
Appeal Decision

Site visit made on 30 December 2019

by Peter Mark Sturgess BSc (Hons), MBA, MRTPI

an Inspector appointed by the Secretary of State.

Decision date: Thursday, 13 February 2020

Appeal Ref: APP/D0515/W/19/3237708

Land south of Seafield Farm, Gorefield Road, Leverington, PE13 5FL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr P. Gumbley against the decision of Fenland District Council.
 - The application Ref F/YR19/0331/F, dated 18 March 2019, was refused by notice dated 21 June 2019.
 - The development proposed is proposed dwelling.
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Decision

1. The appeal is dismissed

Main Issues

2. The effect of the development on the character and appearance of the area
3. Whether the proposal would comply with local and national policies which seek to steer development away from the areas at highest risk of flooding.

Reasons

Character and appearance

4. The site lies on the edge of Leverington. To the rear of the site lie a complex of barns which have been converted to five dwellings. Given the site's position on the edge of the village, the principle of a dwelling in this location is in accordance with the Policies of the Fenland Local Plan (FLP), May 2014.
5. The proposed dwelling is of an unconventional appearance, with roof lights, half-hipped roof, simple windows with vertical emphasis, L shaped plan and variations in ridge heights. All these features add interest to the design, assist with its integration to its surroundings and help to reduce the perception of its size and massing. The proposed materials, a mixture of brick and cladding reflect the previous agricultural character of the location. The visibility of the site is limited; however, the residential character of the area is evident due to car parking, stove pipes and roof lights on the barn conversions themselves. The appeal proposal would interrupt views of the barn conversions, when viewed from Gorefield Road. However, the barns are not listed nor lie in a conservation area and I therefore attach limited weight to this aspect.
6. I find the appeal proposal would result in a dwelling which would integrate well with its location, which the Council accepts is suitable for development and which would maintain the character and appearance of the immediate and

wider area. I find that the proposed dwelling would accord with FLP Policies LP12 and LP16.

Flood Risk

7. The site is located in Flood Zone 2 as defined by the Environment Agency (EA), on their current flood risk mapping. National and local policy seeks to direct new development to areas at the lowest risk of flooding. In Flood Zone 2 areas the sequential test must be applied to proposals for new housing development for this reason.
8. The appellant has argued through a Flood Risk Assessment (FRA) that the site is in Flood Zone 1 and therefore a sequential test is not necessary. This argument is primarily based on a Strategic Flood Risk Assessment (SFRA) produced by the Council in 2012. The SFRA was prepared for the specific purpose of informing the allocation of sites around Wisbech for the 2014 Local Plan. In view of this I consider that the most up to date assessment of the site's risk of flooding is contained in the EA's 'Flood maps for planning' dated March 2019. I have dealt with the appeal on this basis.
9. The EA's 'Flood maps for planning', shows the site within Flood Zone 2. The guidance produced by the EA clearly directs applicants to its flood zone mapping so that they can decide whether or not the sequential test should be applied to their proposals. The flood maps are regularly updated.
10. The appellant, in the FRA, references the EA's 'tidal hazard mapping'. The FRA states that the 'hazard maps' show that the site is unaffected by any flood waters. The Council has not indicated that the 'hazard maps' should be adopted for planning purposes. However, the latest EA 'Flood maps for planning' shows the site in Flood Zone 2. Therefore, I see no reason to depart from that assessment as these are based on the most up to date data available. The appellant has made reference to the presence of flood defences, however that does not justify setting aside the sequential test which is required by national and local policy.
11. I find on this matter that the site lies within Flood Zone 2 as defined on the EA's 'Flood maps for planning'. Without a sequential test I cannot be certain that the appeal site is that at the lowest risk of flooding in the area. I therefore find the proposal in conflict with the Policy LP2 of the FLP, that requires homes to be sited in areas which are safe from flooding and Policy LP14(B) which requires, amongst other things, the application of the sequential test in areas which are at higher risk of flooding.

Conclusion

12. I find that having regard to all matters before me, including the policies of the development plan, when taken as a whole, the appeal should be dismissed.

Peter Mark Sturgess

INSPECTOR