



Courtley Planning Consultants Ltd
Tan Oast, Dairy Lane
Chainhurst, Tonbridge, Kent TN12 9SS
01622 820561
howard@courtleyplanning.co.uk

SALEHURST & ROBERTSBRIDGE NEIGHBOURHOOD DEVELOPMENT PLAN
December 2016

Examination by Mr Slater held at a Public Hearing on 28th September 2017

Question 3:

Are the benefits of the redevelopment of a previously developed brownfield site and the putting to benefit use historic buildings sufficient to outweigh the presumption against locating what is classed as “ more vulnerable “ developments in Flood Zone 2 and 3? Is it appropriate to rely upon the Exception Test when it comes to site allocations in a neighbourhood plan if there is land available for residential purposes outside the flood area?

Responses prepared by Courtley Planning Consultants Ltd on behalf of Devine Homes. September 201

Question 3:

3.1 Evidence has been submitted during this SRNP process to prove that alternative development sites are available in areas with a low probability to Flood in accordance with NPPF Para 100 and 101. Therefore the Exception Test is not necessary.

3.2 NPPF para 102 is clear *“If, following application of the Sequential Test, it is not possible, consistent with wider sustainable objectives, for the development to be located in Zones with a lower probability of flooding the exception test can be applied”*. The SRNP provides no sound evidence to justify the Exception Test “if needed” or “is necessary” (PPG and NPPF). No Sequential Test has been carried out as part of the SRNP evidence nor has it informed the SEA. The Hodson Mill own Sequential and Exception Test (June 2017) dismisses all sustainable alternatives purely on the basis that they are “*greenfield*”.

3.3 The suggestion that a brownfield site should in some way be given preference in any Sequential Test is unjustified. The Flood Risks tests do not differentiate between brownfield or greenfield sites. The presence of historical buildings on site and the means available to preserve them has been tested in some detail at numerous appeals. Indeed, one of the appeals granted listed building consent for the proposed conversion and works to the existing buildings into two residential units. I am not aware that these individual properties were ever marketed?

3.4 The Mill Site was originally supported as a location for a new Doctors Surgery during the public engagement process but this appears to have been dropped. Although, the site is proposing 1200sq m of employment floorspace the Rapley’s Employment Land Report Feb 2016 (ELR) Appendix B submitted as part of the current planning application concluded *“The site was remote from centres of commercial activity to appeal to majority of potential occupiers in the industrial and office sectors”*. The Report makes no assessment of the demand that might be available for the 1200sq m proposed on the Mill Site or the impact of locating all the employment space within Flood Zone 3?

3.5 The Vail Williams marketing brochure (2014) referred to in Appendix 4 of the ELR provided no evidence about the sites past planning history, the implications of the sites flooding constraints or its attempt to offer the listed buildings separately for residential conversion. Hodsons Mill Ltd must have been fully aware of the planning history of the site and purchased the site accordingly. We understand a Viability Assessment has been submitted to RDC but isn’t publically available so we don’t know what implications arise from their submission i.e. its impact on Sec 106 contributions, affordable housing provision and the level of cross subsidy needed to deliver the employment space proposed?

3.6 Given the above, the supposed benefits of redevelopment of a brownfield site which falls within Flood Zones 2 and 3 does not mitigate against the proper application of the Sequential Test and an appropriate SEA. It’s not clear what benefits are deliverable from this site. It appears there will be no Doctors Surgery; no affordable housing; limited, if any employment space which will be located in Flood Zone 3 and no emergency access to the site in a flood event.