

**Flood Risk Sequential Test & Exception Test**

**Policy Guidance for Applicants & Planning Officers**

**March 2023**

# 1. INTRODUCTION: ASSESSING FLOOD RISK IN DEVELOPMENT APPLICATIONS

The main two tools in assessing flood risk in development applications are site specific flood risk assessments (FRAs) and sequential / exception testing. While there is some interaction between these assessments, it should be noted that not all development applications will require both pieces of work. They also fulfill different functions and are assessed in different ways.

## 1.1 SEQUENTIAL & EXCEPTION TESTS VS FLOOD RISK ASSESSMENTS (FRA)

The purpose of the sequential test is to guide development to areas at lowest risk of flooding, by requiring applicants to demonstrate that there are no alternative lower risk sites available where the development could take place. Site level flood risk assessments are detailed technical studies on the risk of flooding at a site and its surroundings. Their purpose is to assess whether development will be safe for its lifetime and can be delivered without increasing flood risk elsewhere.

Where both are required, the two pieces of work may be presented together as a comprehensive flood risk evidence package. For example, the sequential test may be presented as part of the FRA and/or the FRA can help demonstrate that development will be safe to satisfy the exception test.

In most cases the Environment Agency (EA) will comment on applications where an FRA is required and will give advice to the Council on the content and conclusions of the FRA. The Local Lead Flood Authority (LLFA) – in Havant’s case Hampshire County Council – as well as infrastructure providers such as water companies may also comment on flood risk matters. These bodies will, however, not comment on sequential & exception test documentation, and it is for the Council to come to judge its acceptability.

Given the different purposes of these assessments, it must be noted that the conclusions on these studies may differ. The Council may accept that there are no sequentially preferable sites elsewhere and that therefore the sequential test is passed, but the site may still not be considered safe for development if the FRA does not adequately demonstrate that it is. Or the EA or the LLFA may conclude that the FRA adequately demonstrates that a site can be made safe for its lifetime without increasing flood risk elsewhere, but the applicant may not have been able to demonstrate that there are no lower risk sites available that could accommodate the development.

Where both assessments are required both must be satisfactorily addressed for development to be considered acceptable in flood risk terms. National flood risk guidance is unequivocal that *‘Even where a flood risk assessment shows the development can be made safe throughout its lifetime without increasing risk elsewhere, the sequential test still needs to be satisfied.’*<sup>1</sup> Applicants should therefore note that the absence of an objection from the EA or another body does not indicate that all matters relating to flood risk, and in particular the sequential and exception tests, have been successfully addressed.

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<sup>1</sup> <https://www.gov.uk/guidance/flood-risk-and-coastal-change#the-sequential-approach-to-the-location-of-development> Paragraph: 023 Reference ID: 7-023-20220825 Revision date: 25 08 2022

## 2. SEQUENTIAL AND EXCEPTION TESTING: NATIONAL GUIDANCE

### 2.1 BACKGROUND

The sequential approach to flood risk and the use of the sequential test and the exception test in planning applications is one of the mainstays of national guidance on development and flood risk. The general approach is designed to ensure that areas at no or little risk of flooding are developed in preference to areas at higher risk. The aim at both the plan making and decision making stage is, where possible, to keep development out of medium and high flood risk areas (Flood Zones 2 and 3 for tidal and fluvial flood risk and areas affected by other sources of flooding).

While the overall aim of national planning policy is clear, the guidance allows for a degree of local discretion, depending on the characteristics of the area and the development in question. The information available to guide the test will also vary from area to area. This note has been put together to set a framework for a consistent approach at a local level.

The note is based largely on

- NPPF (2021) Chapter 14: 'Meeting the challenge of climate change, flooding and coastal change' <https://www.gov.uk/guidance/national-planning-policy-framework>;
- Planning Practice Guidance on 'Flood Risk and Coastal Change', in particular more detailed information added on sequential testing in the August 2022 update [www.gov.uk/guidance/flood-risk-and-coastal-change](http://www.gov.uk/guidance/flood-risk-and-coastal-change);
- The experience of Havant Brough Council in applying national guidance at the local level.

### 2.2 STATUS OF THIS NOTE

This note pulls together national requirements for sequential test and the exception test and sets out how they should be applied to individual applications in Havant Borough. It is intended to help guide applicants through the process as well as provide a tool for consistent decision making by planning officers.

It is not possible to cover every kind of development, location and flood risk scenario in this note.

Given that failure to satisfy the sequential or exception test will likely lead to refusal of permission, applicants are strongly advised to engage in pre-application discussions and to applicants agree the parameters and the content of sequential and exception tests with planning officers at the pre-application stage.

**PLEASE NOTE!** This note focusses on the sequential test and associated exception test and how the Council will expect applicants to demonstrate compliance with these. It does not include guidance on site specific flood risk assessments.

Guidance on FRAs is available at [www.gov.uk/guidance/flood-risk-and-coastal-change](http://www.gov.uk/guidance/flood-risk-and-coastal-change) and [www.gov.uk/guidance/flood-risk-assessment-for-planning-applications](http://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications).

### 3. SEQUENTIAL TEST REQUIREMENTS HAVANT

#### 3.1 WHEN IS A SEQUENTIAL TEST REQUIRED?

In this context, 'the site' is considered to be the application red line, not just the proposed built form.

The sequential test is required for all 'major' and 'non-major' development proposed in areas at risk of flooding, either now or in the future, except where:

- The proposal is for minor development. For the purposes of considering flood risk, minor development is defined<sup>2</sup> as
  - minor non-residential extensions (industrial/commercial/leisure etc): extensions with a floorspace not in excess of 250 square metres.
  - alterations: development that does not increase the size of buildings, e.g. alterations to external appearance.
  - householder development: for example, sheds, garages, games rooms etc. within the curtilage of the existing dwelling, in addition to physical extensions to the existing dwelling itself.<sup>3</sup> This definition excludes any proposed development that would create a separate dwelling within the curtilage of the existing dwelling (e.g. subdivision of houses into flats) or any other development with a purpose not incidental to the enjoyment of the dwelling.
- The proposal is for a change of use. This includes changes of use to residential, unless the proposal is for a caravan, camping or chalet site, mobile home or park home site<sup>4</sup>.

In the following cases the applicant should confirm with the Council that a sequential test for a site in an area at risk is not required:

- Development on a site where only an insignificant part of the site lies within Flood Zone 2 or 3. This might be a scenario where the overwhelming majority of the site area is free of risk but small areas at the edge of the site or within the site are indicated to be at risk. Such cases will be judged on an individual basis.
- Redevelopment of existing properties: For replacement dwellings, where there is no increase in the number of dwellings, the sequential test will not be required. In recognition of the fact that householders would be able to extend a dwelling without applying the sequential test (see householder development above), replacement dwellings with a larger footprint than the original dwelling will also not be required to pass the test. However, if additional dwellings are being created, for example, by replacing a single house with a number of flats, the test will be required.

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<sup>2</sup> Paragraph 168 of the NPPF (2021); Paragraph: 051 Reference ID: 7-051-20220825 of the NPPG (Revision date: 25 08 2022)

<sup>3</sup> This definition, including the list of examples is taken directly from national flood risk guidance (Paragraph: 051 Reference ID: 7-051-20220825 Revision date: 25 08 2022). Although not explicitly included in the national guidance, the Council will take residential annexes to be a type of householder development which is excepted from the sequential test requirement.

<sup>4</sup> Applied as per footnote 56 of the NPPF (2021)

- In the case of replacement caravans, where these are like for like replacements with no increase in the level or annual period of occupancy, then the sequential test is unlikely to be required. However, where the risk increases, including by virtue of occupancy periods increasing, the test would be required. Similarly, proposals to replace a caravan with a permanent dwelling will be considered as a new dwelling, and if at risk of flooding, would require the sequential test to be passed.
- Where a new application is made on a site with extant permissions for the same use, type and scale of development, whether the test is required will depend on the nature of the new permission. The extent of the changes from the previous scheme and whether the flood risk situation, information or policy position has changed in the intervening time will be determining factors. For example, if changes are limited to design details, such as windows, doors or roofs, the sequential test is unlikely to be needed. However, where the new application seeks a significant change, such as a larger footprint, or likely higher occupancy, the sequential test may be needed. Where further flood risk information or guidance has emerged since the granting of the original permission which shows a higher risk than previously, the sequential test may also be required.

With regard to site allocations in Local Plans, the sequential test can be considered to have been passed for the same development type / land use, if it has already been carried out for the site at the strategic level. This is because for allocated sites, it is taken as given that the Council will have undertaken a sequential test, so the applicant no longer needs to demonstrate it. It is considered appropriate to assume that the sequential test will have been undertaken and considered passed for site allocations in any of the following plans:

- An adopted Local Plan
- A Regulation 19 Pre-Submission Local Plan
- A Neighbourhood Plan which has successfully passed through examination

Again, as with earlier permissions, if there have been significant changes to flood risk policy or guidance, the known level of flood risk to the site or the size of the site, which would have affected the outcome of the test, a new test may be required even on allocated sites.

Finally, it should be noted that national guidance is clear that the absence of a 5-year land supply is not a relevant consideration for the sequential test for individual applications.<sup>5</sup>

### **3.2 WHAT AREAS ARE AT RISK?**

With the exception of the scenarios set out in the previous section, sequential testing is expected to take place for all sites at risk of flooding. This includes risk from any source, both in the present day and in the future taking into account climate change.

Paragraph 001 of the NPPG (Revision date 25 08 2022) confirms that

*‘Areas at risk of flooding are those at risk of flooding from any source, now or in the future. Sources include rivers and the sea, direct rainfall on the ground surface, rising groundwater,*

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<sup>5</sup> Paragraph: 028 Reference ID: 7-028-20220825 of the NPPG (Revision date: 25 08 2022)

*overwhelmed sewers and drainage systems, reservoirs, canals and lakes and other artificial sources.....*

*.....For areas at risk of river and sea flooding, this is principally land within Flood Zones 2 and 3 or where a Strategic Flood Risk Assessment shows it will be at risk of flooding in the future. It can also include an area within Flood Zone 1 which the Environment Agency has notified the local planning authority as having critical drainage problems.'*

### Risk from the Sea and from Rivers: Flood Zones 2 and 3

For areas at risk of river (fluvial) and sea (tidal) flooding, the areas at risk should be assumed to be land within Flood Zones 2 and 3, now or in the future.

The present day flood zones are defined by the Environment Agency and are readily available for the whole country at <https://flood-map-for-planning.service.gov.uk>.

The extent of future flood zones with climate change taken into account for Havant Borough have been mapped in the Partnership for Urban South Hampshire (PUSH)<sup>6</sup> Strategic Flood Risk Assessment. The PUSH SFRA is published on the partnership's website<sup>7</sup>, and the full suite of associated mapping is hosted by Portsmouth City Council on behalf of all the authorities<sup>8</sup>. For ease of access both the current and future risk areas from rivers and the sea are reflected on the Council's interactive mapping 'my maps' at <https://maps.havant.gov.uk>.

An update to the SFRA is under production and should be made available, together with new mapping, including of the climate change scenario, in 2023.

### Critical Drainage Problems: Surface Water Flood Risk

In addition to tidal and fluvial flooding, there are areas that have been identified by the Environment Agency as having critical drainage problems and therefore being at risk of surface water flooding. These can be checked via a national web based tool: <https://www.gov.uk/check-long-term-flood-risk>. It shows high, medium and low risk areas (as well as areas not at risk) for the present day scenario.

The emerging Partnership for South Hampshire (PfSH) SFRA indicates that it is possible to use with caution the 0.1% (low risk) outline as a substitute dataset (in the absence of detailed modelling) to provide an indication of the implications of climate change. Mapping of areas thus affected will be made available once the SFRA is complete. Until it this mapping is available, the Council will not expect the sequential test to be undertaken for future risk of critical drainage problems.

## **3.3 WHO IS RESPONSIBLE FOR THE TEST?**

The applicant for any proposal requiring a sequential test is expected to assemble the evidence to allow the Council to consider whether the development passes the test.

The Council will consider the evidence provided and determine whether it can be concluded that there are no reasonably available alternative sites appropriate for the proposed

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<sup>6</sup> The partnership's name has since changed to the Partnership for South Hampshire.

<sup>7</sup> <https://www.push.gov.uk/work/planning-and-infrastructure/green-infrastructure-flooding-water-management/>

<sup>8</sup> <https://pcc.dynamicmaps.co.uk/MapThatPublic/Default.aspx>

development in areas with a lower probability of flooding. If it is demonstrated that there are no reasonably available alternative sites, the sequential test is deemed to have been passed.

### **3.4 WHAT DOES A SEQUENTIAL TEST LOOK LIKE?**

The checklist for flood risk assessments contained in the national Guidance contains a section on the sequential test at <https://www.gov.uk/guidance/flood-risk-and-coastal-change#para80> (Paragraph: 080 Reference ID: 7-080-20220825).

There is, however, no prescribed format for the sequential test. Overall, the information provided should be of sufficient quality and detail to answer the question: **Are there, or are there not, any reasonably available sites in areas with a lower probability of flooding that would be appropriate to accommodate the type of development or land use proposed?**

Applicants are therefore advised to submit a sequential test report covering the following information:

#### **A: Information about the application site and development proposal**

This should include the name, location, size, assumed development capacity, overview of the development proposal, high level overview of flood risk (flood zones - present day and with climate change), any other pertinent information, such as the reason for choosing the particular site.

#### **B: Site Search and Review**

Sequential test documentation should include a map or a clear description of the area of search, together with the reasons for choosing that area. It should also clearly explain and justify any limiting parameters applied to the site search, such as size/capacity; particular locational requirements etc. Applicants should discuss and agree the search parameters with the Local Planning Authority before the sequential test is undertaken, to avoid the need to redo the test in the event that the Local Planning Authority disagrees with the approach taken.

- See guidance below on 'Area of Search - Section 3.5'
- See guidance below on 'Suggested Sources of Potential Alternative Sites – Section 3.6'

Applicants should provide a clear schedule of alternative sites considered, with maps where this is needed to clearly identify sites. For each site, this review should identify the level of flood risk at the alternative site and whether or not it is considered to be a suitable and reasonably available alternative. This should make reference to the matters set out in national guidance and section 3.7 of this note.

- See guidance below on 'What Constitutes a Suitable Reasonably Available Site?' – Section 3.7'

If the applicant proposes to reject a lower risk site as an alternative to the application site, clear reasons should be given in the sequential test documentation for why the site is considered unsuitable or unavailable.

## C: Conclusion

If there are no suitable alternative reasonably available sites at lower flood risk than the application site, the conclusion may be drawn that the site and proposed development have passed the sequential test. If required by national guidance (see Table 2 of the NPPG), the exception test must then be passed to make the development acceptable in flood risk terms.

### 3.5 AREA OF SEARCH

National guidance does not define the area of search that should be applied. Instead, it suggests that the area will be defined by local circumstances and the type of development proposed, together with relevant spatial policies<sup>9</sup>. An appeal decision in the borough<sup>10</sup> confirmed that the starting point should be all parts of the local authority area at lower flood risk. This should then be amended if there are sustainable development reasons for doing so. In most cases, the Council's starting point for the area of search for lower risk sites will therefore be the whole borough. Any variation should be agreed between the applicant and the Council before the test is undertaken and justified by the applicant in their sequential test report.

An alternative (reduced) area of search may be acceptable where it can be demonstrated that there is a specific need for the proposed development to be in a particular sub-area. The area of search may be influenced by the purpose or nature of the development itself (e.g. a particular catchment area it intends to serve, its functional or locational requirements etc), but also wider policy objectives (e.g. a local need for particular types of housing or town centre regeneration).

In some cases, it may be appropriate to expand the area of search beyond the boundary of the borough. This will only be necessary in the rare cases where the proposed development is proposed to satisfy a sub-regional, regional or national need, such as a very large scale development or a major infrastructure project.

It is not possible to pre-determine an area of search, but the following is suggested as a guide. The table is not designed to cover all development types or scenarios, and case by case consideration will be necessary by applicants and the Council.

<b>Suggested Sequential Test Area of Search in Havant Borough</b>		
<i>The table below provides a suggested starting point for appropriate search areas for different types and locations of development. However, applicants should justify and agree with the Council the search parameters applied to their particular development. Some developments may fall into more than one category.</i>		
<b>Type of Development</b>	<b>Area of Search</b>	<b>Reason</b>
Residential development	Whole borough	All residential schemes contribute to housing need across the borough.

<sup>9</sup> NPPG Paragraph: 029 Reference ID: 7-029-20220825' (Revision date: 25 08 2022)

<sup>10</sup> Appeal Reference: APP/X1735/W/21/3287602

Commercial development	Whole borough	Commercial development generally contributes to the need for such floorspace across the borough and has no particular sub-area it intends to serve.  (note particular exceptions around catchment areas and operational requirements below)
Town centre retail development	The same defined town centre as the proposal site	The flood risk sequential test should not undermine other sequential test requirements for town centres or the catchment / market the retail provision is seeking to capture.
Development which would contribute to stated regeneration aims in the defined regeneration areas: <ul style="list-style-type: none"> <li>• Havant Town Centre</li> <li>• Waterlooville Town Centre</li> <li>• Leigh Park Town Centre</li> <li>• Hayling Island Seafront</li> </ul>	Site or group of sites within the area designated for regeneration through a strategy / policy and/or masterplan / framework	The Borough's town centres and the Hayling Island Seafront are areas whose vitality is key for the economic wellbeing of the whole Borough. The seafront and large parts of Havant town centre in particular are at risk of flooding. As individual sites are brought forward for redevelopment to achieve wider regeneration aims, it is acknowledged that there may be sequentially preferable sites. However, since the purpose of such redevelopment is regeneration, it would not be appropriate to seek to direct these developments elsewhere. Therefore, in areas covered by an adopted regeneration driven policy / strategy / masterplan, the sequential test will be applied at site level or group of site level only. The applicant should show how avoidance of risk has been considered in the design and layout of the proposed development and wider regeneration plans.
Tourism development on Hayling Island (for Seafront see above)	Hayling Island only	Development is intended to serve tourism market on Hayling Island
Development which has a specifically defined catchment area e.g. new schools; services or businesses specifically intended to serve a particular area etc	Defined catchment area (evidence required as part of sequential test)	Locating the scheme outside of the required catchment area would prevent the development from fulfilling its function.
Development with location-specific operational requirements e.g. development that requires a coastal location such as marine businesses; extensions to existing businesses	Sites across the borough that meet the particular operational requirement (evidence required as part of sequential test)	Locating the development on a site which does not meet operational requirements would prevent the development from fulfilling its function
Schemes of any size and type brought forward by a Community Land Trust, Parish Council or similar body or organisation	Area covered by the relevant body or adjacent sites reasonably related to that area	Such bodies are set up to serve the interests of a particular area and cannot be expected to consider land beyond their catchment area.

### 3.6 SUGGESTED SOURCES OF POTENTIAL ALTERNATIVE SITES

The following are suggested to be suitable sources of information for potential alternative sites. Applicants should consider all relevant sources, including any not listed here.

For sites of 5 dwellings or more:

- Allocation sites in adopted plans (Local Plan and Neighbourhood Plans)
- Allocation sites in emerging or draft plans or policy documents (Local Plan and Neighbourhood Plans)
- Sites in the SHLAA and/or the Brownfield Register
- Extant planning permissions for the same or similar developments as that proposed
- Current planning applications for the same or similar developments as that proposed
- Land currently for sale (search info from local property agents)

For sites smaller than 5 dwellings, the most likely sources of alternative sites are

- Extant planning permissions for the same or similar developments as that proposed
- Current planning applications for the same or similar developments as that proposed
- Land currently for sale (search info from local property agents)

### 3.7 WHAT CONSTITUTES A SUITABLE AND 'REASONABLY AVAILABLE' SITE?

National Guidance suggests, in sections 3b and c of its FRA checklist<sup>11</sup>, questions that applicants should consider when assessing alternative sites.

#### Suitable

The Council considers that a site would be suitable if it:

- is in a suitable location for the proposed development type;
- is of a reasonable size for the proposed development, having regard to the Council's density policy;  
[NB national guidance is clear that reasonably available sites could include a series of smaller sites and/or part of a larger site if these would be capable of accommodating the proposed development]
- could accommodate the functional requirements of the proposed development;
- could be viably developed;
- There are no relevant local and national policies which would provide a clear reason for refusing development on the site (in this context, sites accepted by the council for allocation or draft allocation will be considered acceptable in policy terms).

NB The guidance does allow the consideration of wider sustainability objectives at this stage. However, it does not follow that because the application site may be preferable in sustainability terms to alternative sites at lower risk (eg by virtue of being more accessible or similar), that the lower risk sites may be rejected. National guidance is clear that *'It would only be appropriate to move onto the Exception Test in these cases where, accounting for wider sustainable development objectives, application of relevant local and national policies*

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<sup>11</sup> <https://www.gov.uk/guidance/flood-risk-and-coastal-change#para80>

*would provide a clear reason for refusing development in any alternative locations identified.*<sup>12</sup>

For this reason, acceptable sustainable development reasons for rejecting a site will be limited to those matters listed in footnote 7 of the NPPF as areas or assets of particular importance, namely (as relevant to Havant): habitats sites and irreplaceable habitats; Sites of Special Scientific Interest; land designated as Local Green Space, the Chichester Harbour Area of Outstanding Natural Beauty; designated heritage assets and other heritage assets of archaeological interest.

Please note that the absence of a 5-year land supply is not a relevant sustainable development consideration for the sequential test.

### **Reasonably Available**

National guidance includes a definition of what constitutes ‘reasonably available’<sup>13</sup>. Applying that definition together with local policy considerations, a site will be considered to be reasonably available by Havant Borough Council if the following criteria are met:

- The site is available to be developed now, defined as either being
  - owned by the applicant or
  - available for purchase at a fair market value or
  - available for development by another party**and**
- The site is not safeguarded or allocated in an adopted or emerging Local Plan or Neighbourhood Plan for another use **and/or**
- The site does not have planning permission for another use.

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<sup>12</sup> NPPG Paragraph: 031 Reference ID: 7-031-20220825 <https://www.gov.uk/guidance/flood-risk-and-coastal-change#the-exception-test> (Revision date: 25 08 2022)

<sup>13</sup> <https://www.gov.uk/guidance/flood-risk-and-coastal-change#the-sequential-approach-to-the-location-of-development> Paragraph: 028 Reference ID: 7-028-20220825 (Revision date: 25 08 2022)

## 4. EXCEPTION TEST

### 4.1 NEED FOR THE EXCEPTION TEST

Once the sequential test has been passed, it may also be necessary to pass the exception test. The exception test is designed to allow appropriate and safe development to proceed in scenarios where the sequential test has been passed, i.e. where it has been shown that suitable sites at lower risk of flooding are not available.

Whether the exception test is necessary is determined by the type and location (in terms of flood risk) of the proposal. These tables also show when the exception test is not required, and when development should not be permitted at all.

- A classification of the relative vulnerability of different types of development  
Annex 3: Flood risk vulnerability classification  
<https://www.gov.uk/guidance/national-planning-policy-framework/annex-3-flood-risk-vulnerability-classification>
- A guide to the appropriateness of these classes of development with the flood zones  
Table 2: Flood risk vulnerability and flood zone 'incompatibility'  
<https://www.gov.uk/guidance/flood-risk-and-coastal-change#table2>

### 4.2 PASSING THE EXCEPTION TEST

For the exception test to be passed it must be demonstrated that:

- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; **and**
- b) 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.

There is no prescribed format for the exception test. However, national guidance suggests that part a) of the test should make reference to the Council's Sustainability Appraisal Framework.<sup>14</sup> This can be found in the SA Scoping Report at [www.havant.gov.uk/related-studies-and-strategies](http://www.havant.gov.uk/related-studies-and-strategies). A site specific flood risk assessment should be used to inform part b) of the test.

Both elements of the exception test must be satisfied for development to be permitted.

While this guide makes no prejudgements as to the outcome of individual exceptions tests, applicants should note that for small schemes of fewer than 5 dwellings the council considers that wider sustainability benefits are generally likely to be limited. Such schemes are unlikely to make a substantial contribution to such things as meeting housing need, regeneration or the local economy in terms of job creation or income generation, and arguments that they make a contribution to these matters that outweigh the flood risk are

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<sup>14</sup> How can it be demonstrated that wider sustainability benefits to the community outweigh flood risk?  
<https://www.gov.uk/guidance/flood-risk-and-coastal-change#para36>

unlikely to be accepted. There may be other site specific benefits, such as a reduction of flood risk to the wider area which may constitute such a benefit.

It should also be noted that the exception test must still be passed at the application level, even if the sequential test was deemed passed by virtue of an allocation for that site in the Local Plan. In those cases applicants may wish to draw on the Council's Sustainability Appraisal for the Local Plan, as it likely to provide sufficient information to pass part a) of the test.

#### **4.3 CONCLUDING THE SEQUENTIAL AND THE EXCEPTION TESTS**

Where the sequential test and/or the exception test are required for proposed development in areas at risk of flooding, the required tests must be passed in order for development to be acceptable.

The applicant is expected to assemble the necessary evidence to enable the Council to consider whether the development passes the required test(s).

The Council will consider the evidence provided and determine whether it can be concluded that the tests have been passed. If the sequential test and/or either part of the exception test is considered not suitably justified, and therefore not met, the Council is likely to refuse the planning application on flood risk grounds.