Doncaster Local Plan Examination

Hearing Statement: Matter 1

Longwall Property on behalf of Inherent Property
Q1.12. Are the spatial strategy and allocations in the Plan, including those listed above, consistent with national planning policy relating to development and flood risk?

1. We do not believe that the spatial strategy and allocations are consistent with national policy relating to flood risk.

2. In order for development to be directed towards sites with the lowest risk of flooding, national policy requires the application of the sequential test – in essence, considering those sites at the lowest risk of flooding first. For plan-making, the practice guidance explains that the sequential test should be applied “to the whole local planning authority area to increase the possibilities of accommodating development which is not exposed to flood risk.”

3. That is not the process that the council have followed here.

4. Firstly, although flood risk was purportedly one of the issues considered in choosing the proposed distribution of new homes that is not what has transpired in reality. The Sustainability Appraisal Report² explains at paragraph 5.2.23 that the chosen distribution “foccuses more growth around the cluster of villages and towns in the south west of the Borough (e.g. Finningley, Auckley and Hayfield Green and Tickhill) where there are no known flood risk constraints.” However, those settlements identified are planned to deliver only around 2% of the overall housing requirement whilst the council’s response to the Inspectors Preliminary Questions identifies that a number of homes are to be delivered in areas of flood risk. There is no evidence that consideration has been given to delivering further homes in those settlements in order to reduce the

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¹ Planning Practice Guidance, Paragraph: 020 Reference ID: 7-020-20140306
amount of development that is to be delivered in areas at risk of flooding – which is what should have occurred if the practice guidance in respect of the sequential test was being followed correctly.

5. Paragraph 4.41 of the Plan (comprising part of the justification for Policy 3) explains how the sequential test has actually been applied: “The flood sequential approach is applied to urban sites and sustainable urban extensions across these settlements subject to the growth ranges.” It is clear from this explanation that rather than apply the test over the whole borough – as the practice guidance directs – it has instead been applied on a settlement by settlement basis “subject to the growth ranges” i.e. taking them into account. The growth ranges are, of course, irrelevant to the sequential test when plan-making. If a site at a lower risk of flooding in a different settlement is capable of delivering housing development then it should be allocated unless there is an over-riding issue of sustainability that suggests otherwise. No such justification has been provided. Instead, it appears that conformity with the preferred spatial distribution of new homes has been used as a “trump card” to over-ride concerns relating to flood risk.

6. That applies even if those alternative sites fall within the green belt. In the Green Belt Topic Paper, the council observe at paragraph 3.3.42 that: “The view of the local planning authority is that flood risk is a physical constraint which can be a risk to life and property, whereas Green Belt is a planning tool, albeit an important one. Therefore, land at risk of flooding will be strictly avoided for allocations, whereas Green Belt can be considered where appropriate and ideally where the impact will be less great on the purposes of this designation.” The council correctly identify that Green Belt and flood risk are different
species of constraint – one policy derived, one physical. This distinction has not been reflected in the proposed distribution.

7. In summary, the sequential test has not been properly applied and the Plan is therefore not in accordance with national policy. There are alternative sites which are at a lower risk of flooding than some of those which are proposed for allocation. Proper application of the sequential test would lead to some of those sites being allocated. That is necessary in order for the Plan to be sound.