

***Shaw Cavanagh/AIM Engineering Ltd***

***Flood Risk: Sequential and Exception  
Analysis Statement***

***Salem Mill, Hyde Bank Road, New Mills***



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**Document Information:**

Project Number: 08/551

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# **Contents**

## **Section 1: Introduction**

## **Section 2: The Application Site**

## **Section 3: Planning Policy Statement 25 Development and Flood Risk**

## **Section 4: Defining the Evidence Base**

## **Section 5: Applying the Sequential Test**

## **Section 6: Applying the Exception Test**

## **Section 7: Conclusion**

## **Appendices**

Appendix 1: Location plan showing Salem Mill Site

Appendix 2: Extract from High Peak Local Plan, Adopted March 2005

Appendix 3: Peak Sub-Region Strategic Housing Land Availability Assessment (SHLAA), Undated

Appendix 4: Peak Sub-Region Employment Land Review, May 2008



## 1. Introduction

- 1.1 This Sequential and Exception Analysis Statement has been prepared by Paul Butler Associates to accompany a planning application submitted on behalf of AIM Engineering to convert and redevelop Salem Mill site, Hyde Bank Road, New Mills for residential use. The application site is identified on the location plan attached at Appendix 1.
- 1.2 The application site lies within a Flood Zone 2 area defined by Planning Policy Statement 25 'Development and Flood Risk', December 2006 as having a medium probability of flooding. Paragraph D5 of PPS25 requires decision makers to steer new development to areas at the lowest possibility of flooding by applying a sequential test. This report provides evidence to confirm that this test has been complied with.
- 1.3 The investment proposed will create new homes for 15 households (Use Class C3). The proposal comprises of two interdependent elements. The existing four storey former mill is to be retained and converted into six apartments (1no. 1 bed apartment, and 5no. 2 bed apartments). The existing low grade 1970s extensions to the mill will be removed and the remainder of the site redeveloped for residential use. The new build element will cross-subsidise and therefore facilitate the retention and conversion of the mill. The new build accommodation will provide with 2no. 2.5 storey 3 bedroom houses, 4 no. 2 storey 3 bedroom houses and 3no. 2 storey 2 bedroom houses. The layout includes 2 garages and 18 car spaces.



## **2. The Application Site**

- 2.1 The application site occupies approximately 0.2 hectares and is located next to the River Sett. Full details of the site are included in the Design and Access Statement, the Planning Application Forms and the Drawings which form part of the application to which this report relates. The site contains part of Salem Mill which is likely to include surviving fabric dating from the Salem Mill of 1789, one of the earliest cotton mills in New Mills. Although the building has been heavily modified over the years to accommodate new employment uses, the four storey mill remains an important reminder of the early phase of the industrial revolution when water powered mills were developed in the gorges of the River Goyt and River Sett. The later 1970's additions are of no architectural merit.
- 2.2 The importance of the four storey Salem Mill is noted within the New Mills Conservation Area Character Appraisal adopted by the Council in June 2001 and updated in July 2008. Both appraisal documents acknowledge that the four storey mill makes a 'significant' contribution to the character of the Conservation Area here. Unfortunately the structure of the mill is in poor condition and the building is at risk, unless conversion can secure a long-term future.



### **3. Planning Policy Statement 25 Development and Flood Risk**

#### **The Sequential and Exception Tests**

- 3.1 Planning Policy Statement 25 (PPS25) sets out Government policy on development and flood risk. It aims to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas of highest risk. Where new development is, exceptionally, necessary in such areas, policy aims to make it safe, without increasing flood risk elsewhere, and, where possible, reducing flood risk overall.
- 3.2 Para D1 of PPS25 advises that *'The risk-based Sequential Test should be applied at all stages of planning. Its aim is to steer new development to areas at the lowest probability of flooding (Zone 1)'*.
- 3.3 Para D5 advises that *'The overall aim of decision-makers should be to steer new development to Flood Zone 1. Where there are no reasonably available sites in Flood Zone 1, decision-makers identifying broad locations for development and infrastructure, allocating land in spatial plans or determining applications for development at any particular location should take into account the flood risk vulnerability of land uses and consider reasonably available sites in Flood Zone 2, applying the Exception Test if required. Only where there are no reasonably available sites in Flood Zones 1 or 2 should decision-makers consider the suitability of sites in Flood Zone 3, taking into account the flood risk vulnerability of land uses and applying the Exception Test if required.'*
- 3.4 Para D6 advises that *'Within each Flood Zone, new development should be directed first to sites at the lowest probability of flooding and the flood vulnerability of the intended use matched to the flood risk of the site'.*



## **4. Defining the Evidence Base**

### **Flood Zones**

- 4.1 The Environment Agency Flood Zones plans are used as the basis for undertaking this sequential analysis. Zones 2 and 3 are shown on the Environment Agency Flood Map with Flood Zone 1 being all the land falling outside Zones 2 and 3. These Flood Zones refer to the probability of sea and river flooding only, ignoring the presence of existing defences.
- 4.2 The application site lies within Flood Zone 2 defined by Planning Policy Statement 25 'Development and Flood Risk, December 2006' as having a medium probability of flooding. Zone 2 comprises land assessed as having between a 1 in 100 and 1 in 1000 annual probability of river flooding (1% – 0.1%) in any year.

### **Area of Search for Reasonably Available Sites**

- 4.3 A thorough review of planning documents and a walking survey of the settlement was undertaken in February 2009 to collect the baseline data against which to apply the sequential test. The geographical area over which this appraisal has been applied is the established settlement boundary of New Mills. This geographical area has been agreed with High Peak Borough Council as an appropriate area of search for reasonable alternative sites since the proposed development is of a scale and type designed to provide for the local market. Looking for alternative sites beyond the existing settlement boundary is inappropriate and would go against the grain of established planning policies which aim to securing housing development which is sustainably located in relation to existing settlement pattern and housing requirements. There is a shortage of housing within High Peak Borough at present with a moratorium having been lifted in order to increase the supply of new dwellings in line with Government targets for the Borough.



## Evidence Base

- 4.4 Several planning documents have been appraised in order to identify potential alternative sites within New Mills that might accommodate the quantum of development proposed. Windfall sites (unallocated sites) have also been considered by a desk and site based appraisal. The following sections identify the extent of the evidence base considered.

### High Peak Local Plan (March 2005)

- 4.5 The key document for this exercise was the High Peak Local Plan (March 2005) which is the currently adopted development plan for the area in question and was the starting point for identifying potential alternative sites. An extract from the proposals plan is attached at Appendix 2. The Plan was produced under a now-superseded system of development planning and is a 'saved' plan, which means that its policies will continue to be used for development control purposes until it is replaced by the Local Development Framework.

- 4.6 Our analysis of the adopted plan found that three allocated housing sites were allocated for development in New Mills (Appendix 2, Land identified in brown), five sites were allocated for employment purposes (Appendix 2, EMP4 Land identified in purple) and one mixed use regeneration site was allocated (Appendix 2, TC13 Land identified in yellow). These were all considered as potential alternative sites and the sequential test applied.

### Housing Land Availability Assessment (SHLAA)

- 4.7 Future potential housing sites were also considered. In 2009 Ekosgen were commissioned jointly by Derbyshire Dales District Council, High Peak Borough Council and the Peak District National Park Authority to produce a Strategic Housing Land Availability Assessment (SHLAA) for the Peak Sub Region. The main purpose of the SHLAA report, issued on the 11th June 2009, is to identify sites that could be allocated for housing development and contribute toward the essential housing supply



requirements of the Borough over the next 15 year plan period. The SHLAA is the housing evidence base for the Local Development Framework that will replace the current Local Plan.

- 4.8 Ekosgen appraised all the site suggestions in the study area against a set of criteria including existing use, site location, possible visual impact and constraints such as topography and availability etc. Their appraisal concluded that the Salem Mill site was suitable for redevelopment for residential purposes.
- 4.9 Whilst a variety of sites are categorised as 'developable residential sites' by the SHLAA this does not mean that High Peak Borough Council will necessarily allocate them as housing land in the Local Development Framework that will supersede the adopted Local Plan. The SHLAA report is, however, an important first step in achieving an allocation. The potential sites which passed the Ecosgen filter are identified on the plan at Appendix 3. In addition to Salem Mill these sites included SS117, SS060, HP81, HP134, HP110, HP100, HP109, SS27, SS092, HP74, HP69, HP83, HP84 and HP132. Several of the site suggestions duplicate allocations in the Local Plan (Appendix 2).

#### High Peak Employment Land Review

- 4.10 This report sets out the findings of the Peak Sub-Region Employment Land Review undertaken by Nathaniel Lichfield and Partners (NLP). The Peak Sub-Region comprises the Local Authorities of Derbyshire Dales and High Peak, as well as the Peak District National Park. The study was commissioned by a steering group comprising of the above authorities and Derbyshire County Council.
- 4.11 The main aims of the study were to consider the future employment land and premises requirements of the Peak Sub-Region to 2026 and review the study area's current supply of employment land in both quantitative and qualitative terms. It sought to provide a preliminary indication of which employment sites might be retained and which could potentially be de-allocated, or allocated for alternative uses to provide a balanced portfolio of land in the next plan period to 2026.





- 4.12 The Plan at appendix 4 shows that the Peak Sub-Region Employment Land Review considered six employment sites in New Mills, NLP07, NLP08, NLP09, NLP10, NLP94 and NLP99 (Salem Mill). These might or might not be allocated for new uses in the Local Development Frameworks but for the purposes of this report, the sites are treated as potential housing sites. The six sites noted by this study duplicate the employment and regeneration designations of the adopted Local Plan and in the interests of keeping this report concise are not subject to duplicate appraisal. The sequential analysis at Section 5 below is therefore cross referenced as necessary.

#### Sites with Planning Permission

- 4.13 Sites with Planning Permission were also appraised to ascertain whether any undeveloped sites existed which could potentially provide a reasonably available site.

#### Windfall Sites: Desk Based and Walking Survey

- 4.14 A desk based review of the adopted High Peak Borough Local Plan of March 2005 was undertaken to identify any possible underdeveloped Flood Zone 1 land within the settlement boundary. This was undertaken in February 2010 with the aim being to identify any unallocated (windfall) sites which might realistically be brought forward and redeveloped for housing use during the next plan period. Any prospective sites identified from the desk based review were then subject to a site visit. This exercise was complemented by a wider urban capacity study which involved walking New Mills to identify any potential windfall sites which might not have been thrown up by the initial desk based work. No other sites were known to High Peak Borough Council that might meet the functional requirements of this application.



## **5. Applying the Sequential Test**

5.1 This section explains how the sequential test was applied.

### **Sites with Planning Permission**

5.2 Ekosgen identified a number of small sites with planning permission which were deliverable within 0-5 years (listed below). None of the following sites were associated with approvals that could provide a development of the scale and nature of that proposed at Salem Mill.

5.3 Sites considered were:

HP172 Mousley Bottom, planning permission for 1 dwelling on 0.04 hectare site

HP179 St Georges Road, planning permission for 1 dwelling on 0.02 hectare site

HP180 Church Lane, planning permission for 1 dwelling on 0.02 hectare site

HP183 Laneside Road, planning permission for 1 dwelling on 0.13 hectare site

HP208 Spring Bank, planning permission for 1 dwelling on 0.06 hectare site

HP225 Ollersett Avenue, planning permission for 1 dwelling on 0.04 hectare site

HP226 Goytside, planning permission for 1 dwelling on 0.024 hectare site

HP231 Albion Road, planning permission for 1 dwelling on 0.08 hectare site

HP266 Church Street, planning permission for 2 dwellings on 0.03 hectare site

HP283 Low Leighton Road, planning permission for 3 dwellings on 0.20 hectare site

HP290 Ollersett Avenue, planning permission for 3 dwellings on 0.05 hectare site

HP292 New Street, planning permission for 3 dwellings on 0.04 hectare site

HP318 Settle Close, planning permission for 1 dwellings on 0.03 hectare site

HP329 Albion Road, planning permission for 8 dwellings on 0.13 hectare site

HP339 Union Road, planning permission for 1 dwellings on 0.05 hectare site



## Sites Allocated in High Peak Local Plan

### Allocated Housing Sites

- 5.4 Site 1 – H1 Land off Goodward Road. This site was allocated for housing development by the High Peak Borough Local Plan of March 2005 (Appendix 2). Our site visit confirmed that the land had already been developed for housing use. It was ruled out as an alternative site.



Site 1: H1 Land off Goodward Road (Redbrick property in background)

- 5.5 Site 2 – H2 Land opposite Blakehurst Recreation Ground. This site was allocated for housing development by the High Peak Borough Local Plan of March 2005 (Appendix 2). Our site visit confirmed that development had commenced. The site was not on the market and was discounted as a reasonably available alternative.



Site 2: H2 Land opposite Blakehurst Recreation Ground.



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- 5.6 Site 3 – H3 Land off Jubilee Street. This site was allocated for housing development by the High Peak Borough Local Plan of March 2005. Our site visit confirmed that development had been completed. It was discounted as an available alternative site.



Site 3 – H3 Land off Jubilee Street.

- 5.7 There are no dedicated housing allocations within New Mills. Allocated sites could not therefore provide a reasonably available alternative to Salem Mill.

### **Allocated Employment and Regeneration Sites**

- 5.8 Site 4 – E1 Albion Road Employment Area is allocated as a 'Primary Employment Zone' (PEZ) by Local Plan policy EMP4. Within PEZ areas permissible uses include Business (B1); General Industry (B2); Storage and Distribution (B8); and other employment generating uses. Whilst there are some underused sites within the area, these are located close to a variety of heavy industrial uses including manufacturing, workshops, builders yards and so on. The introduction of a residential development into this area would be considered unacceptable due to disturbance and disamenity from noise/odours/dust created by existing businesses. Whilst High Peak may, in the long-term release some land here for residential redevelopment, such an initiative would be some years away and well beyond the timeframe of the current application. Whilst the land here is Flood Zone 1, it does not constitute an available sequentially preferable site.



Site 4 – E1 Albion Road Employment Area

- 5.9 Site 5 – E2 Mill at Mousley Bottom. This is allocated as a 'Primary Employment Zone' (PEZ) by Local Plan policy EMP4. Within PEZ areas permissible uses include Business (B1); General Industry (B2); Storage and Distribution (B8); and other employment generating uses. Whilst it would be possible to release this site from employment use and redevelop for residential use, it is noted that the site falls within Flood Zone 3a. The site is sequentially less preferable than the redevelopment of Salem Mill. Furthermore the site has not been identified as a potential housing site by Ekosgen and would be unlikely to be released in the next plan period. The site has been ruled out as a reasonably available alternative.
- 5.10 Site 6 – E3 Active Employment Site off Dye House Lane. This is allocated as a 'Primary Employment Zone' (PEZ) by Local Plan Policy EMP4 'Primary Employment Zone'. It is actively used and appears to be a viable employment site. It is not being marketed and does not have extant approval for residential redevelopment. The site is Flood Zone 1. Redeveloping this land for residential use is ruled out as a reasonably available alternative to Salem Mill.



Site 6 - E3 Active Employment Site off Dye House Lane

- 5.11 Site 7 – E5 Watford Bridge Industrial Estate is allocated as a ‘Primary Employment Zone’ (PEZ) by Local Plan policy EMP4. Whilst there is some underused land within the PEZ, these are located close to a variety of heavy industrial uses including manufacturing, workshops, builders yards and so on. The introduction of any residential uses into an area of this nature would be subject to unacceptable disturbance and disamenity from noise/odours/dust etc. It is also likely due to the nature of this area that residential presence here could constrain the future operation of business activity within the area. Whilst the LPA may, in the long-term, reallocate the site for residential use, it has not been identified as a potential housing site by Ekosgen. The land here is more susceptible to flooding than Salem Mill and is included within a Flood Zone 3b designation which classifies the land as functional floodplain. Development here would be less sequentially preferable to Salem Mill. The site has been discounted.





Site 8 – E5 Watford Bridge Industrial Estate

- 5.12 Site 8 – E6 Land beyond the Co-operative Store is allocated as a 'Primary Employment Zone' (PEZ) by Local Plan Policy EMP4. It is actively used and likely to continue in employment use. It is not being marketed and has no approval for residential redevelopment. Whilst the LPA may, in the long-term reallocate the site, it has not been identified as a potential housing site by Ekosgen. Although the site is Flood Zone 1, redeveloping this land for residential use has been ruled out as a reasonable alternative.
- 5.13 Site 9 – Policy TC13 of the adopted High Peak Local Plan states that Torr Vale Mill should be regenerated for a mix of uses, including education/office/leisure and some residential. The site is within the conservation area and within Flood Zone 3A where there is a high probability of flooding. The site is associated with a number of development constraints and requires significant investment in the mill which is currently disused. An access road is also lacking. The site is not being marketed. Salem Mill is sequentially preferable as it is located in an area at lower risk of flooding (Flood Risk Zone 2) than Torr Vale Mill.

## **Windfall Sites: Desk Based and Walking Survey**

- 5.14 Windfall sites are those which have not been specifically identified by the development planning process. They comprise previously developed sites that unexpectedly become available. Government policy in Planning Policy Statement 3 at para 59 advises that Local Planning Authorities should not normally rely on windfall sites to meet





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housing needs. Potential windfall sites that were identified during our desktop work were nonetheless visited to assess whether they might be reasonably available to contribute to housing supply.

- 5.15 W1 – Land south of Albion Road. This site had already been developed for a minor infill housing development.



W1 – Infill Housing

- 5.16 W2 – Land to south of junction of Albion Road/Union Road. The topography of this site will prevent a housing development of the capacity required.



W2 - Unsuitable topography

- 5.17 W3 – Land to South of Church Road. This land was largely car parking or service yard associated with the Co-operative Store.





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W3 – Developed for Co-operative Store

- 5.18 W4 – Land to south of Whitle Road. This potential windfall site had been redeveloped as a play area and whilst in Flood Zone 1 was discounted as alternative site.
- 5.19 W5 – Land off Low Leighton Road. This site had been developed for a small infill housing development.



W5 – Housing Development

- 5.20 W6 – Land south of Albion Road. This site had been developed for a small infill housing development.



W6 – Housing Development

- 5.21 Having regard to our work on possible windfall sites, we believe that there are no reasonably available windfall sites currently available to redevelop in New Mills.

## **Possible Local Development Framework Housing Sites**

- 5.22 Sites that could possibly be allocated for housing development over the next 15 year plan period were suggested by the 2009 Ekosgen. The potential sites which passed the ECOS filter are identified on the plan at Appendix 3. These included SS117, SS060, HP81, HP134, HP110, HP100, HP109, SS27, SS092, HP74, HP69, HP83, HP84 and HP132. The section below considers whether any of these might provide a reasonably available and sequentially preferable alternative to Salem Mill.
- 5.23 SS117 – This site is entirely located within the Green Belt of New Mills where the development of new dwellings is inappropriate development by definition. It will not be possible to develop this site for housing unless it is released from the Green Belt as part of the future LDF Review. Release is, however, very unlikely and would be some years away. The site is not being marketed and is not available. It has been discounted as a reasonably available site.
- 5.24 SS060 – This site is located entirely within the Green Belt. It will not be developed for housing unless it is released from the Green Belt as part of the LDF Review. Release is very unlikely and would be some years away. The site is not being marketed and is not available. The site is largely classed as Flood Zone 3b (Functional Flood Zone) and



sequentially would be more susceptible to flooding than Salem Mill which is sequentially preferable.

- 5.25 HP81 – Conversion of the former Methodist Chapel could yield 8 units, although enabling development in the grounds of this listed building would be unlikely to be accepted. Furthermore, the building appears to be in extremely poor structural condition. Demolition and redevelopment would be resisted. The site is not being marketed. Any development here would be a long-term proposition and the site has been discounted as a reasonably available alternative.
- 5.26 HP134 – This site is designated ‘Primary Employment Zone’ by the Local Plan. The justification for discounting the use of land here for residential use has been discussed under Site 3 of Allocated Employment Sites assessment of the High Peak Local Plan above.
- 5.27 HP110 – This 1.25 ha site has been developed and is discounted as an available alternative site.
- 5.28 HP100 – This 1.16 ha site suffers from several development constraints including extremely difficult topography, poor access and significant tree cover. It is not developable in the short-term and it is envisaged that it could take 6-10 years to facilitate a housing development here. The site is not being marketed. Furthermore the site might only yield about 9 dwellings and has therefore been discounted as an alternative site.
- 5.29 HP109 – Ekosgen have concluded that this 0.13 ha site at St Andrews Walk might only accommodate a single dwelling. It is discounted as an alternative site after failing to provide housing capacity to accommodate the application proposal.
- 5.30 SS27 – This land locked site has restricted access and is likely only to be brought forward for residential development after HP100 has been developed. As noted above HP100 suffers from several development constraints and may take 6-10 years to bring forward for development. SS27 might only yield 5 dwellings and is unlikely to be developable for



- 11-15 years. The site is not being marketed. The low yield and problematic timescale have resulted in this being discounted as a reasonably available alternative.
- 5.31 SS092 – The development of this site will require the demolition of the Parish Hall on Church Lane. The redevelopment would yield only 9 dwellings and the site would not be deliverable in the short-term. The site is not being marketed. It is discounted as a reasonably available alternative.
- 5.32 HP74 – This heavily wooded 0.73 hectare site at Torr Vale Mill could provide only 5 dwellings and has been discounted as an alternative development site.
- 5.33 HP69 – This allocated residential site has been discussed and discounted as an alternative site previously under Site 2 of the High Peak Local Plan Allocated Housing Site appraisal above.
- 5.34 HP83/HP84HP132 – These sites are all located within the Albion Road Primary Employment Zone as designated by the Local Plan. The reasoning for discounting land here for residential use has been discussed previously under Site 4 of the High Peak Local Plan - Allocated Employment Sites assessment above.
- 5.35 From the analysis above, it is clear that the applicant has thoroughly applied the sequential test with the aim of ensuring that development is steered toward the area at the lowest probability of flooding. The analysis above has demonstrated that no reasonably available site exists in Flood Zone 1 or in an area at lower risk of flooding than the application site.



## **6. Applying the Exception Test**

### **The Exception Test**

- 6.1 In addition to requesting evidence that the site is sequentially preferable, the Environment Agency have also requested that the applicant demonstrate that the proposal complies with the three part exception test as set out in PPS25 'Development and Flood Risk'. Having reviewed the relevant PPS25 paragraphs and tables highlighted by the Environment Agency we conclude that the residential use proposed falls within the 'more vulnerable' flood risk classification of Table D2, PPS25, Annex D.
- 6.2 Table D1 making reference to development within Flood Zone 2 advises that only 'highly vulnerable uses (police stations, ambulance stations and fire stations and Command Centres and telecommunications installations required to be operational during flooding 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) must pass the exception test. The proposed residential use does not in our view require exception testing.
- 6.3 Despite concluding that the exception test need is not applicable in this instance, we believe that the development proposed would in any event comply with each of the three parts of the test. The exception test requires, each of the following to be considered:
- i) an analysis to demonstrate that the development provides wider sustainability benefits to the community that outweigh any flood risk issues.
  - ii) an analysis to show the site accommodates buildings/hard standing, confirm its 'brownfield' credentials and showing that it is not a 'greenfield' site.



iii) an analysis to demonstrate the development is safe and will not increase flood risk elsewhere.

6.4 The sections below consider each of these points in turn.

## **The benefits offered by the scheme to the community outweigh flood risk issues**

6.5 The current position is that this site has not accommodated intensive use for the last 10-20 years. Since 2007 the use by AIM has generally been as low level storage which has contributed little to the local economy by way of employment generation. The multi-storey mill is unusable as a result of the structure of the building being compromised. This means that 432 sqm of floor space (37% of the total) here is incapable of occupation. The AIM site is obsolete, not worthy of continued PEZ designation and has a poor relationship with Salem Cottages. The site does however accommodate a mill of some heritage interest although in its present state, this detracts from the character of the conservation area.

6.6 The benefits offered by the proposal are significant:

- Redevelopment will retain the mill and create new homes for local people. Salem Mill has been the subject of a structural survey and without repair will be at risk. Employment uses will not generate the yield necessary to secure the long-term future of the mill. The residential conversion proposal will retain the mill.
- The Heritage Statement which is submitted as part of this planning application describes how the proposed scheme preserves and enhances the character of New Mills Conservation Area by securing the future of a building judged to make a 'significant' contribution to this character and by removing buildings judged to



have a negative influence on the Conservation Area. For further details, refer to the 'Heritage Statement' prepared by Paul Butler Associates.

- The creation of 15 smart new homes of varying sizes on previously developed land is clearly beneficial for the local community. More so than a failed employment site.
- A row of cottages (Salem Cottages) are located in close proximity to the mill site, particularly the yard. The occupants must tolerate any activity, noise (hammering, banging, power tools etc), fumes, pollution or any other environmental disturbance that might be produced from the site. Redevelopment for compatible residential use would resolve this conflict and improve the residential amenity of for these cottages. The occupants view from the rear will be improved and their property values enhanced.
- AIM Engineering have rationalised their activities and concentrated their business activity (and employment) at two other sites, one of which is Melandra Road, Brookfield in Glossop. The obsolete Salem Mill site is surplus to requirements. Redevelopment of the vacated site is possible without any job losses.

6.7 The wider benefits offered by the proposal are significant and significantly outweigh the limited flood risk associated with locating residential development here.

## **The site comprises of previously developed land**

6.8 The land here comprises primarily of buildings with associated hard standing.

6.9 Annex B of Planning Policy Statement 3 advises that *'Previously-developed land is that which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure.'* The definition excludes:



- Land that is or has been occupied by agricultural or forestry buildings.*
- Land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures.*
- Land in built-up areas such as parks, recreation grounds and allotments, which, although it may feature paths, pavilions and other buildings, has not been previously developed.*
- Land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time (to the extent that it can reasonably be considered as part of the natural surroundings)’.*

6.10 There is no doubt that when compared against national planning policy guidance in Planning Policy Statement 3 that the site qualifies as a previously developed land by definition (often referred to as brownfield land). It is not a greenfield site.

### **The development is safe and will not increase flood risk elsewhere**

- 6.11 The Flood Risk Assessment prepared by Integra Consulting and submitted as part of the planning application (under separate cover) demonstrates that the development is safe and will not increase flood risk elsewhere.
- 6.12 It concludes that the proposed conversion of the Mill building and the new residential units are to be located mainly within the footprint of the existing on site buildings. They will have residential floor levels set 600mm above even Flood Zone 3 flood levels and can be constructed safely without putting the new units or their residents at risk from flooding from the River Sett.
- 6.13 There will be no impediment to the passage of flood water along the river channel by the redevelopment of the site. Neither will the redevelopment of the site increase runoff. Surface water run off could be controlled and may be reduced by a sustainable





urban drainage system. The residential units proposed have the potential therefore to have a reduced impact on the flood regime of the River Sett.

- 6.14 As recommended by the report a safe emergency access is included in the proposed layout and will be maintained at all times during a 1 in 100 year (climate change) flood event.



## **7. Conclusion**

- 7.1 This Sequential and Exception Statement has been prepared by Paul Butler Associates to accompany a planning application submitted on behalf of AIM Engineering to convert and redevelop Salem Mill site, Hyde Bank Road, New Mills for residential use. This report has responded directly to the request from the Environment Agency that the proposal be tested against the sequential and exception tests.
- 7.2 A thorough sequential testing exercise has been undertaken with a comprehensive series of planning documents have been appraised to identify and appraise whether reasonably available sites within New Mills might accommodate the development proposed. Our analysis of these documents combined with an assessment of potential windfall sites has concluded that there are no reasonably available sites with a lower probability of flooding that would be appropriate for this development proposal. Compliance with the sequential test has been demonstrated.
- 7.3 Despite concluding that the exception test need is not applicable in this instance, our review of has concluded that the development proposed would in any event comply with each of the three parts of the test. The development does provide wider sustainability benefits to the community that significantly outweigh flood risk issues. The sites brownfield status has been confirmed. The development is safe, does not result in the loss of any functional floodplain and will not increase flood risk elsewhere. Compliance with the exception test is therefore openly demonstrated.