

LDF Core Strategy – Background Studies Report

Summary of Findings of the Updated Studies

1. Habitats Regulations Assessment Report (Appropriate Assessment)

Purpose of Report

To assess the impacts of the Proposed Submission Version of the Core Strategy against the conservation objectives of the European Sites designated under the Conservation (Habitats, &c.) Regulations 1994 (as amended).

Reasons for Update

The original Assessment was made on the Refreshed Preferred Options of the Council's Core Strategy. The changes included in the Proposed Submission Version of the Core Strategy could have changed the conclusions of the original Assessment.

Main Findings

The Core Strategy does not support any project proposal where it cannot be demonstrated that the development would not have an adverse effect on the integrity of any European site.

2. Sequential and Exceptions Test

Purpose of Report/Test

National planning policy in PPS25: Development and Flood Risk requires the Core Strategy to give preference to sites in Flood Zone 1 (lowest flood risk) and where that is not possible it must demonstrate that there are no reasonably available sites in areas of lower probability of flooding that would be appropriate to the type of development or land use proposed – the Sequential Test.

If following application of the Sequential Test it is not possible, consistent with wider sustainability objectives, for the development to be located in zones of lower probability of flooding, then the Exception Test can be applied and provides a method of managing flood risk while still allowing necessary development to occur.

Reasons for Update to the Sequential/Exception Test

The Sequential and Exceptions Test was originally prepared in May 2008. It was updated in October 2009 to take into account:

- a) Amendments to the proposals and indicative amounts of development proposed at the Development Areas in the Submission Core Strategy and any associated implications for the contribution of those areas to delivering sustainable development
- b) Publication of revisions to the PPS25 Practice Guide (June 2008); and
- c) Publication of the South East Plan (May 2009).

Main Findings

The overall conclusions of the Sequential and Exceptions Test remain unchanged in the updated background document. The main conclusions are:

- It is not possible or consistent with wider sustainability objectives for the city, for all Development Areas to be located in areas of low probability of flooding;
- A Sequential Test and Exception Test for the principle of development at Brighton Marina is necessary and details are provided; and
- A Sequential Test for Shoreham Harbour is also necessary (at this stage there is insufficient detail about the proposed development and modelling of flood risk to carry out an Exceptions Test).