential Test Statement

- 1.1 This statement has been produced by Mayer Brown Ltd on behalf of Angle Property (Shepperton RLP) LLP in response to the request by the Planning Inspector for the Sequential Test to be undertaken for the proposed residential development at Bugle Nurseries, Shepperton.

Surface Water Flood Risk

- 1.2 Based on the EA Surface Water Flood Risk tool, the site is located in an area at a low risk of flooding, please refer to Figure 1.1 below.

Flood risk summary for the area around:

BUGLE NURSERIES LTD, 171, UPPER HALLIFORD ROAD, SHEPPERTON, TW17 8SN



Figure 1.1: EA Surface Water Flood Risk Tool Summary Extract

- 1.3 The EA Surface Water flood risk map does show a small section of low and medium surface water flood risk located within the site boundary however this is very small, please refer to Figure 1.2 below.
- 1.4 With this in mind, it could be considered that the sequential test is a requirement under National Planning Policy Framework (NPPF), however the flood risk extent is small and the EA flood maps show a medium risk of surface water flooding almost everywhere in the local area.
- 1.5 Therefore, if this approach was taken, every site in the local area would require the sequential test to be passed, although it should be straightforward to demonstrate there are no other suitable available sites at a lower risk of flooding (as most are shown to be at a medium risk of surface water flooding).

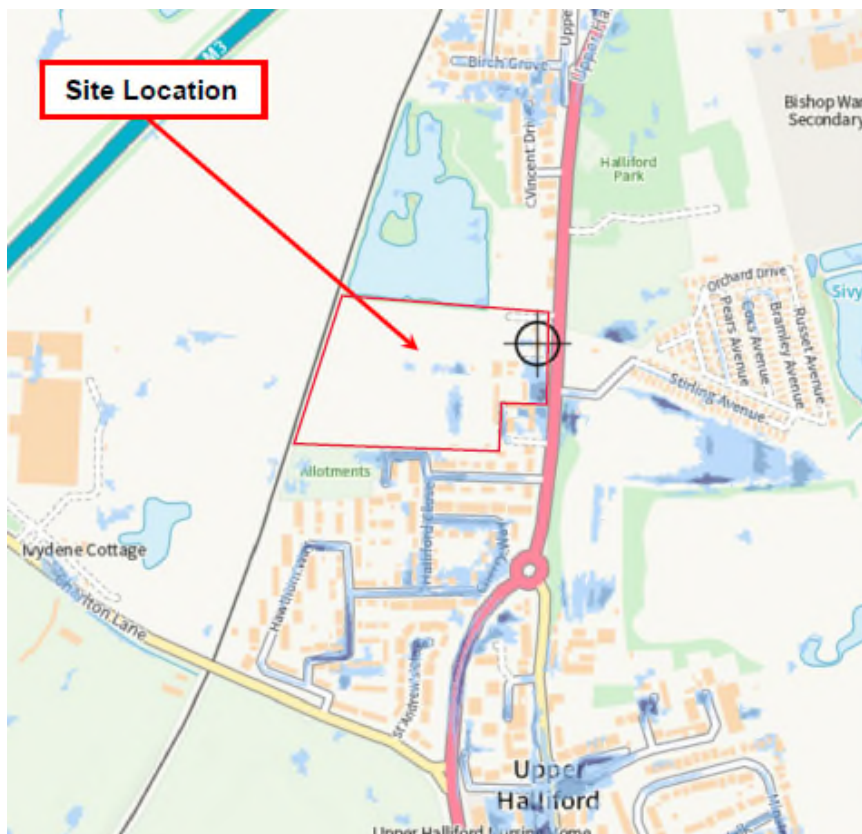


Figure 1.2: EA Surface Water Flood Risk Map for the Site

- 1.6 Figure 1.3 below shows an extract of the surface water flood map for the Ashford Common area to the north of the site to demonstrate how common a small section of medium risk of surface water flooding is.

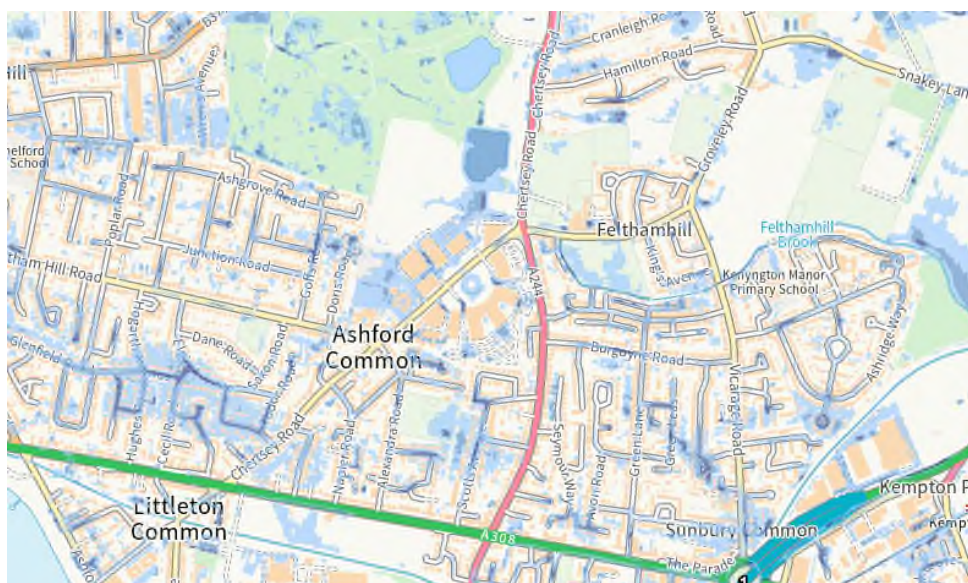


Figure 1.3: EA Surface Water Flood Risk Map for Ashford Common to the North of the Site

Planning Policy

- 1.7 In terms of planning policy, paragraph 162 of the National Planning Policy Framework (NPPF) last updated in July 2021 states that “the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source”. It then goes onto say that “the strategic flood risk assessment will provide the basis for applying this test”.
- 1.8 The SFRA then defines the sequential test being required as below in Figure 1.4.

4.3 Applying the Sequential Test for Planning Applications

It is necessary to undertake a sequential test for a planning application if both of the following apply:

- The proposed development is in Flood Zone 2 or 3.
- A sequential test hasn't already been done for a development of the type you plan to carry out on your proposed site.

The Environment Agency publication 'Demonstrating the flood risk Sequential Test for Planning Applications'²⁴ sets out the procedure for applying the sequential test to individual applications as follows:

- Identify the geographical area of search over which the test is to be applied; this could be the Borough area, or a specific catchment if this is appropriate and justification is provided (e.g. school catchment area or the need for affordable housing within a specific area).
- Identify the source of 'reasonably available' alternative sites; usually drawn from evidence base / background documents produced to inform the Local Plan.

Figure 1.4: Spelthorne Borough Council SFRA Extract

- 1.9 If the medium risk surface water flood zone is taken to be a Flood Zone 2, then strictly speaking the sequential test should be undertaken, however it's worth noting that the SFRA does not define the Flood Zone 2 as surface water flood risk, only as fluvial risk, refer to Figure 1.5.

Table 3-1 Fluvial Flood Zones (extracted from the PPG, 2014)

Flood Zone	Flood Zone Definition for River Flooding	Probability of Flooding
Flood Zone 1	Land having a less than 1 in 1,000 chance of river flooding each year (0.1% AEP). Shown as clear on the Flood Map – all land outside Flood Zones 2 and 3.	Low
Flood Zone 2	Land having between a 1 in 100 and 1 in 1,000 chance of river flooding each year (between 1% and 0.1% AEP).	Medium
Flood Zone 3a	Land having a 1 in 100 or greater chance of river flooding each year (greater than 1% AEP).	High
Flood Zone 3b	Land where water has to flow or be stored in times of flood, or land purposely designed to be flooded in an extreme flood event (flood storage area). Flood Zone 3b is defined by the LPA, in this instance the 1 in 20 annual probability has been used to define Flood Zone 3b. Not separately distinguished from Flood Zone 3a on the Flood Map for Planning (Rivers and Sea).	Functional Floodplain

Figure 1.5: Spelthorne Borough Council SFRA Flood Zone Definitions

Conclusion:

- 1.10 In summary, the EA maps show the site only contains a small extent of medium risk of surface water flooding, which is extremely common in the local area. We would therefore suggest that there is little merit in undertaking the sequential test in this instance.

Author: CG

Date: 26th October 2023