

---

# SEQUENTIAL TEST STATEMENT

---

Former Hanson and J C Phillips & Sons Depots, Land to the rear of  
156-162 South Street, Bridport, DT6 3NP

**planning***issues*  
TOWN PLANNING AND ARCHITECTURE

---

## TABLE OF CONTENTS

---

EXECUTIVE SUMMARY	3
INTRODUCTION	5
PROPOSED DEVELOPMENT	7
METHODOLOGY	9
ASSESSMENT	12
COUNCILS CONSIDERATION OF THE APPLICATION	17
APPEAL CASES IN RESPECT TO THE SEQUENTIAL TEST	19
CONCLUSION	24
APPENDICES	
Appendix 1 – Christchurch Appeal decision	
Appendix 2 – Hemel Hempstead Appeal decision	
Appendix 3 -Lydney Appeal decision	
Appendix 4 -Feniton Appeal decision	
Appendix 5 -Faversham Appeal decision	

---

## EXECUTIVE SUMMARY

---

- I. This Sequential Test Statement has been prepared by Planning Issues Limited, on behalf of Churchill Retirement Living, and is submitted in support of the appeal on this site. A Sequential Test Statement was submitted with the detailed planning application for the proposed retirement living development at the Former Hanson and J C Phillips & Sons Depots, Land to the rear of 156-162 South Street, Bridport, DT6 3NP.
- II. This Sequential Test Statement identifies the flood context, undertakes the sequential test, updating it where necessary, and assesses this against the relevant national, regional and local planning policies. In respect to national planning policy the Government policy guidance on sequential tests changed on the 17<sup>th</sup> September and this is a material planning consideration.
- III. The Applicant is a retirement property house builder based in the United Kingdom. They specialise in developments of purpose-built apartments for older homeowners and currently has more than 200 retirement developments across the United Kingdom.
- IV. The Applicant proposes the demolition of existing building and redevelopment of the site to form 48 retirement apartments, 25 retirement cottages together with communal facilities, access, car parking and landscaping. The application also includes a change of use of the former police station to community or office uses.
- V. *'The aim of the Sequential Test'*, as detailed within the Planning Practice Guidance, is to ensure that a sequential approach is followed to steer new development to areas with the lowest probability of flooding. The flood zones as refined in the Strategic Flood Risk Assessment for the area provide the basis for applying the Test. The aim is to steer new development to Flood Zone 1 (areas with a low probability of river or sea flooding). Where there are no reasonably available sites in Flood Zone 1, local planning authorities in their decision making should take into account the flood risk vulnerability of land uses and consider reasonably available sites in Flood Zone 2 (areas with a medium probability of river or sea flooding), applying the Exception Test if required. Only where there are no reasonably available sites in Flood Zones 1 or 2 should the suitability of sites in Flood Zone 3 (areas with a high probability of river or sea flooding) be considered, taking into account the flood risk vulnerability of land uses and applying the Exception Test if required.
- VI. *'Retirement Living Explained – A Guide for Planning and Design Professionals'* lists twelve essential design characteristics to a successful retirement living accommodation development for older people within the UK. An understanding of these criteria has been used to determine the suitability of sites under the sequential test.
- VII. This sequential test has reviewed the Local Plan, the Neighbourhood Plan, the Strategic Housing Land Availability Assessment, the Council's Brownfield Land Register, sites within Bridport that have submitted a planning application in the last five years for additional residential development, and any sites being marketed at the current time of writing this report.
- VIII. This assessment concludes that there are currently no available sites in Bridport that are available and suitable for a retirement living development in a lower probability flooding area. Thus the sequential test is considered to be passed for the proposed development at land to the rear of 156-162 South Street

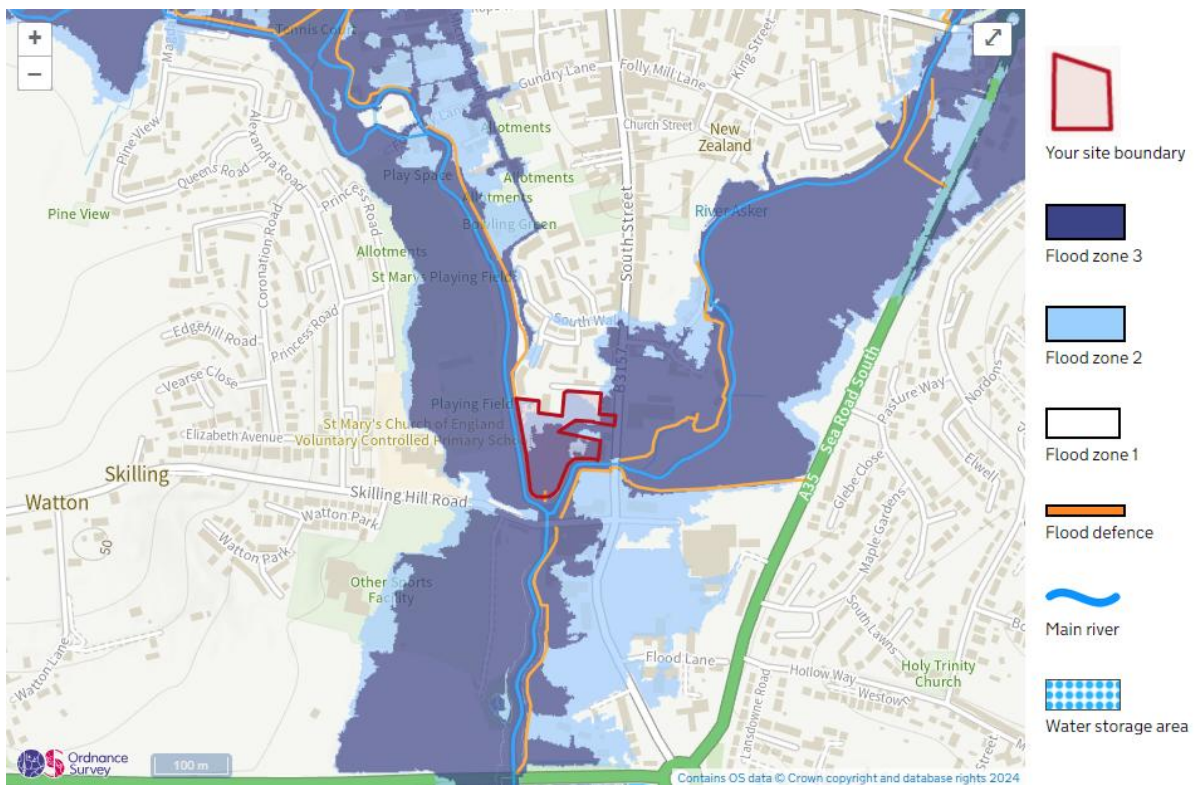
Ref/Rev:	BRIDPORT/application	BRIDPORT/appeal
Date:	June 2024	September 2025
Prepared by:	Laura Coombes-Baker	Matthew Shellum
Checked by:	Matthew Shellum	Stuart Goodwill

---

# 1. INTRODUCTION

---

- 1.1 This Sequential Test Statement has been prepared by Planning Issues Limited, on behalf of Churchill Retirement Living, and is submitted in support of an appeal for the proposed retirement living development at Former Hanson and J C Phillips & Sons Depots, Land to the rear of 156-162 South Street, Bridport, DT6 3NP
- 1.2 The site comprises the former quarry and paving merchant depots. The northern parcel of the site which was the former quarry depot has been vacated. The southern half of the site remains currently in operation.
- 1.3 The site is located to the south of the Bridport town centre, as well as the medical centre and other local services and facilities. It is in a highly sustainable location.
- 1.4 As set out below part of the site is within Flood Zone 2 and 3. The site does benefit from a flood defence wall around the perimeter of the site.



- 1.5 As set out within the NPPF and Policy ENV5 (Flood Risk) of the adopted West Dorset, Weymouth and Portland Local Plan 2015, development within sites at any risk of flooding will only be acceptable if it is demonstrated that there are no suitable available alternative sites at a lower flood risk. Paragraph 168 of the NPPF sets out that *“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”*.
- 1.6 This sequential test sets out the requirements for and benefits of older people’s housing. It then sets out national planning policy guidance in respect to flood risk and sequential tests before reviewing the Local Plan, the Neighbourhood Plan, the Strategic Housing Land Availability Assessment, the Council’s Brownfield Land Register, sites within Bridport that have submitted a planning application in the last

five years for additional residential development, and any sites being marketed at the current time of writing this report.

---

## 2. PROPOSED DEVELOPMENT

---

- 2.1 The application sought permission for the demolition of the existing buildings and redevelopment of the site to form 48 retirement apartments and 25 cottages including communal facilities, access, car parking and landscaping.
- 2.2 The application is made by Churchill Retirement Living, a UK based privately owned family run company. They specialise in developments of purpose-built apartments for older homeowners and currently have more than 170 retirement developments across the United Kingdom.
- 2.3 The development primarily consists of 1 and 2 bedroom apartments and 2 bedroomed cottages which are all restricted to people of 60 years or over, or those of 60 years or over with a spouse or partner of at least 55.
- 2.4 Notwithstanding the age restriction, it is found that the average age of purchasers of the apartments are 79 years old and that they are typically occupied by a widow. The decision to purchase this type of development is predominantly needs based following a significant life event such as a fall or the death of a partner.
- 2.5 The communal facilities which are included within the developments are as follows:
- A lodge manager
  - A video entry system
  - An owners lobby
  - A communal landscaped garden
  - An Owners Lounge
  - A guest suite
  - A communal toilet
  - A communal bin store
  - A communal car parking area
  - Mobility scooter charging store
- 2.6 It is well documented that the UK faces an ageing population. One in four people will be over 65 by 2050, increasing from 19% in 2019. In 2018, there were 1.6 million people aged 85 years and over; by mid-2043 this is projected to almost double to 3 million. As acknowledged above, the recent House of Lords Built Environment Committee Report requires that new homes built must reflect this ageing population, particularly as there will be an increase in older people living alone (January 2022). The Planning Practice Guidance sets out that providing housing for older people is now '*critical*'<sup>1</sup>.
- 2.7 The PPG goes on to acknowledge that offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems. Therefore, an understanding of how the ageing population affects housing needs is something to be considered from the early stages of plan-making through to decision-taking.

---

<sup>1</sup> Planning Practice Guidance, Paragraph: 001 Reference ID: 63-001-20190626. Available here: <https://www.gov.uk/guidance/housing-for-older-and-disabled-people>

- 2.8 There is a significant national drive to increase housing delivery. Para 61 of the NPPF is clear, the Government intends to significantly boost the supply of new homes. Para 63 of the NPPF was amended in the 2023 version to ensure that local planning authorities assess their requirement for retirement housing with planning policies which reflect the identified need. The PPG is unequivocal in its message that *“the need to provide housing for older people is **critical**”*.
- 2.9 There is a huge need for more housing options for the ageing population both nationally and within Dorset. The PPG is clear: *“where there is an identified unmet need for specialist housing, local authorities should take a positive approach to schemes that propose to address this need”*.
- 2.10 The proposal seeks to deliver 73 no. retirement living dwellings on a brownfield site. In accordance with the NPPF (para 125c) substantial weight should be given to the value of using suitable brownfield land within settlements for homes.
- 2.11 The site is in a highly sustainable location. It offers opportunities for the future residents to walk to a range of services and facilities within the town centre. This is particularly important as people age, with many having to give up driving. It also offers the opportunity to allow residents to remain as active part of their local community.
- 2.12 The provision of retirement housing releases under occupied family homes back into the housing market. This in turn enables moves throughout the whole housing market, benefiting everyone including first time buyers.
- 2.13 Other economic benefits associated with the application include:
- Savings to the NHS and social care services of £3,500 per person per year in retirement living accommodation, totalling £231,000 savings per year.
  - Increased spending in local shops and services of around £875,500 per annum
  - Creation of around 62 construction jobs, 69 supply chain jobs, 4 direct jobs and 8 supported jobs from increased expenditure in the local area from the retirement living scheme.
  - The change of use to the community or employment use of the former police station will also bring wider economic benefits.
- 2.14 Social benefits of the proposed development include:
- Encouraging independence in later life with suitably designed housing. Reducing reliance on residential and nursing care.
  - Providing safety and security and reducing management and maintenance concerns.
  - Companionship, reducing loneliness and social isolation.
  - Entertainment and social gatherings
- 2.15 These social benefits are vital for mental health and quality of life as people age, reducing loneliness and providing safety and security.
- 2.16 The environmental benefits include:
- Efficient use of brownfield land, reducing the need for greenfield release
  - Close proximity to shops and facilities encouraging residents to walk
  - Shared facilities for residents in a single building makes efficient use of energy and resources.
  - Use of renewable energy enabling a reduction of CO<sup>2</sup> emissions
  - Water efficiency standards of 110 litres per person per day.
  - The scheme will deliver a biodiversity net gain.

---

## 4. METHODOLOGY

---

- 4.1 The PPG sets out '*What is the sequential, risk-based approach to the location of development?*' and the general 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. It should be noted that the Government policy guidance on the approach to sequential tests changed on the 17<sup>th</sup> September 2022. This is a material change in policy guidance to when the application was determined in March 2025 with the Council citing a failure to meet the sequential test.
- 4.2 '*The aim of the Sequential Test*' is detailed within the PPG. The flood zones as refined in the Strategic Flood Risk Assessment for the area provide the basis for applying the Test. The aim is to steer new development to Flood Zone 1 (areas with a low probability of river or sea flooding). Where there are no reasonably available sites in Flood Zone 1, local planning authorities in their decision making should take into account the flood risk vulnerability of land uses and consider reasonably available sites in Flood Zone 2 (areas with a medium probability of river or sea flooding), applying the Exception Test if required.
- 4.3 For individual planning applications where there has been no sequential testing of the allocations in the development plan, the area to apply the Sequential Test across will be defined by local circumstances relating to the catchment area for the *type of development proposed and the needs it is proposing to address*. This reference to the '*needs it is proposing to address*' is the recent change made by Government to the PPG and the introduction of the new paragraph 27a into the PPG on Flood Risk and Coastal Change. The PPG also has been amended to advise that *catchment area should always be appropriate to the nature and scale of the proposal and the settlement it is proposed for*. For some developments this may be clear, for example, the catchment area for a school. In other cases it may be identified from other Local Plan policies, such as the need for affordable housing within a town centre, or a specific area identified for regeneration. For example, where there are large areas in Flood Zones 2 and 3 (medium to high probability of flooding) and development is needed in those areas to sustain the existing community, sites outside them are unlikely to provide reasonable alternatives. In the context of this application and the appeal the proposed scheme is seeking to address a specific form of local housing need and the catchment area should reflect that need.
- 4.4 When applying the Sequential Test, a pragmatic approach on the availability of alternatives should be taken. For example, in considering planning applications for extensions to existing business premises it might be impractical to suggest that there are more suitable alternative locations for that development elsewhere. For nationally or regionally important infrastructure the area of search to which the Sequential Test could be applied will be wider than the local planning authority boundary.
- 4.5 The West Dorset District Council Strategic Flood Risk Assessment (August 2010) Level 2 and Dorset Council Level 1 Strategic Flood Risk Assessment (February 2023) sets out the Environment Agency's procedure for applying the Sequential Test. This is as follows:
- i. State the name and location of the reasonably available site options being compared to the application site
  - ii. Indicate whether flood risk on the reasonable available options is higher or lower than the application site. State the Flood Zone or SFRA classification for each site.

- iii. State the approximate capacity of each reasonably available site being considered. This should be based on; the density policy within a Local Development Document (LDD); the current Strategic Housing Land Availability Assessment for the district past performance
- iv. Detail any constraints to the delivery of identified reasonably available options; for example, availability within a given time period or lack of appropriate infrastructure i.e. flood defences which protect the site through its design lifetime. This part of the test should include recommendations on how these constraints should be overcome and when

4.6 Following this procedure, the typical requirements for a successful retirement living development are:

- A high profile location, on active roads with good transport links;
- Within 0.5 miles of town or local centres and amenities;
- On brownfield land;
- 0.4 to 1.5 acres

4.7 The map below sets out the 0.5mile radius around the town centre. Sites must be within this radius to be considered suitable. Residents are often looking to move into town centre locations so that they can give up their car and can still access the goods and services they need within a suitable walking distance. Experience has shown that outside this half mile radius is just too far for residents to consider.



4.8 Paragraph 028 of the which was amended with the recent PPG states that *'Reasonably available sites' are those for the purposes of the sequential if their location is suitable for the type of development proposed, they are able to meet the same development needs and they have a reasonable prospect of being developed at the same time as the proposal.* These 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'. The advice set out that for a site to be 'reasonably available' it need not only be available for development by the appellant but there does need to be a reasonable prospect of it being available to be developed into the proposed development.

- 4.9 Because of the nature of specialised accommodation for retirement living centred around communal areas it is not possible to disaggregate units over a series of smaller sites, a solitary site of comparable ability to deliver the proposed development is necessary. The issue of disaggregation has been addressed in the recent Mead High Court case . Para 109 of the Mead High Court Case and specifically Para 110 which states (emphasis added);

*'I note that the PPG refers to a 'series of smaller sites'. The word 'series' connotes a relationship between sites appropriate for accommodating the type of development which the decision-maker judges should form the basis for the sequential assessment. This addresses the concern that a proposal should not automatically fail the sequential test because of the availability of multiple, disconnected sites across a local authority's area. The issue is whether they have a relationship which makes them suitable in combination to accommodate any need or demand to which the decision-maker decides to attach weight.'*

- 4.10 The applicant's approach to the provision of sequential test and catchment areas is supported in its recent appeal approval for Christchurch, Dorset in March 2025 (APP/V1260/W/24/3351431)(Appendix 1). The Inspector at Paragraph 43 concluded that *'The Council responded with a list of sites which it considered were potentially sequentially preferable, but it is clear from the submitted evidence that several would be too far from the town centre to support retirement living development; some are unavailable either because they are subject to active development proposals or because they would be unlikely to come forward within the next 5 years; and some would be too small to sustain a viable retirement living development. The Appellant's sequential test and rebuttal evidence are thorough and convincing.'*

- 4.11 Churchill Retirement Living are looking to deliver a development within Bridport to meet local housing needs and the applicant considers it is not appropriate to expand the catchment area borough-wide.

- 4.12 In order to identify a source of sites the following have been used:

- West Dorset, Weymouth and Portland Local Plan
- Emerging Dorset Local Plan Evidence Base
- Strategic Housing Land Availability Assessment,
- Brownfield Register,
- the Councils planning register for sites with planning permission for residential development within the last 5 years; and
- sites currently on the market.

- 4.13 The Environment Agency flood map for planning has been used to compare the flood risk between sites, together with an assessment of availability and suitability for retirement living accommodation.

- 4.14 The assessment of the sites is set out within the next chapter together with a conclusion on the availability of other suitable sites.

## 5. ASSESSMENT

5.1 As set out in the Guidance, the area to which the Sequential Test should be applied should be defined by local circumstances relating to the catchment area of the type of development proposed. As set out above the search is being applied to the parish of Bridport and its environs, although more specifically to the 0.5 mile radius from the town centre which is required for a successful retirement living development.

5.2 The sites are considered below, with a table of all the sites considered in Appendix A.

### **Development Plan**

5.3 The adopted West Dorset, Weymouth & Portland Local Plan 2015 includes five housing sites, which are in Bridport. These are:

- BRID1 – Land at Vearse Farm
- BRID2 – Land off Skilling Hill Road
- BRID3 – Land to the East of Bredy Veterinary Centre
- BRID4 – Future Town Centre Expansion
- BRID5 – St Michaels Trading Estate

5.4 There are no housing sites allocated within the Bridport Neighbourhood Plan.

5.5 An assessment of these sites are as follows:

Site	Assessment	Available and suitable as a sequentially preferable site
Land at Vearse Farm	Approval granted in June 2023 and S73 application granted in January 2024 for 760 dwellings. Land secured by national house builder and therefore the site is not available. The site is also in excess of the 0.5m threshold	Discounted
Land off Skilling Hill Road	The site remains operational and is therefore not reasonably available for development. The policy advises that the site could only come forward if Dorset CC education review identifies the Vearse Farm site as a replacement school for St. Mary's Primary	Discounted
Land to the East of Bredy Veterinary Centre	50% of the site is outside of the 0.5m distance as shown in the map above. The site is an 850m walk to the edge of the town centre and 920m to the centre. There are significant levels changes that would not be appropriate for an older person. The site has therefore been discounted.	Discounted
Future Town Centre Expansion	1.8ha site within the town centre however has numerous heritage constraints and is included within the SHLAA for 20 units at a density of 50dph which would not be a sufficient capacity for a flatted retirement living development. The SHLAA site review states the land would be deliverable in 11-15 years. The policy BRID4 also requires the retention of an appropriate amount of public car parking. The site is not considered suitable or reasonably available.	Discounted.

St Michaels Trading Estate	Site falls entirely within Flood Zones 2 and 3. There is a listed building on the site which requires retention which restricts the developable area. The site is not sequentially preferable to the appeal site in terms of flood risk.	Discounted
----------------------------	--	------------

Strategic Housing Land Availability Assessment

5.6 The Council published an updated Strategic Housing Land Availability Assessment (SHLAA) in October 2024. 9 sites have been identified in the SHLAA, covering the Bridport area. The sites are:

- Sidney Gale House Site (LA/BRID/001) – Capacity 24 dwellings
- Bradford Builders Merchants (LA/BRID/002) – Capacity 27 dwellings
- Coach Station Square (LA/BRID/003) – Capacity 40 dwellings
- Proto Garage and Works (LA/BRID/004) – Capacity 7 dwellings
- Rope Walks Car Park (LA/BRID/005) – Capacity 20 dwellings
- St Swithins Road - (LA/BRID/006) – Capacity 12 dwellings
- Vearse Farm – (LA/SYMO/007) – Capacity 760 dwellings
- Land West of Coronation Road (LA/SYMO/008) – Capacity 48 dwellings

5.7 An assessment of these sites are as follows:

Site	Assessment	Available and suitable as a sequentially preferable site
Bradford Builders Merchants	The SHLAA assessment advises of a potential dph of 50 and a site capacity of 27 dwellings which would not be practical for a retirement development. Estimated delivery is also 11-15 years and not considered reasonably available. Operations Director of Bradford Building Supplies contacted on 6 <sup>th</sup> August regarding site availability with no response.	Discounted
Coach Station Square	The site is 98% in FZ2, 74% within FZ3 with no defences, so the site is not sequentially preferable in terms of flood risk to the appeal site. A designated Neighbourhood Plan area for primary (and enhanced) use as a transport hub. Estimated delivery is also 11-15 years and not reasonably available.	Discounted
Proton Garage and Works	The site is only 0.21ha with a potential for 7 dwellings in the SHLAA. This site is not of a sufficient size for a flatted retirement living development. SHLAA also advises that it is has anticipated housing delivery between 6-10 years so its not reasonably available as well as being unsuitable.	Discounted
Rope Walks Car Park	1.8ha site within the town centre however has numerous heritage constraints and is included within the SHLAA for 20 units at a density of 50dph which would not be a sufficient capacity for a flatted retirement living development. The SHLAA site review states the land would be deliverable in 11-15 years so not reasonably available as well as unsuitable.	Discounted.
Sidney Gale House Site	The site is in excess of 0.5miles from the town centre. The SHLAA sets out the potential for 24 dwellings with a 50dph potential. There is a forthcoming application for a 56 room with nursing support use by Dorset Council as it is understood to have a covenant on the	Discounted

	land restricting to care provision. The site is not reasonably available. Julian Wain, Strategic Property/Regeneration at Dorset Council contacted 28 <sup>th</sup> July. No response received.	
St Swithins Road	Developable site area of 0.24ha. The SHLAA advises of a potential yield of 12 units with a density of 50dph. This is considered to be too small a site for a flatted retirement development.	
Vearse Farm	A large green field site of 45ha. Parts of the site are within floodzone 2, 3 and 3b so as a site would not be considered sequentially preferable to the appeal site. Site of this scale would require masterplanning and the Council's assessment identifies a housing delivery of between 11-15 years so not considered to be reasonably available.	Discounted
Land west of Coronation Road	Green field site of 2.7ha. Part of the BRID1 allocation from the adopted local plan. Identified for 48 units at a density of 30dph and anticipated to be delivered within years 1-5. The townscape character indicated by the lower level density would not be suitable for a flatted development of retirement living apartments. It might be suitable for retirement living cottages but the site quantum is significantly below the appeal proposal	Discounted

#### The Brownfield Land Register

- 5.8 Dorset Council published their Brownfield Register in April 2020. 6 sites within the Brownfield Register are within Bridport and are all sites which have been previously reviewed above. The sites are:
- Flood Lane (Sidney Gale House)
  - Bradford Buildings Merchants
  - Coach Station Square
  - Proton Garage and Works
  - Rope Walks Car Park
  - St. Swithins Road

#### Annual Position Statement (October 2024)

- 5.9 The Council's 5 year annual housing position statement from October 2024 identifies within it 25 sites within Bridport that have consent for new dwellings. At the time of the report in October 2024 only 10 of these sites were not under construction. They in total will deliver 25 dwellings with the largest sites being of 5 to 6 dwellings (P/FUL/2022/03411 & P/FUL/2021/01209). Even if there was a relationship between these sites they are not of a sufficient quantity or size to deliver the proposed retirement living scheme of 48 apartments and 25 cottages.

#### Other sites considered

- 5.10 A search of Rightmove and other land and property databases has been carried out. At the time of writing this sequential test (September 2025), there are no other sites on the market within the built-up areas of Bridport and its environs with potential for retirement housing.

### Extended Search Area

- 5.11 The Appellant is of the view that its sequential test catchment area focussed on Bridport and environs is appropriate, the reasoning for this is set out in Section 6. This is further supported by the recent PPG changes at Paragraph 027a of Flood Risk and Coastal Change which is a material change from when the Council determined the application. However, if assists the Council further I have extended the sequential test area to the neighbouring settlements of Beaminster and Lyme Regis that might reasonably considered to be in the same housing market catchment area.
- 5.12 The sequential test assessment has considered the alternative sites within the defined development boundaries from the West Dorset, Weymouth and Portland Local Plan 2015, adopted neighbourhood plans where relevant, the Council's Strategic Housing Availability Assessment (October 2024), Council's annual position statement and sources of market information on alternative sites.

### Beaminster

- 5.13 The West Dorset, Weymouth & Portland Local 2015 allocates one site for mixed used development including residential at Land to the North of Broadwindsor Road (BEAM1). Beaminster does not have a neighbourhood plan. The Council's SHLAA identifies one suitable residential site at Land off Cockroad Lane (LA/BEAM/005) this contains land forming part of the BEAM1 development plan allocation. The Council's 5 year annual housing position statement from October 2024 identifies within it 7 sites within Beaminster that have consent for new dwellings. These total 8 dwellings and all bar one are for single dwelling permissions. A search of Rightmove and other land and property databases has been carried out. At the time of writing this sequential test (September 2025), there are no other sites on the market within the built-up areas of Beaminster with potential for retirement housing.
- 5.14 The table below assesses the two sites from the Local Plan and SHLAA.

Site	Assessment	Available and suitable as a sequentially preferable site
Land to the North of Broadwindsor Road (BEAM1)	This is a large greenfield allocation. It is over 0.7 miles from The Square in Beaminster and has not got public footpath access into the town. It is not suitable for a Retirement Living development.	Discounted
Land off Cockroad Lane (LA/BEAM/005)	This site contains part of BEAM1 above. The remainder is outside of the settlement boundary and would not pass the Council's own stated test of looking at sites within development boundaries. It similarly is too far from the town centre to be suitable for a Retirement Living development.	Discounted

- 5.15 It is considered that there are no sequentially preferable sites in Beaminster to the appeal site for a retirement living development scheme.

### Lyme Regis

- 5.16 The Local Plan identifies that development opportunities in and around Lyme Regis are limited due to land instability, highway and landscape constraints. The Local Plan includes one residential site allocation for Lyme Regis at Land at Woodberry Down (LYME1). Lyme Regis does not have an adopted neighbourhood plan. The Council's SHLAA identifies one suitable site within Lyme for further residential development which is the Lyme Regis library (LA/LYME/005). The Council's 5 year annual housing position statement from October 2024 identifies within it 12 sites within Lyme Regis that have consent

for new dwellings. 10 of these sites are for schemes of 1 or 2 dwellings with a combined site total of 26 dwellings. There is one consent for 5 dwellings (WD/D/17/002388) and one consent for 9 dwellings (WD/D/14/002/879). Neither of these sites would be sufficient in size and quantum for a retirement living development. A search of Rightmove and other land and property databases has been carried out. At the time of writing this sequential test (September 2025), there was one other residential land site offered for sale at Land adjacent Regis House, Lyme Road with planning consent (23/1004/FUL) for 7 dwellings.

Site	Assessment	Available and suitable as a sequentially preferable site
Land at Woodberry Down (LYME1)	This site has been consented and built out. Not reasonably available.	Discounted
Lyme Regis Library (LA/LYME/005)	The site is Lyme Regis library it is 0.09ha. and the SHLAA indicates a possible capacity of 8 dwellings. However, this is based on there being no demonstrated need for a library facility locally. The SHLAA identifies a 10-15 year timeframe for delivery. The site is too small and not reasonably available	Discounted
Land adjacent Regis House, Lyme Road (23/1004/FUL)	Small site of 0.142ha with consent for 7 dwellings of which four are apartments. Level concerns and too small for a retirement living development.	Discounted

5.17 It is considered that there are no sequentially preferable sites in Lyme Regis to the appeal site for a retirement living development scheme.

---

## 6. COUNCIL'S CONSIDERATION OF THE APPLICATION

---

- 6.1 The Council's consideration of the sequential test is set out in the officer's report at Paragraph 12.5.5 – 12.5.25. The Council's consideration that the sequential test was failed would appear to be based on three points:
- The catchment area for the sequential test was too narrow; and,
  - Application of a 0.5 mile buffer is an arbitrary distance; and,
  - Further assessment was required for a number of sites identified in the Council's Strategic Housing Land Availability Assessment.
- 6.2 Paragraph 12.5.9 identifies the Dorset and BCP Local Housing Needs Assessment and concluded a need for 2,600 units of retirement housing across Dorset by 2038 with the comment provided at 12.5.10 that the need is from the whole County and not specific to any singular area or settlement. The Appellant submitted with the application an Assessment of need for retirement housing at South Street, Bridport by ThreeDragons. This identified the need for retirement housing in the West Dorset area of the County and specifically in Bridport and its surrounding wards. There is no dispute between the parties in terms of the need for retirement living either at County level, district level and at a local level at Bridport and environs.
- 6.3 The dispute in terms of catchment area is based upon the Council's identification of a County wide need and an area of search refined to the settlement hierarchy in the Local Plan (Policy SU2) and therefore based on accepted wider housing needs for retirement housing the catchment area should cover a wider number of sustainable settlements. The recent Government change to the PPG at Paragraph 27a on catchment area supports the Appellant's position that the catchment area is restricted to the settlement of Bridport. However, to take such an approach would be to ignore the local needs of Bridport for retirement housing which the local planning authority are not disputing. To fail a sequential test because there may be a sequentially preferable site(s) in Dorchester, Weymouth or Shaftesbury is not addressing the need for this accommodation that exists and is accepted by the local planning authority in Bridport. Bridport's housing needs need to be provided in Bridport not moved to other settlements in the County. The local planning authority's identification that the need for retirement housing is countywide means that its needs to be provided across the County and not concentrated in one or two specific settlements. The amount and extent of need for 2,600 units of retirement housing also needs to be factored into considerations based upon the environmental constraints on land within the County and the locational suitability for sites for retirement housing. Opportunities to provide such developments are limited and a proposal for such a use needs to put in the context of national policy.
- 6.4 Paragraph 129(a) of the NPPF advises that planning decisions should support development that makes efficient use of land, taking into account the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it.
- 6.5 The NPPG under 'Housing for Older and Disabled People' identifies the need to provide housing for older people is *critical*<sup>2</sup>. Given the Council's identification of a need for retirement housing across the County specific regard should be had to Paragraph 16 of the NPPG;

*Where there is an identified unmet need specialist housing, local authorities should take a positive approach to schemes that propose to address this need.*

---

<sup>2</sup> Para 001 Ref ID: 63-001-20190626

- 6.6 I would question whether the Council's approach to the sequential test catchment area complies with national planning policy guidance.
- 6.7 In regard to the second point in respect of the 0.5m radius from local shops and centres this distance is not set down in policy but is in my experience the typical threshold that a retirement housing developer would look for in terms of distance to shops, services and facilities. The nature of the accommodation and average age of residents at 80 years of age means that they require to be within 10-15 minute walk of facilities and with access to public transport. Policy H5 of the Bridport Neighbourhood Plan is broadly reflective of this notion by stating that new retirement living developments be located so as to afford reasonably level and easy access to shopping and social facilities whether on foot or by use of mobility scooter. I consider 0.5m radius or a 10-15 minute walk would have a synergy with this part of the policy.
- 6.8 In respect to the sequential test assessment carried out in Section 5 none of the sites which have been discounted have been solely discounted on the grounds of being further than 0.5 miles away from Bridport town centre and include consideration of SHLAA sites beyond that radius. In the context of this sequential test the Council's comment on the arbitrary nature of the distance is largely irrelevant.
- 6.9 The Council sought further assessment of a number of sites identified on the Council's SHLAA. These have been looked into further and commentary is provided in previous Section 5. It is considered that none of the sites referenced by the Council are suitable and/or available for the proposed development.

---

## 7. Appeal Cases in Respect to the Sequential Test

---

- 7.1 As set out in the previous sections the Appellant's case is that the sequential test is passed for this site and the proposed development. However, recent appeal cases have set out precedent in terms of the planning approach to the sequential test and how a failure to pass a sequential test is not necessarily determinative in the appeal proposal being dismissed. This is set out in the recent High Court judgement relating to *Mead Realisations Limited v SSLUHC [2024] EWHC279* which clarifies that a failure of the sequential test is not automatically fatal to a planning application/appeal and clarifies that any such failure does not obviate the need to weigh this in a planning balance. This High Court judgement has been referenced in recent appeal decisions at Hemel Hempstead, Lydney, Feniton, Devon and Faversham. These decisions also accord with the subsequent changes made by Government to its guidance on sequential tests. These appeal decisions are material considerations particularly in terms of that broad approach relating to the sequential test referred to in *Mead*. I consider those appeal decisions below before applying the broad approach to this appeal site at Bridport.

Hemel Hempstead (APP/A1910/W/24/3345435) (Appendix 2)

- 7.2 The appeal was for an outline application for 390 dwellings at a site at Hemel Hempstead where the impact on flood risk and the sequential test was an identified main issue for the appeal. The Inspector at Paragraph 10 of the appeal decision identified the position of common ground between the parties that the Council's current housing land supply position stood at a maximum supply of 1.03 years which equates to a shortfall of 6,457 dwellings which was agreed as a '*chronic undersupply of both market and affordable housing*'.

- 7.3 In considering the matter of flood risk the Inspector at Paragraph 63 identified the *Mead Realisations* High Court decision and stated;

*'My attention has been drawn to the Mead Realisations decision. That decision makes it clear that there is a need for realism and flexibility on all sides when applying the sequential test. Furthermore, it confirms that the weight to be given to any failure to satisfy the sequential test can, and, in circumstances like those before me, should be reduced if the extent of the Borough Council's unmet housing needs means that land which is less sequentially preferable than the appeal site would inevitably be required.'*

- 7.4 Paragraph 64 continues with the Inspector identifying that many more less sequentially preferable sites than the appeal site would be required to meet the future needs of the Borough. The Inspector at Paragraph 67 concludes that the outcome of the sequential test was not a determinative exercise leading to a strong reason for refusal; rather, any risk of harm in the particular circumstances was a matter for planning balance.

- 7.5 The Inspector in carrying out the planning balance exercise concluded on the flood risk issue at Paragraph 183 stating;

*'Given the level of flood risk post mitigation and the inability of the Borough Council to demonstrate that it can meet the future housing needs of the area on sequentially preferable sites, this matter amounts to a very low level of harm to which I attribute a low level of unfavourable weight.'*

- 7.6 The Inspector concluded to allow the appeal.

Lydney, Forest of Dean (APP/P1615/W/25/3363981) (Appendix 3)

- 7.7 The appeal was an outline application for residential development for up to 80 dwellings on a site at Lydney in the Forest of Dean. One of the main issues for the appeal was whether the development

would be safe and avoid the increased risk of flooding elsewhere. Paragraph 34 of the appeal decision identified that the change in the national flood map in March 2025 increased the risk of surface water flooding on the site such that the sequential test is applied. Paragraph 36 of the appeal decision identifies that there was an agreed position that the Council's unmet housing needs both short and long term could not be met by sequentially preferable alternative sites and sites with a similar or worse flood risk will need to be developed to meet the housing needs of the district. Paragraph 37 of the decision identified that the proposed scheme's drainage strategy proposed a SUDS based solution which would avoid an increased risk of flooding elsewhere and the development could be made safe throughout its design life. The Inspector concluded at Paragraph 38 that the appeal proposal failed the sequential test and returned to it in the planning balance.

7.8 Within the Inspector's planning balance at Paragraph 85 the Inspector states;

*'Given that sequentially preferable sites exist, the scheme conflicts with the flood risk objectives of Policy CSP.1 of the Core Strategy. A conflict also arises with the aims of the Framework. However, the total capacity of sites in the District currently known to be available and sequentially preferable is at around 1,568 dwellings which is far short of the 12,000 needed under the standard method over the 20 year period of the Emerging Draft Local Plan and is short of at least 1,840 dwelling housing land supply deficit. When taken together with the nature of the flood risk and anticipated resolution of such through adequate design and SUDs measures within the development itself, although this harm attracts modest weight in the overall planning balance, it does not represent a strong reason for refusal under footnote 7 of the Framework.'*

7.9 The Inspector concludes her planning balance at Paragraph 93 that the adverse impacts of granting permission would not significantly and demonstrably outweigh the totality of the benefits and consent should be granted.

Feniton, East Devon (APP/U1105/W/24/3357849) (Appendix 4)

7.10 The appeal was an outline application for up to 86 dwellings on a site at Feniton, East Devon. The effect of the proposed development on local drainage and flood risk was a main issue. The site was in floodzone 1 but within a critical drainage area and having regard to the Framework and the PPG on Flood Risk and Coastal Change the Inspector concluded at Paragraph 46 that a sequential test was needed. The Inspector concluded at Paragraph 48 that the sequential test is failed and identifies conflict with the Framework but goes on at Paragraph 49 to state;

*'I shall consider my findings on this main issue further in the planning balance, taking account of the High Court judgement relating to Mead Realisations Limited v SSLUHC [2024] EWHC279(Admin) (Mead) which clarifies that a failure of the sequential test is not automatically fatal to a planning application and clarifies that any such failure does not obviate the need to weigh this in a planning balance.'*

7.11 At Paragraph 84 the Inspector in carrying out the planning balance exercise finds that whilst the sequential test fails there would be betterment from the appellants proposed drainage strategy relating to off-site flood risk. He concludes that the betterment in terms of flood risk lessens the weight afforded to the above failures relating to the sequential test and the development plan policy.

7.12 At Paragraph 86 the Inspector in identifying the benefits addresses housing supply and states;

*'Having regard to the Government's objective of significantly boosting the supply of homes, the proposed development would have the benefit of contributing up to 86 new dwellings towards the District's Supply. This is in the context of the need for significantly more housing than is provided for through the adopted development plan and a greater housing requirement than was the case at the time of the 'super inquiry'; and that for the plan period to date, there has been a delivery shortfall of*

*466 homes over that required, with a shortfall of 1,879 homes anticipated over the plan period. The Council is also unable to demonstrate a 5 year housing land supply, with the current figure standing within the range of 2.57 to 3.08 years' worth. This represents a substantial shortfall of between 2,313 and 2,922 dwellings which is anticipated to persist and worsen for the foreseeable future in the absence of a new Local Plan.'*

- 7.13 The Inspector having regard to the Framework and Paragraph 11(d) concluded that the benefits he identified outweighed the flood risk and allowed the appeal.

Faversham (APP/V2255/W/24/3350524) (Appendix 5)

- 7.14 The appeal was for an outline application for up to 250 dwellings on a site in Faversham, Kent. The site is identified as being at risk of tidal flooding and of surface water flooding. At Paragraph 20 & 21 the Inspector identifies that a sequential test was needed and not produced by the appellant such that conflict existed with the Framework. At Paragraph 22 the Inspector identifies that the entire appeal site could be made safe from flooding by land change measures and other flood resistance and resilience measures such as at Paragraph 25 he identifies that *'there is no real-world harm from the failure to undertake a sequential test'*. At Paragraph 26 the Inspector concludes that despite there being no real-world harm the failure to undertake and pass a sequential test would result in conflict with local planning policy and the Framework.

- 7.15 In carrying out the planning balance the Inspector at Paragraph 81 identifies the positives of the scheme and the Council's housing position stating:

*'The provision of housing is one of the key aims of national and local planning policy. A recent written ministerial statement said that the country is in an acute and entrenched housing crisis. The Council can only demonstrate a 3.98 year supply of housing land, representing 1,119 homes that have not been provided. The proposal is for a relatively large development of up to 250 homes, of which 60% would be market housing. It would make a meaningful contribution to the housing supply in the Borough. In this context, I place substantial weight on the provision of market housing.'*

- 7.16 At Paragraph 90 the Inspector identifies the failure to pass the sequential test as a negative attracting significant weight. At Paragraph 100 the Inspector identifies that the tilted balance under Paragraph 11(d) is engaged unless the application of policies in this Framework that protect areas or assets of particular importance provide a strong reason for refusing the development proposed. At Paragraph 101 he continues to consider Footnote 7 of Paragraph 11 of the NPPF and states:

*'Although the proposal has failed to perform the required sequential tests, there would be no real world effects after mitigation is taken into account. A 'strong' reason for refusal based on flooding must, to my mind, go beyond mere technical conflicts, even if they are important. There must be substantive risks and harms that go beyond policy. I do not, therefore, view this as a strong reason for refusing the development proposed.'*

- 7.17 The Inspector goes on to conclude that the benefits including to off-site flooding and particularly to the delivery of housing were such that the adverse impact of the proposal would not significantly and demonstrably outweigh the benefits of the proposal.

Conclusions

- 7.18 It is clear that there are some consistent points that can be drawn from *Mead* and these subsequent appeal decisions:

- *Mead* identifies that there is a need for realism and flexibility on all sides when applying the sequential test.
- The failure to pass a sequential test is not necessarily terminal for the determination of the proposed development and does not obviate the need to weigh this in the planning balance.
- The weight to be given to any failure to satisfy the sequential test can be reduced if the extent of a Council's unmet housing needs means that land which is less sequentially preferable than the appeal site would inevitably be required.
- The weight to be given to the failure to pass a sequential test can be lessened if the proposed drainage mitigation measures would result in betterment to flood risk.

7.19 All these points are reflected in the recent September 2025 changes made to the approach to sequential tests set out in the PPG in section under Flood Risk and Coastal Change.

Applying the conclusions to this Appeal Proposal.

7.20 Dorset Council's housing land supply position has been most recently set out in the appeal decision of Inspector Jonathan Bore at Land west of Church Hill and Land off Butts Close and Schoolhouse Lane, Marnhull, Dorset in May 2025. At Paragraph 4 the Inspector identified that the local housing need figure under the new standard method is 3,219 dwellings per annum which is an increase of 1,426 homes per annum. The Council can demonstrate a housing land supply of 5.02 years by reference to its Annual Position Statement however this drops to 2.67 years from the 31<sup>st</sup> October 2025 which represents a shortfall of 8,000 homes.

7.21 To put that into context of the four appeal decisions cited above the extent of identified housing shortfall in Dorset exceeds all of those authorities identified by the Inspector in each of those appeals. I would specifically note the Hempel Hempstead's Inspector's classification of a 6,457 dwelling shortfall as a '*chronic undersupply*'. There is no basis to conclude anything other than the same that Dorset Council having a chronic undersupply of housing.

7.22 Having regard to the appeal decisions unless the Council are able to demonstrate that they have sites at lower levels of flood risk than the appeal site for circa 8,000 dwellings then the weight to be given to any suggestion that the sequential test has been failed can be reduced. This has been endorsed by the recent change to the PPG on Flood Risk and Coastal Change at Paragraph 27.

7.23 In addition the Dorset and BCP Local Housing Needs Assessment has concluded a need for 2,600 units of retirement housing across Dorset by 2038. There are no specific adopted development plan allocations for the delivery of retirement housing sites across Dorset. The emerging Local Plan is at an early stage with a current options consultation such that no sites have yet been identified by the Council to meet this unmet local need. In the absence of the Council being able to demonstrate suitable land at a lower level of flood risk than the current appeal site for retirement living accommodation I would suggest the weight to be given to any suggestion that the sequential test has been failed by the Council can be reduced.

7.24 I would also suggest that having regard to the *Mead* High Court judgement that faced with a housing need for 2,600 units of retirement living accommodation throughout Dorset that the Council's approach to the sequential test being countywide lacks the *realism and flexibility* that *Mead* espouses. It is also not consistent with the revised PPG on Flood Risk and Coastal Change which at Paragraph 27 states *the catchment area should always be appropriate to the nature and scale of the proposal and the settlement it is proposed for.*

- 7.25 In respect to the proposed scheme and drainage measures the submitted flood risk assessment proposes on-site attenuation for flood compensation to ensure that the proposal has no impact on flooding on the site or in the wider area.
- 7.26 I conclude that having regard to Government advice in respect to sequential test set out in the amended PPG that the Appellant's approach to catchment area is supported and having assessed local sites the sequential test is passed. Even if the Council consider the sequential test to be failed its breach does not represent a '*strong reason*' for refusal in light of the Council's undersupply of housing and retirement housing, and with a proposed drainage scheme that does not increase flood risk on site or in its environs.

---

## 8. CONCLUSION

---

- 8.1 This sequential test has been undertaken in relation to the proposed redevelopment of the former Hansons Depot, Bridport for retirement living accommodation. It provides an update to the sequential test submitted with the application.
- 8.2 This assessment has considered alternative sites within Bridport Parish and particularly within 0.5 mile radius of the town centre and has been extended the Beaminster and Lyme Regis area. The distance from facilities is important for retirement living developments to allow residents to walk, or use a mobility scooter, to access local shops and services.
- 8.3 The sequential test has considered the revised Government guidance contained within the PPG, the development plan, the Council's Strategic Housing Land Availability Assessment, the Brownfield Land Register, the planning register for sites with planning permission in the last five years as well as a number of other speculative sites that Churchill have considered on the market.
- 8.4 The assessment has shown that there are no reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding in Bridport. The sequential test is therefore considered to have been passed and the proposed development complies with the NPPF.
- 8.5 I conclude that having regard to Government advice in respect to sequential test set out in the amended PPG that the Appellant's approach to catchment area is supported and having assessed local sites the sequential test is passed. Even if the Council still consider the sequential test to be failed its breach does not represent a '*strong reason*' for refusal in light of the Council's undersupply of housing and retirement housing, and with a proposed drainage scheme that does not increase flood risk on site or in its environs.

