



Sequential Test at: Corner of Fore Street and High Road,

Client:

Corner of Fore Street and High Road

Eastcote, Pinner, HA5 2ET

The proposal includes the development of the site to erect a single storey nursery, the site is partially located within Flood Zone 3.

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CIL | Enforcement | Land Promotion | Planning | Sequential Tests | Viability

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1. Disclaimer

- 1.1 The findings presented in this report are based on a desktop study of information supplied by third parties. The purpose of this report is to provide the London Borough of Hillingdon with an opinion on the flood risk at Corner of Fore Street and High Road, Eastcote, Pinner, HA5 2ET, compared with other available sites in district.
- 1.2 This document has been prepared for this specific reason and should not be used for any other purpose without the prior written authority of ET Planning. Whilst we assume that all information is representative of past and present conditions, we accept no responsibility or liability for the consequences of this document being used for a purpose other than for which it was commissioned.

2. Executive Summary

- 2.1 A sequential test is required for this site as the proposal is not considered a minor development in flood risk terms; the proposal comprises the construction of a single storey nursery with capacity for around 80 children. The proposal also includes associated access, a garden area, and landscaping. The site is located within Flood Zone 1, 2 and 3; thus, a sequential test is required as per London Borough of Hillingdon Local Policy as well as National Policy.
- 2.2 This Sequential Test has been produced in line with the The London Borough of Hillingdon 5-year supply of deliverable housing sites (2022), Local Plan Part 1 (2012), Local Plan Part 2 (2020), London Strategic Housing Land Availability Assessment (2017), and The London Borough of Hillingdon Brownfield Land Register (2021).
- 2.3 Data has been collected and analysed by GeoSmart in which Geosmart have assessed the above documents in full to produce a list of suitable sites. Some of these sites have been discounted due to inadequate size and some which have been discounted due to a flood risk which is more severe than

the proposed site. Please see the accompanying appendices for further details in regard to the wider search.

- 2.4 A Flood Risk Assessment has also been provided with consideration of national/local planning policy and guidance. This data has been used to rule out sites on flooding grounds in comparison to the application site, with the remaining sites being assessed within this sequential test.
- 2.5 A sequential Test undertaken for the search area, covering the entire Council-wide area of London Borough of Hillingdon, indicates there are no alternative suitable sites which could accommodate the development at the proposed site which are at a lower risk of flooding and are considered to be available, deliverable, and developable as per the requirements of policy.
- 2.6 There are a number of potential development locations, which are at a lower flood risk than the subject site, however, these are not deemed suitable for a variety of reasons, which are discussed in more detail at section 5.

3. Site Description and Proposal

- 3.1 The site is a vacant site situated on the corner of Fore Street and High Road, Eastcote. It lies behind a small area of public open space and is bound by the river Pinn to the Northwest and the petrol station at Eastcote to the North East. The site is private land and has never been in public use.
- 3.2 Fore Street is located to the west of the site whilst High Road is located to the south. The River Pinn is located to the north of the site.
- 3.3 The site is open to a certain extent whilst the site perimeter contains multiple TPO trees and vegetation which screen the site from public view.
- 3.4 A footpath, Celandine Rte is located to the north on the other side of the River Pinn.
- 3.5 The site area is predominantly residential in character, with the exception of a small local shopping parade located approximately 150m North East along the high road, a petrol station and the Black Horse Public House (Grade II listed).

- 3.6 The site is located within the settlement boundary of the borough. The site is not located within the Green Belt
- 3.7 The site is located within a conservation area whilst on the other side of the road, High Road, multiple grades II listed residential cottages are located.
- 3.8 The site is also located within an archaeological priority area.
- 3.9 Site plans and drawings are provided at Appendix 1

4. Policy Background

4.1 National Planning Policy

- 4.2 National Planning Policy Framework (NPPF) paragraph 161 promotes a sequential, risk-based approach to the location of development. Paragraph 161 states that all sources of flood risk should be assessed alongside current and future impacts of climate change. Therefore, this Sequential Test has assessed sites currently in relation to potential future impacts.

- 4.3 Paragraph 162 explains that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding. It states that 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.

- 4.4 Paragraph 163 of the NPPF states that if it is not possible for the development to be located in an area with a lower risk of flooding an exception test will have to be applied. An exception is required in this instance due to the proposed use being "More Vulnerable" as shown by the matrix in paragraph 4.8.

4.5 National Planning Guidance

- 4.6 National Planning Policy Guidance (NPPG) provides detailed guidance on when a sequential test is required. This states that if the site is located within flood zones 2 or 3 and a sequential test has not previously been

carried out in relation to the same form of development, then a sequential test is required.

- 4.7 In terms of the search area that needs to be applied when looking for alternative sites for the development, this should be agreed with the local authority. The guidance also provides an indication of which sources to use when looking for alternative sites:

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.

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.

Finally, check with your local planning authority whether there are any 'windfall sites' in your search area. 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.

- 4.8 The guidance further states that a check should be carried out regarding the approximate capacity of each potential alternative site and if the local planning authority has a density policy, then this should be considered when estimating capacity. If the local planning authority does not have a density policy, then the average density at which houses have been built in the area should be considered. This check should then be used to assess whether the sites are in fact similar to the subject site and any that are not, can be disregarded.

Flood Zones	Flood Risk Vulnerability Classification				
	Essential infrastructure	Highly vulnerable	More vulnerable	Less vulnerable	Water compatible
Zone 1	✓	✓	✓	✓	✓
Zone 2	✓	Exception Test required	✓	✓	✓
Zone 3a †	Exception Test required †	x	Exception Test required	✓	✓
Zone 3b *	Exception Test required *	x	x	x	✓*

Key:

✓ Development is appropriate

x Development should not be permitted.

4.9 Based on the Flood Risk Vulnerability and Flood Zone Compatibility table in the technical guidance of NPPF (as shown above) and the Environment Agency's Flood Map for Planning Purposes, the proposed industrial development is considered to be More Vulnerable. More Vulnerable development is considered to be acceptable within Flood Zone 3a but is not considered acceptable within Flood Zone 3b.

4.10 Local Planning Policy & Status

4.11 The Hillingdon Local Plan Part 1 was adopted in 2012 whilst Part 2 was adopted in 2020. This ensures that aspects of these policies may be considered out of date and not fully in accordance with national planning policy. This is something to be considered when assessing the policies that relate to sequential tests.

4.12 Policy EM6 of Part 1 states that "The Council will require new development to be directed away from Flood Zones 2 and 3 in accordance with the principles of the National Planning Policy Framework (NPPF)". Therefore,

the main focus of local policy is to be aligned with national policy as stated above.

- 4.13 Paragraph 8.84 of Part 1 states that *"The Sequential Test will need to be applied to the subsequent Hillingdon Local Plan: Part 2 -Site Specific Allocations LDD. Development that is proposed in accordance with the Site Specific Allocations LDD and the Sequential Test will not be required to submit further evidence justifying why it is proposed in Flood Zone 2 or 3. Where development is not in line with the Site Specific Allocations LDD, it will need to submit clear evidence and justification that there are no other reasonably available sites in a lower risk flood zone."*
- 4.14 Paragraph 8.85 states the *"Sequential Test should be undertaken prior to the Exception Test for all new development proposed in Flood Zones 2 and 3, and areas identified as having surface water management problems."*
- 4.15 Paragraph 6.43 of Part 2 states *"The Council as the local planning authority will ensure that new development in Hillingdon is not put at unacceptable risk from flooding and that it will not increase the risk of flooding elsewhere. The Council will assess planning applications, including those for windfall sites, against flood risk on the basis of technical advice forming part of the NPPF, which includes the application of a "sequential test" and, if necessary, an "exception test"."*
- 4.16 Flood mitigation measures are provided within the submitted scheme to ensure that the proposed development can be managed for a lifetime and have no impact on, or by, flooding.

5. Sequential Test

- 5.1 The Sequential Test should be applied 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.
- 5.2 A development proposal will only fail to pass the Sequential Test if alternative sites are identified within the search area that are at lower risk

of flooding, would be appropriate for the proposed development and are 'reasonably available' for development. A site is only considered to be 'reasonably available' if it is both 'deliverable' and 'developable' as defined by the NPPF:

5.3 Deliverable- To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect of delivery on the site within five years. In particular:

- a.) *sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).*
- b.) *where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that development will begin on site within five years.*

5.4 Developable - To be considered developable, sites should be in a suitable location for development with a reasonable prospect that they will be available and could be viably developed at the point envisaged.

5.5 Sequential Assessment

Search Parameters

5.6 As agreed with the LPA prior to the test, the sequential test will cover the whole Council-wide area of Hillingdon.

5.7 The application site, as aforementioned, is located within Flood Zone 3. Therefore, any sites within Flood Zone 3 have been excluded from the search parameters.

- 5.8 In addition, any sites with a higher floor risk from other sources such as groundwater or surface water flooding have been discounted from the search.
- 5.9 In addition, as the site is 0.39 hectares, all sites that have an area above 0.47 ha and below 0.31 ha have been excluded from the search. This is due to the site being too large or too small to accommodate the proposed development wherein the smaller site would simply not be able to accommodate the proposal and the larger site is too large and should be used more efficiently via an alternate use.
- 5.10 As the proposal is for a single storey nursery with associated parking and garden, due to its single storey nature the required size of the site is easy to gauge in relation to alternative sites.
- 5.11 Sites with the potential for a greater number of units than proposed will not be classes as viable alternatives. Using these Sites with higher potential would reduce the available land for development in The Borough and would therefore be counteractive to local and national policy
- 5.12 Any planning applications where the conditions are in the process of being discharged and clearly being progressed by the developer have been discounted.
- 5.13 This Sequential Test has been produced in line with the The London Borough of Hillingdon 5-year supply of deliverable housing sites (2022), Local Plan Part 1 (2012), Local Plan Part 2 (2020), London Strategic Housing Land Availability Assessment (2017), and The London Borough of Hillingdon Brownfield Land Register (2021).
- 5.14 A commercial land search was also carried out to assess suitable sites, including sites not allocated within the local plan but have been granted planning permission and sites which have not been granted planning permission but would likely be acceptable in principle based on the adopted Local Plan. However, no suitable sites were identified during this process.

- 5.15 After removing sites that were located in flood zone 3 and sites that were not a suitable size, the remaining sites will be assessed in detail within this report.
- 5.16 Of the 235 sites that have been assessed, 233no. of these sites can be automatically discounted on flood risk grounds or in relation to the size of the site (see appendix 2). The remaining 2 no. sites are discussed below in detail to discuss their suitability in relation to the proposed development.

Assessment of sites

1) Application reference: 50395/APP/2019/1943. Address: Bedfont Cross Stanwell Road TN14 8NX

- 5.17 On further research, the planning permission at the above site was moved forward with and the building was converted from an office block to a residential block of flats. Therefore, the site is no longer available for development.



5.18



5.19

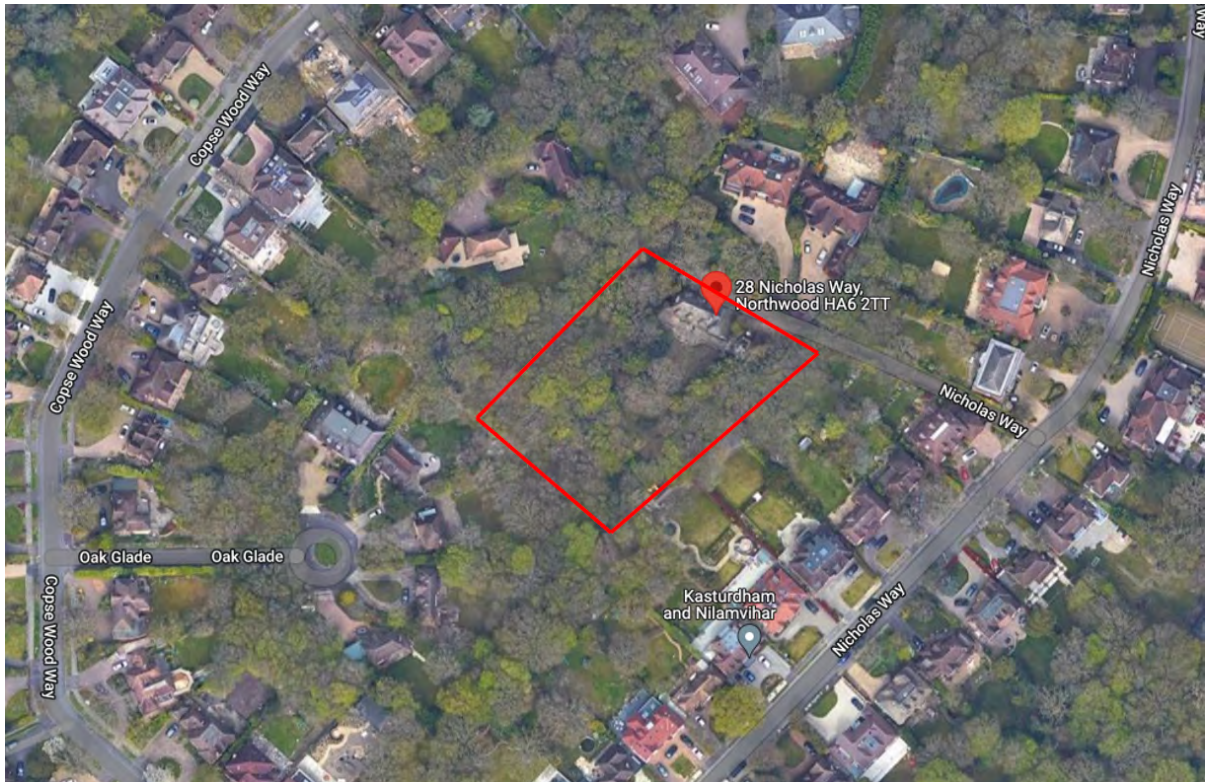


5.20

- 5.21 The above images show the works that were carried out on the building; it is also clearly visible via google that the building is now a residential block of flats. As this site is no longer available, it has been removed from the search as a suitable alternative.

2) Application reference: 63937/APP/2016/1895. Address: 28 Nicholas Way, Northwood, HA6 2TT

- 5.22 Unlike the above site, no action has been taken in relation to this planning approval since May 2017 when this planning application was approved. Therefore, the permission has now lapsed.
- 5.23 The below screenshot provides an aerial view of the site with the red line roughly annotating the location of the site as referred to within the brownfield land register.



- 5.24
- 5.25 An application was previously approved for the demolition of the existing dwelling and the erection of a 6-bed dwelling house.
- 5.26 The previous application was deemed to have no impact on the amenity of neighbours in relation to "overdominance, loss of privacy, light/overshadowing.". However, if this site was to be developed into the proposed nursery, the noise created would impact neighbours in a negative manner. The surrounding environment is heavily residential with multiple rear gardens of dwellings associated with Oak Glade, Nicholas Way, and Cope Wood Way all touching the boundary of this site.

- 5.27 Due to the central location of this site, which neighbours multiple dwellings, it is our view that there will be an adverse noise impact which would adversely affect the neighbouring dwellings. In comparison, the proposed site has no immediate residential neighbours with a river and roads neighbouring the site.
- 5.28 The site has a PTAL value of 0 which is indicative of the distance from public transport and the likely reliance on the private car for trip making. Therefore, the site is not in a suitable location for a nursery, with multiple clients using public transport to drop off children at nurseries.
- 5.29 Again, no schools are located in the immediate proximity of this site, ensuring that it may be difficult for parents to utilise a nursery in this location. Parents often drop off multiple children and like to choose a nursery which is closely located to a school or pre-school in which another child attends. Therefore, this location is not suitable on a commercial basis for the proposed development. Obtaining permission in a location which is not suitable, will ensure that no development is brought forward, resulting in an alternative site which is not suitable.
- 5.30 The access to the site is via a private road which currently serves the dwellings, No 26 and No 26a. This test questions whether this private access is suitable for a commercial use such as a nursery where multiple vehicles will be accessing the site.
- 5.31 The access is only 1 car width ensuring that there are highway issues present at this site. Yes, the access was deemed suitable for one additional dwelling, however, with the lack of public transport, circa 30 cars would be using the access throughout the day.
- 5.32 In addition, it is unlikely that the existing residential owners of No 26 and 26a would permit the use of the access in relation to a nursery use due to the impact that the use of this road would have on them.
- 5.33 Therefore, this site is discounted due to the adverse impact on highways, neighbouring amenity, and suitability (lack of public transport and an insufficient location for a nursery).

- 5.34 In comparison, the proposed development at the application site has no impact on neighbouring amenity, any access constraints, whilst it also is a suitable location for such a proposed use. Yes, the application site is located in a conservation area and in proximity to listed buildings, but a proposal can be designed in a sensitive manner to overcome these constraints. The issues regarding access, amenity and, public transport cannot be solved in relation to this alternate site. As such, the site has been discounted from the search.

6. Conclusion

- 6.1 The application proposes the erection of a single storey detached nursery building including access, landscaping, a garden area, and parking. The site is mainly located in flood zone 2 but there are some areas to the rear which are located in flood zone 3. Of the 235 sites identified 233 of these were discounted due to the size of the site or additional flooding implications.
- 6.2 The remaining sites were assessed in section 5 of this statement. One of the sites was no longer available whilst the other site was unsuitable due to amenity, transport, and demand reasons. Therefore, no alternative sites have been found in relation to the proposal for a single storey nursery.
- 6.3 Given the requirements of the NPPF are to apply a “pragmatic approach” on the availability of alternatives when undertaking the Sequential Test, the suitability of these sites have then been assessed. This concludes that none are considered suitably similar, available, developable, or deliverable to support the development proposed.

7. List of Accompanying Appendices

Appendix 1: Site & Location Plans

Appendix 2: Detailed Flood Risk Information (Excel sheet from GeoSmart)

Appendix 3: Hillingdon Brownfield Land Register 2020

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