



**Borough of Oadby and Wigston
Local Plan 2020 – 2041**

Flooding – Sequential and Exception Tests

Winter 2024-25

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1. INTRODUCTION AND PURPOSE

- 1.1 The purpose of this report is to provide evidence of the application of the Sequential Test and Exception Tests within the Borough of Oadby and Wigston to inform the selection of sites for allocation in the emerging draft Local Plan. This report has been prepared using information from the Level 1 Strategic Flood Risk Assessment (SFRA) and Level 2 SFRA both prepared by JBA consulting in 2024 and considerations made by the Council when applying the Sequential Test to these sites.

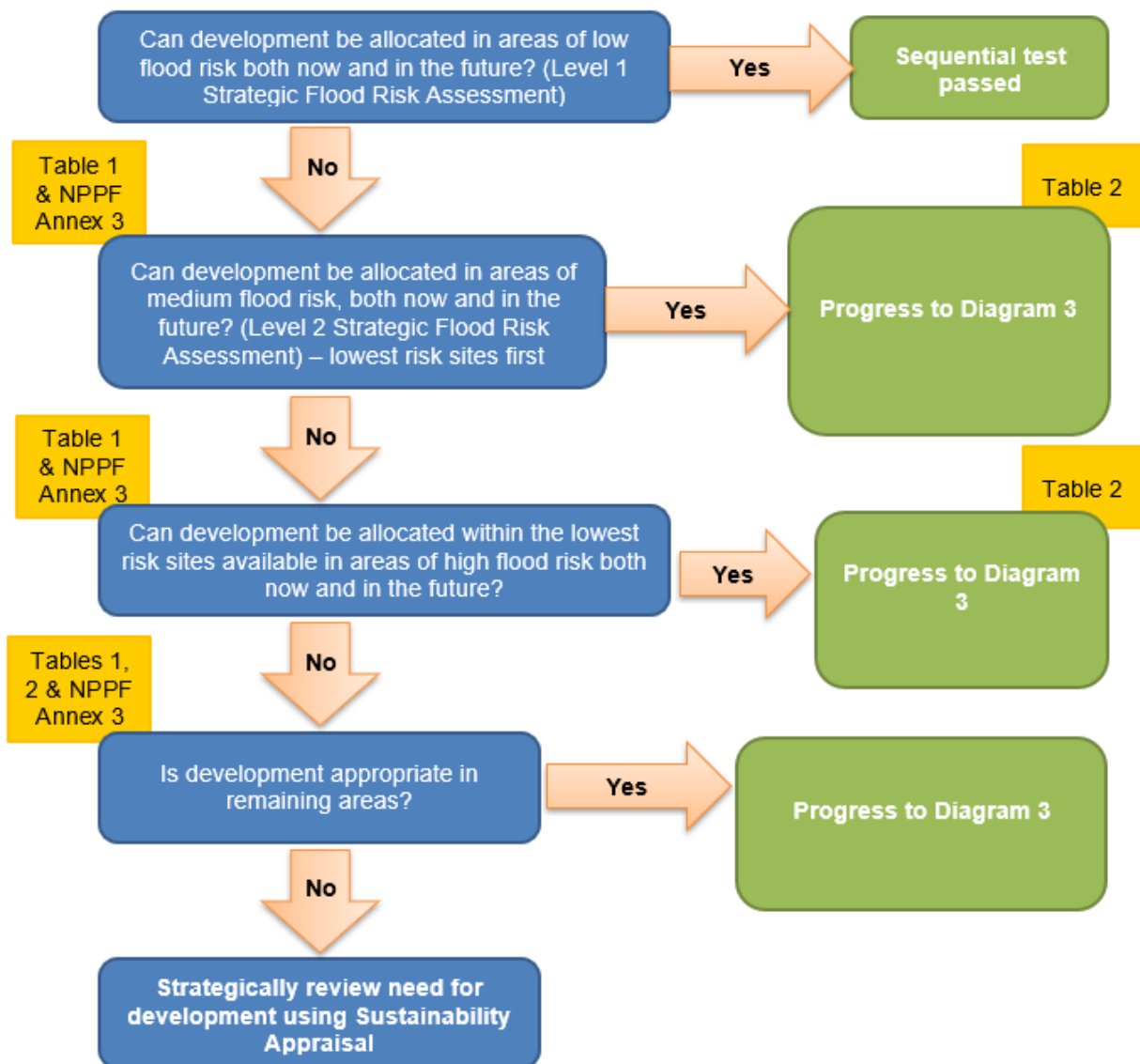
2. POLICY CONTEXT

- 2.1 The National Planning Policy Framework (December 2023) requires that 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. To do this, the Sequential Test should be applied and then if necessary, the Exception Test.
- 2.2 The aim of the Sequential Test is to steer new development to the 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 SFRA provides the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding. The NPPF states that where planning applications come forward on sites allocated in the development plan through the Sequential Test, applicants need not apply the Sequential Test again.
- 2.3 Planning Practice Guidance (PPG) on Flood Risk and Coastal Change advises planning authorities on how to take account of and address the risks associated with flooding and climate change. This includes guidance on applying the Sequential Test in the preparation of a Local Plan.

3. METHODOLOGY

- 3.1 The Sequential Test outlined in the NPPF and PPG is designed to ensure areas with little or no risk of flooding are developed in preference to areas at higher risk. The aim is to keep development outside areas at medium and high risk of flooding from all sources. This includes ordinary watercourses, surface water, reservoirs, groundwater and sewer flooding.
- 3.2 When allocating sites in a Local Plan, authorities should seek to steer new development to areas with the lowest probability of flooding. They should apply the Sequential Test to show that there are no reasonably available sites at a lower risk of flooding that are appropriate for allocation. The Sequential Test needs to be applied to the whole of the Borough to increase the opportunities to allocate development in areas not at risk of flooding. The PPG identifies the methodology for Local Plan preparation in relation to the Sequential Test. This is set out in Figure 1.

Figure 1 – Application of the Sequential Test for Plan preparation



Source: PPG Paragraph 026 Reference ID 7•026-20220825

- 3.3 The SFRA for the Borough provides the basis for applying the Sequential Test as it refines the flood zones, with the aim being to steer development to Flood Zone 1 (areas with a low probability of river flooding).
- 3.4 It is necessary to consider the flood risk vulnerability of different types of development as this affects which Flood Zone may be appropriate for the development. Flood Risk Vulnerability and Flood Zone 'Compatibility' is set out in Table 2 of PPG and shown below in Figure 2. Residential development together with non-residential institutions (such as schools and health facilities) are classed as 'more vulnerable'. Employment uses are classed as 'less vulnerable.' This report focuses on sites being proposed for allocation in the draft Local Plan. The results are shown in Appendix 1.

Figure 2 – Flood Risk Vulnerability Classification

Flood Zones	Flood Risk Vulnerability Classification				
	Essential Infrastructure	Highly vulnerable infrastructures	More Vulnerable	Less Vulnerable	Water Compatible
Zone 1	☉	☉	☉	☉	☉
Zone 2	☉	Exception test required	☉	☉	☉
Zone 3a	Exception test required	X	Exception test required	☉	☉
Zone 3b (Functional flood plain)	Exception test required	X	X	X	☉

☉ Development is appropriate

X Development should not be permitted

4. EXCEPTION TEST

- 4.1 Having completed the Sequential Test, the Exception Test aims to provide a method of provide a way of managing flood risk whilst still allowing necessary development to occur in the interests of sustainable development. National Planning Policy Framework sets out the Governments planning policies and how these are expected to be applied. National policy clearly sets out the purpose of the planning system is to contribute to the achievement of sustainable development.
- 4.2 The purpose of the Exception Test is to ensure that where it may be necessary to locate development in areas at risk of flooding, new development is only permitted in Flood Zone 2 and Flood Zone 3 where the flood risk is clearly outweighed by other sustainability factors and where the development will be safe during its lifespan when accounting for climate change.
- 4.3 For the Exception Test to be passed there are two elements to which need to be passed:
- a. It must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a SFRA where one has been prepared
 - b. A site-specific Flood Risk Assessment (FRA) must demonstrate that the development will be safe for its lifespan, taking account of the vulnerability of its users, without increasing flooding elsewhere and where possible reducing flood risk overall.

5. CONCLUSIONS

- 5.1 The Sequential Test has been applied to the proposed site allocations within the Borough.
- 5.2 The conclusions drawn will determine whether the sites are suitable locations in terms of flood risk and development use as the NPPF outlines that new development should be steered towards in flood zone 1.
- 5.3 7 sites were deemed to require the Exception Test. The supporting information as part of the Exception Test (as detailed in the SFRA Level 2 site appraisals) would allow the

developments in higher risk zones to be considered suitable and therefore the Sequential Test is considered to be passed for the site allocations.

- 5.4 A site-specific Flood Risk Assessment, assessing all forms of flood risk would need to be carried out in addition at the application stage. The information provided in this document and Appendix 1 demonstrate that both parts of the Exception Test are satisfied for the purposes of plan making for all allocated sites.
- 5.5 The SFRA Level 2 document prepared by JBA provides detailed information to address part two of the exceptions test and applicants should use this information to inform their Flood Risk Assessment.
- 5.6 In summary, the Council considers the Sequential Test and Exceptions Test to be passed for all the proposed site allocations in the draft Local Plan.

APPENDIX A – SEQUENTIAL AND EXCEPTION TESTS ON SITE OPTIONS

Site Allocation	Site Name	Current Use	Proposed Development Use	Flood Zones	Flood Risk Vulnerability Classification of Proposed Use	Could the Development be Allocated in a lower Flood Risk Zone?	Acceptability of Development In terms of Sequential test	Sequential Test Passed (Yes/No)	Exception Test Supporting Information
O&W/001	Glen Gorse Golf Course	Golf Course	Residential	Zone 1 100%	More Vulnerable	No.	Acceptable	Yes	
O&W/002	Glen Gorse Golf Course & Highfield Farm	Golf Course & Agriculture	Leisure		Less Vulnerable	SEE O&W/001			
OAD/001	Land at Stoughton Grange Farm	Agriculture	Leisure & Recreation	Zone 1 99% Zone 2 1%	Less Vulnerable	Given c. 99% of the site is located within FZ1, with a sequential approach to the site layout i.e. locating the development in the lower risk portion of the site, this site allocation can continue to be located in this area. As such, there is no need to consider alternative sites in lower flood zones.	Acceptable	Yes	
OAD/002	Land south of Gartree Road	Agriculture	Residential		More Vulnerable	SEE OAD/009			
OAD/003	Land to the West, South and East of Leicester Spire Hospital, Gartree Road	Greenfield	Residential & Health or educational	Zone 1 100%	More Vulnerable	No.	Exception Test required. Other residential sites are available that do not require an exception test	No.	The Level 2 SFRA provides specific guidance for site design and making development safe.

Site Allocation	Site Name	Current Use	Proposed Development Use	Flood Zones	Flood Risk Vulnerability Classification of Proposed Use	Could the Development be Allocated in a lower Flood Risk Zone?	Acceptability of Development In terms of Sequential test	Sequential Test Passed (Yes/No)	Exception Test Supporting Information
OAD/004	Land North of Manor Road	Horse Paddock	Residential	Zone 1 100%	More Vulnerable	No.	Acceptable	Yes	
OAD/005	Land North of Palmerston Way	Greenfield	Institutional Use	Zone 1 100%	More Vulnerable	No.	Exception Test required. Office type uses encouraged to locate in town centres, no car park site requires exception test.	No.	The Level 2 SFRA provides specific guidance for site design and making development safe.

Site Allocation	Site Name	Current Use	Proposed Development Use	Flood Zones	Flood Risk Vulnerability Classification of Proposed Use	Could the Development be Allocated in a lower Flood Risk Zone?	Acceptability of Development In terms of Sequential test	Sequential Test Passed (Yes/No)	Exception Test Supporting Information
OAD/006	Land at Oadby Grange	Agriculture	Residential	Zone 1 100%	More Vulnerable	No.	Exception Test required	Yes	The Level 2 SFRA provides specific guidance for site design and making development safe.
OAD/007	Land South of Sutton Close	Agriculture	Residential	Zone 1 100%	More Vulnerable	No.	Acceptable	Yes	
OAD/008	Eastern half of Glen Gorse Golf Club	Golf Course	Residential		More Vulnerable	SEE O&W/001			
OAD/009	Land South of Gartree Road and East of Stoughton Road	Agriculture	Residential	Zone 1 100%	More Vulnerable	No.	Acceptable	Yes	
OAD/010	Land South of Gartree Road and East of Stoughton Road	Agriculture	Residential		More Vulnerable	SEE OAD/009			
OAD/011	Land South of Gartree Road and East of Stoughton Road	Agriculture	Residential		More Vulnerable	SEE OAD/009			

Site Allocation	Site Name	Current Use	Proposed Development Use	Flood Zones	Flood Risk Vulnerability Classification of Proposed Use	Could the Development be Allocated in a lower Flood Risk Zone?	Acceptability of Development In terms of Sequential test	Sequential Test Passed (Yes/No)	Exception Test Supporting Information
OAD/012	Land at East Street Car Park	Car Park	Mixed use residential and retail	Zone 1 100%	More Vulnerable	No.	Acceptable	Yes	
OAD/013	Land at Sandhurst Street Car Park	Car Park	Mixed use residential and retail	Zone 1 100%	More Vulnerable	No.	Acceptable	Yes	
OAD/014	Oadby Sewage Works	Sewage Works	Employment	Zone 1 89% Zone 2 4% Zone 3 7%	Less Vulnerable	Given approximately 90% of the site is located within FZ1, with a sequential approach to the site layout i.e. locating the development in the lower risk portion of the site, this site allocation can continue to be located in this area. As such, there is no need to consider alternative sites in lower flood zones.	Exception Test required	Yes	The Level 2 SFRA provides specific guidance for site design and making development safe.
OAD/015	Land South of Gartree Road Strategic Development Area	Agriculture	Residential with supporting community facilities	Zone 1 98% Zone 2 2%	More Vulnerable	Given over 98% of the site is located within FZ1, with a sequential approach to the site layout i.e. locating the development in the lower risk portion of the site, this site allocation can continue to be located in this area. As such, there is no need to consider alternative sites in lower flood zones.	Exception Test required	Yes	The Level 2 SFRA provides specific guidance for site design and making development safe.
WIG/001	Land West of Welford Road	Agriculture	Residential	Zone 1 100%	More Vulnerable	No.	Acceptable	Yes.	
WIG/002	Wigston Meadows Phase 3	Agriculture	Residential	Zone 1 100%	More Vulnerable	No.	Acceptable	Yes.	
WIG/003	Land North of Denbydale	Agriculture	Residential		More Vulnerable	SEE WIG/008			
WIG/004	Land North of Newton Lane	Agriculture	Residential		More Vulnerable	SEE WIG/008			
WIG/005	Highfield Farm	Agriculture	Residential		More Vulnerable	SEE O&W/001			
WIG/006	Land off Denbydale and Rosedale Road	Agriculture	Residential		More Vulnerable	SEE WIG/008			
WIG/007	Land at Seven Oaks Farm, Newton Lane	Agriculture	Residential		More Vulnerable	SEE WIG/008			
WIG/008	Land at Newton Lane	Agriculture	Residential	Zone 1 100% Zone 2 0% Zone 3 0%	More Vulnerable	No.	Acceptable.	Yes.	

Site Allocation	Site Name	Current Use	Proposed Development Use	Flood Zones	Flood Risk Vulnerability Classification of Proposed Use	Could the Development be Allocated in a lower Flood Risk Zone?	Acceptability of Development In terms of Sequential test	Sequential Test Passed (Yes/No)	Exception Test Supporting Information
WIG/009	Land West of Welford Road	Agriculture	Residential	Zone 1 92% Zone 2 4% Zone 3 4%	More Vulnerable	Given over 90% of the site is located within FZ1, with a sequential approach to the site layout i.e. locating the development in the lower risk portion of the site, this site allocation can continue to be located in this area. As such, there is no need to consider alternative sites in lower flood zones.	Exception Test required. Similar size nearby residential sites available do not require exception test.	No.	The Level 2 SFRA provides specific guidance for site design and making development safe.
WIG/010	Land North of Glen Gorse Golf Course	Agriculture	Residential	Zone 1 100%	More Vulnerable	No.	Acceptable	Yes.	
WIG/011	Land adjacent to Newton Lane	Agriculture	Residential		More Vulnerable	SEE WIG/008			
WIG/012	Land at Junction Road Car Park	Car Park & buildings	Mixed use development residential & retail	Zone 1 100%	More Vulnerable	No.	Acceptable	Yes	
WIG/013	Land at Frederick Street/Bell Street	Car Park & buildings	Mixed use development residential & retail	Zone 1 100%	More Vulnerable	No.	Acceptable	Yes	
WIG/014	Land at Paddock Street	Car Park & buildings	Mixed use development residential & retail	Zone 1 100%	More Vulnerable	No.	Acceptable	Yes	
WIG/015	Land at Newton Lane	Agriculture	Residential	Zone 1 96% Zone 2 4%	More Vulnerable	Given c. 96% of the site is located within FZ1, with a sequential approach to the site layout i.e. locating the development in the lower risk portion of the site, this site allocation can continue to be located in this area. As such, there is no need to consider alternative sites in lower flood zones.	Exception Test required. Similar size site available that doesn't require an exception test.	No.	The Level 2 SFRA provides specific guidance for site design and making development safe.
SWIG/001	Magna Road employment site	Greenfield	Employment	Zone 1 100%	Less Vulnerable	No.	Acceptable	Yes	