



## Holybourne Village Association

### Objection to updated Flood Risk Assessment and Drainage Strategy

#### Planning Application EHDC-25-0748-OUT

Land to the Rear of 136–150 London Road, Holybourne

January 2026

#### Executive Summary

Holybourne Village Association (HVA) strongly objects to Planning Application EHDC/250748/OUT for the following reasons:

- **Fundamental Flood Risk Constraints Remain Unresolved** - EHDC's own 2019 evidence found the site unsuitable for large-scale development due to extensive groundwater flooding. Nothing in the revised FRA changes this position.
- **Sequential Test Required and Absent** - National policy mandates the Sequential Test for all sources of flood risk. The applicant has not undertaken this test, which is a standalone reason for refusal confirmed in multiple appeal decisions.
- **Sequential Test Cannot Be Passed** - The site's flood risk is unquantified, making comparative assessment impossible. Unknown risk cannot be treated as low risk. Appeal precedents confirm the test must be district-wide, not confined to the applicant's land.
- **Exception Test Cannot Be Applied** - The Exception Test only applies after the Sequential Test is satisfied.
- **Heritage and Drainage Conflicts** - The proposed drainage strategy would discharge spring flows into the curtilages of listed buildings, breaching statutory duties under the Planning (Listed Buildings and Conservation Areas) Act 1990 and NPPF heritage policies.
- **Infrastructure Delivery Uncertain** - Outfall capacity is unproven and contingent on unfunded, unprogrammed third-party upgrades.

The principle of development cannot be established. The application fails to meet national policy tests, EHDC's own evidence, and statutory obligations. Outline permission must be refused under NPPF Paragraph 11(d)(i) and Footnote 7.



## Introduction

Holybourne Village Association (HVA) submits this formal objection to the updated Flood Risk Assessment and Drainage Strategy submitted under outline planning application EHDC-25-0748-OUT. Having reviewed the revised submission documents and subsequent consultee responses, it is clear that the fundamental constraints affecting this site remain unresolved and unmitigable.

This objection should be read in conjunction with HVA's previously submitted objections relating to drainage and flood risk. It also forms part of a broader suite of evidence and policy-based submissions, extending beyond drainage matters, which together demonstrate the inappropriateness of the proposed development.

Appendix A contains a letter from local residents at 146 and 148 London Road, which, together with the HVA's original submissions to the application, have helped inform the LLFA's current objection to the planning application. The letter sets out detailed evidence of historic flooding, the inadequacy of the FRA, and the unacceptable proposal to discharge spring flows into the curtilages of listed buildings. This evidence should form part of the formal record and reinforces the objections raised herein.

The HVA sets out below the key reasons why this application cannot lawfully or reasonably be supported.

### 1. EHDC's Own Evidence (2019) Already Found This Site Fundamentally Unsuitable

EHDC's Site Assessments Background Paper (Reg. 18, Sept 2019) undertook Stage 1 and Stage 2 testing of "Land North of Holybourne" and concluded:

- The site is subject to groundwater flood risk to surface; and
- There is limited or no scope to avoid significant heritage impacts (Holybourne Conservation Area, multiple listed buildings, the Cuckoo's Corner Scheduled Monument).

The site failed Stage Two and was deemed "unreasonable to put forward" for large-scale development. In respect of flooding, EHDC's 2019 assessment found:

- The site is susceptible to extensive groundwater flooding
- Flooding can last months
- Large-scale development is incompatible with this risk



Nothing has changed since 2019 to alter these findings. The applicant has simply supplied a revised Flood Risk Assessment that acknowledges the same constraints, then defers their resolution to Reserved Matters - which is not permitted in policy or law.

The LPA must give substantial weight to its own published evidence. To proceed otherwise would be irrational and would expose the Council to procedural challenge.

## **2. Springs / Winterbourne: Still Unquantified, Unmodelled, and Unmanaged**

**Revised FRA (2025)** - The updated FRA acknowledges the winterbourne in narrative text and proposes an indicative swale, but:

- Provides no flow modelling
- Provides no seasonal monitoring
- Provides no hydraulic calculations
- Defers all analysis to post-permission monitoring

Crucially, the FRA fails to identify or acknowledge the multiple springs present across the site, despite clear evidence provided by the local community. This omission undermines any claim that the drainage strategy is robust or comprehensive.

This approach is procedurally indefensible. Outline permission must establish the principle that the site can accommodate the proposed development safely - not defer fundamental evidence gathering to verify such until later stages.

**LLFA Response (January 2026)** - As of January 2026, Hampshire County Council's LLFA objects to the application, stating:

- The FRA is not appropriate and fails to detail current flood risk or downstream impacts.
- Local evidence shows extensive surface water and groundwater emergence.
- The proposed swale could displace groundwater flows and increase flood risk elsewhere.
- A hydrogeological assessment and long-term groundwater monitoring are required before determination.



The LLFA concludes that, until this information is provided, the development cannot be considered viable without increasing flood risk on or off-site. This is a fundamental objection - not a matter that can be resolved by conditions.

**Conclusion** - A site containing multiple springs and a winterbourne cannot be declared “capable of accommodating 160 dwellings” without quantifying these watercourses and their seasonal behaviour. The applicant has not done this work. Asking the LPA to accept conceptual assertions at face value is contrary to the NPPF, Planning Practice Guidance, and EHDC’s own policy (CP25). Unknown risk cannot be treated as low risk, and without robust evidence, neither the Sequential Test nor the subsequent Exception Test can be passed. This alone provides a clear reason for refusal under NPPF Paragraph 11(d)(i).

### **3. Sequential Test Required – and Not Undertaken**

**National Policy Position** - The NPPF and updated Planning Practice Guidance (2025) require the Sequential Test to be applied to all sources of flood risk, including surface water and groundwater, not only fluvial flooding.

EA Standing Advice confirms that Sequential Test is required for FZ1 sites where the SFRA shows increased risk from groundwater or surface water.

**EHDC SFRA and 2019 Assessment** - EHDC’s own evidence identifies this area as having extensive groundwater emergence risk; risk that in EHDC’s own opinion was significant enough to prevent inclusion of the site into the Local Plan Update.

**Applicant Position** - The FRA asserts, incorrectly, that Sequential Test is “not required” because the site is in Flood Zone 1. This is a direct contradiction of NPPF, PPG, EA guidance and EHDC’s own planning policy.

**Conclusion** - The absence of a Sequential Test is a standalone reason for refusal at outline stage, as confirmed repeatedly in national appeal decisions. The precedents at Fairlight Cove, Lancaster, Bushey, Wyboston, and Thakeham - all previously submitted by HVA in respect of this application - corroborate this position unequivocally. Each case demonstrates that failure to apply the Sequential Test, even where housing need is acute, engages NPPF Paragraph 11(d)(i) and provides a clear reason for refusal.



#### 4. Sequential Test Required – But Impossible to Pass

**The Sequential Test Area Must Be District-Wide** - The Development Plan allocates Holybourne as a Level 4 settlement, suitable only for small-scale local development - not for a housing estate of 160 dwellings. There is no policy basis for treating this site as a strategic allocation. For a scheme of this magnitude, the Sequential Test should not be confined to Holybourne nor the applicant's landholdings; it must consider sites across the district where growth is planned. EHDC's own Core Strategy confirms that the 150 homes allocated to villages in the district are shared across 21 settlements. This proposal alone exceeds that entire figure.

Appeal decisions at Bushey and Thakeham confirm that the Sequential Test must consider all reasonably available sites across the district, not be confined to the applicant's land or arbitrarily limited by prescriptive criteria. Inspectors have repeatedly found that such restrictive approaches undermine the purpose of the test and conflict with national policy.

The Council's Strategic Housing Land Availability Assessment (SHLAA) identifies numerous sites across the district capable of accommodating strategic-scale development at significantly lower flood risk. To ignore these alternatives would undermine the purpose of the Sequential Test and national policy.

**Unknown Risk = Unassessable Risk** - Critically, the applicant has not quantified the site's flood risk:

- No seasonal monitoring of springs or winterbourne flows.
- No hydraulic modelling of groundwater emergence.
- No data on peak discharge or downstream connectivity.

Without knowing how much the site floods, the applicant cannot demonstrate that this site is less susceptible to flooding than any alternative. The Sequential Test requires a comparative assessment of risk. If the risk at the application site is unknown, the test cannot be satisfied. Unknown risk cannot be treated as "low risk."

**Conclusion** - The Sequential Test is not a paper exercise. It demands robust evidence of flood risk and a district-wide comparison of alternatives. Here, neither has been attempted, let alone met. EHDC's own SFRA and 2019 evidence confirm the site is highly susceptible to groundwater flooding, yet the applicant has provided no



quantifiable data to rebut that position. In these circumstances, the Sequential Test cannot lawfully be passed.

This provides further clear reason for refusal under NPPF Paragraph 11(d)(i) and Footnote 7.

## 5. Exception Test Cannot Be Applied – and Cannot Be Passed Anyway

**Policy Position** - The NPPF and Planning Practice Guidance make clear that the Exception Test is only engaged after the Sequential Test has been satisfied. Its purpose is to demonstrate that:

1. The development provides wider sustainability benefits that outweigh flood risk; and
2. The development will be safe for its lifetime without increasing flood risk elsewhere.

**Current Application** - The applicant has not undertaken a Sequential Test, yet implicitly assumes that the Exception Test can be satisfied through conceptual drainage proposals. This is procedurally incorrect. More critically, the Exception Test cannot be assessed because the applicant has not quantified the site's flood risk. Without knowing:

- The volume and frequency of groundwater emergence;
- Seasonal variability of the winterbourne;
- Peak discharge rates and downstream connectivity;

...the Local Planning Authority cannot conclude that the development can be made safe for its lifetime. Unknown risk cannot be treated as "manageable risk". The Exception Test demands robust evidence and a clear demonstration of safety - neither is present.

**Consequences** - Approving outline permission on the basis of unverified assumptions would breach NPPF Paragraphs 177–178 and undermine national flood risk policy. It would also expose EHDC to significant legal and reputational risk, as the principle of development cannot lawfully be established without satisfying both tests in sequence.

**Conclusion** - The Exception Test is not a fallback for incomplete evidence. Until the Sequential Test is passed and the site's flood risk is fully quantified, the Exception Test cannot be applied - let alone passed. This failure provides a further clear reason for refusal under NPPF Paragraph 11(d)(i) and Footnote 7.



## 6. Heritage Impacts Remain Unquantified – Drainage Strategy Threatens Listed Buildings

The applicant's revised FRA proposes to swale groundwater and spring flows directly off-site into the curtilages of listed properties within the Holybourne Conservation Area.

This approach would:

- Radically reduce the site's natural attenuation capacity, forcing rapid discharge rather than gradual infiltration.
- Direct unmanaged flows into heritage gardens and structures, increasing flood risk to assets that EHDC has a statutory duty to protect under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- Contradict NPPF Paragraphs 212-215, which requires great weight to be given to the conservation of heritage assets, and Paragraph 178, which prohibits development that increases flood risk elsewhere.

This is not a minor technical matter - it is a fundamental conflict between the drainage strategy and the Council's legal obligations. The FRA admits that spring discharge rates and baseflow will rise when groundwater levels are high, yet provides no modelling, no mitigation, and no assessment of heritage impact. Instead, it defers monitoring until after permission is granted.

**How does this sit with EHDC's statutory duty?** - Approving a scheme that knowingly channels floodwater into the curtilages of listed buildings would breach both national policy and the Council's legal obligations. It would expose EHDC to significant risk of judicial review and reputational damage.

**Conclusion** - A drainage strategy that sacrifices heritage assets to accommodate development is indefensible. The principle of development cannot be established while the applicant's proposals actively increase flood risk to designated heritage properties.

## 7. Outfall Capacity Not Proven (Thames Water)

The drainage strategy relies entirely on discharging surface water into Thames Water's network at Lower Neatham Mill Lane or Bonhams Close. However, Thames Water's January 2026 consultation response makes the position clear:

- Existing foul and surface water networks do not have sufficient capacity to support the proposed development.



- Network reinforcement is “likely required” to avoid sewer flooding and pollution incidents.
- Thames Water requests a Grampian-style condition: no occupation until upgrades are completed or a phasing plan is agreed.
- Network modelling will take 9–12 months after outline permission is granted, and will not commence until planning approval, phasing details, and land ownership evidence are provided.
- No programme or funding for upgrades has been confirmed.

This renders the proposed drainage strategy wholly reliant on third-party works that are undefined, unfunded and unprogrammed. JCS Policy CP26 and NPPF Paragraph 35 require supporting infrastructure to be planned and deliverable, not deferred to uncertain future interventions. A strategy predicated on speculative network upgrades cannot lawfully establish deliverability at outline stage.

**Conclusion** - The applicant is asking the LPA to approve a scheme without knowing whether the outfall exists in a usable form, when upgrades will occur, or how they will be funded. This is not a minor technicality - it goes to the heart of whether the development is viable and lawful. The principle of development cannot be established on such uncertainty.

## 8. Principle of Development Not Established

Outline permission is an approval of the principle of the development. That principle cannot be endorsed unless the LPA is satisfied that:

1. The site can physically accommodate the development, and
2. The policy tests (Sequential Test, Exception Tests, safeguarding of heritage) are met at outline stage.

Here, both elements fail:

- The site cannot be shown capable of accommodating 160 dwellings due to groundwater, springs, heritage and drainage constraints.
- Sequential Test is required and absent.
- Drainage strategy is conceptual, unproven and dependent on third-party upgrades.
- Groundwater and spring/winterbourne impacts are unmodelled.
- Heritage conflict is inherent and unavoidable.



Therefore the principle has not been demonstrated, and outline permission must be refused.

## **9. In Conclusion**

Given EHDC's own policy position in 2019 - when this site was rejected for large-scale development due to "very extensive groundwater flood risks" - and in the absence of any quantifiable assessment to demonstrate otherwise, why has EHDC continued to engage with the applicant beyond the first submission and consultation?

Following the initial review, the application should have been refused outright in line with Policy CP25 and the NPPF. Instead, the Council has entertained successive iterations of a Flood Risk Assessment that remain conceptually flawed and devoid of the evidence required to establish the principle of development.

This is not a matter of refinement; it is a matter of fundamental compliance. The site's flood risk remains unquantified, the Sequential Test cannot be passed, and the drainage strategy is undeliverable. Continuing to iterate on an inadequate FRA without addressing its fundamental flaws is an inefficient use of time for consultees, the community, and the planning authority.

EHDC's statutory duty is clear: to direct development away from areas at risk of flooding and to protect heritage assets. Approving this application would not only breach that duty but undermine public confidence in the integrity of the planning process. It would also place EHDC at significant legal and procedural risk.

## **Appendix A – Letter of Concerns to HCC Flood & Water Management**