



WOKINGHAM BOROUGH COUNCIL

TOWN & COUNTRY PLANNING ACT 1990

TOWN & COUNTRY PLANNING
(INQUIRIES PROCEDURE) (ENGLAND) RULES 2000 (As Amended)

Proof of Evidence addendum (SEQUENTIAL TEST)

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APPELLANT: Mactaggart and Mickel Strategic Land
APPEAL SITE: Land Between Lodge Road And Tape Lane Hurst,
Wokingham , RG10 0EG

PROPOSAL: Outline application for the proposed erection of up to 99 no. dwellings, green infrastructure, open space, pedestrian and cycle links, recreational facilities and other associated infrastructure and access points on Lodge Road and Tape Lane with required improvements. (All matters reserved except for means of access.)

LPA REFERENCE: 242067
PINS REFERENCE: APP/X0360/W/25/3364304

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1.0 INTRODUCTION

- 1.1 This document responds to the Sequential Test [CD9.20] submitted by the Appellant on 29th July 2025.
- 1.2 Previous iterations of the Sequential Test were addressed in the Council's Flooding and Drainage Proof of Evidence Addendum [CD4.4] submitted on 29th July 2025. Despite correspondence from the appellant in July stating their position that a Sequential Test was *not* required, there is now agreement that it is a requirement for this appeal proposal, and that the proposed development fails the Sequential Test.
- 1.3 NPPF para 174 states that the aim of the Sequential Test is *"to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test."*
- 1.4 The Appellant's own evidence demonstrates that the appeal proposal fails to satisfy the Sequential Test. From their evidence, there are at least 1,942 sequentially preferable dwellings that can be considered both reasonably available *and* deliverable on sites at lower flood risk. In line with NPPF paragraph 174, *"development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding."* On this basis alone, the appeal should be dismissed.
- 1.5 In addition to the failure to pass the Sequential Test, there are concerns regarding the methodology used and this is set out in the following section. In light of these concerns, it is clear that the headline figures cited in the Sequential Test should be considered a *minimum* number and that the reality is that a great deal more sites are in fact sequentially preferable to the Appeal Site.

2.0 OBSERVATIONS ON APPELLANT'S SEQUENTIAL TEST

- 2.1 The Council agrees that the search area of the entire borough area is an appropriate area of search. The Council also accepts as appropriate the Appellant's approach to defining settlement boundaries and extensions to those boundaries explained in paragraphs 3.7-3.8.
- 2.2 However, I have the following concerns about the Appellant's methodology for carrying out the Sequential Test.
- 2.3 Firstly, the Appellant's methodology discounts potential alternative sites proposed for allocation in the Local Plan Update (LPU) on the grounds that there is currently a shortfall in the Council's housing land supply and that the LPU does not meet housing need as calculated by the updated standard method (para 3.13). This is a flawed approach for several reasons. First, the LPU is being progressed in accordance with the transitional arrangements of the NPPF, and its proposed allocations must therefore be treated as a genuine source of reasonably available sites. Second, the PPG is explicit that "*the absence of a 5-year land supply is not a relevant consideration for the Sequential Test for individual applications.*"¹ The LPU provides for a minimum of 12,763 net additional dwellings between 1 April 2023 and 31 March 2040, with allocated sites that pass the Sequential Test, unlike the current appeal proposal.
- 2.4 Secondly, the methodology appears to exclude sites identified by the Council as providing 'potentially developable housing capacity' in its Housing and Economic Land Availability Assessment (HELAA) which forms part of the evidence base for the LPU:

¹ Paragraph: 028 Reference ID: 7-028-20220825

Table 10: Potentially developable housing capacity identified

Site Ref	Address	Capacity (dwellings)
5AR011; 5AR014; 5AR015; 5AR025; 5AR029; 5AR030; 5AR032; 5WI001; 5WI002; 5WI015; 5WI018	Land at Hall Farm	3,930
5BA010	Barkham Square	600
5BA032	24 Barkham Ride	30
5CV001	Land east and west of Park View Drive North	78
5CV002	Land west of Park Lane	61
5FI003	31 and 33 Barkham Ride	80
5FI004	Greenacres Farm, Nine Mile Ride	100
5FI024	Hillside, Lower Wokingham Road	15
5FI028	Westwood Yard, Sheerlands Road	10
5HU006	Land on the north side of Orchard Road	23
5HU009; 5HU010; 5HU011; 5HU012; 5HU013; 5HU014; 5HU015; 5HU017; 5HU020; 5HU021; 5HU022; 5HU023; 5HU041; 5HU047; 5HU056	Land at Ashridge	3,000

Site Ref	Address	Capacity (dwellings)
5RU001; 5RU002; 5RU003; 5RU004; 5RU005; 5RU006	Land at Twyford/Ruscombe	2,500
5SH023; 5SH026; 5SH027	Land east and west of Hyde End Road	175
5SH025	Land north of Arborfield Road	191
5SW005	Land east of Trowes Lane	85
5SW019	Land west of Trowes Lane	70
5TW007; 5TW011	Land north of the A4	230
5WI009; 5WI019	Land on the north west side of Old Forest Road	50
5WI012; 5WI021	Land to the rear of Bulldog Garage and BP garage	34
5WI014	69 King Street Lane	28
5WK011	Land south of London Road (Western field)	12
5WK023	Rosery Cottage and 171 Evendons Lane	35
5WK028; 5WK032; 5WK034; 5WK039	Land at Blagrove Lane	387
5WK048	Suffolk Lodge, Rectory Road	20
5WW009	Ravenswood Village	135
5WW017; 5WW026; 5WW030; 5WW031	South Wokingham SDL extension	1,100

Together these 66 sites have capacity for 12,979 dwellings and include some sites that are not a draft allocation in the LPU - it is not clear why they have been excluded from further consideration in the Appellant's Sequential Test.

- 2.5 Thirdly, the methodology applies a minimum site quantum/area of 60 dwellings or 2ha. However, the Council's view is that in more urban areas sites of less than 2ha could deliver between 60 and 99 dwellings and therefore the 2ha minimum site area threshold is set too high. The density of the proposed development is driven by site-specific factors rather than being an intrinsic element of the scheme; these site-specific factors would not apply to other sites. Therefore, elsewhere in the borough, a higher density would be appropriate than is proposed by the Appellant at this site.
- 2.6 Fourthly, at para 3.12 it appears that sites within settlement boundaries have been rejected for reasons including that some of those sites have been promoted for mixed use. But if part of that mix is residential, then genuine potential alternatives have not been taken into consideration, especially if those sites have been assessed through the HELAA as potentially suitable for a mixed use that includes residential.
- 2.7 Fifthly, it is not clear how the assessment has taken account of the PPG advice that 'reasonably available sites': "...could include a series of smaller sites and/or part of a larger site if these would be capable of accommodating the proposed development. Such lower-risk sites do not need to be owned by the applicant to be considered 'reasonably available.'" It appears that the methodology does not fully consider a series of smaller sites that could come forward together. This is also relevant where two sites with flood risk areas adjoin each other as combined they may be sequentially appropriate for a comparable development outside of flood risk areas.
- 2.8 Sixthly, the Sequential Test undertaken is based on an outdated Flood Risk Assessment (FRA). Since the document was produced, the FRA has been revised (P06) and now shows a significant increase in fluvial flooding on the site. This materially alters the site's flood risk profile and demonstrates that it is more vulnerable to flooding than set out in the version of the FRA on which the Sequential Test was based. Accordingly, the baseline for considering sequentially preferable sites has changed because the flooding profile of the

appeal site is now established to be materially worse than when the Sequential Test was carried out.

- 2.9 Based on the search carried out, the Sequential Test produced a total of 257 unique alternative sites, of which 224 “performed better in flood terms” (the longlist) (paras 4.4-4.5). Paras 4.6-4.7 of the Sequential Test state that the longlist was reduced to 35 sites taking account of whether sites were draft allocated and an assessment of reasonable availability. There is a lack of transparency as to how the conclusions have been drawn to reduce the longlist to a shortlist of 35 sites, but for reasons stated above, removing draft allocations is not a reasonable approach and therefore it is highly likely that more of the 224 sites should be considered reasonably available than 35. It should also be noted that groupings within the shortlist *“means that the list of individual sites is actually greater”* (para 4.7).
- 2.10 The Sequential Test then seeks to further reduce the number of sites to 17 (with a capacity of 1,553 dwellings or 1,942 when a 25% sensitivity is applied) on the basis that only these sites meet the NPPF definition of “deliverable” or “part deliverable”. However “deliverability” does not form part of the policy test in paragraph 174 of the NPPF for identifying alternative sites appropriate for the proposed development; all that is required is that alternative sites are “reasonably available”.
- 2.11 Furthermore, there is an obvious inconsistency in this approach because the proposed development is not itself “deliverable”. This appeal relates to an outline application and the Appellant is not itself a developer. The Sequential Test (para 3.28) estimates that the site will be brought forward over the next 4-7 years but there is no evidence to support this estimate. The Council’s own benchmark lead-in time for a development of this size (50-99 dwellings) is 43 months (3.6 years) from outline decision to first house sale and benchmark of housing delivery is 40 dwellings per year per developer (assuming the site is being built out by one developer). These benchmarks indicate that four years is an unrealistic estimate for the site to be developed in full and that a more realistic estimate would be in excess of five years. Therefore the Appellant’s

suggestion that the shortlist should be further reduced to 17 sites is flawed: there are clearly more than 17 reasonably available sites appropriate for the proposed development.

- 2.12 Finally, it should be noted that the Sequential Test does not represent a fair comparison of flood risk with other alternative sites. The parameters of this proposal fix development, including vulnerable uses such as dwellings, in high and medium flood risk areas, whereas alternative sites that have greater risks are not constrained by a predetermined layout and therefore could have potential to achieve a layout that avoids such flood risk. The Sequential Test has been undertaken as if the appeal scheme does not have any areas of development fixed by the Parameter Plan in flood risk areas.

3.0 CONCLUSION

- 3.1 The Appellant's evidence demonstrates that the appeal proposal fails to satisfy the Sequential Test, with a total of 1,942 dwellings, that can be considered reasonably available and deliverable in the 5-year period. In line with NPPF paragraph 174, *'development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.'* On this basis alone, the appeal should be dismissed.
- 3.2 However, for the reasons set out in this proof of evidence, the Council's position is that this is a significant underestimate of the number of sequentially preferable sites and therefore the number of dwellings that can be delivered on sites at lower flood risk than the appeal site.
- 3.3 The proposed Parameter Plan compounds this failure. It fixes development, including vulnerable residential uses and the sole access road, in parts of the site at the highest risk of flooding. This is contrary to the sequential approach set out in national policy that steers new development to areas with the lowest risk of flooding.

- 3.4 The PPG is explicit that the Exception Test may only be applied where the Sequential Test has first shown that it is not possible to locate development in areas of lower flood risk. In this case, the Appellant's Sequential Test demonstrates that alternative sites at lower risk are available. Consequently, the Exception Test cannot be engaged, because the appeal scheme fails the first and fundamental stage of the sequential approach to managing flood risk - to avoid such a risk where there are reasonably available alternative sites.
- 3.5 The strong emphasis of national flood risk policy to avoid locating development in areas at risk of flooding is clearly stated at paragraph 023 (Reference ID: 7-023-20220825) of the PPG:

“What is the aim of the sequential approach?”

The approach is designed to ensure that areas at little or no risk of flooding from any source are developed in preference to areas at higher risk. This means avoiding, so far as possible, development in current and future medium and high flood risk areas considering all sources of flooding including areas at risk of surface water flooding. Avoiding flood risk through the sequential test is the most effective way of addressing flood risk because it places the least reliance on measures like flood defences, flood warnings and property level resilience features. Even where a flood risk assessment shows the development can be made safe throughout its lifetime without increasing risk elsewhere, the sequential test still needs to be satisfied. Application of the sequential approach in the plan-making and decision-making process will help to ensure that development is steered to the lowest risk areas, where it is compatible with sustainable development objectives to do so, and developers do not waste resources promoting proposals which would fail to satisfy the test. Other forms of flooding need to be treated consistently with river and tidal flooding in mapping probability and assessing vulnerability, so that the sequential approach can be applied across all areas of flood risk.”

- 3.6 In accordance with NPPF paragraph 11(d)(i), non-compliance with national flood risk policies constitutes a clear and strong reason for refusing planning permission. This in turn disengages the ‘tilted balance’ under paragraph 11(d)(ii).
- 3.7 The consequences of failing the Sequential Test are also set out in the Council’s Proof of Evidence Addendum on Flood Risk and Planning, already before the Inquiry. These are not repeated here, but it is reiterated that both the NPPF and the PPG provide unambiguous grounds for dismissal of the appeal.
- 3.8 It is important to emphasise that flood risk and the Sequential Test in this case are not abstract or merely technical policy considerations. The flood modelling and FRA submitted shows onsite flooding occurring from more than one source and in multiple areas. Local residents and the Parish Council have raised flooding as a serious concern during the appeal and have submitted photographic evidence showing recurring flooding on the very parts of the site proposed for development, as well as elsewhere on the site and in the surrounding area. These are not hypothetical risks but demonstrable, recurring events that will directly impact future residents and their wellbeing. In 2023 flooding persisted on the appeal site and the surrounding area for several months, as can be seen in Fig 1 - 4 below. The Environment Agency’s continuing objection further underlines the significance of the flood risk on the site.



Fig 1. 2nd January 2023



Fig 2. 1st February 2023



Fig 3. 31st March 2023



Fig 4. 1st April 2023

3.9 Overall the appeal proposal does not pass the Sequential Test and this provides a significant reason for dismissing the appeal.