

APPLICATION NO: F/YR23/0160/PIP

SITE LOCATION: Land South East of 45 Cattle Dyke, Gorefield

UPDATE

The application has been recommended for refusal for two reasons, one referring to the failure to submit a site specific Flood Risk Assessment (FRA) that includes a sequential test and exceptions test.

The agent subsequently submitted a Flood Risk Assessment, received on 25th May. This includes a sequential test and exceptions test. The agent states within this that ‘..the site falls within the village of Gorefield, therefore, a District wide Sequential Test will not be required..’ and concludes that ‘..there are currently no similar sites available located in the area within a lower flood risk, therefore the development passes the sequential test.’

As referenced in the committee report, the scale of the proposal is not appropriate for a small village and doesn’t meet the criteria within LP3 and LP12. Due to this, the appropriate area of search for the sequential test is considered to be the whole of the District (both countryside and villages). The submitted FRA fails to undertake a district wide search. It is therefore concluded that the Sequential Test is not passed in respect of this proposal, in that there are alternative sites in areas of lower flood risk where 4no dwellings could be provided.

Paragraph 162 of the NPPF states that ‘The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.’ As the agent has failed to undertake a District wide search, there is no need to apply the exception test, despite the agent having addressed this.

The reason for refusal is to therefore be updated to reflect the submission of the FRA:

‘Policy LP14 of the Fenland Local Plan and the NPPF seeks to steer developments to areas of lowest risk of flooding and requires developments, such as this application, to pass the Sequential Test and the Exceptions Test, should the Sequential Test be passed. As the application proposes a level of development greater than envisaged for Gorefield within the settlement hierarchy of the Local Plan it is considered that the area of search for the Sequential Test should be district wide. A Flood Risk Assessment including Sequential Test and Exceptions Test has been submitted, however, it focusses on the ‘small village’ and therefore fails to demonstrate that no other sites are available within the wider District at a lower risk of flooding. The proposal is therefore contrary to the Cambridgeshire Flood and Water SPD 2016, Policies LP12A(j); LP14 of the Fenland Local Plan 2014 and paragraphs159-167 of the NPPF’

Resolution: No change to the overall recommendation which is to refuse this application as per Section 10 of Agenda item 14 on pages 173-182 with an amended reason for refusal as set out above.