

Appendix 2 Sequential and Exception Tests (extracts from draft updated SFRA)

Sequential Test

Test for the site. The Environment Agency publication 'Demonstrating the Flood Risk Sequential Test for Planning Applications'³¹ sets out the procedure 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 identified for regeneration in Local Plan policies).
- Identify the source of 'reasonably available' alternative sites; usually drawn from evidence base / background documents produced to inform the Local Plan.
- State the method used for comparing flood risk between sites; for example the Environment Agency Flood Map for Planning, the SFRA mapping, site-specific FRAs if appropriate, other mapping of flood sources.
- Apply the Sequential Test; systematically consider each of the available sites, indicate whether the flood risk is higher or lower than the application site, state whether the alternative option being considered is allocated in the Local Plan, identify the capacity of each alternative site, and detail any constraints to the delivery of the alternative site(s).
- Conclude whether 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.
- Where necessary, as indicated by Table 4-3, apply the Exception Test.
- Apply the Sequential approach to locating development within the site (as described in Section 5.2).

It should be noted that it is for LPAs, taking advice from the Environment Agency as appropriate, to consider the extent to which Sequential Test considerations have been satisfied, taking into account the particular circumstances in any given case. The developer should justify with evidence to the LPA what area of search has been used when making the application. Ultimately HBC needs to be satisfied in all cases that the proposed development would be safe and not lead to increased flood risk elsewhere.

Exception Test

The purpose of the Exception Test is to ensure that where it may be necessary to locate development in areas at risk of flooding, new development is only permitted in Flood Zone 2 and Flood Zone 3 where the flood risk is clearly outweighed by other sustainability factors and where the development will be safe during its lifetime, considering climate change.

The NPPF states that for the Exception Test to be passed:

- *Part 1 - "It must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by the SFRA where one has been prepared; and*
- *Part 2 - 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.