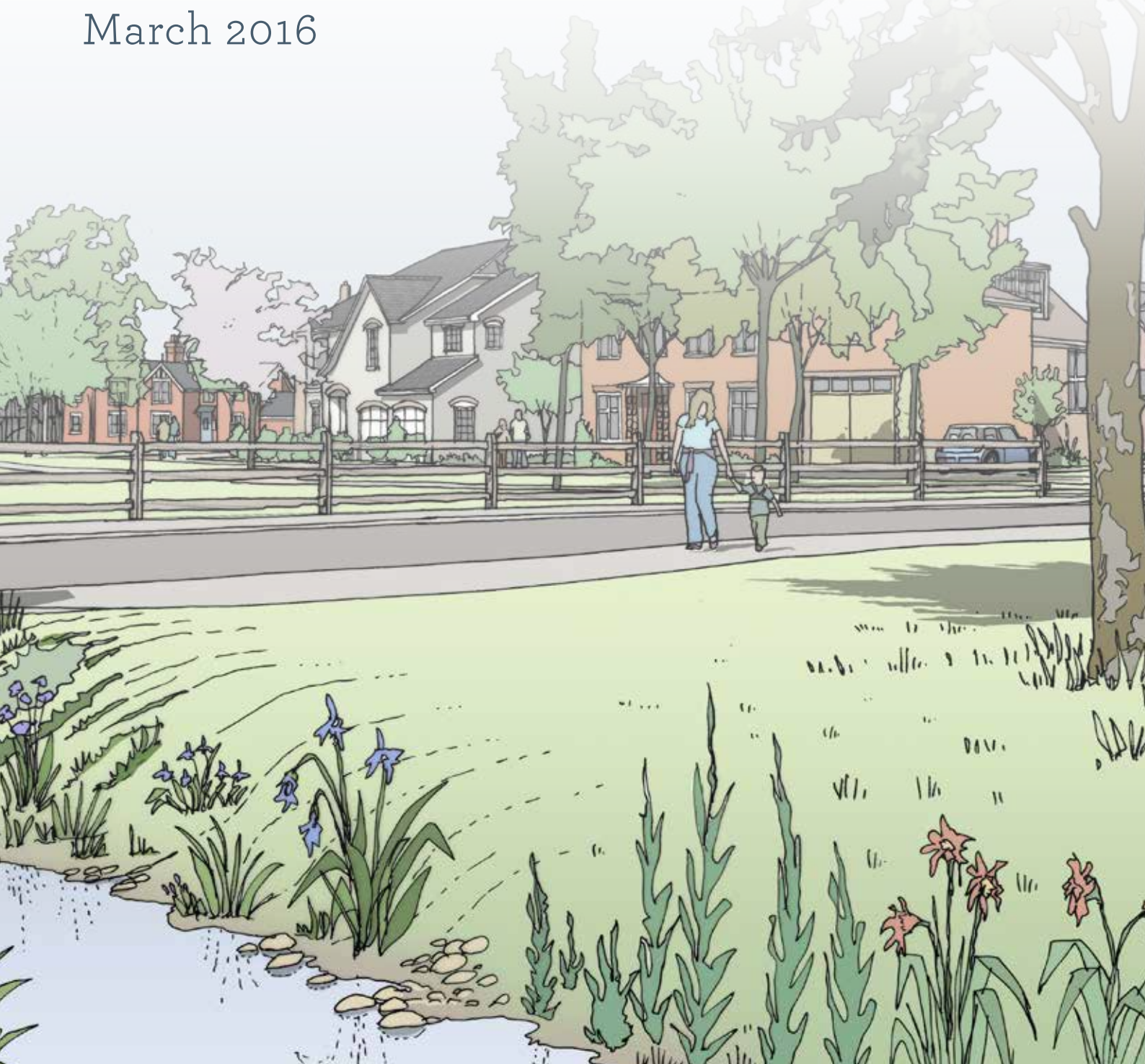




OUGHTIBRIDGE MILL

Breathing New Life into
this Former Industrial Site

Flood Risk Sequential and Exception Tests
March 2016





Nathaniel Lichfield
& Partners

Planning. Design. Economics.

Oughtibridge Mill

**Flood Risk Sequential and Exception
Test**

CEG

February 2016

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Introduction

1.0

1.1

This report accompanies an outline planning application for the redevelopment of Oughtibridge Paper Mill in Oughtibridge, Sheffield. The application proposes the delivery of residential development, including new vehicular access, areas of public open space, landscaping, and associated infrastructure. The application is made in outline with all matters other than access reserved.

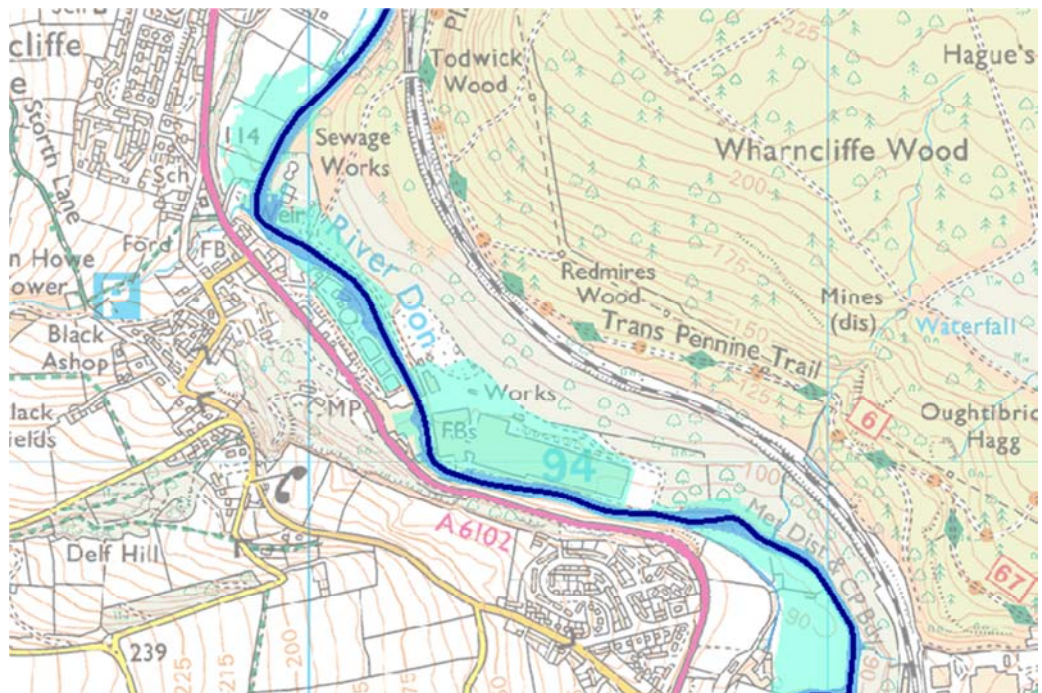
1.2

The proposed development covers an area of circa 13 ha, and comprises a brownfield site, the majority of which is currently occupied by a disused paper mill. Further details regarding the site can be found within the accompanying Planning Statement.

1.3

According to the Environment Agency's Flood Map for Planning (Rivers and Sea), the application site is located mainly within Flood Zone 2, with areas of Flood Zone 3 located along the River Don. Small parts of the site are also located within Flood Zone 1. There is therefore a requirement to undertake the Sequential and Exception Tests in line with national planning policy.

Figure 1.1 Application Site - Flood Risk



Source: <http://maps.environment-agency.gov.uk/>

1.4

The application site is located within two local authority areas, comprising land within Sheffield City Council (SCC) to the south of the River Don, and Barnsley Metropolitan Borough Council (BMBC) to the north. Part of the site has been identified as a potential housing allocation within the forthcoming Barnsley Local Plan.

1.5

This remainder of the report is structured as follows:

- Section 2.0 considers national planning policy requirements;
- Section 3.0 considers local planning policy requirements;
- Section 4.0 provides details of the Sequential Test;
- Section 5.0 provides details of the Exception Test;
- Section 6.0 provides conclusions.

2.0 National Planning Policy Framework

- 1.6 A sequential risk-based approach to determining the suitability of land for development in flood risk areas is central to the requirements of the National Planning Policy Framework (NPPF), and should be applied to both plan making and development management decisions.
- 1.7 As set out within the NPPF at paragraph 101, the aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding (i.e. Flood Zone 1). In addition, a sequential approach to site layout should be adopted in areas known to be at risk from flooding.
- 1.8 Where it is not possible to locate development in areas with a lower probability of flooding, Paragraph 102 of the NPPF sets out the Exception Test, which will be passed where a development provides wider sustainability benefits to the community that outweigh flood risk, provided that the development will be safe for its lifetime taking account of the vulnerability of its users, and without increasing flood risk elsewhere.
- 1.9 Both elements of the Exception Test must be passed for development to be permitted, and only in cases where it can be demonstrated that the development is appropriately flood resilient and that residual flood risk can be safely managed (paragraph 103).
- 1.10 Paragraph 104 sets out that individual developments on sites allocated in development plans need not apply the sequential test.

National Planning Practice Guidance

- 1.11 The National Planning Practice Guidance (PPG) sets out further detail regarding application of the Sequential and Exception Tests, and the circumstances in which development will be allocated and/or approved within areas known to be at risk of flooding.
- 1.12 Table 3 of PPG () identified residential development as development which is 'more vulnerable' to flood risk.
- 1.13 As set out in Table 2.1 below, given the small amount of Flood Zone 3 within the site, the application for residential development is required to meet the requirements of the Exception Test as well as undertaking the sequential test. Further details regarding the Exception Test are set out below, as well as within the accompanying Flood Risk Assessment (FRA) (prepared by Weetwood Services Ltd).

Table 2.1 Table 3: Flood Risk Vulnerability and Flood Zone 'Compatibility'

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	✗	Exception Test Required	✓	✓
Zone 3b	Exception Test Required	✗	✗	✗	✓

Source: PPG, Paragraph 67 (ID 7-067-20140306)

- 1.14 PPG clarifies that the purpose of the Exception Test is to help ensure that flood risk to people is managed satisfactorily, whilst allowing necessary development to go ahead in situations where sites at lower risk of flooding are not available (ID 7-023-20140306), or where the wider sustainability benefits of the development will outweigh issues of flood risk, in particular where the site in question requires redevelopment or regeneration (ID 7-036-20140306).
- 1.15 Developments relying upon the Exception Test should provide evidence of wider sustainability benefits to the community, for instance with reference to the contribution that the development makes to the overall aims and objectives of the Local Plan (Paragraph 37: Reference ID: 7-037-20140306).
- 1.16 Both Sheffield and Barnsley's Strategic Flood Risk Assessments (SFRA) Level 1 (July 2008 and September 2010 respectively) set out three key conditions for developments relying upon the Exception Test to demonstrate:
- 1 That the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a SFRA where one has been prepared. If the DPD has reached the 'submission' stage, the benefits of the development should contribute to the Development Plan Document's Sustainability Appraisal;
 - 2 That the development is on developable, previously developed land, or, if it is not on previously developed land, that there are no reasonable alternative sites on previously developed land; and
 - 3 That a detailed flood risk assessment demonstrates that the residential flood risk will be satisfactorily managed as part of the development, with reference to a number of recommended design features.
- 1.17 Section 7.4 of Sheffield's SFRA sets out that prohibiting future development within high risk flood areas may have a detrimental impact upon the economic and social welfare of the existing community. As such, whilst it is essential that a sequential approach is taken to underpin planning decisions, there may be wider planning considerations that outweigh flood risk remain and which necessitate the regeneration and/or future development within areas at risk of flooding.

- 1.18 Further guidance set out within the Barnsley Level 1 SFRA (September 2010) seeks confirmation that development on higher risk flood areas will be safe and accessible in an emergency; will be deliverable; and will fit the current mix of land uses without the need for additional flood defences elsewhere.
- 1.19 Further guidance is provided within PPG on the ways in which a developer might demonstrate that a proposed development would be safe for its lifetime, to include, inter alia, scheme design and flood defence infrastructure; access and egress; and flood warning and evacuation procedures (Paragraph: 038 Reference ID: 7-038-20140306).

3.0 Local Planning Policy Context

- 1.20 The southern part of the application site is located within SCC, and is identified within the Sheffield Unitary Development Plan (1998) as a General Industrial Area. Land to the north of the River Don is located within BMBC, and comprises Green Belt land.
- 1.21 Policies within both the Sheffield and Barnsley Development Plans (notably Sheffield Core Strategy Policy CS67: Flood Risk Management and Barnsley Core Strategy CSP4: Flood Risk) support the approach set out within NPPF and accompanying PPG, directing new development in the first instance to areas of low flood risk, and requiring new development to undertake the sequential and, where appropriate, exception test unless there is an overriding case for developing in an area with a high probability of flooding.
- 1.22 As set out above, the part of the site which falls within BMBC was proposed as a potential housing allocation (reference AC44) within the Additional Consultation on the Draft Local Plan (October 2015). The site has been considered within the Addendum to Barnsley's Sustainability Appraisal (October 2015) but not yet been subject to sequential assessment as part of the emerging Local Plan.

4.0

The Sequential Test

1.23

The approach taken to carry out the Sequential Test has been informed by Environment Agency and DEFRA guidance '*Flood risk assessment: the sequential test for applicants*' (first published 1st April 2012). This highlights the stages which need to be undertaken to apply the Sequential Test as follows:

- 1 **Stage 1:** Identify Strategic Application and Development Vulnerability;
- 2 **Stage 2:** Define the Evidence Base;
- 3 **Stage 3:** Apply the Sequential Test; and
- 4 **Stage 4:** Conclusions

1.24

The various stages of the Sequential Test are set out below.

Stage 1: Identify Strategic Application and Development Vulnerability

1.25

As set out in Table 1 above, the presence of Flood Zones 2 and 3 within the site requires the application to undertake both the Sequential and Exception Tests.

Stage 2: Define the Evidence Base

1.26

Stage 2 requires definition of the geographical area within which the sequential test will be undertaken; the sources from which potentially alternative sites will be identified; and the method to be used in order to compare flood risk between sites.

1.27

The application comprises the development up to 320 new dwellings and associated infrastructure on a previously developed, brownfield site. The development comprises a windfall housing site following the closure of Oughtibridge Paper Mill, and will provide a viable long term redevelopment opportunity for the site, which is currently vacant and in need of redevelopment to prevent further environmental deterioration.

1.28

The site therefore has unique, site specific, regeneration qualities which would not be realised in an alternative location. Furthermore, given the scale of additional housing land required within both Barnsley and Sheffield, it is acknowledged that all deliverable housing sites will need to be considered, and that the development of brownfield sites which can be made safe in flood risk terms will reduce the pressure on Green Belt sites. This is recognised by the NPPF and the accompanying PPG, as well as local planning policy, and is considered further in the Exception Test section below.

1.29

Nevertheless, this assessment has sought to identify a logical geographical area within which potentially alternative sites can be considered for the sequential assessment. This takes a proportionate approach which focusses

on a localised area of the city with reference to the housing market area which the development will serve. The application of a localised catchment was discussed during pre-application discussions with SCC.

- 1.30 As set out above, the site straddles the administrative areas of Barnsley and Sheffield. However, the site functions as part of Sheffield, will look to Sheffield for its services, and will contribute to meeting Sheffield's housing needs. It follows that the sequential test considers potentially alternative sites within the administrative area of SCC only.
- 1.31 The Spatial Strategy set out within the Sheffield Core Strategy splits the City into a number of Core Strategy Areas. The application site is located within the 'Rural Settlements' area of the spatial strategy.
- 1.32 SCC's Strategic Housing Land Availability Assessment (SHLAA), published in November 2015, arranges sites based upon ward areas as detailed within Appendix 7. The application site located within the Stocksbridge and Upper Don Ward.
- 1.33 Sheffield's Strategic Housing Market Assessment (SHMA) identifies a number of different Affordable Housing areas, of which the Stocksbridge and Upper Don Ward incorporates two Affordable Housing Market Areas: Rural Upper Don Valley and Stocksbridge and Deepcar.
- 1.34 For the purposes of the sequential assessment, it follows that consideration of alternative sites within the 'Rural Settlements' Core Strategy area; the Stocksbridge and Upper Don Ward; and the Rural Upper Don Valley and Stocksbridge and Deepcar Affordable Housing Areas provide an appropriate search area for the purposes of the sequential test.
- 1.35 The following sources have been used to identify potentially sequentially preferable housing sites within the geographical search area:
- 1 Sheffield UDP Proposals Map (2008) – Existing allocations; and
 - 2 SCC SHLAA 2015:
 - i Sites contributing to Sheffield's Five Year Housing Land Supply (Appendix 3 – Large Sites (10 or more Dwellings));
 - ii Sites identified to be deliverable after 2021/22 (Appendix 4 – Large Sites: deliverable after 2021/22); and
 - iii Sites not contributing to Sheffield's Five Year Housing Land Supply (Appendix 7 – Sites of 0.5 ha or more).

Stage 3: Apply the Sequential Test

- 1.36 Alternative sites within the SHLAA have been assessed on the basis of their ability to accommodate the development as follows:

Table 4.1 – Summary of Criteria Used for Comparison Purposes

Site Name/ Address	Location/ Ward	Flood Zone	Size (Ha)	Previously Developed	Proposed Development Type	Timescales
Oughtibridge Paper Mill	Stocksbridge & Upper Don	Flood Zones 2 and 3	13.00	Yes	Residential	Immediate delivery

- 1.37 In applying the sequential test, potentially alternative sites have been classified as follows:

Table 4.2 Key for Classification of Alternative Sites

Key for Classification of Alternative Sites	
Greenfield/Greenbelt Site	
Flood Zone 2/3 – i.e. the site offers no betterment in flood risk terms	
Site Subject to Planning Application or Existing Permission	
Site is Not Large Enough	
Requires Further Evaluation	

Allocated Sites

- 1.38 There is a single allocated housing site within a lower flood risk zone within the geographical area of search as follows:

Table 4.3 List of alternative sites within the Sheffield UDP Proposals Map (2008)

SHLAA Site Reference	Site Address	Site Area (Hectares)	Flood Zone	Greenfield/ Brownfield
S00788	Hawthorn Avenue/ Coppice Close, Stocksbridge	1.72	FZ1	Greenfield

- 1.39 This site is not sufficiently large enough to accommodate the development proposed, and comprises a greenfield site, the development of which should follow the development of brownfield land in line with national and local planning policy.

SHLAA Sites

- 1.40 A further 29 sites in the search area have been identified within the 2015 SHLAA:

Table 4 - List of alternative sites within 2015 SHLAA (Appendix, 3, 4 and 7)

SHLAA Site Reference	Site Address	Site Area (Hectares)	Flood Zone	Greenfield/ Brownfield
SHLAA Sites Within 5YHLS (Appendix 3)				
S00002	Land at Station Road, Manchester Road, Deepcar	13.70	FZ2/3	Brownfield
S01594	Site surrounding Worrall Hall Farm, Kirk Edge Road, Worrall	0.79	FZ1	Greenfield
SHLAA Sites Outwith 5YHLS (Appendix 4 and 7)				
S01274	Land at Manchester Road and adjacent to 14 Paterson Close Park Drive Way, Stocksbridge, Sheffield	0.37	FZ1	Brownfield
S00671	Site A Stocksbridge Steelworks, off	8.64	FZ1	Brownfield

SHLAA Site Reference	Site Address	Site Area (Hectares)	Flood Zone	Greenfield/Brownfield
	Manchester Road, Stocksbridge			
S00180	Land Adjacent To 237a Main Road Wharncliffe Side Sheffield	0.36	FZ1	Brownfield
S01465	Sewage works, Manchester Road, Deepcar	4.10	FZ2	Brownfield
S01471	Sweeney House, Oxley Close, Stocksbridge	0.52	FZ1	Brownfield
S01223	Former Silica Brick Works, Land off Platts Lane, Oughtibridge, Sheffield	3.14	FZ1	Brownfield
S00763	Site G Stocksbridge Steelworks, off Manchester Road, Stocksbridge	0.79	FZ2	Brownfield
S00789	Land between Rookery Vale and Manchester Road, Deepcar	1.47	FZ1	Greenfield
S01457	Kenworthy Road, Stocksbridge	1.01	FZ1	Brownfield
S02460	Rear of 30 to 42 Pot House Lane, Stocksbridge, Sheffield, S36 1ES	0.32	FZ1	Greenfield
S01157	Land between Carr Road and Haywood Lane, Stocksbridge, Sheffield	2.47	FZ1	Greenfield
S01456	Willow Road, Stocksbridge	0.36	FZ1	Brownfield
S1179	Wiggan Farm, Towngate Road, Worrall, Sheffield	1.77	FZ1	Greenfield
S01160	Land off Townend Lane (west site), Deepcar, Sheffield, S36	4.82	FZ1	Greenbelt
S01161	Land off Townend Lane (east site), Deepcar, Sheffield, S36	3.99	FZ1	Greenbelt
S01187	Land east of Langsett Road North, Oughtibridge, Sheffield, S35 0DN	3.36	FZ1	Greenbelt
S01191	Land To West And South of Wharncliffe Side Primary School, Brightholmlee Lane, Sheffield, S35 0DD	7.12	FZ1	Greenbelt
S02374	Land north of Wheel Lane Oughtibridge Sheffield S35 0HU	0.23	FZ2	Greenbelt
S02394	Land Adjacent To Briarwood, Wheel Lane, Oughtibridge, Sheffield, S35 0HU	1.55	FZ1	Greenbelt
S02396	Land at Cockshutts Lane, Sheffield, S35 0FX	3.72	FZ1	Greenbelt
S02425	Land East of Former Steelworks, Stocksbridge, S36 2TB	2.01	FZ1	Greenbelt
S02453	Land east of main road, S35	0.61	FZ1	Greenbelt
S02498	Land north of Damasel Lane, Wharncliffe Side, Sheffield S35	3.95	FZ1	Greenbelt
S02501	Land to west of Hollin Bust Farm, Hollin Busk Lane, Stocksbridge, S36	0.46	FZ1	Greenbelt
S02594	Land between junction with Long Lane and Cockshutts Lane, Sheffield, S35 0FX	0.12	FZ1	Greenbelt
S01259	Former Outokumpu Steelworks off Ford Lane, North of Manchester Road, Stocksbridge	4.26	FZ2/3	Brownfield
S02460	Rear of 30 to 42 Pot House Lane, Stocksbridge, Sheffield, S36 1ES	0.32	FZ1	Greenfield

1.41

Of the 29 sites, 15 are too small (2.0 ha or less) to accommodate a mixed and sustainable housing scheme, and would fail to provide the same level of regeneration benefit as the scale proposed.

- 1.42 Eight of the sites comprise greenfield sites, seven of which are located within the Green Belt. Local and national planning policy is clear that planning decisions should prioritise the development of Brownfield land, whilst maximising the regeneration of vacant sites within sustainable locations. Undeveloped Green Belt land should only be developed in very special circumstances. Both Barnsley and Sheffield's adopted Core Strategies give priority to the development of previously developed land, and protection of sites within the development of Green Belt land. These sites have therefore been discounted from the assessment in order to ensure a policy compliant approach.
- 1.43 Three sites (S00001, S01465 and S01259) benefit from planning permission for residential development. Whilst these sites comprise brownfield sites and associated regeneration benefits, they also contain areas of Flood Zone 2 and 3 and do not therefore provide any significant improvement in flood risk terms, particularly when mitigation measures are taken into account. Given the significant need for additional housing land to meet Sheffield's five year housing land supply and the policy priority afforded to brownfield land, all of these sites (and other brownfield allocations and windfall sites) will be needed in addition to the application site in order to meet Sheffield's housing requirement and minimise the amount of Greenbelt land in line with national and local planning policy. These sites do not therefore comprise available or suitable alternatives to the application site and have therefore been discounted from the sequential test.
- 1.44 This leaves two sites that require further evaluation as part the sequential assessment as follows:
- S00671: Site A Stocksbridge Steelworks, off Manchester Road, Stocksbridge**
- 1.45 Whilst this site has previously benefited from planning permission for residential development (05/03636/OUT), this permission has now expired. The site is still considered likely to come forward for residential development, albeit not in the short term; the 2015 SHLAA identifies the site as deliverable after 2021, and the site does not contribute to Sheffield's five year housing land supply. As set out above, given the immediate need for housing land to meet Sheffield's five year housing land supply and the policy priority afforded to brownfield land, this site make an important contribution to meeting immediate housing needs, which the alternative site cannot. Furthermore, and as set out below, other brownfield allocations and windfall sites will be needed in addition to the application site in order to meet Sheffield's housing requirement, and minimise the development of Green Belt land. The site does not therefore comprise an available sequential site to deliver immediate housing needs.

S01223: Former Silica Brick Works, Land off Platts Lane, Oughtibridge, Sheffield

- 1.46 This site appears to be in active use by Internet Refractory Products Limited. Unlike the application site, the site therefore remains in active and viable employment use and is not available for development.

Stage 4: Conclusions

- 1.47 In summary, there are no other sites within the geographical area of search which could reasonably accommodate the type of development proposed for the key reasons set out below:
- The majority of sites are too small to accommodate the development proposed, and disaggregation would fail to deliver a sustainable or mixed housing development of the scale proposed;
 - Greenfield and Green Belt sites are discounted in order to ensure a policy compliant approach to site selection, and to ensure that development is directed in the first instance to brownfield sites in need of regeneration; and
 - The application site is needed in addition to other available brownfield opportunities, regardless of their flood risk classification, in order to facilitate regeneration, meet Sheffield's immediate housing needs, and reduce pressure on the release of Green Belt land.
- 1.48 We therefore conclude that there are no alternative locations in areas of lower flood risk that could accommodate the development proposed.
- 1.49 As set out above, given the unique and site specific regeneration qualities of the application site which would not be realised in an alternative location, and the current shortfall in housing land, it is not considered that extension of the site area across the administrative area of Sheffield, or even across Barnsley, would result in the identification of an sequentially preferable site on which to locate the development.

5.0

Exception Test

1.50

Since it is not possible, following application of the sequential test, for the development to be located in a lower flood risk zone, and given the presence of small areas of Flood Zone 3 within the site, consideration has been given to the Exception Test.

1.51

The proposed development provides a number of wider sustainability benefits to the community, as outlined within the accompanying Planning Statement. These include the delivery of a range of high quality housing, including new affordable housing; creation of a mixed residential community with good pedestrian and cycle access to local shops and services and high frequency public transport routes; the provision of new on site open space and recreational routes; and the remediation of a contaminated site, providing opportunities for the protection, and enhancement, of local biodiversity.

1.52

The application contributes directly to a number of local policy requirements and objectives, including prioritising the development of brownfield sites, making efficient use of land, and protection, and enhancement, of the local environment.

1.53

In addition, the development directly contributes to a number of SCC's Sustainability Appraisal Objectives and Criteria for Evaluation adopted and applied to the Sheffield Core Strategy DPD, notably:

- Sustainability Objective 3: Decent housing available to everyone
- Sustainability Objective 5: Safety and security for people and property
- Sustainability Objective 7: Land use patterns that minimise the need to travel or which promote the use of sustainable forms of transport
- Sustainability Objective 9: Efficient use of land which makes good use of previously developed sites and buildings
- Sustainability Objective 10: A quality built environment
- Sustainability Objective 20: Efficient use of physical infrastructure

1.54

The development also indirectly contributes to other SA objectives, including creating conditions which engender good health (SA Objective 4); the provision of recreation facilities (SA Objective 6); the maintenance and enhancement of natural landscapes and wildlife (SA Objectives 12 and 13); and the prudent use and minimisation of energy and waste (SA Objectives 16, 18 and 19).

1.55

These objectives generally mirror Barnsley's adopted SA Objectives, and therefore contribute to the achievement of sustainability criteria within BMBC.

1.56

The FRA prepared by Weetwood and submitted with the application demonstrates that the development can be safely accessed and occupied taking account of the vulnerability of its users through a variety of measures designed in consultation and agreed in principle with the Environment Agency, including:

- 1 The raising of ground floor levels of the site so that the platform is above a level of the modelled 1 in 1,000 annual probability event;
- 2 Setting finished floor levels at 0.15m above adjacent ground levels following the reprofiling of the site;
- 3 Provision of the bridge soffit levels at a minimum level of the 1 in 100 annual probability event including an allowance for climate change plus a 600 mm freeboard; and
- 4 Preparation of a flood risk management plan.

1.57 This will ensure that the development is safe from flood risk and that flood risk will not be increased for the lifetime of the development. The FRA also confirms that surface water from impermeable surfaces and foul water from the development site can be sustainably managed in accordance with local and national planning policy, and that flood risk will not be increased for the lifetime of the development.

1.58 The development meets the criteria set out within the Sheffield SFRA against which proposals seeking to draw upon the Exception Test are judged.

1.59 The Exception test, as applied both nationally and locally, is therefore passed in this case.

6.0

Conclusion

- 1.60 In conclusion, the application site comprises a vacant, large scale brownfield site in need of regeneration. The site is predominantly located in Flood Zone 2, with small areas in Flood Zone 1 and areas adjacent to the River Don located in Flood Zone 3. Part of the site is identified as a potential housing allocation within the forthcoming Barnsley Local Plan.
- 1.61 Consideration has been given to the potential for the scheme to be located in a lower flood risk zone, which has demonstrated that there are no alternative sites in lower flood risk zones which would deliver this unique and site specific opportunity.
- 1.62 A balance therefore needs to be struck between managing the site's residual flood risk, and maximising its regeneration through application of the Exception Test. This demonstrates clear sustainability benefits to the wider community which outweigh issues of flood risk, on the basis that the development will be safe for its lifetime taking account of the vulnerability of its users, and flood risk will not be increased elsewhere.
- 1.63 The development also meets the criteria set out within the Sheffield and Barnsley SFRAs against which proposals seeking to draw upon the Exception Test are judged.
- 1.64 The requirements of local and national planning policy are therefore satisfied in this case.



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