

Land at School Road Elmswell

Town & Country Planning Act 1990 - Appeal by
Christchurch Land & Estates (Elmswell South) Limited –
Land at School Road, Elmswell, Suffolk, IP30 9NL (Appeal
reference APP/W3520/W/25/3364061)

Proof of Evidence: Flood Risk Sequential Test

Chris Patmore CEnv, BEng, DIP EIA, MEnvSci, MCIHT, MCIWEM.



ENV-HYD-21888
Sequential Test
Response
R1.2
04 Aug 2025

REPORT

Document status

Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
V01	Draft for comment	C Patmore	-	-	31/07/25
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Approval for issue

C Patmore

04/08/25

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- Appendix A** - Wardell Armstrong drawing BM12457-001 Rev E
- Appendix B** - Masterplan with the new 2025 surface water mapping overlain

1 Introduction

1.1 Personal Details – Qualifications and Experience

- 1.1.1 I am Chris Patmore. I am a Chartered Environmentalist a Member of the Institution of Environmental Sciences, a Member of the Institution of Highways and Transportation and a Member of the Chartered Institution of Water and Environmental Management. I have a Bachelor of Engineering (BEng) degree in civil engineering and a Diploma (DIP) in environmental impact assessment.
- 1.1.2 I am a Technical Director of RPS UK Limited and have been engaged in the planning, assessment and detailed design of drainage and flood risk infrastructure for over thirty years.
- 1.1.3 More recently I have been involved in a large number of sequential test reviews, reporting and at appeal.
- 1.1.4 RPS UK Limited is part of the TetraTech group providing consulting, engineering, program management, and construction management services in the areas of water, environment, infrastructure, resource management, energy, and international development.
- 1.1.5 I have been appointed to provide advice on the Sequential Test elements of flood risk and drainage for the Appellant.

1.2 Declaration

- 1.2.1 I am instructed by Christchurch Land & Estates (Elmswell South) Limited to prepare and present evidence at the Appeal: reference APP/W3520/W/25/3364061.
- 1.2.2 The evidence which I have prepared for this Inquiry is true and has been prepared and is given in accordance with the guidance of my professional institutions.

1.3 Structure of Evidence

- 1.3.1 I note that The Inspector has stated in the “Inspector’s Note and Agenda” issued 23 July 2025:
- “9. The Inspector is aware that Reason for Refusal 2 on the Decision Notice, which relates to flood risk is no longer contested. Nevertheless, she will need to be satisfied that the Sequential Test is not necessary, therefore, this may form a main issue.”***
- 1.3.2 My proof of evidence is therefore structured as follows:
- Section 2 sets out the Mid Suffolk District Council Reasons for Refusal relevant to this evidence;
 - Section 3 Deals with Part 1: *“Insufficient information has been provided to demonstrate that the development would be safe for its lifetime and that it would not increase flood risk elsewhere”*;
 - Section 4 Deals with Part 2: *“The proposal fails to pass the sequential test”*.

2 Reason for Refusal 2

- 2.1.1 This proof is in response to the Mid Suffolk District Council refusal letter dated 29th October 2024 in relation to the development proposals for a 66 bed Care Home plus 40 assisted living bungalows, Admin/Management building, a club house, communal areas, carparking and green spaces application.
- 2.1.2 In particular, Point 2:
- “The site is shown to experience surface water flooding issues moving east to west through the site from Parnell Lane and School Road. Insufficient information has been provided to demonstrate that the development would be safe for its lifetime and that it would not increase flood risk elsewhere. The proposal fails to pass the sequential test and is therefore contrary to policy LP27 of the Babergh and Mid Suffolk Joint Local Plan as well as paragraphs 165, 167, 168 and 173 of the NPPF.”***
- 2.1.3 This reason was in fact the district council’s response to a holding objection from Suffolk County Council acting as lead local flood authority (LLFA) to the application pending receipt of further information from the applicant. That information had, I believe, been supplied in advance of the refusal notice being issued and Mr Brown, the agent on the application made submissions to the Council in that respect in order to avoid the resolution of the committee on this issue being incorporated into the refusal notice. The reason was included nonetheless.
- 2.1.4 Since this application was first submitted submission and subsequent planning response a number of changes have been made to the NPPF, PPG and its guidance as well as updates to the EA flood mapping and Flood Maps for Planning. These have a material impact on the statements in the refusal. Notwithstanding these, other key factors should be considered as explained below. These include:
- Updated NPPF – December 2024
 - Updated Environment Agency flood mapping for fluvial and surface water flood risk – January 2025
 - Updated Environment Agency Flood Maps for Planning – March 2025
- 2.1.5 The Reason for Refusal 2 can be considered in two parts.
- Part 1: Insufficient information has been provided to demonstrate that the development would be safe for its lifetime and that it would not increase flood risk elsewhere; and
 - Part 2: The proposal fails to pass the sequential test.
- 2.1.6 I have responded to these parts in the sections below.

3 Part 1: Insufficient information has been provided to demonstrate that the development would be safe for its lifetime and that it would not increase flood risk elsewhere

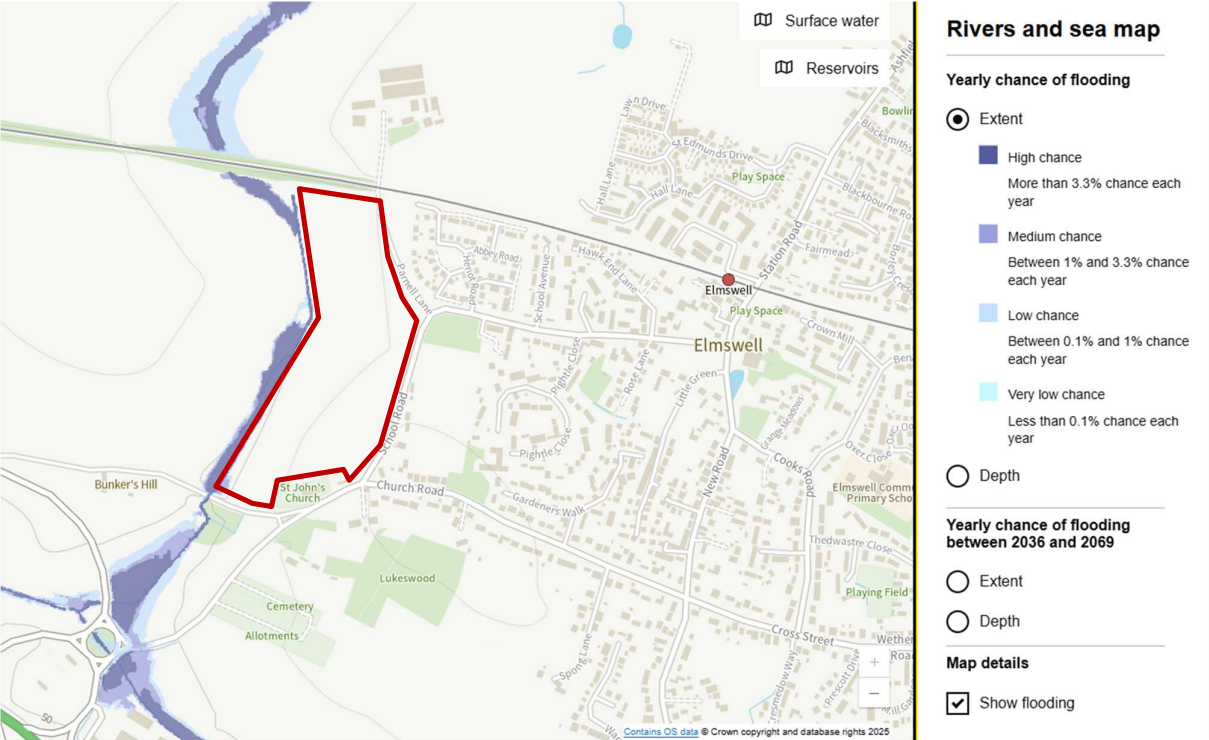
3.1 Introduction

- 3.1.1 The Wardell Armstrong Flood Risk Assessment + Drainage Strategy (Received by the Council on 05/12/2023) and Drainage Details BM12457-001-D (Received by the Council on 04/03/2024) included details of the site drainage and layout as well as flow routing and attenuation. It is noted that the Council's response and Suffolk County Council (as LLFA) do not see the fluvial (Flood Zones 2 and 3) to be a main impact on the site and it is primarily surface water risk that is being considered.

3.2 “The development would be safe for its lifetime”

- 3.2.1 With reference to the published flood zone mapping, Flood Zones 2 and 3 do not extend into the site save for a minor encroachment within an area of open space.
- 3.2.2 The indicative drainage strategy (Wardell Armstrong drawing BM12457-001 Rev E) is attached as **Appendix A** for information. This layout shows that the existing flood risk areas are outside the development areas and that any overland flood flow pathways are either maintained or are integrated into the layout. These details also show that built development is located outside all the identified flood areas (fluvial and surface water) as stated in Section 6 of the FRA with appropriate freeboard to protect against any form of flooding. It should be noted that this plan includes the pre-January 2025 EA surface water mapping which is now reduced as described below.
- 3.2.3 The updated EA flood mapping (28 January 2025) again shows the site to be predominantly outside any areas impacted by fluvial flood risk (see **Figure 1** below). **Appendix B** includes the masterplan with the new 2025 surface water mapping overlain. This shows all surface water flood risk to be outside the development areas.

FIGURE 1: EA published River and Sea flood map (accessed Feb 2025)



3.2.4 This is repeated in the new Flood Maps for planning as updated on 25 March 2025. **Figure 2** shows the new mapping.

FIGURE 2: EA published “Flood Map for Planning” – Flood Zones (accessed Mar 2025)



3.2.5 Reference to the new published surface water mapping (**Figure 3a**) shows that the predicted impact is less from surface water than previously indicated. One of the small overland flood flow routes is not shown at all until climate change is factored in and then only remains as a shallow low risk route (**Figure 3b**). These are accommodated within the drainage and masterplan.

- 3.2.6 It should also be noted that the Babergh and Mid Suffolk SFRA Level 1 (2020) and Level 2 (2020), Suffolk County Council PFRA (2016) and Suffolk County Council PRFA (2011) has been reviewed and that there are no records of historical surface water flooding affecting the site.
- 3.2.7 Also, with reference to the updated Flood Map for Planning (**Figure 4**), this also shows surface water flood risk and if considering even the low risk extreme event (1 in 1000 year) the mapping is not indicating surface water risk through the proposed built development.

FIGURE 3a: EA published Surface Water flood map (accessed Feb 2025)



FIGURE 3b: EA published Surface Water flood map (accessed Feb 2025) – with climate change

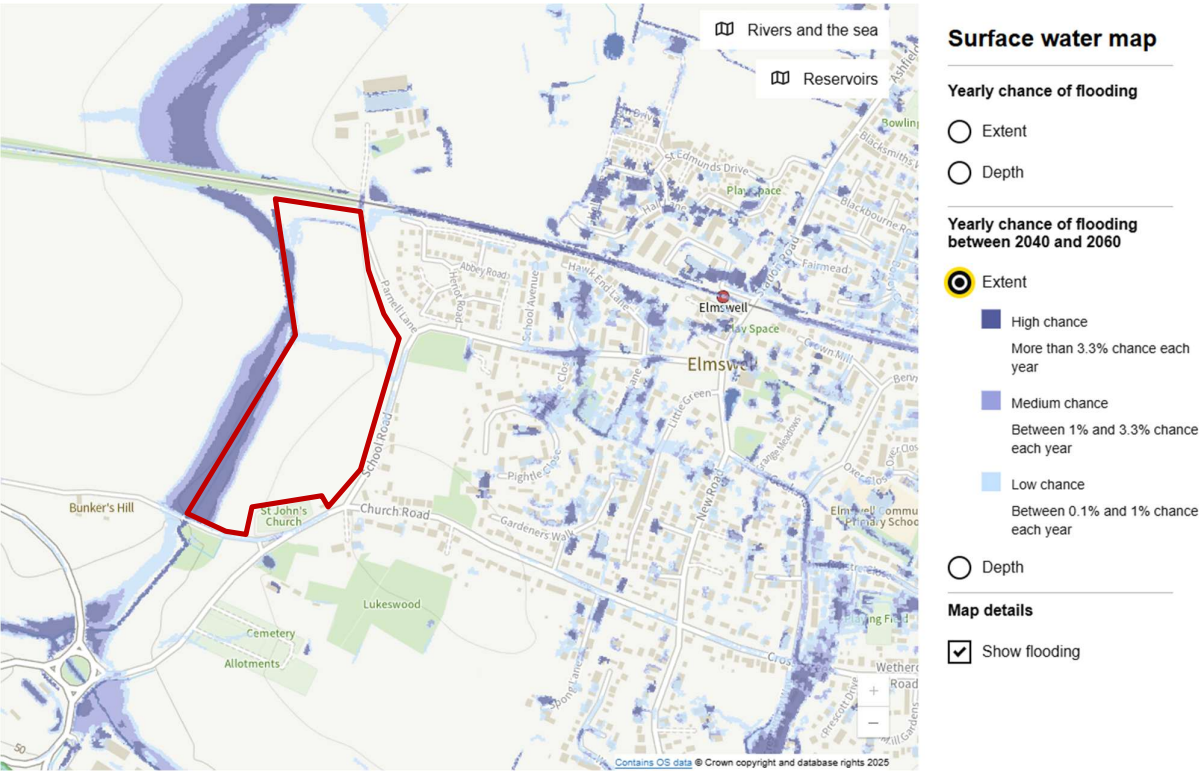
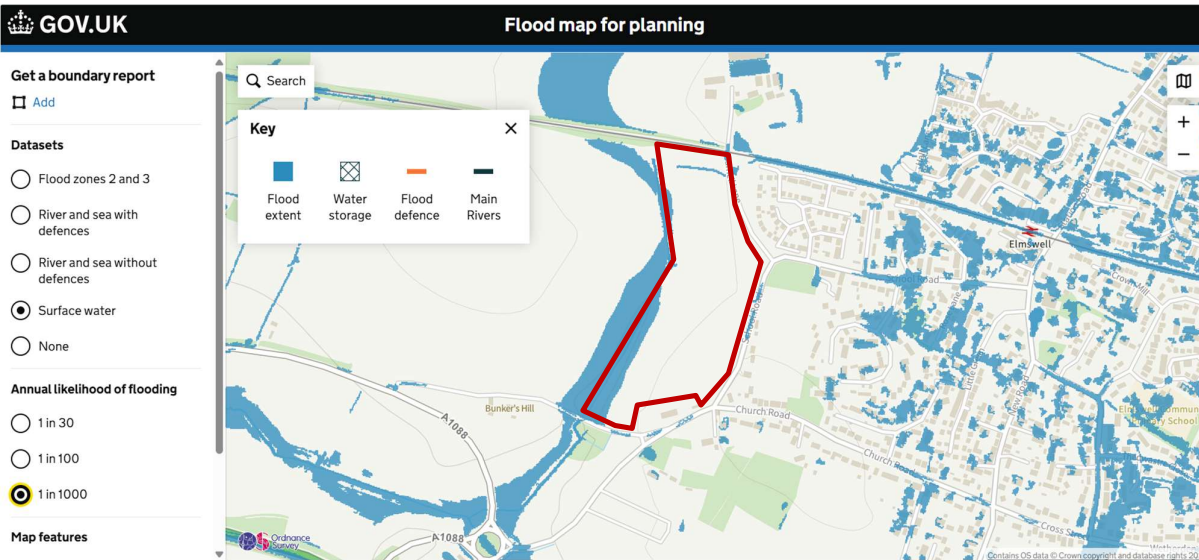


FIGURE 4: EA published “Flood Map for Planning” – Surface Water (accessed Mar 2025)



3.2.8 Further evidence has been supplied by the land owner, Peter David Over, of Elmswell Hall Farm in the form of a “Statutory Declaration of Peter David Over”, dated 1st August 2025. This document contains reference to flood risk and observed flooding instances.

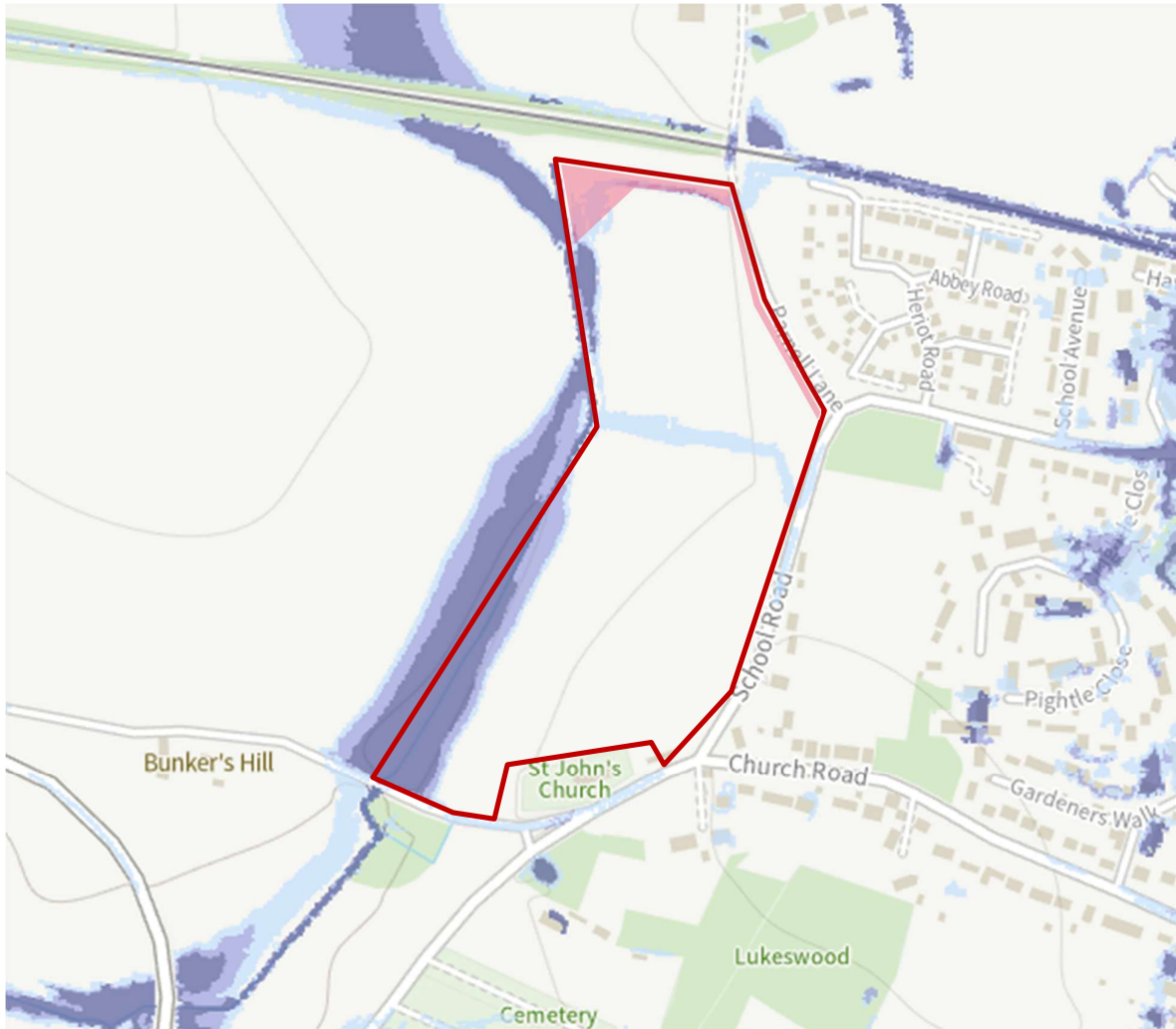
3.2.9 In this document Peter Over states:

“5 There are small areas within the site where there may be the odd depression, and this is noticeable in the north-west corner. When there is very heavy rainfall,

what sometimes happens is that the rain runs down our drive and down Parnell Road. It also tends to divert down the footpath at the top of the field as it makes its way eastwards towards the drainage ditch and pools in this north-west corner. I have coloured the area pink and with pink hatching on the plan attached at PDO2. This pooling is temporary, as the water tends to disappear in half an hour once the rain stops."

- 3.2.10 The drawing referenced as "PDO2" shows the location of this flooding. I have taken the approximate extent of observed flooding and superimposed (in pink) this onto the extract from the EA published Surface Water flood map (accessed Feb 2025) – with climate change shown as Figure 3b above.

FIGURE 5: EA published Surface Water flood map (accessed Feb 2025) – with climate change and observed flooding (Peter David Over)



- 3.2.11 This observed flood extent mirrors the EA predicted flooding in the north-west corner of the site. This area has also been excluded from the development plans in accordance with NPPF Paragraph 175, as discussed further in Section 4 below.

3.3 “It would not increase flood risk elsewhere”

- 3.3.1 The proposed drainage strategy is based on 2 No. attenuation Basins to reduce runoff to the greenfield runoff rate of 6.2l/s for all events up to and including the 1 in 100 yr + climate change event. This will result in a reduction in offsite flows from within the development area compared to existing situation for all events up to and including the 1 in 100 yr + 40% climate change event. As the event storm increases there is increasing betterment over the existing situation as described in the FRA Section 4 and summarised below:

TABLE1: - Pre and post development runoff rates

Pre and post development runoff rates		
Storm Event	Greenfield Runoff Rate (l/s)	Design Runoff Rate (l/s)
QMED	5.70	6.20
QBAR	6.24	6.20
Q1	5.50	6.20
Q2	5.63	6.20
Q30	16.13	6.20
Q100	22.53	6.20

- 3.3.2 By locating development areas outside the flood zones and flood flow pathways, this meets the underlying purpose of the final paragraph of the Standing Advice (as described in Section 4 below). Moreover, if we consider the impact of flood zones and flood flow pathways on the built development the following calculated impacted areas are:

TABLE 2: Areas of Site within Identified Fluvial Flood Zones

Areas of Site within Identified Fluvial Flood Zones									
Site Area	Percentage of Site in EA Flood Zones			Risk of Flooding from Rivers and Seas – Present Day (Jan 25 Update)			Risk of Flooding from Rivers and Seas – With Climate Change (Jan 25 Update)		
	Flood Zone 1	Flood Zone 2	Flood Zone 3	Low	Medium	High	Low	Medium	High
11.9 ha (Total Site)	84.93%	8.18%	6.90%	1.92%	1.79%	1.37%	1.92%	1.79%	1.37%
2.2 ha (Development area)	0.00%	0.00%	0.00%	>1.00%	>1.00%	>1.00%	>1.00%	>1.00%	>1.00%

- 3.3.3 This shows that the built development is sequentially located within the site outside any of these flood areas. There is a minor element of the access road that crosses a flow path that has been identified as “low” and with no perceptible flood depth or calculated velocity shown on the published data.
- 3.3.4 This shows that the site is safe for its lifetime and does not increase flood risk elsewhere.

4 Part 2: “The proposal fails to pass the sequential test”

- 4.1.1 The drainage strategy and the masterplan layout are in accordance with best practice, national policy as well as meeting the methodology stated in a recently update to the NPPF technical guidance (National flood risk standing advice for local planning authorities - GOV.UK (www.gov.uk)) dated 23/08/2024 which relates to the sequential test and states:

“When development is exempt from the sequential test

A development is exempt from the sequential test if it is a:

- ***householder development like residential extensions, conservatories or loft conversions***
- ***small non-domestic extensions with a footprint of less than 250 square metres***
- ***change of use (except changes of use to a caravan, camping or chalet site, or to a mobile home or park home site)***

A development is also exempt from the sequential test if it is a development on a site allocated in the development plan through the sequential test and:

- ***the proposal is consistent with site’s allocated use***
- ***there have been no significant changes to the known level of flood risk to the site, now or in the future, which would have affected the outcome of the test***

You may not need a sequential test if development can be laid out so that only elements such as public open space, biodiversity and amenity areas are located in areas at risk of any source of current or future flooding.”

- 4.1.2 A more recent update of the NPPF has introduced the following:

“175. The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk).”

- 4.1.3 This is supplemented by the statement within Paragraph 172, that states:

“172. All plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk...” [although this paragraph is more applicable to the preparation of local plans]

- 4.1.4 As described above, there is no ***“residual risk”*** once the measures within the FRA and drainage strategy are implemented.

- 4.1.5 The overall risk of flooding to this site is minimal and outside the development platforms. The type of development is also bespoke and not a typical residential development.

- 4.1.6 There appears to be a blanket statement within the Council's Committee Report (undated – Ref item 7C: DC/23/05651) that:

“evidence presented to the Planning Inspectorate during the examination of the JLP which noted that sufficient permissions had been granted to allow the Council time to bring forward Part 2 of the JLP. It is considered that these permissions represent more suitable sites than the application site which indicates that the sequential test would be failed in this instance.”

- 4.1.7 This would only be the case should the development be similar to those presented at the inquiry and if the housing needs numbers have been met in the districts. As stated in the application, this development is for **“a 66 bed Care Home plus 37 assisted living bungalows, Admin/Management building, a club house, communal areas, carparking and green spaces application”** on a site where the residual risk has been addressed and the actual quantum of flood risk is minimal.
- 4.1.8 It seems that running a sequential test on this development without consideration of the new flood mapping and mitigation as well as development layout approach is contrary to the new NPPF and the recently issued Standing Advice. I submit that, without reference to the latest flood mapping, the development considers the potential flood risk and incorporates this in a well-structured, efficient and easy to maintain way.
- 4.1.9 With the new published flood mapping, I therefore conclude that running a sequential test would not be required in this case. There is simply no reasonable or objective basis for concluding that surface water flooding is a risk for this site or the development proposed which would justify applying a sequential test. Indeed, the flood maps demonstrate the site is at far less risk than most of the existing settlement of Elmswell. I consider that neither the letter nor the spirit of the advice contained in government policy on the application of the flood risk test applies to this scheme.
- 4.1.10 In light of the changes that have arisen, and the submissions made by the appellant on these issues, the County Council submitted a draft Statement of Common Ground on the 9th June 2025 to the Appellant seeking to agree matters relating to flood risk with a view to withdrawing reason for refusal No 2. It would appear from their planning appeal statement of case that the council has supported this move by the county council. We responded to the draft statement with some suggested further changes on the 16th June 2025. The county council have requested an updated site specific Flood Risk Assessment (FRA) in light of the updated mapping which work is currently being undertaken.

Appendices

Appendix A

Wardell Armstrong drawing BM12457-001 Rev E



DO NOT SCALE FROM THIS DRAWING

REFERENCE

INDICATIVE SITE BOUNDARY

EXISTING ANGLIAN WATER FOUL SEWER

EXISTING ANGLIAN WATER FOUL SEWER MANHOLE

EXISTING ANGLIAN WATER SURFACE SEWER

EXISTING ANGLIAN WATER SURFACE SEWER MANHOLE

PROPOSED PRIVATE SURFACE WATER SEWER APPLICATION DC/18/02146

PROPOSED PRIVATE SURFACE WATER MANHOLE APPLICATION DC/18/02146

SURFACE WATER SEWER EASEMENT

PUBLIC SWS PROPOSED DIVERSION

PUBLIC SURFACE WATER MANHOLE PROPOSED DIVERSION

PROPOSED SECTION OF SEWER TO BE ABANDONED

PROPOSED PUMPING STATION LOCATION

INDICATIVE FOUL RISING MAIN ROUTE

WATERCOURSE EASEMENT

ATTENUATION BASIN TIE-INS

ATTENUATION BASIN 3.5m MAINTENANCE STRIP

ATTENUATION BASIN

FLOOD ZONE 2

FLOOD ZONE 3

SURFACE WATER FLOOD EXTENTS 30YR

SURFACE WATER FLOOD EXTENTS 100YR

SURFACE WATER FLOOD EXTENTS 1000YR

SURVEY CONTOURS (mAOD)

EXCEEDANCE FLOOD ROUTES

PROPOSED SURFACE WATER PLUVIAL FLOOD ROUTE

REPROFLED GROUND

NOTES

1. DO NOT SCALE FROM THIS DRAWING. ALL DIMENSIONS MUST BE CHECKED/VERIFIED ON SITE.

2. ALL DIMENSIONS ARE IN METERS UNLESS STATED OTHERWISE.

3. ALL LEVELS ARE IN METERS ABOVE ORDNANCE DATUM.

4. TOPOGRAPHICAL SURVEY BY MIDLAND SURVEY LTD. DWG NO 38441, DATED MARCH 2021.

5. BASED ON FIGURE 9 BY PEGASUS GROUP DRG NO. P22-1167, EN. 0009, D

6. SURFACE WATER FLOOD RISK AND FLOOD ZONES FROM EA DATA.

7. ATTENUATION DESIGNED FOR ALL EVENTS UP TO AND INCLUDING THE 100yr + 40% CLIMATE CHANGE STORM.

8. FEH13 RAINFALL STATISTICS USED IN ATTENUATION CALCULATIONS.

9. ATTENUATION BASINS ARE INDICATIVE AND SUBJECT TO DETAILED DESIGN.

E

Ponds, layout and flood routes updated

08/04/24

HRK

JB

JB

D

Second Pond Added and Pond 1 Updated

21/02/24

KN

CD

SK

C

Maintenance Strip Added and Pond Update

31/01/24

KN

CD

SK

B

Client Name Updated

13/11/23

HS

AG

KW

A

First Issue

16/10/23

HS

AG

KW

REVISION

DETAILS

DATE

BY

CHKD

APPRD

CLIENT

CHRISTCHURCH LAND AND ESTATES (ELMSWELL SOUTH) LIMITED

PROJECT

LAND OFF SCHOOL ROAD, ELMSWELL (PHASE 2)

DRAWING TITLE

INDICATIVE DRAINAGE STRATEGY

DRG No.

BM12457-001

REV

E

SUIT. CODE

DRG SIZE

A1

SCALE

1:1250

DATE

16/10/23

DRAWN BY

HG

CHECKED BY

AG

APPROVED BY

KW

wardell armstrong

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N:\BM\BM12457 - LAND OFF SCHOOL ROAD ELMSWELL\03 - DESIGN\AUTOCAD\BM12457-001-E INDICATIVE DRAINAGE STRATEGY.DWG

Appendix B

Masterplan with the new 2025 surface water mapping overlain

C:\Environment\1 - Projects\The Elmwell\21888 - School Road Flood Overlay\21888-RPS-xx-xx-DR-D-1000.dwg



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Notes

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PRELIMINARY

SUBJECT TO DETAILED DESIGN

This drawing illustrates a sketch proposal only and as such is subject to detailed site investigation including ground conditions, contaminants, drainage, design and planning/conservation regulations. The layout may be based upon an enlargement of an OS sheet or other small scale plans and its accuracy will need to be verified by survey. Full risk analysis under the CDM Regulations has not been undertaken.

KEY

Surface Water Manhole

Surface Water Pipe Line

Surface Water Headwall

Foul Water Manhole

Foul Water Pipe Line

Existing Surface Water Sewer

Existing Foul Water Sewer

Existing Combined Sewer

Permeable Paving

Geocellular Crates

LEGEND

Extent of Low Surface water Flood Risk with 40% Climate Change (2025 mapping)

NOTES

1. Surface Water Flood Mapping taken from Environment Agency Data 2025

2. Mapping shows is for the Climate Change extents (2060) - 40%

P01	First Issue	RL	CP	10/06/25
Rev	Description	By	Ckd	Date

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Client

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Project

School Road, Elmwell

Title

2025 Flood Map Overlay

Status

For Issue

Scale

1:x @A0

Date Created

10.06.2025

Task Team Manager

C Patmore

Information Author

RL

Task Information Manager

CP

Document Number

21888-RPS-xx-xx-DR-D-1000

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Revision

P01

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