London Borough of Waltham Forest

Sequential and Exceptions Test for the Core Strategy
Sequential and Exceptions Test for the Core Strategy

Introduction

The London Borough of Waltham Forest is in North East London and is bordered on the eastern side by the River Lea. It’s neighbours are the London Boroughs of Enfield, Hackney, Haringey, Redbridge, Newham and the County of Essex.

This paper sets out the Sequential and Exception Tests relating to the key regeneration areas in the Borough, as contained in the Core Strategy. These areas are:

- Walthamstow Town Centre
- Blackhorse Lane
- Northern Olympic Fringe and Lea Bridge
- Wood Street.

The Sequential and Exception Tests follow the steps outlined in figures 4.1 and 4.2 of the PPS25 Practice Guide (June 2008). They also draw upon information gathered and detailed within the Borough’s Strategic Flood Risk Assessment (SFRA). The Level 1 SFRA was undertaken as part of the North London Waste Plan (published in August 2008) and divides the Borough into zones of low, medium and high flood risk.
The future Level 2 SFRA will review the hazard posed to properties and life within each identified development area, or Area Action Plan, in order to inform decisions about whether development can go ahead and appropriate mitigation measures.

As the risk of flooding in the Borough comes from a variety of sources (rivers, the Thames Catchment, groundwater, the blockage of culverts and gullies, the
surcharging of the underground sewer system and surface water), the Level 2 SFRA demonstrated that two of these key regeneration areas, namely the Northern Olympic Fringe and Blackhorse Lane, lie within all three flood zones: 1 (low risk), 2 (medium risk), 3a (high flood risk) and 3b (functional floodplain). The other two regeneration areas lie wholly within zone 1.

For areas in flood zone 1, the choice of appropriate land use is not constrained by flooding considerations. In all other zones, however, it is. Such development will therefore have to be subject to a Sequential Test and, if necessary, an Exception Test. These tests are briefly summarised below.

**Sequential Test**

The primary objective of PPS25 is to steer new development towards areas at the lowest probability of flooding. A sequential approach is therefore advocated in order to achieve this. This requires that, only if there are no reasonably available sites in Flood Zone 1, can development be located in Flood Zone 2 and then Flood Zone 3. Within each Flood Zone, new development should also be directed to sites at the lowest probability of flooding from all sources (as indicated by the SFRA).

<table>
<thead>
<tr>
<th>Essential Infrastructure</th>
<th>• Essential transport infrastructure (including mass evacuation routes) which has to cross the area at risk, strategic utility infrastructure, including electricity generating power stations and grid and primary substations.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highly Vulnerable</td>
<td>• Police stations, Ambulance stations and fire stations and Command Centres and telecommunications installations required to be operational during flooding. • Emergency dispersal points • Basement dwellings • Caravans, mobile homes and park homes intended for permanent residential use, • Installations requiring hazardous substances consent</td>
</tr>
<tr>
<td>More Vulnerable</td>
<td>• Hospitals • Residential institutions such as residential care homes, children’s homes, social services homes, prisons and hostels • Buildings used for: dwellings houses, student halls of residence, drinking establishments, nightclubs and hotels • Non-residential uses for health services, nurseries and educational establishments • Landfill and sites used for waste management facilities for hazardous waste • Sites used for holiday or short-let caravans and camping, subject to a specific warning and evacuation plan.</td>
</tr>
<tr>
<td>Less Vulnerable</td>
<td>• Buildings used for: shops, financial, professional and other service, restaurants and cafes; hot food takeaways, offices, general industry, storage and distribution, non-residential institutions not included in ‘more vulnerable’ 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 working). • Water Treatment Plants • Sewage Treatment Plants (if adequate pollution control measures are in place).</td>
</tr>
</tbody>
</table>
The test then assesses each of these classifications against the level of flood risk on a site. PPS25 presents this in matrix form, this indicating whether the development would be appropriate in flood risk terms, whether it should be subject to a Sequential Test and (if necessary) an Exception Test, or whether it should not be permitted. This matrix can be seen in table 2, this incorporating a “traffic light” system to show the above.

Flood Risk Vulnerability and Flood Zone ‘Compatibility’

<table>
<thead>
<tr>
<th>Flood Risk Vulnerability classification</th>
<th>Essential Infrastructure</th>
<th>Water Compatible</th>
<th>Highly Vulnerable</th>
<th>More Vulnerable</th>
<th>Less Vulnerable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone 1</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Zone 2</td>
<td>✓</td>
<td>✓</td>
<td>Exception Test required</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Zone 3a</td>
<td>Exception Test required</td>
<td>✓</td>
<td>x</td>
<td>Exception Test required</td>
<td>✓</td>
</tr>
<tr>
<td>Zone 3b</td>
<td>Exception Test required</td>
<td>✓</td>
<td>x</td>
<td>x</td>
<td>x</td>
</tr>
</tbody>
</table>

**Exception Test**

For the Exception Test to be passed it must be demonstrated that:

a) 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 Core Strategy’s Sustainability Appraisal;

b) the development should be 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

c) a FRA must demonstrate that the development will be safe, without increasing flood risk elsewhere, and where possible, will reduce flood risk overall.

The following land uses are proposed in the key regeneration areas:

<table>
<thead>
<tr>
<th>Key Regeneration Area</th>
<th>Flood Risk Zone</th>
<th>Potential Uses</th>
<th>Flood Vulnerability Classification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Walthamstow Town Centre</td>
<td>1</td>
<td>• Residential</td>
<td>• More vulnerable</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Retail floorspace</td>
<td>• Less vulnerable</td>
</tr>
</tbody>
</table>
The following table shows the Appropriateness of the Proposed Uses in Flood Risk Terms.

<table>
<thead>
<tr>
<th>Key Regeneration Area</th>
<th>Flood Risk Zone</th>
<th>Appropriateness of Proposed Uses</th>
<th>Proposed Uses Affected</th>
</tr>
</thead>
<tbody>
<tr>
<td>Walthamstow Town Centre</td>
<td>1</td>
<td>All proposed uses are appropriate</td>
<td>Residential, Retail floorspace, Office and Commercial Uses, Transport infrastructure, Community Facilities, Open Spaces, Leisure Uses</td>
</tr>
<tr>
<td>Blackhorse Lane</td>
<td>1</td>
<td>All proposed uses are appropriate</td>
<td>Residential, Retail floorspace, Office and Commercial Uses, Transport infrastructure, Community Facilities, Open Spaces, Leisure Uses, Schools</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>All proposed uses are appropriate</td>
<td>Residential</td>
</tr>
</tbody>
</table>

### Key
- **Walthamstow Town Centre**: 1 all proposed uses are appropriate
- **Blackhorse Lane**: 1 all proposed uses are appropriate, 2 all proposed uses are appropriate
- **Wood Street**: 1 all proposed uses are appropriate
- **Northern Olympic Fringe**: 1, 2, 3, 3b all proposed uses are appropriate

### Flood Risk Zone
- **Walthamstow Town Centre**: 1
- **Blackhorse Lane**: 1, 2
- **Northern Olympic Fringe**: 1, 2, 3, 3b
- **Wood Street**: 1

### Appropriateness of Proposed Uses
- Residential
- Retail floorspace
- Office and Commercial Uses
- Transport infrastructure
- Community Facilities
- Open Spaces
- Leisure Uses
- Schools
- Water compatible use
- Essential Infrastructure
- Less/more vulnerable
- More vulnerable
- Less vulnerable
<table>
<thead>
<tr>
<th>3a</th>
<th>Water compatible and less vulnerable uses are appropriate</th>
<th>Retail floorspace, Office and Commercial Uses, Community Facilities, Open Spaces, Leisure Uses, Schools</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Essential infrastructure and more vulnerable uses are required to pass the Exception test.</td>
<td>Residential, Transport infrastructure, Community Facilities, Schools</td>
</tr>
<tr>
<td></td>
<td>Water Compatible Uses are appropriate</td>
<td>Open Spaces</td>
</tr>
<tr>
<td></td>
<td>Essential Infrastructure is Required to pass the Exceptions Test</td>
<td>Transport infrastructure</td>
</tr>
<tr>
<td></td>
<td>More vulnerable and less vulnerable uses are not appropriate</td>
<td>Residential, Retail floorspace, Office and Commercial Uses, Community Facilities, Leisure Uses, Schools</td>
</tr>
</tbody>
</table>

### Northern Olympic Fringe

<table>
<thead>
<tr>
<th>1</th>
<th>All proposed uses are appropriate</th>
<th>Residential, Walthamstow Wetlands, Retail floorspace, Office and Commercial Uses, Transport infrastructure, Community Facilities, Open Spaces, Leisure Uses, Schools</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>All proposed uses are appropriate</td>
<td>Residential, Walthamstow Wetlands, Retail floorspace, Office and Commercial Uses, Transport infrastructure, Community Facilities, Open Spaces, Leisure Uses, Schools</td>
</tr>
<tr>
<td>3a</td>
<td>Water compatible and less vulnerable uses are appropriate</td>
<td>Retail floorspace, Office and Commercial Uses, Community Facilities, Open Spaces, Leisure Uses, Walthamstow Wetlands</td>
</tr>
<tr>
<td>Area</td>
<td>Table</td>
<td></td>
</tr>
<tr>
<td>--------------------</td>
<td>----------------------------------------------------------------------</td>
<td></td>
</tr>
</tbody>
</table>
| Essential infrastructure and more vulnerable uses are required to pass the Exception test. | - Residential    
- Transport infrastructure    
- Community Facilities    
- Schools                                                                 |
| 3b Water Compatible Uses are appropriate | - Open Spaces    
- Walthamstow Wetlands                                                                 |
| Essential Infrastructure is Required to pass the Exceptions Test | - Transport infrastructure                                                                 |
| More vulnerable and less vulnerable uses are not appropriate | - Residential    
- Retail floorspace    
- Office and Commercial Uses    
- Community Facilities    
- Leisure Uses    
- Schools                                                                 |
| Wood Street 1 All proposed uses are appropriate | - Residential    
- Retail floorspace and shops    
- Community Facilities    
- Leisure Uses    
- Play facilities    
- Office and Commercial uses    
- Schools                                                                 |

The above tables demonstrate that, from a flooding perspective, none of the key regeneration areas are automatically unacceptable (despite certain uses being inappropriate and therefore not permissible within Flood Zone 3b). Furthermore, it also indicated that all proposed uses are acceptable in both Walthamstow Town Centre and Wood Street due to these areas falling wholly in flood zone one. However, there is a need for the Northern Olympic Fringe and Blackhorse Lane to undergo the Sequential Test (in order to determine whether there are any alternative sites in areas of lower flood risk). Should this be passed, however, only certain uses (essential infrastructure and more vulnerable uses) proposed at Northern Olympic Fringe and Blackhorse Lane will be subject to the Exception Test.

The Sequential and Exception Tests for the two key regeneration areas that fall within flood zones follow.
Sequential and Exception Tests for Blackhorse Lane

Introduction

The Sequential and Exception Tests have been prepared by the London Borough of Waltham Forest as part of the evidence base for the Core Strategy for Blackhorse Lane.

The Site

The Blackhorse Lane area is a key regeneration site for the borough, with the potential to provide over 2,000 new homes and 1,000 new jobs over the next ten years as part of the comprehensive regeneration of the local area including new parks, roads, schools and community facilities.

The area has great potential for improvement. It has a unique location right on the edge of the Lea Valley Park, a strong small business base and a young population. Blackhorse Road Station also offers good rail and tube connections. By making the most of these assets Blackhorse Lane will become a thriving, more attractive place for both residents and businesses.

The investment in this area through regeneration will increase the levels of opportunity in the area, providing a better future for a highly deprived area.

The Sequential Test

The London Plan requires the London Borough of Waltham Forest to provide a significant number of new homes between to 2026. Currently the plan outlines an annual target of 665 per year, equating to 9,975 new homes. Policy CS2 in the Borough’s LDF Core Strategy states that, along with the three other Area Action Plan locations, Blackhorse Lane will provide significant capacity for house building. This is reflected in the Council’s GLA approved Strategic Housing Land Availability Assessment (SHLAA) (2009) which shows capacity of at least 1000 homes in this area. Given the GLA’s modelling utilises a mid-range density assumption, there is potentially an even greater opportunity that the SHLAA suggests. As such, it is expected to accommodate large scale development to provide substantial numbers of new employment and housing, with a mixed and intensive use of land, supported by relatively good public transport accessibility.

As the target given by the London Plan is a borough-wide target, the geographical area of search for the Sequential Test will be the whole of the Borough.

In deciding the sites to include in the sequential test, the following have been excluded on the grounds that they are not ‘reasonably available’:

- sites in the green belt (as current policy seeks to protect and maintain them)
- Strategic Industrial Land (as current policy seeks to retain it for employment use)
- areas of the Borough that are already developed.

The remaining sites are therefore considered ‘reasonably available’ and have been included in the test. These sites are:

- Northern Olympic Fringe and Lea Bridge Area (key regeneration area)
- Walthamstow Town Centre (key regeneration area)
The flood zones identified in most recent Environment Agency flood mapping and in the SFRA will be used to compare the flood risk between these sites.

The application of the Sequential Test to the ‘reasonably available’ sites is set out below. The sites in Flood Zone 1 will be addressed first, followed by the sites in Flood zone 2 and then in Flood Zone 3. The sites that can accommodate additional development are highlighted in green and the sites that cannot are highlighted in red.

<table>
<thead>
<tr>
<th>‘Reasonable Available’ Sites</th>
<th>Flood Risk Zone</th>
<th>Constraints to Delivery</th>
</tr>
</thead>
<tbody>
<tr>
<td>Town Hall Site and surrounds</td>
<td>1</td>
<td>The site covers 13.5 hectares of land and is therefore not of sufficient size to be able to accommodate a significant proportion of the Council’s combined housing target to 2026. The site is also designated playing fields and has significant heritage constraints which precludes significant levels of development. There is therefore no scope for the inclusion of additional development on this site.</td>
</tr>
<tr>
<td>Walthamstow Town Centre (key regeneration area)</td>
<td>1</td>
<td>The Core Strategy Preferred Options proposes that approximately 4,000 new homes will be built in this location, providing for a significant proportion of the Council’s housing target to 2026. As such, there is no scope for the inclusion of any additional development on this site.</td>
</tr>
<tr>
<td>Wood Street (key regeneration area)</td>
<td>1</td>
<td>The Core Strategy Preferred Options proposes that approximately 1,000 new homes will be built in this location, providing for a significant proportion of the Council’s housing target to 2026. Furthermore, the area of Wood Street will only be able to accommodate a limited amount of new development through regeneration, at a significantly smaller scale than the Blackhorse Lane will accommodate. As such, there is no scope for the inclusion of any additional development on this site.</td>
</tr>
<tr>
<td>Northern Olympic Fringe and Lea Bridge Area (key regeneration area)</td>
<td>1,2,3a,3b</td>
<td>The Core Strategy Preferred Options proposes that approximately 4,000 new homes will be built in this location, providing for a significant proportion of the Council’s housing target to 2026. As such, there is no scope for the inclusion of any additional development on this site.</td>
</tr>
</tbody>
</table>
The table above demonstrates that the ‘reasonably available’ sites in the Borough are unable to accommodate any significant levels of additional development. As such, they do not obviate or reduce the need to develop at Blackhorse Lane. Indeed, to allocate this development elsewhere would not be in accordance with the London Plan (which highlights the Upper Lea Valley as an area that is expected to accommodate large scale development). The Sequential Test has therefore been passed for the site. In accordance with the information in table x, this means all proposed uses are appropriate in Flood Zones 1 and 2, the water compatible and less vulnerable uses are appropriate in Flood Zone 3a, and the water compatible uses are appropriate in Flood Zone 3b. However, in order for the essential infrastructure and more vulnerable uses to be considered appropriate in Flood Zone 3a, and the essential infrastructure to be considered appropriate in Flood Zone 3b, they need to pass the Exception Test.

*The Exception Test*

Test a) requires that the development provides wider sustainability benefits to the community that outweigh flood risk. This is evident when considering the following:

- The London Plan has identified the Upper Lea Valley (including the Blackhorse Lane area) as an Opportunity Area in order to accommodate a proportion of London’s future growth. This will therefore reduce the need for areas of open space in the capital to be developed.
- Development at Blackhorse Lane will provide a significant proportion of the 9,975 homes that the London Plan requires the Borough to deliver by 2026. These will house approximately 20,000 people.
- It will provide a range of new facilities to serve the community including two primary schools, a secondary school, a district centre, health facilities and leisure facilities.
- Improvements to public transport will be made to serve the community and link the site to surrounding areas.
- 1000 new employment opportunities will be created through new employment uses and increased yield of existing industrial land.
- New areas of open space will be created, this amounting to 40% of the total site area.
- A rich ecology park will be created through the opening up of Walthamstow reservoirs.
- Contaminated land will be cleared.
- It will transform vacant brownfield land into a high quality environment with a distinct character of its own, thereby having a positive impact on the image of the area.
- It will enhance a degraded waterfront.
- Improved access will be provided to the river (2km of the waterfront will be opened up to walkways and cycleways).

This demonstrates that the benefits of the development significantly outweigh the disbenefits and, accordingly, it is considered that test a) is passed.

Test b) requires that the development should be on previously developed land. Blackhorse Lane is a series of former industrial sites. Accordingly, it is considered that test b) is passed.

Test c) requires that a flood risk assessment must demonstrate that the development will be safe, without increasing flood risk elsewhere, and, where possible, will reduce
flood risk overall. The Council will, in consultation with the Environment Agency, assess any submissions against these criteria.

**Conclusion**

The Council considers that the proposed development at Blackhorse Lane passes the Sequential Test and parts a) and b) of the Exception Test. The developer will, however, need to demonstrate that part c) of the latter can be passed to the Council’s satisfaction.

**Next Steps**

- **Site Allocations**
  
The Sequential Test will be undertaken for each site allocation listed in the Site Specific Allocations Development Plan Document (DPD) and the Blackhorse Lane Area Action Plan (AAP) in order to determine whether the proposed development can be located in a zone of lower flood risk (i.e. in Flood Zone 1 or 2 instead of Flood Zone 3).

  The sequential approach will also be given consideration in order to determine whether the proposed development can be located in those parts of the site at the lowest risk of flooding (based upon the rate of inundation and flood hazard maps contained in the Level 2 SFRA). Because of this process, once the above DPD’s are in place there will not be a need for the area to be sequentially tested at the planning application level. If necessary, however, it will still need to be demonstrated that part c) of the Exception Test can be passed.

- **Windfall Development**
  
The Sequential Test will need to be undertaken when an application is brought forward on a site that has not been allocated in the Site Specific Allocations DPD or the Blackhorse Lane AAP. This will determine whether the proposed development can be located in a ‘reasonably available’ site of lower flood risk (i.e. in Flood Zone 1 or 2 instead of Flood Zone 3).

‘Reasonably available’ sites are considered to be:

- suitable sites from the allocations listed in the Site Specific Allocations DPD / Blackhorse Lane AAP (e.g. for a residential development application, the sites listed in these documents as being suitable for residential development should be used)
- any other sites highlighted as part of the LDF evidence base
- any suitable sites that are known to the Local Planning Authority
Sequential and Exception Tests for Northern Olympic Fringe

Introduction

The Sequential and Exception Tests have been prepared by the London Borough of Waltham Forest as part of the evidence base for the Core Strategy for the Northern Olympic Fringe and Lea Bridge area.

The Site

The 2012 Games and the Olympic Legacy is set to transform parts of East London. As the northern edge of the Olympic Park is situated in Waltham Forest, the south of the borough has been identified as a key regeneration area with growth potential due to its proximity to the Olympic Park and Stratford City. The Olympic Games, in particular, is seen as a catalyst for the regeneration of the area. The Northern Olympic Fringe is our highest profile regeneration area and it is essential to the strategy of the borough that the Games’ legacy leads to its transformation. Our vision is to capture investment in this area arising from the regeneration of Stratford and the Lower Lee Valley and to secure employment opportunities for deprived communities.

The GLA will shortly be releasing the Olympic Legacy Supplementary Planning Guidance which will further outline regeneration plans for the area.

The Sequential Test

The London Plan requires the London Borough of Waltham Forest to provide a significant number of new homes between to 2026. Currently the plan outlines an annual target of 665 per year, equating to 9,975 new homes. Policy CS2 in the Borough’s LDF Core Strategy states that, along with the three other Area Action Plan locations, the Northern Olympic Fringe and Lea Bridge areas will provide significant capacity for house building. This is reflected in the Council’s GLA approved Strategic Housing Land Availability Assessment (2009) which shows capacity of at least 2000 homes in this area. As such, it is expected to accommodate large scale development to provide substantial numbers of new employment and housing, with a mixed and intensive use of land and assisted by relatively good public transport accessibility.

As the target given by the London Plan is a borough-wide target, the geographical area of search for the Sequential Test will be the whole of the Borough.

In deciding the sites to include in the test, the following have been excluded on the grounds that they are not ‘reasonably available’:
- sites in the green belt (as current policy seeks to protect and maintain them)
- Strategic Industrial Land (as current policy seeks to retain it for employment use)
- Locally Significant Industrial Sites (as current policy seeks to retain them for employment use)
- areas of the Borough that are already developed

The remaining sites are therefore considered ‘reasonably available’ and have been included in the test. These sites are:
- Blackhorse Lane (key regeneration area)
- Walthamstow Town Centre (key regeneration area)
- Wood Street (key regeneration area)
- Town Hall Site and surrounds

The flood zones identified in most recent Environment Agency flood mapping and in the SFRA will be used to compare the flood risk between these sites.

The application of the Sequential Test to the ‘reasonably available’ sites is set out below. The sites in Flood Zone 1 will be addressed first, followed by the sites in Flood zone 2 and then in Flood Zone 3. The sites that can accommodate additional development are highlighted in green and the sites that cannot are highlighted in red.

<table>
<thead>
<tr>
<th>‘Reasonable Available’ Sites</th>
<th>Flood Risk Zone</th>
<th>Constraints to Delivery</th>
</tr>
</thead>
<tbody>
<tr>
<td>Town Hall Site and surrounds</td>
<td>1</td>
<td>The site covers 13.5 hectares of land and is therefore not of sufficient size to be able to accommodate a significant proportion of the Council’s combined housing target to 2026. The site is also designated playing fields and has significant heritage constraints which precludes significant levels of development. There is therefore no scope for the inclusion of additional development on this site.</td>
</tr>
<tr>
<td>Walthamstow Town Centre (key regeneration area)</td>
<td>1</td>
<td>The Core Strategy Preferred Options proposes that approximately 4,000 new homes will be built in this location, providing for a significant proportion of the Council’s housing target to 2026. As such, there is no scope for the inclusion of any addition development on this site.</td>
</tr>
<tr>
<td>Wood Street (key regeneration area)</td>
<td>1</td>
<td>The Core Strategy Preferred Options proposes that approximately 1,000 new homes will be built in this location, providing for a significant proportion of the Council’s housing target to 2026. Furthermore, the area of Wood Street will only be able to accommodate a limited amount of new development through regeneration, at a significantly smaller scale than the Blackhorse Lane will accommodate. As such, there is no scope for the inclusion of any additional development on this site.</td>
</tr>
<tr>
<td>Blackhorse Lane (key regeneration area)</td>
<td>1,2,3a,3b</td>
<td>The Core Strategy Preferred Options proposes that approximately 2,000 new homes will be built in this location, providing for a significant proportion of the Council’s housing target to 2026. As such, there is no scope for the inclusion of any addition development on this site.</td>
</tr>
</tbody>
</table>
The table above demonstrates that the ‘reasonably available’ sites in the Borough are unable to accommodate any significant levels of additional development. As such, they do not obviate or reduce the need to develop at Blackhorse Lane. Indeed, to allocate this development elsewhere would not be in accordance with the London Plan, which highlights the Olympic Area and its surrounds as a key growth area. The Sequential Test has therefore been passed for the site. In accordance with the information in table 4, this means all proposed uses are appropriate in Flood Zones 1 and 2, the water compatible and less vulnerable uses are appropriate in Flood Zone 3a, and the water compatible uses are appropriate in Flood Zone 3b. However, in order for the essential infrastructure and more vulnerable uses to be considered appropriate in Flood Zone 3a, and the essential infrastructure to be considered appropriate in Flood Zone 3b, they need to pass the Exception Test.

The Exception Test

Test a) requires that the development provides wider sustainability benefits to the community that outweigh flood risk. This is evident when considering the following:

- The London Plan has identified the Olympic area, including the Northern Olympic Fringe as a key growth area in order to accommodate a proportion of London’s future growth. This will therefore reduce the need for areas of open space in the capital to be developed.
- Development at the Northern Olympic Fringe and Lea Bridge locations will provide a significant proportion of the 9,975 homes that the London Plan requires the Borough to deliver by 2026. These will house approximately 20,000 people.
- It will provide a range of new facilities to serve the community including a primary school, a secondary school, a district centre, health facilities and leisure facilities.
- Improvements to public transport will be made to serve the community and link the site to surrounding areas.
- At least 1000 new employment opportunities will be created through new employment uses and increased yield of existing industrial land.
- New areas of open space will be created.
- Investment in the existing Dagenham Brook will clean it up and open it out to create greater flood storage and better public realm and biodiversity in the area.
- A rich ecology park will be created through the opening up of Walthamstow reservoirs and Walthamstow Wetlands.
- Investment in the area will seek to increase the opportunities for the residents, as currently the area is highly deprived and suffers from a lack of investment in the past.
- Contaminated land will be cleared.
- It will transform underutilised brownfield land into a high quality environment with a distinct character of its own, thereby having a positive impact on the image of the area.
- It will provide important public realm improvements which will serve to increase the attractiveness and overall appearance and safety in the area.
- It will increase the useability of the Marsh Lane playing fields to provide safe spaces for leisure in the area.

This demonstrates that the benefits of the development significantly outweigh the disbenefits and, accordingly, it is considered that test a) is passed.
Test b) requires that the development should be on previously developed land. Blackhorse Lane is a series of former industrial sites. Accordingly, it is considered that test b) is passed.

Test c) requires that a flood risk assessment must demonstrate that the development will be safe, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. The Council will, in consultation with the Environment Agency, assess any submissions against these criteria.

Conclusion

The Council considers that the proposed development at Northern Olympic Fringe and Lea Bridge area passes the Sequential Test and parts a) and b) of the Exception Test. The developer will, however, need to demonstrate that part c) of the latter can be passed to the Council’s satisfaction.

Next Steps

- **Site Allocations**

  The Sequential Test will be undertaken for each site allocation listed in the Site Specific Allocations Development Plan Document (DPD) and the Northern Olympic Fringe and Lea Bridge Area Action Plan in order to determine whether the proposed development can be located in a zone of lower flood risk (i.e. in Flood Zone 1 or 2 instead of Flood Zone 3).

  The sequential approach will also be given consideration in order to determine whether the proposed development can be located in those parts of the site at the lowest risk of flooding (based upon the rate of inundation and flood hazard maps contained in the Level 2 SFRA). Because of this process, once the above DPD’s are in place there will not be a need for the area to be sequentially tested at the planning application level. If necessary, however, it will still need to be demonstrated that part c) of the Exception Test can be passed.

- **Windfall Development**

  The Sequential Test will need to be undertaken when an application is brought forward on a site that has not been allocated in the Site Specific Allocations DPD or the Northern Olympic Fringe and Lea Bridge AAP. This will determine whether the proposed development can be located in a ‘reasonably available’ site of lower flood risk (i.e. in Flood Zone 1 or 2 instead of Flood Zone 3).

  ‘Reasonably available’ sites are considered to be:
  
  - suitable sites from the allocations listed in the Site Specific Allocations DPD / Northern Olympic Fringe and Lea Bridge AAP (e.g. for a residential development application, the sites listed in these documents as being suitable for residential development should be used)
  - any other sites highlighted as part of the LDF evidence base
  - any suitable sites that are known to the Local Planning Authority