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**F/YR23/0460/FDC**

**Applicant: Mr Peter Lapham  
Fenland District Council (FDC)**

**Agent: Mr R Papworth  
Morton & Hall Consulting Ltd**

**Land At Inhams Close Murrow, Cambridgeshire**

**Erect 2 dwellings (2-storey 3-bed)**

**Officer recommendation: REFUSE.**

**Reason for Committee: FDC is the landowner.**

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## **1 EXECUTIVE SUMMARY**

- 1.1 This application has previously been referred to the Planning Committee for determination on the 18<sup>th</sup> of October 2023 where it was agreed that the determination of the application be deferred to allow the original Sequential Test to be amended, identify which sites are deemed available and provide a clear statement on what constitutes `reasonable available` sites.
- 1.2 Following deferral, the case officer has been in correspondence with the agent and a revised Sequential Test was submitted (Morton & Hall Consulting Ltd ref: H8909/MH/mh).
- 1.3 The additional information submitted is not considered to overcome the refusal reason in relation to the Sequential Test and flood risk.
- 1.4 Consequently, the recommendation is to refuse the application, consistent with the previous recommendation.

## **2 UPDATE**

- 2.1 This application has previously been referred to the Planning Committee for determination on the 18<sup>th</sup> of October 2023 where it was agreed that the determination of the application be deferred, to allow the original Sequential Test to be amended, identify which sites are reasonable available and a clear statement on what constitutes `reasonable available` sites.
- 2.2 Contained within Appendix A is the original Officer's committee report along with the 'Update Report'.

## **3 ASSESSMENT**

### **Sequential Test:**

- 3.1 Following deferral of the planning application at Committee in October, the agent was sent a list of the approved dwellings in Murrow that should be included as part of the Sequential Test. It was clear on the original Sequential Test that sites F/YR22/1286/F (1 dwelling), F/YR22/0871/F (1 dwelling) & F/YR22/1085/O (2 dwellings) benefit from planning permission for dwellings and are at lesser risk of

flooding (located in Flood Zone 2/Flood Zone 1). The revised Sequential Test identifies additional sites F/YR22/0125/O (1 dwelling) and F/YR23/0122/F (2 dwellings) which benefit from planning permission for dwellings and are also at a lesser risk of flooding (located in Flood Zone 1).

3.2 The agent suggests the list of approved sites for dwellings within their Sequential Test should be discounted as they are not `reasonable available` as they are `not comparable` to the proposal which is for a pair of semi-detached dwellings (i.e. because of their sale price and/or they are a larger/smaller site etc). However, as per the Cambridgeshire Flood and Water SPD (stage b), *`reasonably available sites will include a site or a combination of sites capable of accommodating the proposed development. These may be larger, similarly sized or a combination of smaller sites that fall within the agreed area of search`*. Therefore, there are at least seven dwellings within the revised Sequential Test which are reasonably available by virtue of having planning permission and could accommodate the proposed two dwellings.

3.3 Notwithstanding the revision, the Sequential Test is considered to be failed as there are clearly sites available which would be sequentially preferable.

#### **Exception Test:**

3.4 No additional information has been submitted in respect of the Exceptions Test

## **4 CONCLUSION**

4.1 There are five sites (seven dwellings) identified within the submitted Sequential Test which are considered sequentially preferable as they could accommodate the proposed pair of semi-detached dwellings within areas of lesser risk of flooding. Further, the proposed development does not provide any wider sustainability benefits. Both the Sequential and Exception Tests fail.

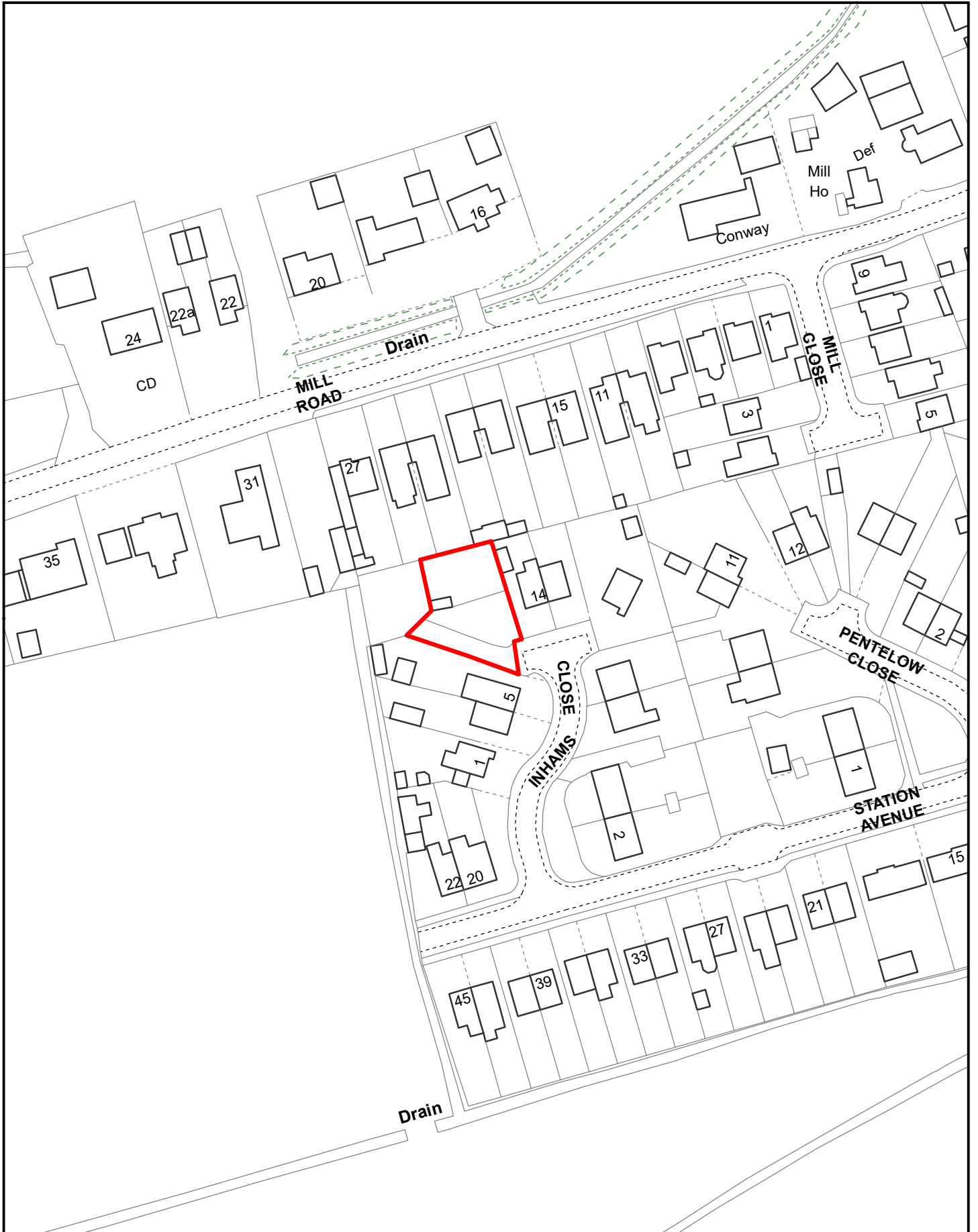
4.2 The Sequential Test has not overcome the previously asserted failure to comply with the relevant policies in relation to refusal reason 1. As such, the conclusions and recommendations in Appendix A remain unchanged in this regard and, notwithstanding the view expressed by Members previously, the Officer recommendation for refusal remains.

## **5 RECOMMENDATION**

**Refuse;** for the following reason:

1	<p>The site lies in Flood Zone 3, the highest risk of flooding. Policy LP12 Part A (j) seeks to ensure that developments would not put people or property in dangers from identified risks, such as flooding. Policy LP14 of the Fenland Local Plan and Chapter 14 of the NPPF seek to steer developments to the areas with the least probability of flooding and development will not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. If it is evidenced by an adequate Sequential Test that it is not possible for development to be located in areas with a lower risk of flooding the Exception Test will then apply.</p> <p>There are currently five sites (seven dwellings) within the submitted Sequential Test which are considered sequentially preferable as they could</p>
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	<p>accommodate the proposed pair of semi-detached dwellings within an area of lesser risk of flooding. Further, the proposed development does not provide any wider sustainability benefits. Therefore, both the Sequential and Exception Tests fail. As such, the proposal would conflict with Chapter 14 of the National Planning Policy Framework 2023, Policies LP12 &amp; LP14 of the Fenland Local Plan 2014 and The Cambridgeshire Flood and Water Supplementary Planning Document.</p>
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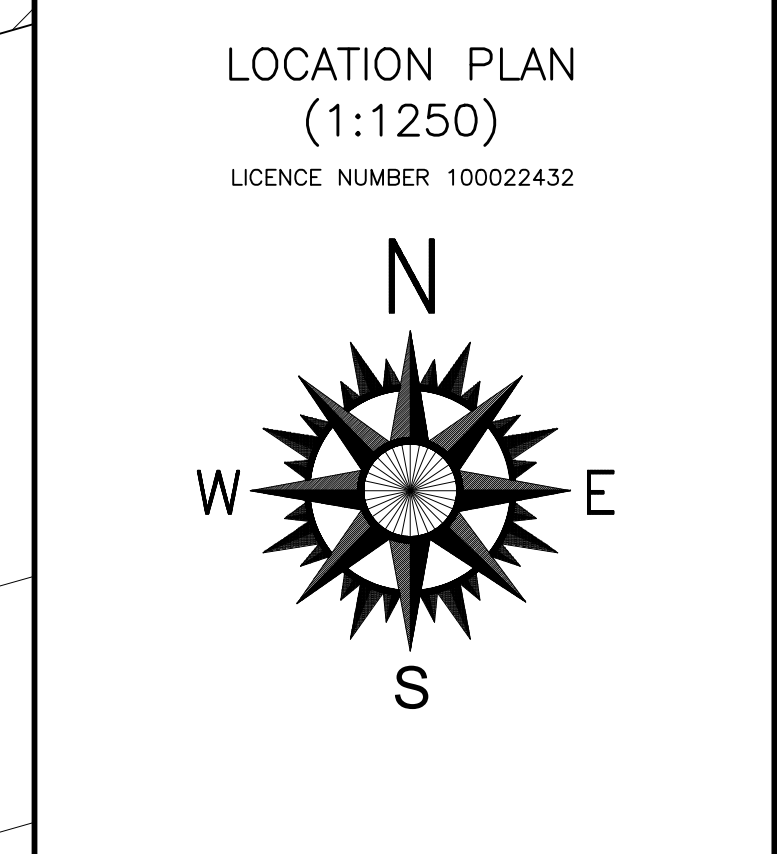
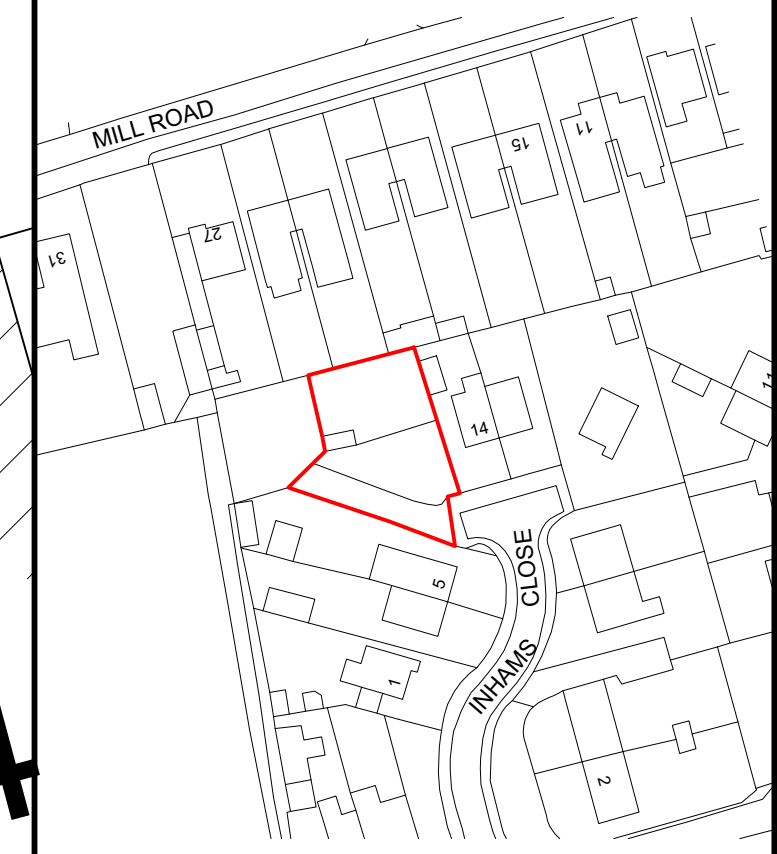
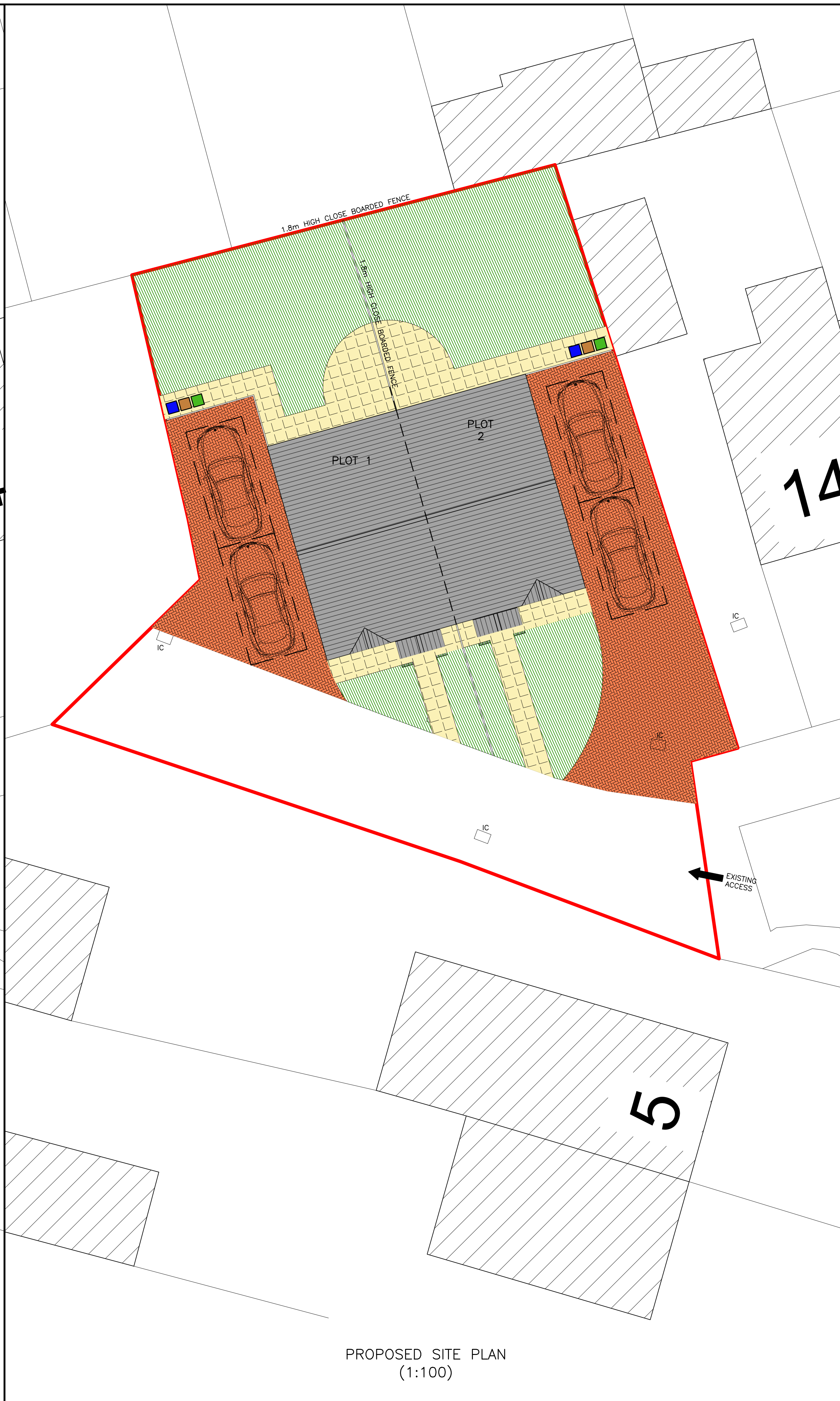
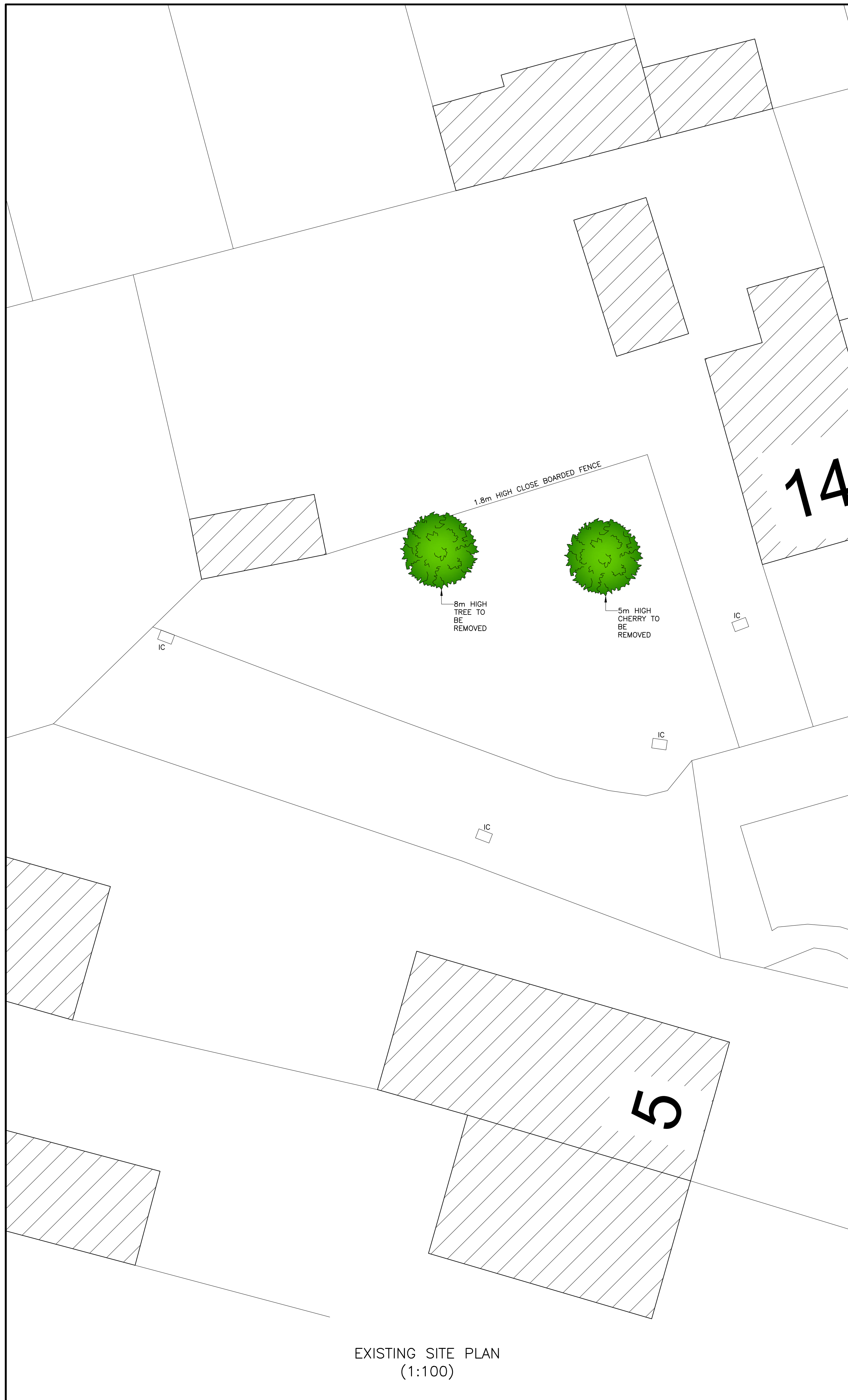
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C	PLANNERS COMMENTS	MAY 23
B	DRAWING UPDATED	MAR 23
A	DRAWING UPDATED	MAR 23
	REVISIONS	DATE

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TITLE  
 Existing & Proposed Site Plans

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DATE March 2023	DRAWING NUMBER H8909/01c
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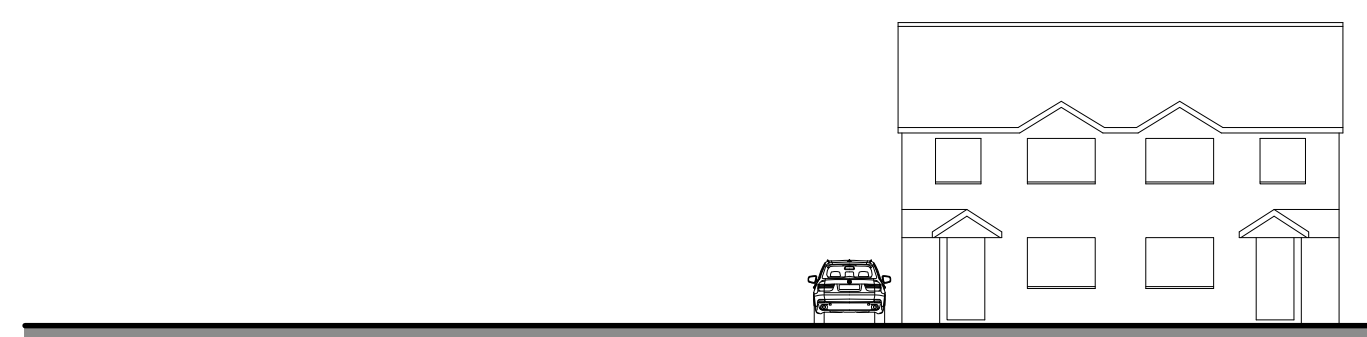
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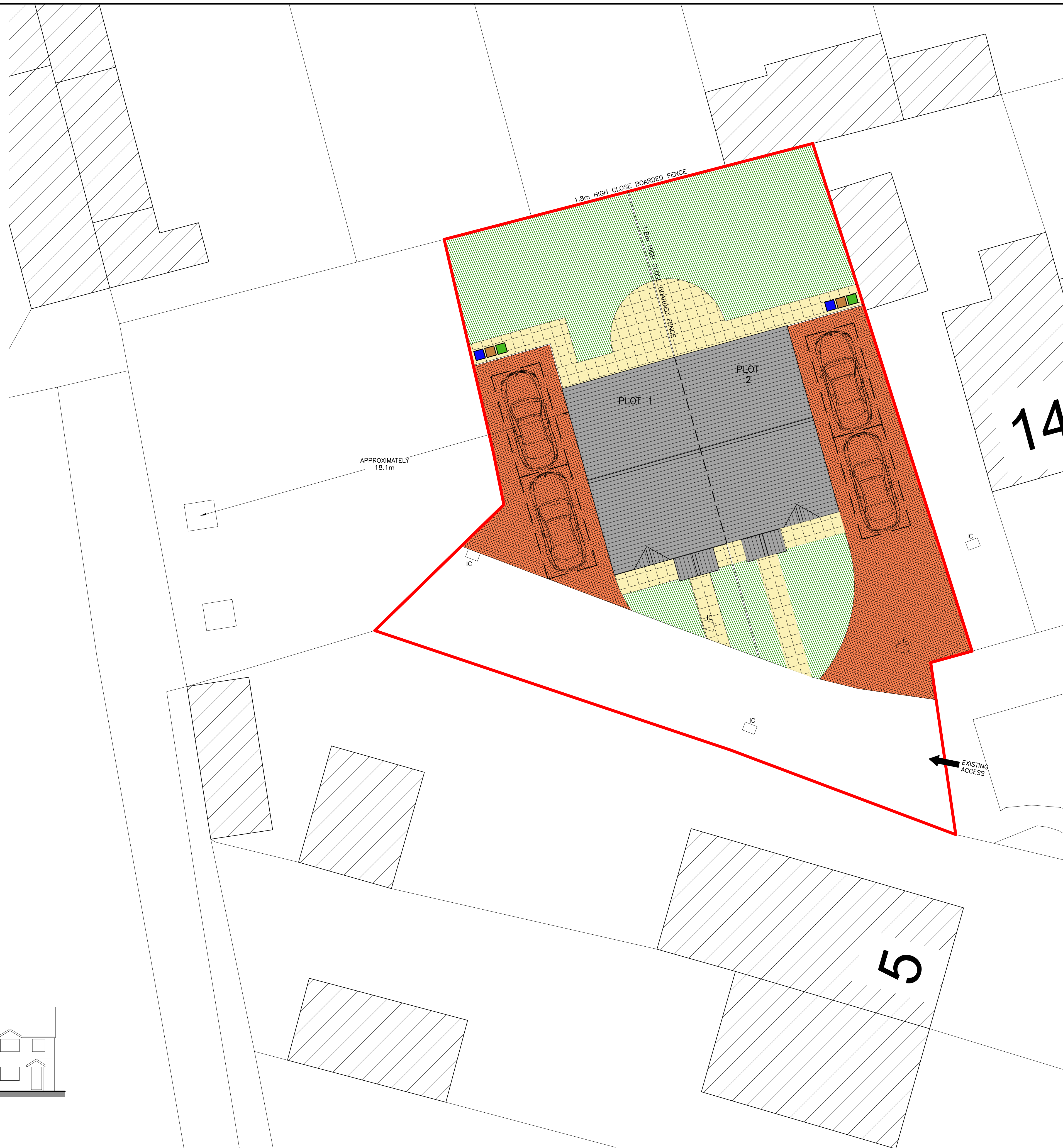
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EXISTING SITE PHOTO



EXISTING STREET SCENE  
(1:200)



PROPOSED BLOCK PLAN  
(1:100)

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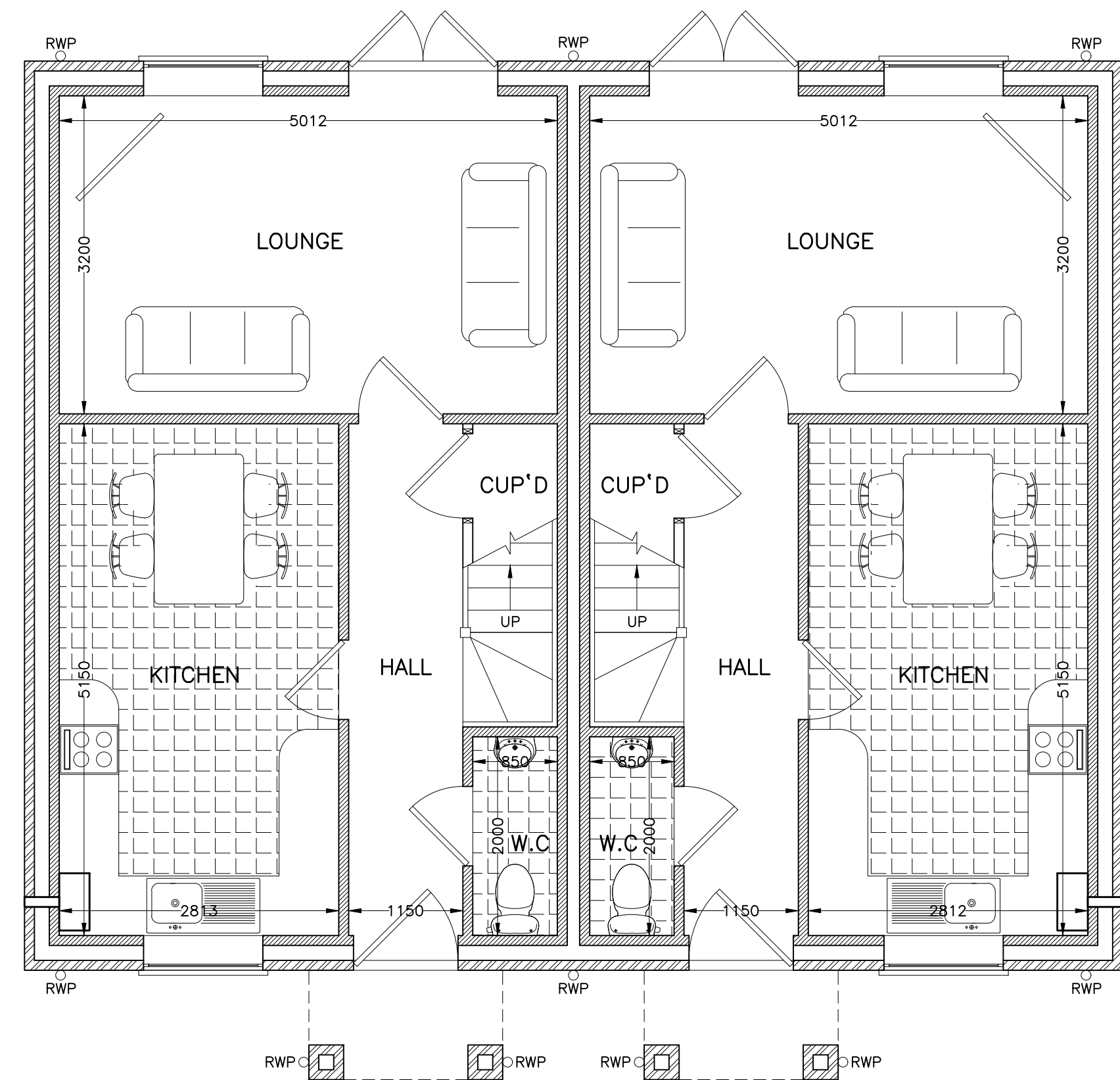
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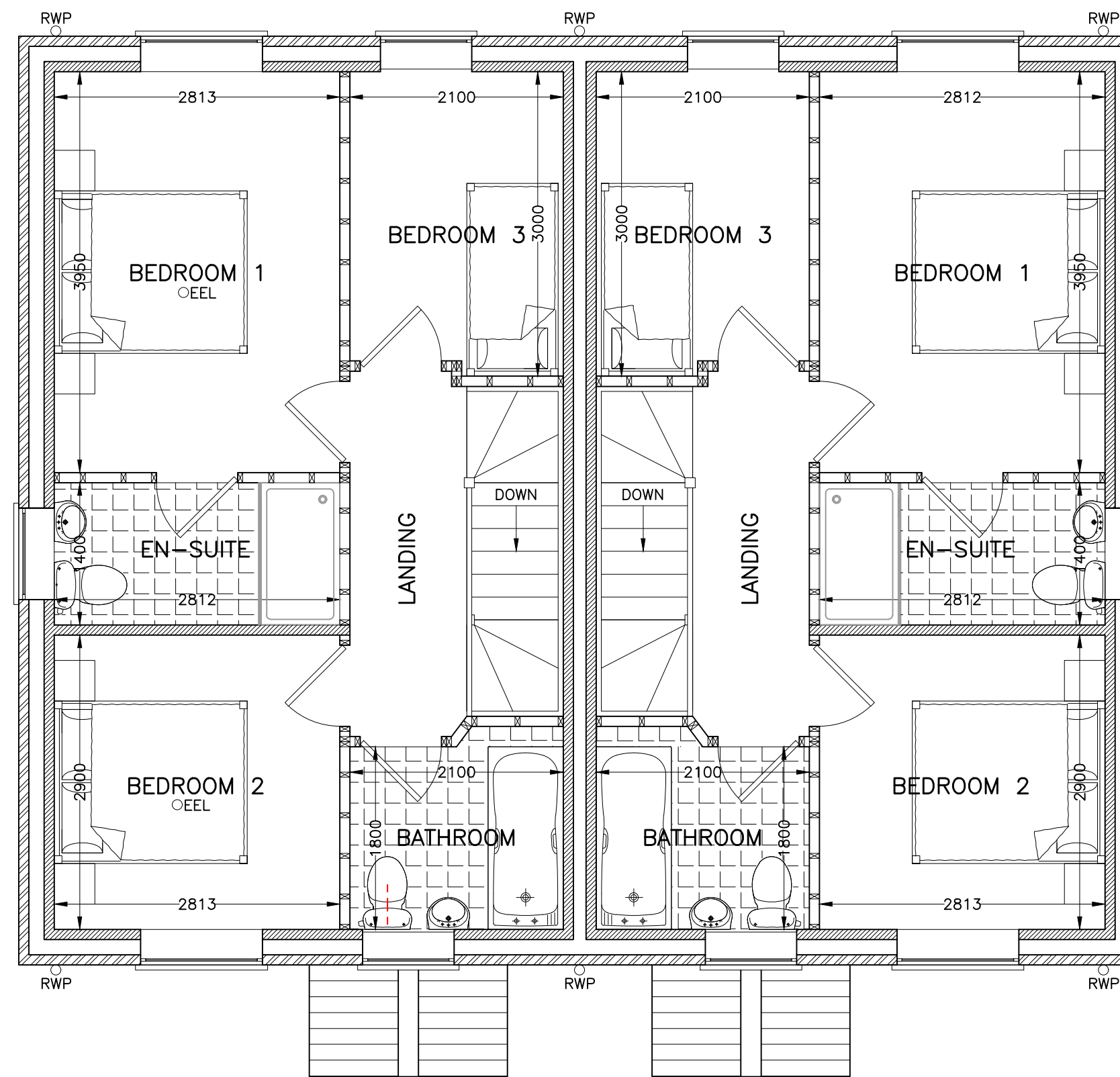
TITLE  
Overall Proposed  
Block Plan

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DATE March 2023	DRAWING NUMBER H8909/02c
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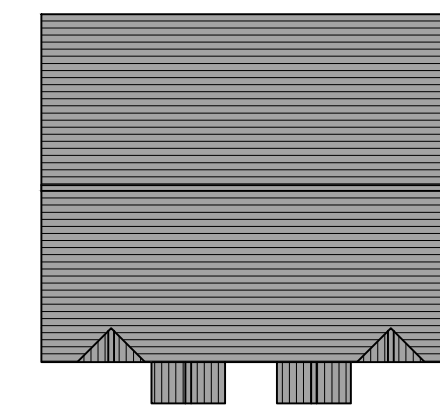




PROPOSED GROUND FLOOR PLAN  
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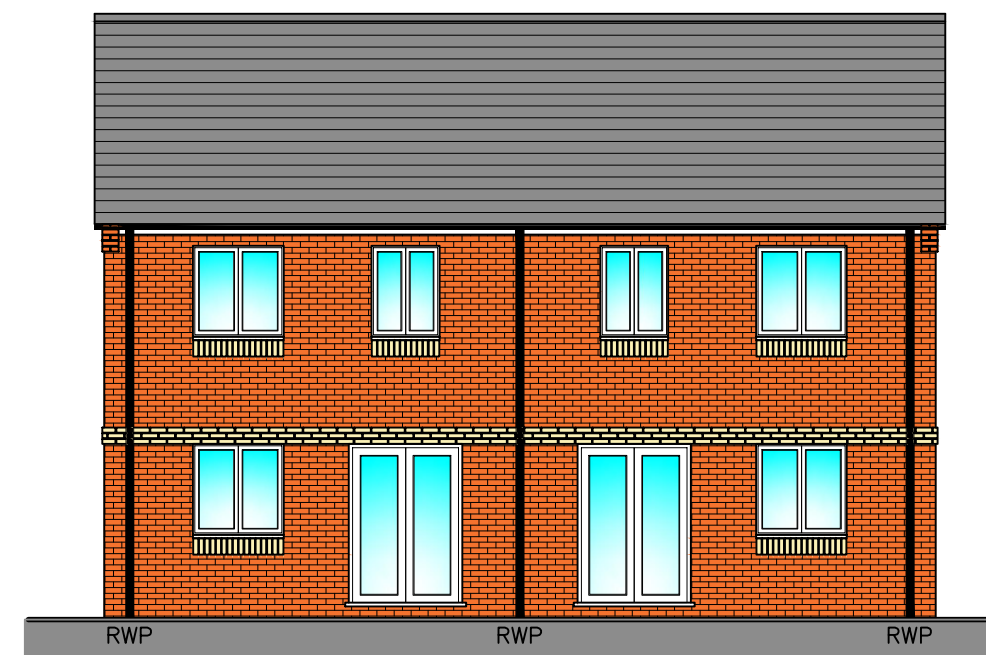
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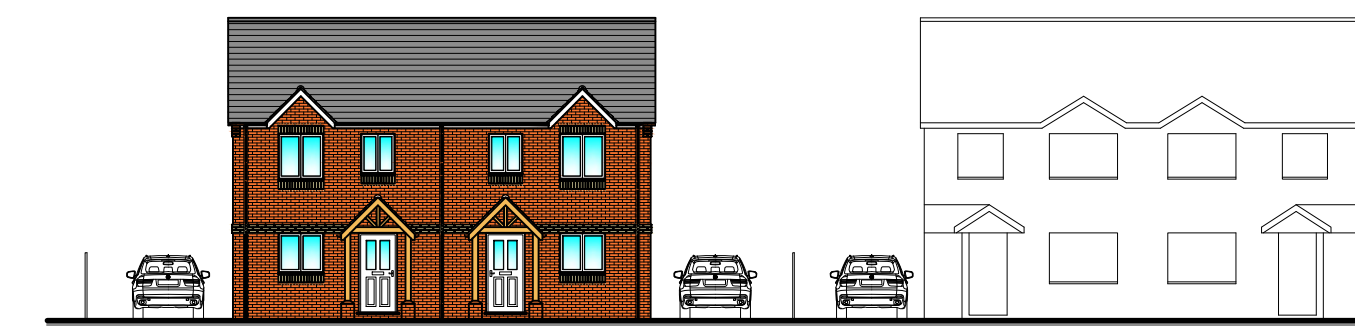
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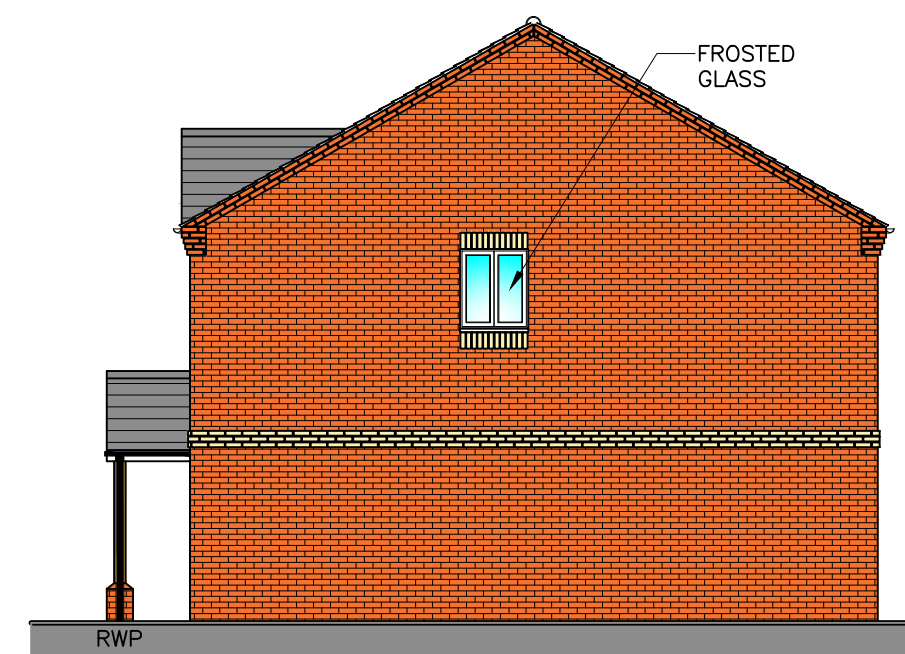
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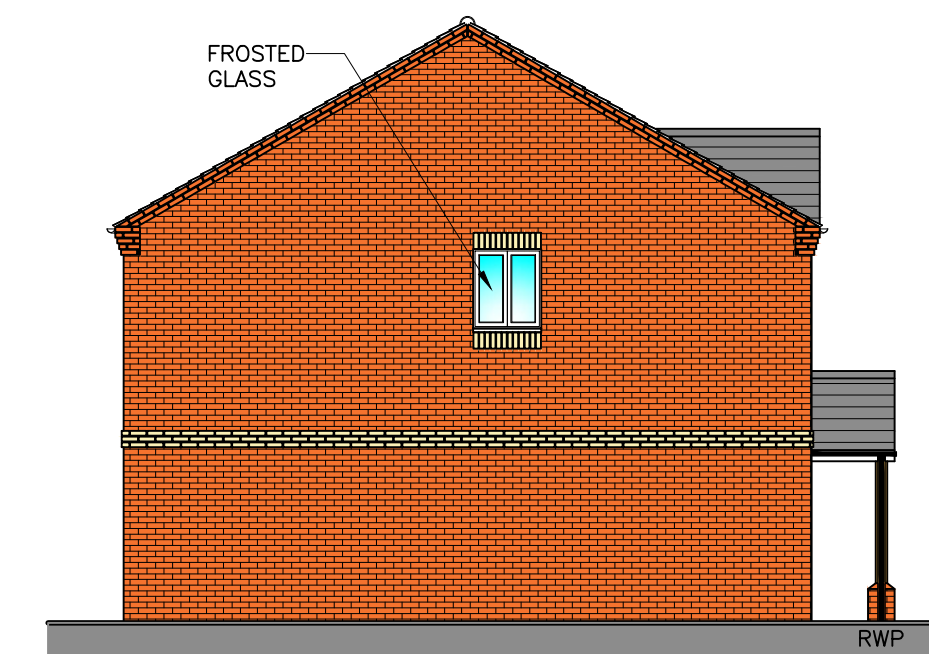
PROPOSED REAR ELEVATION  
(1:100)



PROPOSED STREET SCENE  
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PROPOSED RHS ELEVATION  
(1:100)



PROPOSED LHS ELEVATION  
(1:100)

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