

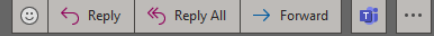
FW: Ulnes Walton 3rd Prison - Appeal



Palmer, Leanne <LEANNE.PALMER@planninginspectorate.gov.uk>

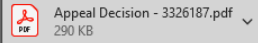
To Iain Crossland; Ulnes Walton Action Group; Katrina Hulse/GBR

Cc Claire Pegg/GBR; Adele Hayes



Thu 09/05/2024 15:28

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Paul Dodenhoff (Current chair of Ulnes Walton Parish Council) 202 Southport Road, Ulnes Walton, Leyland PR26 8LN

Dear Ms Palmer

Apologies for this very late submission but I have just been provided with an appeal decision relating to a development in our neighbouring Authority of Lancaster City Council, which was issued by your colleague Katie McDonald only last week, and which appears to have a material bearing on any recommendation which the Inspector may make, and in particular how the SoS considers his final decision.

At the original inquiry (in July 2022) the Inspector, in making his recommendation, and the SoS, in issuing his Interim Decision, relied on flood risk information contained in the Flood Risk Assessment submitted with the MoJ's planning application (Inquiry Document A18). This concluded (at para 4.1) that the Sequential Test would not be required (to inform any planning decision for this application). However, the diagram at para 3.2 of the FRA identifies that parts of the application site are subject to a medium or high risk of surface water flooding – a fact confirmed at the end of para 3.2 which states “the majority of the site is concluded to be at low risk of surface water flooding” – thereby indicating that there are parts of the site at a higher risk of surface water flooding.

Paragraphs 26 and 27 of Inspector McDonald's report (attached for information) makes it clear that, as a matter of Government Policy, when a site is at risk of flooding from any source, it would need to first satisfy a sequential test.

The present proposal **has not** been subject to any form of sequential test and it therefore seems clear that, should the SoS decide to confirm his original “minded to grant” letter this would be directly contrary to Government Policy as confirmed in the judgment cited in Inspector McDonald's decision.

I trust the Inspector will consider this when he makes his recommendation to the SoS.

Best Wishes

Paul Dodenhoff

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