

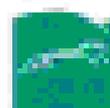
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Sequential and Exception Test for Bury Street and the Charter Area, Abingdon Town Centre

Final Report

May 2010

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Revision History

| Revision Ref / Date Issued | Amendments | Issued to |
|-------------------------------------|------------|--|
| Draft Report v1 0/ 15 February 2010 | | Alison Blyth, Vale of White Horse District Council |
| Draft Report v2.0/ 16 March 2010 | | Emily Dartnall, Environment Agency |
| Draft Report v 2.5/ 13 April 2010 | | Alison Blyth, Vale of White Horse District Council |
| Draft Report v 3.0 / 29 April 2010 | | Emily Dartnall, Environment Agency |
| Final Report/ May 2010 | | Alison Blyth, Vale of White Horse District Council |

Contract

This report describes work commissioned by the Vale of White Horse District Council by a letter received dated 20 January 2010. The Vale of White Horse District Council's representative for the contract was Alison Blyth. Margaret Moran and Paul Eccleston of JBA Consulting carried out this work.

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Purpose

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Abbreviations & Definitions

| | | |
|------------------------------------|-----|--|
| Flood Zone | | Areas of land at risk from tidal or fluvial flooding as defined in Table 1 of PPS 25. The Flood Zones describe the risk of flooding without taking account of the presence of flood defences or other flood risk management measures. Zone 1: Flooding predicted to occur less than once every thousand years (<0.1% Annual Event Probability) Zone 2: Flooding predicted to occur at least once every thousand years (0.1% Annual Event Probability) Zone 3: Flooding predicted to occur at least once every hundred years (1% Annual Event Probability) |
| Fluvial Flooding | | Flooding caused by high flows in rivers or streams exceeding the capacity of the normal river channel. |
| Functional Floodplain | | An area of land where water has to flow or be stored in times of flood, in accordance with the guidance contained in PPS 25 |
| Greenfield | | Greenfield (sites or land) is a term in common usage that may be defined as 'development sites or land that has not previously been developed'. Prior to PPS25 the term 'Greenfield' was used in Governmental Guidance and Statements, but in PPS25 has been replaced with 'Undeveloped land. Also refer to 'Brownfield' land. |
| ISIS | | One-dimensional river modelling software developed by Halcrow. Capable of steady and unsteady state simulation. |
| JFLOW | | 2-Dimension hydraulic modelling package developed by JBA. Used to produce Flood Zones for the Environment Agency, and to model overland flow. |
| Local Development Framework | LDF | The Local Development Framework is made up of a series of documents that together form part of the Development Plan. Broadly Local Development Framework documents can fall into two categories: Development Plan Documents Supplementary Planning Documents |
| Local Plan | LP | Statutory document forming part of the Development Plan for a Local Authority area. Local Plans are being superseded by Local Development Frameworks. |
| Measure | | A deliverable solution that will assist in the effective management (reduction) of risk to property and life as a result of flooding, e.g. flood storage, raised defence, effective development control and preparedness, and flood warning |
| Mitigation | | The management (reduction) of flood risk |
| Probability | 1% | A measure of the chance that an event will occur. The probability of an event is typically defined as the relative frequency of occurrence of that event, out of all possible events. Probability can be expressed as a fraction, % or a decimal. For example, the probability of obtaining a six with a shake of a fair dice is 1/6, 16% or 0.166. Probability is often expressed with reference to a time period, for example, annual exceedance probability. Flood risk probabilities are conventionally defined on the basis of the probability of an event occurring in any one year time period. |
| Residual Risk | | The risk that inherently remains after implementation of a mitigation measure (option) |

| | | |
|---|------|--|
| Return Period | | The expected (mean) time (usually in years) between the exceedance of a particular extreme threshold. Return period is traditionally used to express the frequency of occurrence of an event, although it is often misunderstood as being a probability of occurrence. |
| Risk | | The threat to property and life as a result of flooding, expressed as a function of probability (that an event will occur) and consequence (as a result of the event occurring) |
| Site Specific Allocations | SSAs | |
| South Oxfordshire District Council | SODC | |
| Standard of Protection | SoP | The design return period to which properties are protected against flooding at the time the design was prepared. |
| Strategic Flood Risk Assessment | SFRA | The assessment of flood risk on a catchment-wide basis for proposed development in a District in accordance with guidance in PPS 25 and the accompanying Practice Guide. |
| Strategic Flood Risk Management | SFRM | Considers the management of flood risk on a catchment-wide basis, the primary objective being to ensure that the recommended flood risk management 'measures' are sustainable and cost effective |
| Supplementary Planning Documents | SPD | Supplementary Planning Documents or SPD support DPDs in that they may cover a range of issues, both thematic and site specific. Examples of SPD may be design guidance or development briefs. SPD may expand policy or provide further detail to policies in a DPD. They will not be subject to independent examination. |
| Sustainability Appraisal | SA | A Sustainability Appraisal is a systematic process to predict and assess the economic, environmental and social effects likely to arise from DPDs and SPDs, enabling each document to be tested and refined, ensuring that it contributes towards sustainable development. |
| Uncertainty | | A reflection of the (lack of) accuracy or confidence that is considered attributable to a predicted water level or flood extent |
| Vale of White Horse District Council | VOWH | |

1. Introduction

1.1 Terms of Reference

JBA Consulting was commissioned by Vale of White Horse District Council on 20th of January 2010, to undertake a Sequential and Exception Test for the Bury Street and Charter Area, Abingdon Town Centre, in accordance with the Planning and Policy Statement 25: Development and Flood Risk (PPS25). JBA visited Abingdon town centre on 26th January 2010.

1.2 Documents Reviewed

A number of documents were reviewed in order to complete the Sequential Test and Exception Test. These included:

- Planning and Policy Statement 25: Development and Flood Risk (2006)
- Planning Policy Statement 25: Development and Flood Risk - Practice Guide (2009)
- Planning Policy Statement 4: Planning for Sustainable Economic Development¹ (2009)
- South Oxfordshire District Council & Vale of White Horse District Council Strategic Flood Risk Assessment (SFRA) Level 1 & 2 Report (2009)
- Core Strategy, Preferred Options (2009)
- Core Strategy Preferred Options Sustainability Appraisal (2009)
- Sustainability Statement Regarding the Additional Consultation on Options for the Core Strategy 2006-2026 (2009)
- Retail Capacity Study (2004)
- Retail Study (2008),
- Strategic Housing Land Availability Assessment (2009)
- Parish Portraits (2009)

1.3 Report Structure

The guidance in Planning and Policy Statement 25: Development and Flood Risk provides the basis for the Sequential and Exception Test. Section one of this report summarises the guidance given in PPS 25 and the accompanying Practice Guide. Section two applies the Sequential test to the proposed development at Bury Street and the Charter Area and section three of this report discusses the Exception test. Finally the conclusions are provided in Section four.

1.4 Planning and Policy Statement 25: Development and Flood Risk (PPS 25)

In December 2006 the Government published PPS25: Development and Flood Risk. This has been recently been amended and published on 29th March 2010.

The aim of PPS25 is to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding and to direct development away from areas at highest risk. The key planning objectives are that "Regional Planning Bodies (RPBs) and Local Planning Authorities (LPAs) should prepare and implement planning strategies that help to deliver sustainable development by:

¹ <http://www.communities.gov.uk/documents/planningandbuilding/pdf/planningpolicystatement4.pdf>

- Identifying land at risk and the degree of risk of flooding from river, sea and other sources in their areas;
- Preparing Regional or Strategic Flood Risk Assessments (RFRAs/SFRAs) as appropriate, either as part of the Sustainability Appraisal of their plans or as a freestanding assessment that contributes to that Appraisal;
- Framing policies for the location of development which avoid flood risk to people and property where possible and manage any residual risk, taking account of the impacts of climate change;
- Only permitting development in areas of flood risk when there are no suitable alternative sites in areas of lower flood risk and the benefits of the development outweigh the risks from flooding (as proved by passing the Exception Test);
- Safeguarding land from development that is required for current and future flood management e.g. conveyance and storage of flood water and flood defences;
- Reducing risk to and from new development through location, a sequential approach to layout and design, incorporating sustainable drainage systems (SUDS);
- Using opportunities offered by new development to reduce the causes and impacts of flooding e.g. surface water management plans; making the most of the benefits of green infrastructure for flood storage, conveyance and SUDS; recreating functional floodplain and setting back defences;
- Working effectively with the Environment Agency and other stakeholders to ensure that best use is made of their expertise and information so that decisions on planning applications can be delivered expeditiously; and
- Ensuring spatial planning supports flood risk management policies and plans; River Basin Management and emergency planning.”

In addition to setting out the roles and responsibilities for LPAs and RPBs, PPS25 identifies that landowners also have a primary responsibility for safeguarding their land and other property against natural hazards such as flooding. Those promoting sites for development are also responsible for:

- Demonstrating that the site is consistent with PPS25 and Local Development Documents (LDDs);
- Providing a Flood Risk Assessment (FRA) demonstrating whether the proposed development: is likely to be affected by current or future flooding; satisfies the LPA that the development is safe; and identifies management and mitigation measures.

PPS25 also introduces an amendment to Article 10 of The Town and Country Planning (General Development Order) 1995 which makes the Environment Agency a Statutory Consultee on all applications for development in flood risk areas and those within 20m of a Main River and any development on land exceeding 1 hectare in area.

PPS25 recommends that local authorities make a direction under Article 4 of the Town and Country Planning (General Permitted Development) Order 1995, removing permitted development rights where those rights threaten to have a direct, significant and adverse effect on flood risk, or its flood defences and their access, or the permeability and management of surface water, or flood risk to occupants.

1.4.1 PPS25 Practice Guide²

PPS25 Practice Guide was published in June 2008, and updated in December 2009, this replaces the “Living Draft”³ guidance on PPS25 first issued in February 2007. The practice guide provides guidance on the implementation of the policy set out in PPS25. The guide provides further advice on the preparation of SFRAs and FRAs, the Sequential and Exception Test, outlines potential mitigation measures e.g. SUDS and risk management techniques. The latest revision of the practice guide also includes consideration of the issues addressed

² Department for Communities and Local Government (2009) Planning Policy Statement 25: Development and Flood Risk - Practice Guide.

³ Department for Communities and Local Government (2008) Planning Policy Statement 25, Development and Flood Risk: A Practice Guide Companion to PPS25

during the consultation exercise into proposed amendments to PPS 25 that was undertaken in 2009. It is understood (CLG, 2009) that limited weight can be given to the proposed amendment in advance of the formal reissue of PPS 25 in spring 2010, although the issues to be changed are unlikely to have a material effect on the sequential and exception tests at this location.

1.5 Flood Risk Vulnerability Classification

In PPS25 different types of development are divided into five flood risk vulnerability classifications:

- Essential infrastructure
- Highly vulnerable
- More vulnerable
- Less vulnerable
- Water compatible development.

Subject to the application of the Sequential Test, PPS25 specifies which of these types of development are suitable within each zone:

Zone 1 (Low Probability): This zone comprises land assessed as having a less than 1 in 1000 annual probability of river or sea flooding in any year (<0.1%).

All types of development are appropriate in this zone.

Zone 2 (Medium Probability): This zone comprises land assessed as having between a 1 in 100 and 1 in 1000 annual probability of river flooding (1% – 0.1%) or between a 1 in 200 and 1 in 1000 annual probability of sea flooding (0.5% – 0.1%) in any year. The water-compatible, less vulnerable and more vulnerable uses of land and essential infrastructure are appropriate in this Zone.

The highly vulnerable uses are only appropriate in this zone if the Exception Test is passed.

Zone 3a (High Probability): This zone comprises land assessed as having a 1 in 100 or greater annual probability of river flooding (>1%) or a 1 in 200 or greater annual probability of flooding from the sea (>0.5%) in any year.

The water-compatible and less vulnerable uses of land are appropriate in this zone. The highly vulnerable uses should not be permitted in this zone. The more vulnerable and essential infrastructure uses should only be permitted in this zone if the Exception Test is passed.

Zone 3b (Functional Floodplain): This zone comprises land where water has to flow or be stored in times of flood. SFRAs should identify this Flood Zone (land which would flood with an annual probability of 1 in 20 (5%) or greater in any year or is designed to flood in an extreme (0.1%) flood, or at another probability to be agreed between the LPA and the Environment Agency, including water conveyance routes).

Only the water-compatible uses and the essential infrastructure that have to be there should be permitted in this zone. Essential infrastructure in this zone should pass the Exception Test and be designed and constructed to meet a number of flood risk related targets. The less vulnerable, more vulnerable and highly vulnerable uses should not be permitted in this zone.

Table 1-1: Flood Risk Vulnerability Classification

| | |
|---------------------------------|--|
| Essential Infrastructure | Essential transport infrastructure and strategic utility infrastructure, including electricity generating power stations and grid and primary substations. |
| Highly Vulnerable | Police stations, Ambulance stations and Fire stations and Command Centres and telecommunications installations and emergency dispersal points. Basement dwellings, caravans, mobile homes and park homes intended for permanent residential use. Installations requiring hazardous substances consent. |
| More Vulnerable | Hospitals, residential institutions such as residential care homes, children's homes, social services homes, prisons and hostels. Buildings used for dwellings, student halls of residence, drinking establishments, nightclubs, hotels and sites used for holiday or short-let caravans and camping. Non-residential uses for health services, nurseries and education. Landfill and waste management facilities for hazardous waste. |
| Less Vulnerable | Buildings used for shops, financial, professional and other services, restaurants and cafes, offices, industry, storage and distribution, and assembly and leisure. Land and buildings used for agriculture and forestry. Waste treatment (except landfill and hazardous waste facilities), minerals working and processing (except for sand and gravel). Water treatment plants and sewage treatment plants (if adequate pollution control measures are in place). |
| Water-compatible Development | Flood control infrastructure, water transmission infrastructure and pumping stations. Sewage transmission infrastructure and pumping stations. Sand and gravel workings. Docks, marinas and wharves, navigation facilities. MOD defence installations. Ship building, repairing and dismantling, dockside fish processing and refrigeration and compatible activities requiring a waterside location. Water-based recreation (excluding sleeping accommodation). Lifeguard and coastguard stations. Amenity open space, nature conservation and biodiversity, outdoor sports and recreation. Essential sleeping or residential accommodation for staff required by uses in this category, subject to a warning and evacuation plan. |

Notes:

This classification is based partly on DEFRA/Environment Agency research on Flood Risks to People (FD2321/TR2) and also on the need of some uses to keep functioning during flooding.

Buildings that combine a mixture of uses should be placed into the higher of the relevant classes of flood risk. Developments that allow uses to be distributed over the site may fall within several classes of flood risk sensitivity.

The impact of a flood on the particular uses identified within this flood risk vulnerability classification will vary within each vulnerability class. Therefore, the flood risk management infrastructure and other risk mitigation measures needed to ensure the development is safe may differ between uses within a particular vulnerability classification.

(Source: PPS25 Table D2)

2. The Sequential Test

2.1 Sequential Test

PPS25 provides the basis for the sequential approach; it recommends that LPAs use a risk based approach to development planning. When allocating or approving land for development in flood risk areas, those responsible for making development decisions are expected to demonstrate that there are no suitable alternative development sites located in lower flood risk areas.

The methodology introduces a Sequential Test. The Environment Agency Flood Zone Map will provide the basis of the test. At each step, sites of lower flood risk are identified and prioritised in order of vulnerability to flood risk (Table 1-1).

This South Oxfordshire District Council and Vale of White Horse District Council Strategic Flood Risk Assessment (SFRA)⁴ provide flood zone classifications for their respective areas. The information provided by the SFRA assists the Councils in developing their LDFs and aids in prioritising allocations.

The Councils are required to prioritise the allocation of land for development in ascending order from Flood Risk Zone 1 to 3, including the subdivisions of Flood Risk Zone 3, if necessary. The Environment Agency has statutory responsibility and must be consulted on all development applications allocated with medium and high risk zones, including those in areas with critical drainage problems. In these circumstances, PPS25 requires the Council to demonstrate that there are no reasonable alternatives, in lower flood risk categories, available for development. Where appropriate, the Exception Test is to be applied.

Application of the sequential test applies when selecting broad locations for development in Development Planning Documents (DPDs), when allocating land in Spatial Planning Documents (SPDs), as well as when determining applications for development at specific sites.

Planning Policy Statement 4: Planning for Sustainable Economic Development (PPS 4), outlines the sequential approach that Local Authorities should use when identifying suitable sites within town centres. Specifically, Policy EC5.2 of PPS4: Site Selection and Land Assembly for Main Town Centres of PPS states that local planning authorities should identify sites that are suitable, available and viable in the following order:

- a. locations in appropriate existing centre's where sites or buildings for conversion are, or are likely to become, available within the plan period
- b. edge-of-centre locations, with preference given to sites that are or will be well-connected to the centre
- c. out-of-centre sites, with preference given to sites which are or will be well served by a choice of means of transport and which are closest to the centre and have a higher likelihood of forming links with the centre⁵

2.2 Stage 1 - Development Vulnerability

2.2.1 The Site- Present Bury Street and Charter area

The proposed development is located in Abingdon, a town located in the north east of the Vale of White Horse District, 12 km south of Oxford. It is the main town and centre of the Vale and acts as a service provider for the surrounding villages.

The Bury Street and Charter Area, see Figure 2.1, forms a large part of the Abingdon's town centre and is located to the west of Stert Street. Stratton Way, Bath Street, High Street and Stert Street form the boundary to the area. The River Stert (shown as blue line in Figure 2,

⁴ South Oxfordshire District Council & Vale of White Horse District Council Strategic Flood Risk Assessment, Level 1 & 2 FINAL, JBA Consulting June 2009

⁵ <http://www.communities.gov.uk/documents/planningandbuilding/pdf/planningpolicystatement4.pdf>

please note this is not an exact representation of the River Stert but an approximate location) flows in culvert to the east of the proposed development. The direction of flow is from the north of the development area to the south where it joins River Thames south of Thames Street.

The area was redeveloped in the 1960's and contains:

- a pedestrianised shopping area;
- Multi- storey car park;
- Library and health centre;
- Somerfield's Supermarket;
- Retails and office units; and
- Electricity sub-stations.

Figure 2.1 Present Bury Street and Charter Area



2.2.2 Identifying flood risk to the existing site

The Flood Zone classifications have been provided by the Environment Agency maps, which have been informed by the SFRA. The proposed development is within Flood Zone 1, 2 and 3a; see Map 1 in the Map Section to the rear of this report.

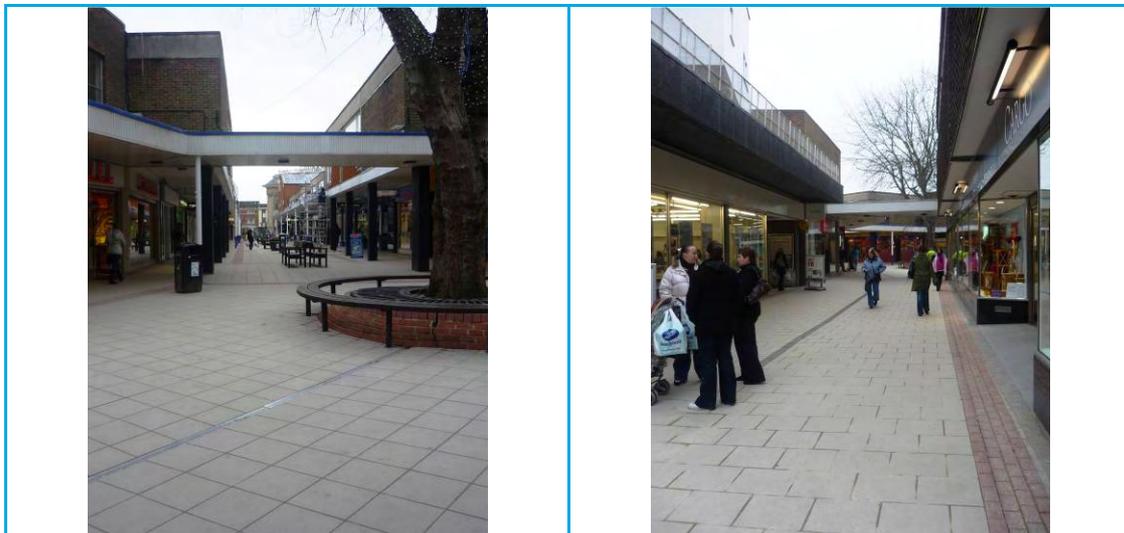
Flood Zone 1 - There are small pockets which are Flood Zone 1, on the west side of the health centre and Bury Street.

Flood Zone 2 - The majority of the proposed development is located in Flood Zone 2.

Flood Zone 3a - Broad Street and Queen Street of the proposed development area are within Flood Zone 3a. There is also small portion of Bury Street which is contained within Flood Zone 3a. It appears from the ordnance survey (OS) maps that there is a barrier to flow; this is not the case, see Figure 2.2. In reality, there are two archways extending across Bury Street, these do not provide a barrier to flow. This is a local detail which was not identified during production of the revised flood outlines carried out for the SFRA. Therefore the Flood Zone 3a outline may extend further south along Bury Street than the Environment Agency Flood Zone maps show. For the purposes of this report it is assumed that Bury Street is within Flood Zone 3a.

Flood Zone 3b: No part of the Bury Street and Charter area is located within this Flood Zone.

Figure 2.2 Archways across Bury Street



2.2.3 The Proposed Bury Street and Charter Area

Abingdon has recently undergone reconfiguration of the Central road system and environmental improvements to Market Place, Stert Street, Guild Hall and Abbey Gardens. It has a reasonable number of retail facilities; however it does not offer the same range and choice as other in larger sub regional centres and suffers from competition from the towns and cities, such as Didcot and Oxford.⁶

The assessment described in this report is based on proposals for the regeneration of the Bury Street and Charter Area. The redevelopment involves the comprehensive improvement and environmental enhancement as shown in Figure 2.3 and Figure 2.4. The following proposal was suggested for the refurbishment of this area and was issued for public consultation .

- The refurbishment of the shopping centre (including Queen Street) to enable the gradual replacement and enlargement of the existing shops.
- The redevelopment of the Cargo and Somerfield stores for more modern shopping units on the ground floor with a new library and health centre above with the option for a hotel, offices and/ or flats.
- A major new store in the Charter area with car parking above it⁷.

⁶ Nathaniel, Lichfield and Partners (2004) Vale of White Horse District Council Retail Capacity Study

⁷Vale of White Horse District Council "Your Vale your future"

http://www.whitehorsedc.gov.uk/Images/finish%20vale%20leaflet_tcm4-6986.pdf

Figure 2.3 Potential Proposed Development of the Charter Area

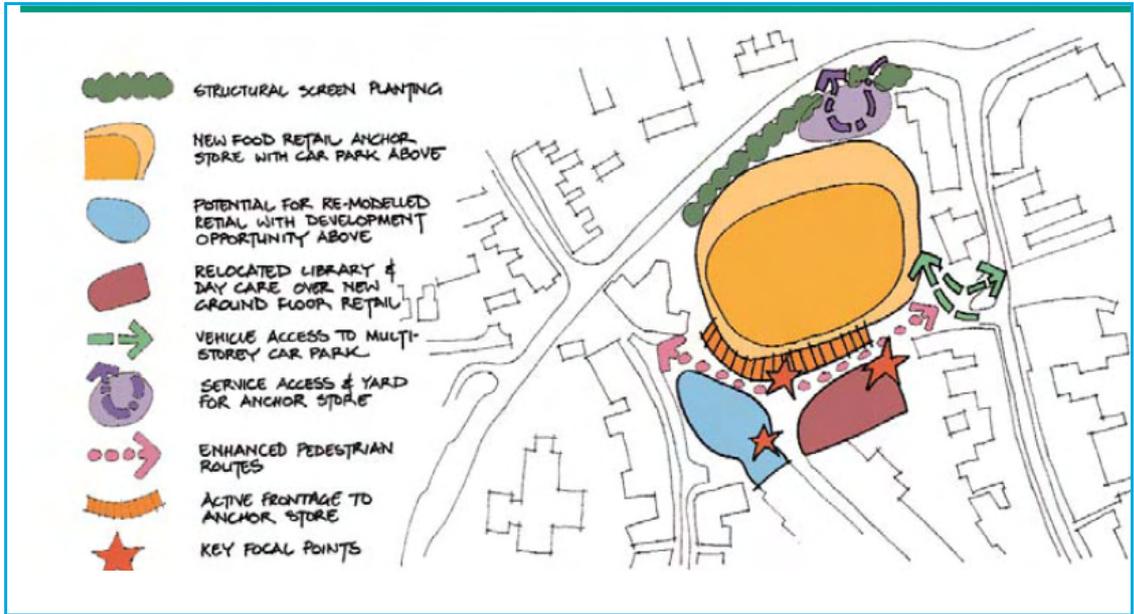


Figure 2.4 Proposed Development of Bury Street (Artists Impression)



2.2.4 Identifying the flood risk to the proposed development

Table 2-2 details the potential change in flood risk due to the development. The less vulnerable uses, such as the retail units, office units, car park and the library are proposed to be in suitable Flood Zones in accordance with Table D3 in PPS 25, see Table 2-1. The Health Centre, a more vulnerable use, located presently in the north west corner of the site, (see Figure 2.2) could be relocated within the proposed development site from Flood Zone 2 to Flood Zone 3a. The potential location for the Health Centre, as per the public consultation document (see Figure 2.3) is above a new retail development at first floor level. Locating the Health Centre on the first floor level does reduce vulnerability from inundation during a flood event. However, it should be noted at this stage, that the most suitable location within the site for the Health Centre is its present location in the north west corner of the site. This is located in Flood Zone 2 and has safe, dry access and egress to Stratton Way. It is important that safe access can be maintained to the facilities at all times. This would need to be addressed by an appropriate design and if necessary, mitigation proposals. Consideration needs to be

given to the effect of flooding on the provision of utility services such as water, power and waste.

Provided the proposals satisfy the requirements of the Sequential Test, it should be recognised that the Exception Test will need to be passed to justify the location of more vulnerable uses into Flood Zone 3a in order to meet the wider aims of sustainable development. This applies to the Health Centre and the potential residential dwellings/ hotel. Consideration should also be given to the operation and functionality of the electricity sub stations during times of flooding. The application of the Exception Test is discussed in more detail in Section 3.

Table 2-1: Flood Risk Vulnerability and Flood Zone Compatibility

| Vulnerability classification | Essential Infrastructure | Water compatible | Highly vulnerable | More vulnerable | Less Vulnerable |
|------------------------------|--------------------------|------------------|-------------------|-----------------|-----------------|
| Flood Zone | Zone 1 | ✓ | ✓ | ✓ | ✓ |
| | Zone 2 | ✓ | ✓ | Exception Test | ✓ |
| | Zone 3a | Exception Test | ✓ | x | Exception Test |
| | Zone 3b | Exception Test | ✓ | x | x |

Key:

- ✓ Development is appropriate
- x Development should not be permitted

Source: PPS25 Table D3

Table 2-2 Flood Risk to Proposed Development

| Development | Vulnerability Class | Present Flood Zone | Future Flood Zone (proposed) |
|--------------------------------|---------------------|--------------------|------------------------------|
| Health Centre/ Day Care Centre | More Vulnerable | 2 | 2 / 3a |
| Residential | More Vulnerable | None at present | 2 / 3a |
| Hotel | More Vulnerable | None at present | 2 / 3a |
| Car Park | Less Vulnerable | 2 | 2 |
| Retail/ Office Units | Less Vulnerable | 2 & 3 | 2 & 3 |
| Library | Less Vulnerable | 3a | 3a |

2.3 Stage 2 - Defining the Evidence Base

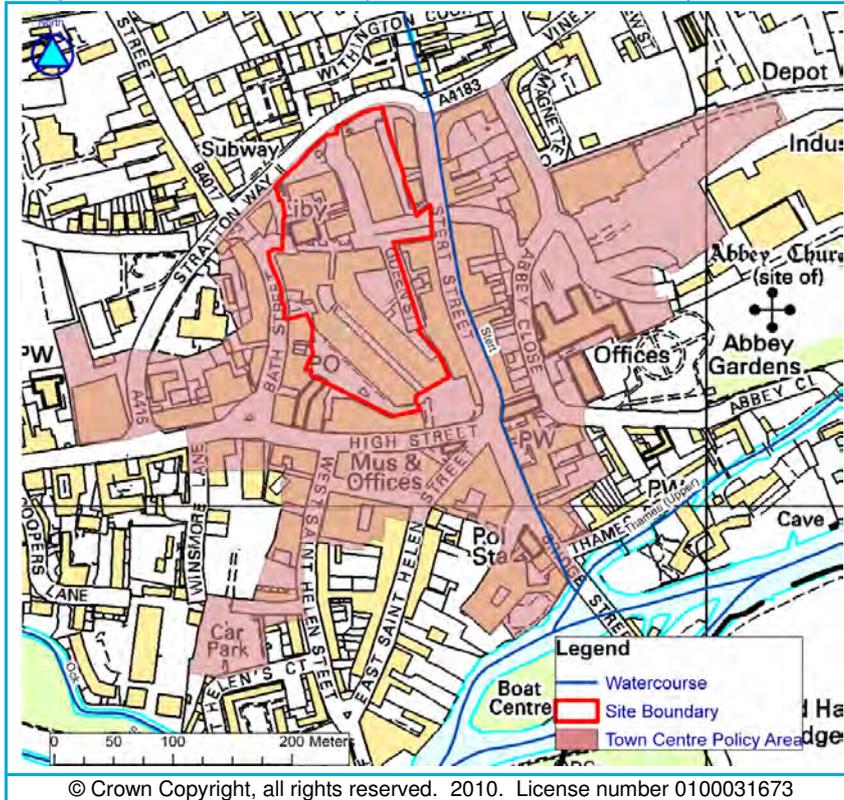
2.3.1 State the geographic area over which the test is to be applied.

The proposed development can be divided into retail, leisure, local uses and housing. The leisure uses within the development are the library and hotel. The local uses include the Health Centre and Day Care Centre. Different uses have different geographic areas in which the sequential test is to be applied.

Retail, Leisure and Local Use

The geographic area over which the test is to be applied for the retail, leisure and local uses is the town centre policy area of Abingdon, see Figure 2.5. The sequential approach detailed on Policy EC5.2 of PPS 4, supports the location of the redevelopment of Abingdon Town Centre as this is a site where buildings for conversion are likely to become available within the plan period.

Figure 2.5 Town Centre Policy Unit (as defined in the adopted Local Plan)



Vale of White Horse Revised Retail Study (October 2008)⁸ recommended areas of potential development opportunities. The Bury Street and the Charter were identified as a key location for redevelopment.

*"The Bury Street Precinct contains a number of the centre's key multiple retailers and is well linked to the historic Market Place that forms the centre of the town. Notwithstanding the applications that **the Council has recently granted for refurbishment of the centre**, in the longer term there is the potential to redevelop the large multi-storey car park to the north of the centre. A redevelopment of the wider area could include the other public sector uses including the adjoining health centre, day centre and library."*⁹

Housing

The geographic area over which the test is applied for housing is the District. The Vale of White Horse has carried out a second draft Strategic Housing Land Availability Study (SHLAA)¹⁰ which examines all sites within the urban area that may be suitable for housing within the Council's area. The findings from the SHLAA have been summarised in the following section.

2.3.2 Identify other reasonable sites within the geographic base

For the purposes of this document 'reasonable available' sites would include any sites that are known to the Local Planning Authority (LPA) and meet the functional requirements of the application proposed.

Retail, leisure and local uses have been considered separately to housing. As identified within Table 2-2, the proposed redevelopment will contain a mix of more and less vulnerable uses. For the purpose of this sequential test it has been assumed that the redevelopment

⁸ Savills (2008) Vale of White Horse Retail Study

⁹ Savills (2008) Vale of White Horse Retail Study

¹⁰ Vale of White Horse (2009) Second Draft Strategic Housing and Land Availability Assessment

would only be viable with this mix of uses, and therefore separation of the individual uses has not been considered.

Retail, Leisure and Local Use

The Bury Street and Charter area is located within the town centre policy area and the Council has granted planning permission for the refurbishment of the Abbey Shopping Centre in 2007. Other sites which were considered in the retail study were Stert Street, High Street and Bath Street. Stert Street is entirely within Flood Zone 3; see flood maps to the rear of this report.

In accordance with Planning and Policy Statement 4: Planning for Sustainable Economic Growth¹¹ (PPS 4), when assessing the need for retail and leisure development local planning authorities should take account of both the quantitative and qualitative need for additional i.e. floorspace for different types of retail and leisure developments.

Vale of White Horse Revised Retail Study (October 2008)¹² identified that the amount of available floor space within Abingdon is below average, but noted that this is not unusual within a historic town centre. However, The Vale of White Horse District Council is still required to accommodate 1076 m² of new floor space by 2027 within Abingdon Town Centre.

The proposed development site covers 2.3 hectares (ha), approximately 16% of the total town centre policy area (14.1 ha) Figure 2.5. There are no other large blocks within the town centre policy area suitable for comprehensive redevelopment that would be able to accommodate 1076 m² of new floor space by 2027 within Abingdon Town Centre. The retail study considers other sites within the town centre but these are considered as additional to, not instead of, the Bury Street and Charter area. These are summarised below:

Table 2-3: Additional potential retail development sites

| Site | Comments | Flood Zone(s) |
|---|--|---------------|
| The Old Gaol | Potential for some small retail units to provide new comparison shopping floor space, but on a much smaller scale than the Bury St / Charter area. Note that subsequent to the Retail Study this development has been granted planning permission. It will include five or six shops and restaurants ¹³ | 2 |
| Cattlemarket site (adjacent to Council offices) | Site is not ideal as it is a distance from the main shopping centre and adjacent to housing. | 1 and 2 |
| Telephone Exchange, Stratton Way | Recommended for consideration as retail development should it become available. | 1 |
| Frank Knight & Sons and the Royal Mail site, Ock Street | On the edge of the town centre. Identified as being possibly suitable for bulky goods retail units. | 1 and 2 |

The sites listed above would not together provide a viable replacement for the Bury Street and Charter area as the primary retail space within Abingdon, and therefore it would not be appropriate for the Sequential Test to reject the Bury Street and Charter area simply because it is partially within Flood Zone 3.

Alternative sites of similar size may be available on the outskirts of Abingdon Town. However, retail development in such locations would be contrary to the national, regional and local policy.

The benefits of the comprehensive redevelopment the Bury and Charter Street area has also been identified within the following evidence base documents:

- Core strategy preferred options (January 2009)
- Sustainability Statement Regarding the Additional Consultation on Options for the Core Strategy 2006-2026 (December 2009)

¹¹ <http://www.communities.gov.uk/documents/planningandbuilding/pdf/planningpolicystatement4.pdf>

¹² Savills (2008) Vale of White Horse Retail Study

¹³ http://www.whitehorsedc.gov.uk/news_views/topical_issues/detailpage-2232.asp accessed 12/04/2010.

Core Strategy, Preferred Options (January 2009)¹⁴

The Core Strategy identifies the opportunity to redevelop areas built in the 1960/1970's, like the Bury Street and the Charter Area. It support Abingdon's role as the Vale's largest shopping area serving towns in the east of the district and identifies that the redevelopment of the Bury Street and Charter Area is vital to maintaining that role within the Vale.¹⁵ One of the objective's for Abingdon identified in the Core Strategy preferred options, is that by 2026-

"Bury Street Precinct and the Charter area have been comprehensively and attractively developed for new shops and town centre uses that have improved the retail offer and vitality of the town centre."

Sustainability Statement Regarding the Additional Consultation on Options for the Core Strategy 2006-2026 (December 2009)¹⁶

This document demonstrates the benefits the redevelopment of the Bury Street and the Charter will have on the sustainable development of Abingdon Town Centre.

"The scheme will focus new retail development in the most accessible location, retain existing social facilities, support the retail function of the town centre and re-use already developed land. Some users will travel by car but this is likely to be less than at out of centre locations. Economically it should retain more retail spend in Abingdon and provide more employment."

Housing

The draft SHLAA identified that Abingdon had a limited number of suitable sites available for housing. Nine sites were identified for urban extension within Abingdon to accommodate housing needs. All nine were rejected due to intrinsic, policy or technical constraints, four of these sites were rejected due to flood risk (see draft SHLAA, Appendix 5)¹⁷. 84 individual sites were identified within the urban capacity of Abingdon (see the draft SHLAA, Appendix 4). 81 of these sites were rejected for the following reasons:

- 24 were not suitable for development because they are constrained; 23 due to flood risk and one because of lack of access.
- Nine were considered unlikely as they are high value urban open spaces.
- 13 sites are protected by the Local Plan.
- 33 sites are in active use, for example, schools, hospitals or retail use.
- Two sites were considered unlikely as they are low value, low quality, open spaces.

Three sites were identified within the urban extent which may be suitable for housing development, one of which already has planning permission. The other two include the Charter area; see Table 2-4 for details. The industrial units by Thames View are located in Flood Zone 1. Considering the limited allocation for housing within the Vale, both areas could be considered feasible for residential development provided an appropriate Flood Risk Assessment is completed to support any application.

¹⁴ Vale of White Horse District Council (2009) Core Strategy, Preferred Options, Your Vale Your Future

¹⁵ Vale of White Horse (2009) Sustainability Statement Regarding the Additional Consultation on Options for the Core Strategy 2006-2026 paragraph 4.53, p43

¹⁶ Vale of White Horse (2009) Sustainability Statement Regarding the Additional Consultation on Options for the Core Strategy 2006-2026, paragraph 3.4 p21

¹⁷ Vale of White Horse (December 2009) Second Draft SHLAA, Appendix 5, Details of urban extensions studied, http://www.whitehorsedc.gov.uk/Planning/Planning_policy/XX_DetailPage-5205.asp

Table 2-4 Appendix 4 of Second draft SHLAA - Details of Individual Sites studied in the Urban Capacity (Vale of White Horse District Council)¹⁸

| The following urban sites may be suitable for allocation: | | | | |
|--|--|------------------|--|-----------------|
| The following site was judged to be a suitable and available: | | | | |
| Number | Site | Area (Ha) | Comments | Capacity |
| 60 | The Charter (includes Malthouse Surgery, library and car park) | 0.48 | Identified as a comprehensive development and environmental improvement area in the Preferred Options Report | 24 |
| 69 | Industrial units by Thames View | 0.58 | Submitted as a potential site for redevelopment as part of the Preferred Options consultation | 29 |
| Total | | 1.06 | | 53 |

Overall within the District the SHLAA identifies a shortfall of 66 dwellings in the availability of suitable housing land, against the SE Plan target of 3624 dwellings to be completed by March 2015, and a shortfall of 5,268 dwellings on the target required to be completed by 2027. From this it is concluded that:

- There is currently a shortfall in identified sites to meet SE Plan housing targets.
- A relatively small proportion of the Districts housing target will be delivered within Abingdon. The Charter is one of only 2 viable urban sites identified by the SHLAA, and all sites for urban extension of Abingdon have been rejected.

2.3.3 Conclusion

The proposed redevelopment of the Bury Street and Charter area has been considered as a single development of mixed uses. The Vale of White Horse considers that the mix of retail, leisure, local services and housing is required to create a vibrant and viable development. An assessment of alternatives has been performed by the LPA through the retail study and the draft SHLAA and it has been concluded 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 within the geographic base available
- that would maintain the historic fabric of the town centre

Since there are no other large blocks of land available within Abingdon town centre policy area which can fulfil the functions for retail, leisure, local and housing uses that the redevelopment proposed in Bury Street and the Charter Area the next section of this report will consider the application of the Exception Test. This will consider in more detail the flood risk to the proposed development and consider methods for mitigation of that risk.

¹⁸ Vale of White Horse (2009) Second Draft SHLAA, Appendix 4, Details of individual sites studied in the urban capacity, http://www.whitehorsedc.gov.uk/Planning/Planning_policy/XX_DetailPage-5205.asp